

# Village of Tivoli LWRP Monitoring Report June 2017

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## Community Background:

The Village of Tivoli is located in the Town of Red Hook on the eastern bank of the Hudson River, in Dutchess County, New York. It covers a total area of 1.64 square miles with a population of 1,118 (U.S. Census, 2010). The Village of Tivoli has a coastal area that spans approximately 1 mile along the Hudson River. Stony Creek also winds through the Village.

Historically, the Village's locality on the Hudson River contributed to commercial development and economic activity. There was docking by 18<sup>th</sup> century sloops at Tivoli Landing, a ferry service to Saugerties, commercial fishing operations and a steamboat shop. There was also an active railroad stop on the Hudson River Railroad. Presently, Routes 9G and 78 (Broadway) are the main transportation corridors that provide access to the Village.

There are two New York State Significant Coastal Fish and Wildlife Habitats located in the Village's coastal area: Esopus Estuary and North and South Tivoli Bays. These areas support an abundance of fish and wildlife species. The Village is also known for its scenery and is included in the NYS designated Estates District Scenic Area of State Significance (SASS).

Public access within the Village's waterfront area includes Tivoli Bay Wildlife Management



View of Tivoli Bays Wildlife Management Area



View of North Tivoli Bay SASS

Area (North Tivoli Bay) and Memorial Recreation Park. Tivoli Bays Wildlife Management Area is a freshwater tidal influenced bay and wetland complex that encompasses 1,468 acres. It is an ecologically rich habitat that supports a variety of fish and wildlife species. Two hand-launching sites allow non-motorized boating access into the North Bays (Town of Red Hook). Memorial Recreation Park features a playground,

pavilion, basketball court, skate ramp, community garden and baseball field. The Village's water tower is located adjacent to the park.

### **Collaborations with Department of State:**

Since the completion of its Local Waterfront Revitalization Program (LWRP) in 1991, the Village has worked to advance its implementation. The Department of State (DOS) has awarded five Environmental Protection Fund Local Waterfront Revitalization Program (EPF-LWRP) grants to the Village and one Environmental Protection Fund Smart Growth grant to the Town of Red Hook (See chart: Grants Awarded – Village of Tivoli/Town of Red Hook).

In 1995, the Village received funding to develop a riverfront access plan. The purpose of the riverfront access plan was to identify an approach to preserve riverfront access and develop a riverfront park. The plan identified alternatives to maintaining access to the riverfront across the railroad tracks. It has been used as a guide for continued efforts toward preservation of the riverfront access including: negotiations with ConRail and other adjacent landowners, initiation of permit approval processes with the New York State Department of Environmental Conservation (NYSDEC), the U.S. Army Corps of Engineers (USACE) and the New York State Department of Transportation (NYSDOT), education of the public regarding the proposed plan, and assistance in seeking funding for the project.

Additional grants were secured to advance the design for the Tivoli Waterfront Park including grants in 2004 and 2015. An expanded Phase 1 environmental site assessment was completed in August 2008. The environmental site assessment summarized the physical settings, historical property information, and environmental records review for the waterfront site. In 2010, the Village acquired an easement from the railroad company for land west of the railroad tracks to be developed as new public access to the Hudson River. A report that detailed options for the pedestrian bridge was completed in May 2015. An updated design for the waterfront park was developed in August 2016.

In 1999, the Village in partnership with 10 municipalities and 43 community and business groups that constitute the Northern Dutchess Alliance was awarded funding for the development of a regional master plan addressing economic revitalization. The "Blueprint for Economic Development" serves as a tool for a community to get started or enhance their current efforts in Community Economic Development (CED). The blueprint addressed four broad areas including 1) natural and cultural heritage, 2) agriculture, 3) economic development, land use/acceptable growth, and 4) community involvement.

In 2007, the Village in collaboration with Scenic Hudson and the Marist Bureau of Economic Research developed a land-use study of three Dutchess County communities. The study entitled "Identifying Growth Trends at the Community Level" focused on the towns of Fishkill, Hyde

Park and Red Hook to identify whether a regional trend of sprawl was emerging at the local level. The key findings include: 1) a predominance of single family homes, 2) living in isolation, 3) less affordable homes, 4) smaller families, larger homes, 5) increased commercial strip development, 6) longer commute, 7) increased dependence on automobiles, and 8) empty centers. The suggested remedies and recommendations include: 1) leverage the power of comprehensive plans, 2) produce or consult resource inventories, 3) utilize planning tools for creative solutions, 4) consider financial needs for infrastructure, 5) promote regional cooperation, and 6) promote a regional environmental ethic.

In 2007, the Town of Red Hook in partnership with Villages of Red Hook and Tivoli was awarded an EPF Smart Growth grant to focus on enhancing Red Hook's small town character, with close-knit villages surrounded by rural countryside ("centers and greenspaces"). Overall, the project goal was to guide growth into an appropriate center immediately adjacent to the Village of Red Hook and allow for preservation of farmland and open space throughout other areas of the community.

### **LWRP Monitoring Process:**

The goal of the monitoring process is for the Department of State - Office of Planning and Development (OPD) to assess a community's consistency with its LWRP and to understand implementation activities and decision-making procedures related to the LWRP. Additionally, this process provides a forum for the community to highlight successes and to request technical and financial assistance for program implementation.

The Department of State (DOS) began the LWRP monitoring process for the Village of Tivoli by sending a letter which described the process and a list of survey questions. A conference call to discuss the survey questions was held in December 2016. A site visit was held in April 2017. The tour provided DOS staff with an opportunity to see first-hand existing recreational opportunities and discuss potential projects within the Village's waterfront area. Mayor Joel Griffith participated in the LWRP monitoring process.

### **Office of Planning and Development Findings:**

#### **Overview**

The Village of Tivoli LWRP was prepared in order to guide development within the coastal area in a way that protects and preserves natural resources and enhances public enjoyment of the waterfront.

While the Village's LWRP dates back to 1991, recent planning efforts by the Village include the development of a Comprehensive Plan in 2002, the Tivoli Pattern Book in 2010 and a Trail Plan in 2016. The Village's Comprehensive Plan presents nine visions to protect, maintain, and enrich

the community while serving as a guide for decision-making regarding the direction of the Village for the future. The Tivoli Pattern Book features a survey of the Village's architecture. It was developed to serve as a guide for future construction so that the Village's unique character and charm can be retained and enhanced. In February 2016, the Village in collaboration with the Town of Red Hook and Village of Red Hook completed a draft trail plan to connect residents and visitors of the three communities to destinations through a comprehensive trail network.

The Village recognizes the need to update its current land use plans and regulations to meet the future demands of growth and development. The Village has made updates to its zoning code (Chapter 231) and the zoning district map. In 2010, the Village amended its zoning law to create a Historic Overlay District, with provisions governing demolition of historic structures and new construction. The Village is also proposing to amend the Historic Overlay District to include provisions which govern alterations of historic structures. Amendments were made to the residential business district (RB District) in 2012, which incorporates special permit design standards for buildings along Route 9G.

The Village also recognizes the need to update their LWRP. DOS encourages the Village to update its 26-year old LWRP to serve as a strategic plan for the waterfront. This update would provide an opportunity to consider and incorporate potential projects and actions within the waterfront area. Potential projects and actions discussed were expanding public access opportunities to the Hudson River. It would also provide an opportunity to educate and train the Village on its responsibilities to ensure that all applicable actions taken by the Village are consistent with the LWRP. A key element would be formal local consistency training by DOS staff to all pertinent local officials and boards.

### **LWRP Implementation**

Since its adoption in 1991 the Village has implemented several actions outlined in the LWRP to improve its waterfront:

- Acquired an area along the Hudson River at the end of Diana Street for riverfront access. The acquired parcel of land comprises approximately 738 feet of Hudson River shoreline. The Village has developed a master plan for the future waterfront park. The Village is actively working on the final design for this park.
- Conducted planning efforts for the Village's greenways and trails. In February 2016, the



View of Hudson River at Diana Street

Village in collaboration with the Town of Red Hook and Village of Red Hook completed a draft trail plan to connect residents and visitors of the three communities to destinations through a comprehensive trail network. The Village to Village Trail (V2V) is proposed as a trail that would connect the Village of Tivoli to the Village of Red Hook. Signed bike routes are also proposed in the Village of Tivoli.

- Made improvements to Memorial Park with grant funding from the Community Development Block Grant (CDBG) Program.
- The Village completed a design for a walkway with funding from the Hudson River Valley Greenway Council. The proposed walkway originates in the Village business district and will follow Broadway to the waterfront.



Memorial Park Playground

- Completed an adaptive reuse of the old firehouse. The renovated firehouse features the Village Hill and the library.

### **LWRP Document Accessibility**

The Village's LWRP is available at Village Hall in the clerk's office. An electronic copy is available on DOS's web site at the following link:

[http://docs.dos.ny.gov/opd-lwrp/LWRP/Tivoli\\_V/Index.html](http://docs.dos.ny.gov/opd-lwrp/LWRP/Tivoli_V/Index.html)

### **Local Consistency Review**

The Village of Tivoli Waterfront Consistency Review Code (Chapter 225) was adopted in 1991 to provide for the preservation, enhancement and utilization of the natural and man-made resources within the Village's waterfront area by ensuring that actions classified as Type I or unlisted under Part 617 of Title 6 of NYCRR to be undertaken, approved or funded by village agencies will be undertaken in a manner consistent with the policies and purposes of the Village of Tivoli

Per the Village's Consistency Review Code, whenever an agency of the Village receives an application for approval or funding of an action or as early as possible in the agency's formulation of a direct action to be located in the Coastal Area, the applicant, or in the case of a direct action, shall prepare a coastal assessment form (CAF) to assist in the consistency determination of the proposed action. The agency shall refer a copy of the completed CAF to the Village of Tivoli Planning Board as soon as possible after an application has been filed or a proposal for action made and prior to any determination of significance on the action.

Following the referral of the CAF, the Planning Board has 30 days to make its determination of consistency and render a written recommendation. Along with its consistency recommendation, the Planning Board shall make any suggestions to the agency concerning modification of the proposed action to make it consistent with LWRP policy standards and conditions or to greater advance them.

Below is a list of an Environmental Protection Fund Local Waterfront Revitalization grants received by the Village.

<b>Grants Awarded</b>			
<b>Environmental Protection Fund Local Waterfront Revitalization Program/Smart Growth Grants</b>			
<b>Village of Tivoli and Town of Red Hook</b>			
<b>Year</b>	<b>Amount of Grant</b>	<b>Project Description</b>	<b>Status</b>
2015	\$25,000	The Village of Tivoli will develop design and engineering documents to improve the bulkhead, stabilize the shoreline, manage stormwater and incorporate site amenities for Tivoli Waterfront Park. The Park will include a pedestrian overpass, a trail system, picnic facilities, benches, landscaping, a floating dock and a hand launch for small watercraft.	Open
2007	\$50,000	The Town of Red Hook, in partnership with the Villages of Red Hook and Tivoli, implemented the recommendations of the Centers and Greenspaces Plan by amending the town's comprehensive plan and its zoning regulations to create a new agricultural business district to curb housing sprawl on rural and agricultural land and a new traditional neighborhood development district to encourage village-scale density where appropriate, as well as new open space incentive zoning.	Closed
2004	\$150,000	The Village will amend its approved Local Waterfront Revitalization Program to address a new Hudson River public access easement developed with CSX Railroad. In addition, the Village of Tivoli proposes to design and construct two elevator towers and a bridge over the railroad tracks to provide non-vehicular access. This will further work developed under a previous EPF award.	Closed
1999	\$35,000	The Village of Tivoli will sponsor a project to be jointly conducted by Scenic Hudson, Inc. and the Marist Bureau of Economic Research to develop and test a Hudson Valley Sprawl Index, with Dutchess County	Closed

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<b>Environmental Protection Fund Local Waterfront Revitalization Program/Smart Growth Grants</b>			
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<b>Year</b>	<b>Amount of Grant</b>	<b>Project Description</b>	<b>Status</b>
		as the pilot area. The project will meet a critical need for addressing inadequacy of current data and understanding of development patterns, and their impacts and costs to communities. The information will be used to improve regional economic planning and decision making and protection of valuable natural resources.	
1999	\$64,000	The Village of Tivoli, in partnership with 10 municipalities and 43 community and business groups that constitute the Northern Dutchess Alliance, will develop a regional master plan addressing economic growth in a region experiencing substantial changes in its traditional agriculturally-based economy. The plan will establish a cultural and commercial regional identity and will support regional coordination of tourism and recreational and cultural activities, waterfront development, enhancement and revitalization of Main Street corridors, historic preservation, sewer and water infrastructure, traffic patterns, retail and light industrial business, and open space policies	Closed
1995	\$25,000	The Village of Tivoli, through it's Waterfront Committee, will obtain the services of a planning/engineering consulting firm to assist in the preparation of design plans and specifications for public access improvements to the Tivoli Landing Riverfront Park area.	Closed