EXECUTIVE SUMMARY

Purpose. The purpose of a Local Waterfront Revitalization Program (LWRP) is to promote economic development and revitalization of the Village's Waterfront Revitalization Area (WRA) while assuring the protection and beneficial use of coastal resources therein.

Authority. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42) and the implementing of rules and regulations for the Act (Part 600 of Title 19, NYCRR) authorize the preparation of Local Waterfront Revitalization Programs with financial and technical assistance from the NYS Department of State. Article 42 and Part 600 also require that all State agency actions proposed in a local waterfront area covered by an approved program be undertaken in a manner consistent, to the maximum extent practicable, with the policies and purposes of such program. In the absence of an approved LWRP, State agency actions in the coastal area must be consistent with the forty-four (44)-coastal policies set forth in the New York State Coastal Management Program (CMP). When an LWRP has been approved by the NYS Secretary of State, its policies and purposes are substituted for those of the CMP.

Approach. The approach to managing the waterfront areas taken by New York State is significantly different from the approach used in other States. While State government can promote development and provide protection for critical resources, it is recognized that municipalities are in the best position to determine their own waterfront objectives and to adapt statewide approaches to specific local needs. Accordingly, the Department of State, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act, has encouraged waterfront communities to prepare their own Local Waterfront Revitalization Programs.

A Local Waterfront Revitalization Program (LWRP) is a comprehensive program that refines legislatively established waterfront policies by incorporating local circumstances and objectives. It is a voluntary grassroots effort which brings together local, State, and federal governments, commerce, environmental interests, private organizations, and community citizens to assess current circumstances, opportunities, and constraints and to build a consensus on the desired future of the community's waterfront area. More importantly, the LWRP provides a strategy for achieving that vision.

In general, an LWRP is a detailed and realistic effort to promote and protect waterfront resources. By preparing an LWRP, a community has the opportunity to evaluate its waterfront resources and to develop and implement a management program for the best use and development of those resources. Decision makers will then be able to respond with increased knowledge and purpose to future events affecting their waterfront area and to actively pursue an agreed-upon program.

The LWRP includes a comprehensive inventory and analysis of the community's waterfront area resources, issues, and opportunities. From this, the community can refine the 44 State Coastal Policies to better reflect local circumstances and issues. The local policies are included in Section III. One of the components of the LWRP is the identification of long-term uses within the waterfront area and specific projects that will help to implement the policies and purposes of the Program. These are discussed in Section IV. These uses and projects, in conjunction with an established management program, can significantly increase a community's ability to attract development activities that will take best advantage of the unique cultural and natural characteristics of the community. Techniques to implement the LWRP are discussed in Section V. This section addresses the ability of a community's
existing local regulations to implement the LWRP and how these may be modified to implement the policies and proposed land uses outlined in Sections III and IV.

The opportunities for communities to tackle the issues and opportunities associated with its waterfront and nearshore water areas have been provided by amendments to Article 42 of the Executive Law. These provide local governments with the clear authority to comprehensively manage activities in harbor and nearshore areas through harbor management plans and associated laws. A harbor management plan addresses conflict, congestion, and competition for space in the use of a community's surface waters and underwater land. Article 42 provides consideration of and guidance and regulation on the managing of boat traffic, general harbor use, optimum location and number of boat support structures, such as docks, piers, moorings, pump-out facilities, special anchorage areas, and identification of local and federal navigation channels. It also provides the opportunity to identify various alternatives for optimum use of the waterfront and adjacent water surface, while at the same time analyzing the probable environmental effects of these alternatives.

As harbor management programs are now a required element of a LWRP, the Village of Sleepy Hollow’s Harbor Management Program is integrated into its Harbor Management Plan into the LWRP. The harbor management plan considers many uses of Sleepy Hollow’s water area. Section II discusses the many uses and issues associated with the Hudson River; Section III includes policies for harbor management; Section IV puts forward proposed water uses and identifies sites for water-dependent uses; Section V considers the need for local regulation to implement the plan.

Steps. A draft LWRP was prepared following guidelines developed by the NYS Department of State. The draft LWRP provided an assessment of local waterfront conditions, identified policies applicable to those conditions, proposed future land and water uses and projects for the local waterfront area and described local means for implementing such policies, uses and projects. It also identified State and Federal agencies that would be affected by or would be needed to implement the program; indicated those government agencies and other organizations consulted during preparation of the program, and described measures taken to assure local commitment to program implementation. State Environmental Quality Review (SEQR) documentation was prepared for the local action of adopting the Local Waterfront Revitalization Program amendments.

Next, the draft LWRP was submitted to the NYS Department of State with a resolution from the local governing body authorizing the submission. The Department of State, in turn, prepared a program summary and posted distributed copies of the summary and the draft LWRP online for approximately 70 State and Federal agencies for their review and comment during a 60-day review period. Coincident with this review period, the local governing body provided for public review and comment on both the draft LWRP and the SEQR documentation.

The Department of State then assisted the Village with preparation of a final LWRP which addressed comments received on the draft LWRP. When the Village Board adopted the LWRP and all local regulatory measures needed to implement the program, the NYS Secretary of State and the U.S. Office of Ocean and Coastal Resource Management were asked to approve the LWRP. Upon approval of the LWRP, all State and Federal agencies are required by law to undertake proposed actions in the local waterfront area in a manner that is consistent, to the
maximum extent practicable, with the policies and purposes of the approved LWRP. The Village is similarly obligated by a local law it enacted, to assure consistency.

Summary of the Village of Sleepy Hollow LWRP

The six sections of the Village of Sleepy Hollow LWRP are summarized as follows:

SECTION I  WATERFRONT REVITALIZATION AREA BOUNDARY. The first section identifies and clarifies both the landward and waterside boundaries of the Village’s local waterfront revitalization area.

SECTION II  INVENTORY AND ANALYSIS. This section inventories and analyzes the Village's natural resources (water, land, vegetation, fish and wildlife and scenic resources), community/cultural resources (development, public access and recreation, historic and archeological resources and agricultural resources), land and water uses and important economic activities within the waterfront area. For each category inventoried, the analysis portion discusses problems, issues and/or opportunities addressed in other portions of the program.

SECTION III  WATERFRONT REVITALIZATION PROGRAM POLICIES. Section III lists the 44 NYS coastal policies under the headings Development Policies, Fish and Wildlife Policies, Flooding and Erosion Hazard Policies, General Policy, Public Access and Recreation Policies, Scenic Resources Policies, Agricultural Lands Policy, Energy and Ice Management Policies, and Water and Air Resources Policies. Of the 44 State coastal policies listed, 37 are explained as applicable, while 7 are identified as not applicable. Accompanying the State policies are 53 local policies of the Village aimed at providing greater specificity and additional coastal management capability. Where appropriate, guidelines are included to assist in applying the State and local policies.

SECTION IV  PROPOSED USES AND PROJECTS. Here, proposed future land and water uses are identified for the Village’s waterfront area.

The Village has proposed fourteen (14) projects that will enhance, encourage, and contribute to the redevelopment of the entire Village. Projects range from municipal park improvements and coastal public access projects to major waterfront redevelopment initiatives.

SECTION V  TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM. This section describes the local laws and regulations, other public and private actions, management structures and financial resources necessary to implement the LWRP. It also describes new local laws which were specifically enacted to implement the program, such as amendments to the Village's Zoning Regulations and Architectural Review Law. In addition, the Village has enacted a Local Waterfront Revitalization Program Consistency Review Law that will provide a framework for agencies of the Village to consider the policies and purposes of the LWRP when reviewing applications for actions or direct agency actions located in
the Village's waterfront area. In addition, the LWRP Consistency Review Law will assure that such actions and direct actions are consistent with the LWRP policies and purposes.

Other Village implementation measures are identified in this section. They include: means of financing proposed projects, studies and plans; management responsibilities of local officials; and, descriptions of the processes for local and State/Federal consistency reviews.

SECTION VI  
FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION. This section identifies those State and Federal agencies which must act consistently with the Village of Sleepy Hollow Local Waterfront Revitalization Program, and those whose actions would be needed for the local program’s implementation.

SECTION VII  
LOCAL COMMITMENT AND CONSULTATION. This section summarizes the efforts made by the Village of Sleepy Hollow to involve and received input from the local community and other agencies regarding the development of the LWRP.

Benefits of an Approved Program

1. The program establishes (through its various policies) means of both protecting and enhancing local coastal resources within the framework of Village regulations, projects and other implementation techniques.

2. State and Federal agencies will be required by law to be consistent with the local program's policies and purposes once it has been approved.

3. An approved LWRP can help attract public and private investment in waterfront projects since it demonstrates a community’s commitment to revitalization and resource protection, and contains conceptual plans for projects which make the development process more predictable and efficient. These plans help to convince funding entities and private developers that the projects are realistic and that money will be well spent and fits into a comprehensive plan that will ultimately protect the investment.

4. With an approved Local Waterfront Revitalization Program, the Village is eligible to apply for grant funding assistance through Title 11 of the NYS Environmental Protection Act of 1993 to assist with implementation of their LWRP.
Section I

Local Waterfront Revitalization Area Boundary
I. LOCAL WATERFRONT REVITALIZATION AREA BOUNDARY

The State's Coastal Management Program has established Statewide coastal boundaries in accordance with the requirements of the Coastal Zone Management Act of 1972, as amended, and its implementing rules and regulations. The landward Coastal Area Boundary delineates the inland extent of the Village of Sleepy Hollow waterfront area. Since the Village authority to implement a Local Waterfront Revitalization Program is confined to the area within its corporate limits, it is necessary to define the waterside (riverward) extent of the local waterfront area as well. The existing and proposed landward and waterside (riverward) boundaries are shown on Map 1.

As part of the preparation of the Village of Sleepy Hollow Local Waterfront Revitalization Program (LWRP), the Village has reviewed the State designated coastal area boundary for the Village of Sleepy Hollow with regard to local waterfront conditions and objectives. This review considered:

- land uses that affect or are affected by waterfront issues, problems, and opportunities;
- natural and cultural resources with a physical, social, visual, or economic relationship to the waterfront and/or the coastal waters (Hudson River); and
- areas necessary for the achievement of policies in the LWRP.

The Village of Sleepy Hollow has determined that the boundary of the coastal area established by the NYS Department of State is appropriate with regard to the Village's local waterfront conditions and objectives. The waterfront revitalization area boundary of the Village of Sleepy Hollow therefore follows the Village's municipal boundary, including the entire Village in the policies, proposed land and water uses, and projects outlined in the LWRP. The waterfront revitalization area boundary of the Village of Sleepy Hollow is illustrated on Map 1.

Existing Landward Boundary

The following is an excerpt from the NYS Coastal Area Boundary Description for that area applicable to the Village of Sleepy Hollow:

".... through the Village of Ossining to Route 117; then eastward on Route 117 to the new Croton Aqueduct, then southerly on this aqueduct to White Plains Road; then easterly on White Plains Road to I-287; then west to the NYS Thruway; ...."

As evidenced from the above landward boundary description, the entire Village of Sleepy Hollow is within the NYS Coastal Area Boundary.

Harbor Management Boundary Area

The Harbor Management existing waterside coastal area boundary for the Village of Sleepy Hollow runs along the Village's existing municipal waterside boundary fifteen hundred feet from the shoreline of the Hudson River. The western boundary of the Village of Sleepy Hollow is coterminous with the Hudson River shoreline. The waterside area of the Village is in the jurisdiction of the Town of Mount Pleasant. However, per New York State Executive Law Article 42, a Harbor
Management Plan addresses “the problems of conflict, congestion and competition for space in the use of harbors, surface waters and underwater lands of the state within a city, town or village or abounding a city, town or village to a distance of fifteen hundred feet from shore.”\(^1\) The harbor management area for the Village of Sleepy Hollow therefore extends from the Village boundary at the Hudson River shoreline, maintaining the trajectory of the northern and southern land-side boundaries of the Village.

Section II

Inventory and Analysis
II. INVENTORY AND ANALYSIS

A. INTRODUCTION

1. Location

The Village of Sleepy Hollow is located on the eastern shore of the Hudson River in Westchester County and has approximately 2.4 miles of waterfront on the Hudson River. Based on the 2016 American Community Survey (ACS) 2012-2016 five-year estimates, the Village of Sleepy Hollow has a population of 10,117. With this total, the population is broken down by race as follows: 5,965 White (59.0 percent); 492 Black or African American (5.7 percent); 139 American Indian and Alaska Native (1.4 percent); 157 Asian (1.6 percent); 2,787 some other race (27.5 percent); and 492 two or more races (4.9 percent). The 2016 ACS data also reports 5,281 persons of Hispanic origin (of any race) living in the Village, 52.2 percent of the total population.

The Village is located approximately 15 miles north of New York City. While Sleepy Hollow certainly has its own local economy, employment and commercial base, the New York City metropolitan area is the major center of population, employment, and commercial activity in this region of the State. The regional setting of the Village is illustrated on the accompanying Map 2. The Village is within the Town of Mount Pleasant, and just north of the Village of Tarrytown and the eastern terminus of the Tappan Zee Bridge. Across the Hudson River are the Villages of South Nyack, Nyack, and Upper Nyack.

Sleepy Hollow is well-situated with respect to major transportation routes and corridors. The New York State Thruway (Interstate 87 and 287) crosses the Hudson River just south of the Village at the Tappan Zee Bridge. The railroad is also a very prominent transportation feature of the Village’s western waterfront area. Amtrak and MTA Metro-North Railroad are the passenger railroad entities that provide transportation options for this region of the State. While Amtrak does not maintain a stop in Sleepy Hollow, Metro-North Railroad provides a stop at Philipse Manor (Sleepy Hollow) and in the Village of Tarrytown just to the south. Both stops provide express service to Grand Central Terminal in about 40 minutes.

State Route 448 (Bedford Road) provides access to Route 9A and the Taconic State Parkway in north-central Westchester County. The other major transportation route within Sleepy Hollow is U.S. Route 9 (Old Albany Post Road), or Broadway within the Village, which is Sleepy Hollow’s primary north/south transportation route.
2. Historical Development of Sleepy Hollow and Community Profile

Sleepy Hollow has a settled heritage that spans more than 300 years. The Weckquaesgeek Indians resided in the area prior to the coming of settlers and had a fortified village at the site of what is currently the Old Dutch Church.

The recorded history of the area began in 1609 when Henry Hudson sailed up the River, that was to bear his name. When he saw the expanse of the Tappan Zee (Sea of Tappans, a warlike Native American tribe located in what is now Rockland County), he was convinced that the River was a passageway to the western ocean. It was not until he reached Albany that Hudson admitted that he had not found the "Northwest Passage."

Subsequently, the Dutch began to establish trading posts in what was called the "New Netherlands." As political and religious turmoil developed in Europe, people began to migrate, and small settlements flourished in the Hudson River Valley.

In the mid-17th century, a young man, destined to figure prominently in the development of Sleepy Hollow, immigrated to New Netherland. Frederick Philipse controlled vast amounts of land by 1690 and was the lord of Philipse Manor, which consisted of the area between the Croton River and Spuyten Duyvil, encompassing one-third of Westchester County and 22 miles of Hudson River waterfront. The light loamy soil of the Sleepy Hollow area was ideal for growing wheat, or "terwe" as the Dutch called it, and Philipse devoted this portion of his 90,000-acre manor to wheat farming. He erected two grist mills in central locations to prepare the finished product. The lower mill was in Yonkers and the upper mill later became Sleepy Hollow. The Philipse Manor house, which doubled as a trade depot, became the center of a thriving community. The mill and two-story manor house, along with a dam across the Pocantico River, were erected in the early 1680s. By 1702, when Philipse died, some 200 individuals lived near the upper mill and provided both a steady labor supply for processing and a market for the finished product. The Philipse operation was one of the few full-scale colonial production-distribution enterprises which prepared the refined product for export. Shallow draft ships sailed up the Pocantico River to exchange manufactured goods for ground floor. This ended by 1775, when Frederick Philipse III sided with the British during the revolutionary war. He was banished from New York State and all his property was confiscated. The structures and the 90,000 acres were sold at public auction.

Another significant event of the Revolutionary War also happened in the Sleepy Hollow area. Major John Andre, the British spy, was captured on the Albany Post Road (now U.S. Route 9) on September 23, 1780. Andre was carrying plans prepared by General Benedict Arnold which would have betrayed the American cause. The location of the capture was at what is now known as Andre Brook in Patriots Park. The Village erected a monument in Patriots Park on North Broadway to commemorate the event.
The upper mill was operated as a farm by Gerald Beekman until his death in 1822, at which time his widow laid out a portion of the estate into streets and sold building lots. The hamlet that developed was Beekmantown and was the nucleus of the future Village of Sleepy Hollow.

The entire area grew rapidly because of an integrated local economy. Farm goods traveled from the area south on the Hudson to the metropolitan areas, and the Tarrytown Harbor riverfront became a leading river port. The New York-Albany stage ran through the area, and accommodations for travelers appeared along the route. Commercial fishermen utilized the Hudson to harvest shad and sturgeon, while iron ore was mined locally and shipped to distant smelters. Agriculture dominated Sleepy Hollow commerce until the time of the Civil War. By that time a large proportion of the population was working in factories, stores, and offices and large amounts of farmland had become country estates for the wealthy. By 1800, the population had swelled to 3,000 residents.

The war of 1812 caused an expansion of the economy. The demand for American farm products in Europe increased and with it an increase in output and disposable income. By 1827, a regular freight and passenger steamboat service plied on the Hudson.

The construction of the first Croton Aqueduct, which brought water from northern Westchester County to New York City, was begun in 1837. Many of the workers settled in Beekmantown. Ferry boats between the Tarrytowns and Nyack went into service in 1839.

As stated in The History of the Tarrytowns by Jeff Canning and Wally Buxton (1975),

"A turning point in the History of the Tarrytowns occurred in 1849 when the New York & Hudson River Railroad pushed its way north from New York on its way to Albany and points west. The rails, which grew into the New York & Albany (later Hudson) Division of the New York Central Railroad (which in 1968 merged with the Pennsylvania Railroad to form the Penn Central), signaled the end of the quiet, rural life and the advent of a faster-paced, industry-oriented existence in which the great farms of the area slipped away into the mists of time. The iron horse spelled the doom of the stage and dealt river commerce and passenger traffic a severe blow. Population grew as gristmills gave way to factories, tool works, silk mills, printing shops, drilling establishments, wagon and carriage establishments and stone quarries."

Since this time, Sleepy Hollow has continued to be a working class village.

The most famous citizen and individual who made the Tarrytowns renowned was Washington Irving. His "Legend of Sleepy Hollow" was set in the Tarrytowns and caricatured the Dutch gentry. Many of the last names noted in this work of fiction are also found in the Old Dutch Church cemetery on tombstones.
Washington Irving's estate "Sunnyside" was one of the most popular houses of its day. Irving was well-known and had traveled widely. Friends, relatives, dignitaries, and men of letters traveled from all over the world to visit Sunnyside. Irving's popularity helped to transform the area into a bustling community.

After Irving's death in 1859, Sunnyside remained in the Irving family until 1945, when it was acquired by John D. Rockefeller. Today, Sunnyside is owned and operated by Historic Hudson Valley, a non-profit educational corporation.

Sleepy Hollow was incorporated in 1874. This was a time when a large number of wealthy families began to add to the charm of the Village by building palatial mansions and sponsoring local activities. According to The History of the Tarrytowns:

"The Tarrytowns still were considered a farming area during the first years after incorporation. J. Thomas Sharf's "History of Westchester County," published in 1886, notes that in 1880 there were 255,774 acres of farmland in the county, with an unspecified but substantial amount of it in the Tarrytown area. A Westchester farm-animal census that year listed 6,919 horses, 2,145 oxen, 19,168 cows, 1,646 sheep, 8,207 swine and 5,302 steers.

By 1900, however, industry and commerce were the mainstays of the local economy, and the farms were disappearing rapidly. The growth of science and invention, improvement of communications, development and investment of capital all contributed to the change. The railroad provided vital transportation for the budding industries in the river towns.

Automobile manufacturing carried the name of Sleepy Hollow (formerly North Tarrytown) throughout the United States and beyond. For most of the 20th century it was the backbone of the local economy and the largest single employer in the Village.

Sleepy Hollow began its association with the horseless carriage July 16, 1899, when Amzi Barber and John Brisben-Walker purchased the 225-acre Kingsland estate at the foot of Beekman Avenue. Construction of a factory began later that year. The 700-window brick and steel factory was 300 feet long, 50 feet wide and three stories high, and the Mobile Company of America was in operation in March 1900 with 180 employees. Two months later, there were 400 people on the payroll, and by summer the Walker Steamer was on the street.

After the closing of the Mobile Company in 1903, the factory was purchased by the Maxwell-Briscoe Motor Company. In 1915, the site was purchased by the Chevrolet Motor Company, which became part of the General Motors Corporation (GM) in 1918.
By 1928, the industry had grown such that the original facilities were too small, and GM began the first of a series of landfilling operations that added several acres of land to Sleepy Hollow and extended the shoreline almost to the Sleepy Hollow Lighthouse. The Chevrolet-Fisher Body operation, now known as General Motors Assembly Division, pumped millions of dollars into the local economy through the wages paid its workers, who, until the national economy took a sharp downturn in 1974, numbered around 5,000.

During World War II, the luxury of the motor car was suspended for the demands of combat, and the facility retooled and became Eastern Aircraft. At the height of the conflict, 10,000 workers were turning out planes for the Allied cause.

Beginning in the mid-1960s the plant was a factor in a major sociological development: the growth of the Cuban community and other minority groups. The assembly lines became a major employer of people who were immigrants to the United States.

The closing of the General Motors Corporation plant in 1996 along the waterfront had a significant effect on the entire area. The plant's waterfront location presented the community with new land and water use opportunities.

The Village of Sleepy Hollow has a significant amount of open space, primarily due to the Rockefeller family. In 1893, John D. Rockefeller carved out a 300-acre estate in the Pocantico Hills area (eastern portion of Sleepy Hollow). His estate ended where his brother William's began in the east. These estates virtually blocked Sleepy Hollow from expanding north or east, a limitation that continues today. John D. built a mansion which he called Kykuit (an Indian word meaning lookout). His son, John D. Jr., inherited the property. He left it to Nelson A. Rockefeller, former New York Governor and U.S. Vice President. The Rockefellers were raised in a philanthropic tradition, and the area benefitted tremendously from their generous donations and preservation of historic sites. Historic Hudson Valley, Inc. was founded by John D. Jr., and has restored the Philipse Manor Upper Mill, Washington Irving's home Sunnyside, and other notable properties in the region. William Rockefeller financed Sleepy Hollow's first paved road and underwrote construction of the Headless Horseman Bridge (U.S. Route 9) across the Pocantico River, among other generous gifts to the community.

The Rockefeller community spirit lives on today. For example, a large portion of the estate in Pocantico Hills was donated to the National Trust for Historic Preservation. The Pocantico Historic Area includes 86 acres and Kykuit and was opened to the general public in 1994.

The census data for the Village indicates that there was a slight decrease in the total population between 1960 (pop; 8,818), 1970 (pop; 8,334), and 1980 (pop; 7,994). This is...
consistent with the drop in family size that occurred in the population as a whole during that period. In 1990, the population of Sleepy Hollow rose to 8,152, grew to 9,212 in 2000, 9,870 in 2010, and is now (2012-2016 five-year estimates) at 10,117. The major change was and still is in the significant growth of the Hispanic community, which was 1,733 persons in 1980, grew to 2,776 persons in 1990, and is now 5,281.

The median age in the community has shifted upward from 33.6 years in 2000 to 39.7 years in 2016. The average persons per household is 2.74, up slightly from 2.72 in 1990. The community has a majority of individuals who are high school graduates or beyond and a median household income of $52,738.

The Village of Sleepy Hollow has 3,793 housing units as of 2016, of which 29.9 percent are single family. The median value of a homeowner unit is $595,800 with the median gross rent being $1,386 per month. The picture that is portrayed by these figures is a community which, because of its location, transportation facilities, proximity to metropolitan areas, and local amenities, provides a desirable place to live for middle to upper level professionals and managers as well as lower-income workers with jobs throughout the region.

The majority of the residents of the Village do not own their own homes. Also, the population has been increasing since 1990, largely due to the increase in the Hispanic/Latino population, and over 16 percent of housing units have been constructed in the Village after 2000.

In conclusion, the Village of Sleepy Hollow has a rich fabric created by the diversity in the community. The historical and cultural significance, the transportation routes, the redevelopment opportunities created by former industrial facilities and the population diversity have combined to make the Village unique in the Hudson River Valley.

B. PLANNING CONTEXT FOR LOCAL WATERFRONT REVITALIZATION PROGRAM

Over the years, there have been a number of different planning studies, master plans, and feasibility studies completed for the Village of Sleepy Hollow. The Route 9 Active Transportation Conceptual Design Plan is an joint effort of residents and municipal officials to improve and diversify connectivity among municipalities to the north and south of the new Tappan Zee Bridge. A draft of the plan is anticipated to be completed in the fall of 2018. In 2013, the Mid-Hudson Regional Sustainability Plan was adopted as part of the New York State Energy Research and Development Authority’s (NYSERDA) Cleaner, Greener Communities program to empower the 10 regions of New York State to promote sustainable development in their communities. The plan provides a series of objectives to promote principles of smart growth in land use policy, reduce energy consumption, protect agriculture and open space and preserve the region’s natural resources.
In 2017, the Regional Plan Association (RPA) published its *Fourth Regional Plan*, which outlines a set of 61 recommendations. Within the Plan goals, and in relation to Sleepy Hollow’s local context, RPA calls for municipalities to increase civic engagement at the local level and make planning and development more inclusive, preserve and create affordable housing in all communities, and partner with local anchor institutions such as hospitals to develop career pathways for training and hiring local residents.

In 2014, a *Multi-Hazard Mitigation Plan* was completed by the consulting firm Cashin Associates, P.C. inventorying and assessing existing conditions in the Village, identifying natural and man-made hazards, and analyzing the Village’s vulnerability to those hazards. The plan sets forth a series of goals, objectives, and an action plan to better prepare for response and recovery to a variety of potential disasters.

As evident by the planning studies described, much of the formal planning work done recently has been part of a larger regional context, with less focus on Village-specific planning initiatives. However, with the redevelopment of several important parcels in the Village, including the former GM Plant site and the East Parcel, site-specific planning efforts have focused on the opportunities and potential associated with the Village’s Hudson River waterfront location.

In addition, a Village-wide comprehensive planning effort is currently being undertaken by the Village in concert with the update of this LWRP. These efforts involved significant public outreach efforts and incorporated community guidance for formulating the goals and objectives, as well as a vision for the future of Sleepy Hollow.

As detailed in the Village of Sleepy Hollow Comprehensive Plan, there are substantial changes occurring at both a regional and local level that will affect the Village’s future. Ongoing construction as part of the Edge-on-Hudson mixed-use development will bring new residents, businesses, and waterfront amenities to the Village. Regional transportation improvements and demographic changes provide an opportunity to attract more tourists to the area. Potential development sites could allow for the creation of new recreational opportunities and expand access to the waterfront and water-dependent activities. The Comprehensive Plan also identifies several planning goals that overlap with the issues addressed in this LWRP, including:

- **Enriching the Inner Village business environment**;
- **Facilitation of waterfront access and water-dependent uses**;
- **Incorporation of sustainability and resiliency within the Village’s future operations and community assets**;
- **Improving connectivity within the Village through walkability and bikability options**;
- **Creation of new recreational opportunities and maintenance of existing parks and**
open space; and

- Preservation of the Village’s natural environment and sensitive environmental resources.
These goals and issues are analyzed and addressed throughout this LWRP.

From a regional perspective, the Village of Sleepy Hollow is located within the Hudson River Valley Greenway. Greenways are corridors that link nature reserves, parks, cultural features, and historic sites with each other and with populated areas. The Greenway idea includes 10 counties along the Hudson River from the New York City border to the confluence of the Hudson and Mohawk Rivers. It was created by the Hudson River Valley Greenway Act, signed into law by Governor Mario Cuomo on December 31, 1991. The Act creates a process for regional decision-making in the Hudson River Valley and provides a series of incentives to encourage communities to join that process. The Greenway Act created the Hudson River Valley Greenway Communities Council and the Greenway Heritage Conservancy for the Hudson River Valley to help localities plan for growth in the Hudson River Valley and to assist communities with economic development projects consistent with Greenway objectives and to implement programs for public access to the River.

The most tangible element of the Hudson River Valley Greenway is the Hudson River Greenway Trail System. The proposed system of trails will include a land trail to run along both sides of the River for the length of the Greenway and a water trail for paddling and boating. Though the land trail system is not fully complete, much of the Westchester portion of the trail has been designated, and some sections have been constructed with a fully connected trail running from Croton on Hudson to the southern border of Westchester County. Wherever possible, the trail provides access to the River or a view of the River. The Trail is open to non-motorized uses and incorporates segments accessible to the handicapped. In the Village, the land trail includes the one-mile Horseman’s Trail as well as the Old Croton Trailway. The land trail will also extend along the Edge-on-Hudson site. Horan’s Landing is a designated water trail site.

C. EXISTING LAND USE AND DEVELOPMENT

1. Introduction

Map 3 graphically identifies the Village of Sleepy Hollow’s existing general land uses, as described below.

2. Residential

For the most part, residential land uses are distributed throughout the Village, with certain obvious exceptions. As identified on Map 4, there are three different residential land use types zoned throughout the Village, determining the number of units on the
property. To a large extent, these residential land use categories follow the different zoning districts throughout the Village (See Map 5, Zoning Map of the Village). For example, Single Family Residential land uses correspond with the locations of the R-1, R-2, R-2A, and R-3 low- and medium-density one-family residence zoning districts (including the Sleepy Hollow Manor and Philipse Manor residential neighborhoods); and Two and Three Family and Multifamily Residential uses correspond generally with the locations of the R-4, R-4A, R-5, and R-6 two-family and multiple residence zoning districts. The neighborhoods along the Broadway corridor, including Downtown/Inner Village, Webber Park, Briggsville, and the recently built or future developments along the waterfront, are single-, two-, and three-family homes or multifamily residential developments.

The Village can be delineated into six somewhat discrete residential neighborhood areas. See the accompanying Map 4 for the generalized location of the following six residential neighborhood areas: Webber Park; Briggsville; Philipse Manor; Sleepy Hollow Manor; Downtown/Inner Village; and Waterfront Multifamily.

3. Commercial

There are predominantly four corridors of commercial development within the Village (see Map 6). These areas are: the auto-oriented retail and commercial area located along Broadway (U.S. Route 9) between the Pocantico River to the north and Depeyster Street to the south; the downtown central business district located on Beekman Avenue; and branches off Beekman Avenue to the south along Valley Street and Cortlandt Street.

The Broadway commercial area has historically been dominated by commercial uses that are more closely associated with the automobile. Types of uses found here are automobile dealers, gasoline stations and repair shops, although this corridor also contains most of the Village’s professional and medical offices. The Beekman, Cortlandt, and Valley corridors contain a mix of retail, restaurants, and personal-service uses, as well as some residential in combination with multifamily units.

Through community outreach efforts, several areas have been identified for improvement within the Inner Village. The commercial corridors identified above create a walkable downtown. However, challenging pedestrian pathways make it less likely that residents and visitors will walk. Implementation of streetscape and intersection improvements to promote more pedestrian activity and improve urban design would help increase the walkability of the downtown. In addition, parking has been identified as a concern, particularly in the Inner Village in the evenings when residents are returning from work but businesses are still in need of on-street parking for patrons. Finally, the community has identified the need for additional gathering spaces both inside and out as well as public art installations within the Inner Village to help increase the number of residents and visitors to the Inner Village. See Section IV for a detailed discussion of revitalization efforts of the four main commercial...
4. **Vacant Land**

Currently Sleepy Hollow has a number of key vacant sites or sites under development, particularly along the waterfront, that are strategic for their size and/or location. The former General Motors plant, located in approximately 95 acres of prime land at the foot of Beekman Avenue, had been vacant for more than 20 years, but is now under construction as Edge-on-Hudson, a 67-acre mixed-use development. The development master plan is expected to consist of 1,177 residential units, townhomes, and apartments; a 140-room hotel; 135,000 square feet of retail space; and 30,000 square feet of office space. Also included in the 67 acres is over 16 acres of parks, and extension of the Riverwalk Trail into Kingsland Point Park.

The 28-acre area to the east of this site across the railroad, known as the East Parcel Sleepy Hollow Common, is planned as a recreational and entertainment complex as well as the new location of the Village’s DPW facility. Other currently vacant strategic parcels include a parcel located on Beekman Avenue between Valley and Pocantico Streets and a group of small vacant parcels (formerly an auto dealership) along the southern border of the Village, planned for a Salvation Army facility. Many of these vacant sites were formerly industrial properties, however there are no remaining industrial sites in the Village.

5. **Community and Institutional Uses**

The Sleepy Hollow Community and Institutional Uses Map (Map 7) identifies both community and institutional uses, and highlights community assets. Community assets including institutional buildings and uses include such uses as: Sleepy Hollow Village Hall (which includes the police station and main fire station) at 28 Beekman Avenue; Sleepy Hollow Middle and High Schools and W.L. Morse School; the Post Office; several churches and other religious institutions; fire stations and other emergency management facilities; and Phelps Memorial Hospital at the northwestern corner of the Village.

6. **Open Space and Recreation Uses**

Map 8 identifies a number of publicly owned and semi-public open spaces and park lands. Examples of these are: Kingsland Point Park (owned by Westchester County) located adjacent to the Edge-on-Hudson property on the Hudson River; Devries Park; Philipsburg Manor (owned by Historic Hudson Valley); Barnhart Park; Douglas Park; Peabody Preserve Outdoor Classroom (owned by the School District of the Tarrytowns) adjacent to Fremont Pond; Sleepy Hollow Cemetery; the Old Dutch Church and Burial Grounds; Patriot's Park; the Old Croton Aqueduct Trail; and the Rockefeller State Park Preserve. These recreational sites are discussed in more detail in Section II-D.
As evidenced by the above list of public and semi-public sites, the Village is blessed with a wealth of public open space and recreational land and is thus a major asset.

7. **Water-Dependent/Water-Enhanced Uses and Water Uses**

The summary of the Village's historical development earlier in Section II highlighted the importance of the Hudson River in the development and prosperity of the Village and the surrounding region. Water transportation of local products, goods and services, passenger ships, and commercial fishing are examples of water-dependent uses that were important in Sleepy Hollow's growth. Unfortunately, the River became less important as other means of transportation grew over the years, and thus diminished in importance to the Village and became less and less of a focus for the local economy. While commercial shipping is still a significant use of the Hudson River, currently, there are no support facilities for the traditional Hudson River commercial fishing industry within the Village. However, small scale commercial fishing still occurs in the Hudson River (Haverstraw Bay Region) off Sleepy Hollow’s shoreline. Recreational fishing is an important water-dependent activity throughout this section of the Hudson River and recreational boating is now the predominant use of nearshore waters.

Currently, there is a federal navigation channel adjacent to the shores of Tarrytown and Sleepy Hollow named the "Tarrytown Harbor Federal Navigation Channel." It was first authorized and established by Congress in 1905 and modified in 1935. The Tarrytown Harbor Federal Navigation Channel consists of a federally maintained channel 12 feet deep and 250 feet wide along the wharf shorefront in Tarrytown, and extends both north and south to connecting channels 12 feet deep that are 150 feet in width and provide ingress and egress for vessel traffic to access the deep water in the Hudson River. The total length of the harbor project channel is approximately one nautical mile. The Controlling Depth Report (CDR) issued by the U.S. Army Corps of Engineers on February 15, 2018, shows an average controlling depth of 6.6 feet below sea level, which is 5.34 feet below sea level less than the authorized depth of 12 feet below sea level Mean Lower Low Water. Presently there are no commercial shipping activities within the Villages of Sleepy Hollow or Tarrytown that utilize this federal harbor channel for access to and from the shore.

In recent years, there has been significant waterfront development along the waterfront of both Sleepy Hollow and Tarrytown. Notable recent development along the southern waterfront of Sleepy Hollow has included [[residential developments such as Ichabod’s Landing and the River House, as well as Edge-on-Hudson, which is currently under construction. Recent development along the waterfront in Tarrytown includes the mixed-use Hudson Harbor project, just north of Pierson Park.]]

The Village of Sleepy Hollow has identified the following existing water-dependent and
water-enhanced uses. These uses will be supported and maintained:

- Philipse Manor Beach Club: private beach club located directly west of the Philipse Manor train station. The Beach Club is part of the Philipse Manor Homeowner's Association.

- Kingsland Point Park and Sleepy Hollow Lighthouse: water-dependent and water-enhanced public recreational uses.

- River Walk riverfront trail: water-dependent and water-enhanced public recreational use.

- The recently refurbished pier by the River House: water-dependent use

- The Village's Horan's Landing Park on River Street: water-dependent and water-enhanced public recreational uses.

The location of these sites is identified on Map 8. These sites offer water-dependent or water-enhanced recreation, including boating, fishing, and bird watching. They are discussed in more detail in Section II-D. However, there is a lack of specific water-dependent facilities in the Village, including public boat docking and launch areas, marina space and facilities for transient boaters. There are no non-water-dependent structures located over the water adjacent to the Village.

The Village of Sleepy Hollow has identified the importance of supporting a strong link to the River as an important element for revitalizing the Village's immediate waterfront area as well as its business districts. In addition to Kingsland Point Park, the Village has identified the entire shoreline from the Philipse Manor Beach Club to the southern boundary of the Village as suitable for water-dependent or water-enhanced uses. As mentioned above, the Edge-on-Hudson development will include over 16 acres of parks and an extension of the Riverwalk Trail into Kingsland Point Park. In addition, the Village is exploring options to continue the Riverwalk north of the Philipse Manor Beach Club, primarily through sidewalk extensions along existing roadways. This project is detailed in Section IV, Proposed Public and Private Projects.

By promoting and encouraging the maritime identity for Sleepy Hollow and encouraging such activities as recreational boating, commercial and recreational water transportation, commercial and recreational fishing, marinas, and docking facilities for transient boaters, the Village can expect to see increased use of its waterfront, with ancillary economic benefits for small businesses within Sleepy Hollow. The Village can manage the various issues that result from such redevelopment and use of the waters adjacent to the Village through the preparation and implementation of a Village of Sleepy Hollow Harbor Management Plan. The opportunity for municipalities to address the issues and
opportunities associated with harbor management has been provided by amendments to Article 42 of the NYS Executive Law (Waterfront Revitalization of Coastal Areas and Inland Waterways Act) which provides local governments with the clear authority to comprehensively plan for, manage, and regulate activities within its harbor and nearshore areas through the development of comprehensive harbor management plans and laws to implement those plans.

A harbor management plan addresses conflict, congestion, and competition for space in the use of a community's surface waters and underwater land. It provides consideration of, guidance, and regulation on the management of boat traffic, general harbor and water use, optimum location and number of boat support facilities and structures, such as docks, piers, moorings, boat pump-out facilities, special anchorage areas, and identification of local and federal navigation channels. It also provides the opportunity to identify various alternatives for optimum use of the waterfront and adjacent water surface, while at the same time analyzing the probable environmental effects of these uses and alternatives.

As harbor management plans are now a required element for approval of a LWRP, the Village has chosen to integrate the Village of Sleepy Hollow Harbor Management Plan into its original LWRP.

The key harbor management issues identified are the lack of a public boat docking and launch area, the lack of marina space and opportunities and the limited facilities for transient boaters. There are limited harbor resources in the Village, and as a result the updated Harbor Management Plan has not identified any conflicts, congestion or competition for space, and therefore there is no need for a harbor management local law at this time. Map 1 provides the boundary of the harbor management area. The harbor management plan considers many uses and opportunities of Sleepy Hollow's water area. These uses and opportunities are identified and examined throughout this Section and include:

- recreational boating (see Section II-D)
- recreational fishing (see Section II-C-8, and II-D)
- dredging (see Section II-D)
- public access (see Section II-D)
- recreation (see Section II-D)
- habitat and natural resource protection (see Section II-E)
- water quality (see Section II-I)
- open space (see Section II-D)
- aesthetic values (see Section II-H)
- riparian interests (see Section II-D)
- public interest in underwater land (see Section II-D)

The harbor management issues of local and regional importance, opportunities to resolve these issues, and the overall goals and objectives of the Village of Sleepy Hollow Harbor
Management Plan are integrated throughout the LWRP.

D. PUBLIC ACCESS AND RECREATION

1. Regional Context

The people of the Hudson Valley have a renewed interest in the scenery, wildlife, and recreational resources offered within the Hudson River Valley. This interest has led to an increased demand for a variety of new public access opportunities along the Hudson River, including shoreline trails, walkways, and esplanades; scenic viewpoints; swimming and fishing areas; riverside parks and boating facilities. Increases in the number of recreational boaters on the Hudson River is particularly evident, along with the recent growth in the number of commercial tour boats that operate on the River.

This increase in recreational use of the Hudson River was one of the impetuses behind the establishment of the Hudson River Valley Greenway in 1991 by New York State. Greenways are corridors that link nature reserves, parks, cultural features, and historic sites with each other and with populated areas. The Village of Sleepy Hollow has analyzed the public access and recreational resources of the community with a view to developing greenway links and nodes within the Village and linking these to recreational and cultural resources in surrounding communities.

Sleepy Hollow has an abundance of regionally significant public and semi-public recreational sites within its boundaries and in proximity to its boundaries. They are: the Rockefeller State Park Preserve (with portions of it extending beyond the Village Boundary); the Old Croton Aqueduct Trail (which runs through the Village and is owned and operated as a public trail by the NYS Office of Parks, Recreation, and Historic Preservation); Kingsland Point Park and Sleepy Hollow Lighthouse (both are directly on the Hudson River and are owned and operated by Westchester County as public recreational resources); Philipse Manor and Kykuit (privately owned by Historic Hudson Valley as semi-public historic, educational, and recreational resources); Sleepy Hollow Cemetery; and the Old Dutch Church and Burial Ground.

The following section provides a summary of the public and private recreational resources in adjacent communities that greatly serve the Sleepy Hollow residents.

Village of Tarrytown.

There are three Village Parks in the Coastal Area of the Village of Tarrytown.

- Patriots Park, located on Broadway adjacent to Warner Library, straddles the border between Sleepy Hollow and Tarrytown. Patriot’s Park is not located directly on the
waterfront. It features playground equipment; basketball courts; and a statue of John Paulding, the militiaman who helped capture Major John Andre during the American Revolution. The Park is used for passive recreation. On Saturdays, between Memorial Day and Thanksgiving, Patriot’s Park is home to the popular Tarrytown and Sleepy Hollow (TaSH) Farmers Market. Established in 2015, the TaSH is hosted by Rivertowns Village Green, Inc. a 501(c)3 organization founded to improve access to fresh, locally produced, high quality food for the full socioeconomic spectrum of the community.

Town of Mount Pleasant.

Rockwood Hall, Rockefeller State Park Preserve.

Rockwood Hall is a distinct section of the Rockefeller State Park Preserve. The relative isolation of this site and its location overlooking the Hudson River has led to the development of informal and passive recreation use. Rockwood Hall is the site of the former summer home of William Rockefeller (1841-1922), brother of John D. Rockefeller. The Rockefeller family donated Rockwood Hall to New York State in 1999, and it now forms a part of Rockefeller State Park Preserve. Although the buildings are gone, the foundations remain, and the carriage roads that were constructed by the Rockefeller family offer an opportunity to stroll through the property with panoramic views over the Hudson River. Bicycles are not allowed, although equestrians are permitted (with a permit). A pedestrian bridge over U.S. Route 9 links the Old Croton Aqueduct Trailway and provides a continuous link between Rockwood Hall and the main section of the Rockefeller State Park Preserve to the east of U.S. Route 9 and along the Old Croton Aqueduct Trail to Sleepy Hollow.

2. Existing Waterfront Areas and Recreational Resources in Sleepy Hollow

(a) Kingsland Point Park and Sleepy Hollow Lighthouse.

This 18-acre waterfront park is owned and operated by Westchester County. There are ballfields, children’s play areas, a dog run (permit required; leashed dogs are allowed elsewhere in the park), benches overlooking the Hudson River, picnic areas, and a newly renovated 1926 bathhouse, that is used for classes and educational programs. The pavilion, gazebo, and picnic areas can be reserved through the Village recreation department. The site lies to the west of the railroad tracks and is adjacent to the Edge-on-Hudson development.

Existing access to the Park is by a road bridge from Palmer Avenue which crosses the railroad tracks. An abandoned footbridge links Kingsland Point Park with the Village's Devries Park to the east of the railroad tracks. The footbridge is in a deteriorated condition, but there is significant community support for its rehabilitation. If rehabilitated, the bridge would provide a valuable link across the railroad tracks for a trail from Kingsland
Point Park to Devries Park and other public access and recreation sites to the east. The Village has identified the bridge rehabilitation as a project for funding, as detailed more fully in Section IV. The Edge-on-Hudson development, once complete, will also provide direct connections to Kingsland Point Park, including a waterfront extension of the Riverwalk from Kingsland Point Park to the southern boundary of the site. There are no water dependent uses currently supported by Kingsland Point Park and Sleepy Hollow Lighthouse. However, as part of the Edge-on-Hudson project, the Village of Sleepy Hollow intends to investigate the possibility of additional access and limited service-related opportunities for boaters and transient boaters, through the potential installation of a mooring field north of Kingsland Point. See Section IV for details regarding this project.

Lawler, Matusky, and Skelly engineers (LMS) prepared the 2005 *Swimming in the Hudson River Estuary Feasibility Report on Potential Sites* for the New York State Department of Environmental Conservation Hudson River Estuary Program (NYSDEC-HREP) and the New York State Office of Parks, Recreation, and Historic Preservation (NYS-OPRHP). The Report identifies Kingsland Point Park as a potential Hudson River swimming site. Though this is not an existing initiative for the Village, development of potential swimming opportunities at this site is something the Village would consider at a future point. An excerpt from the Report is below.

**Beach Conditions:** The beach at Kingsland Point is a beautiful 900-foot crescent shaped beach facing the northwest. The beach is protected and retained by a groin located on its western end. The sand quality is excellent; however, the near shore slope is a little steep. A complete study of the beach would help to determine the best location and configuration for use and the most cost-effective procedure for beach nourishment, including possible off shore sources of sand, if swimming is considered.

During its decades of use (ending in 1974), the Kingsland beach was replenished with sand every few years. These maintenance activities were suspended for the past 26 years, causing the near shore of the beach to steepen. While the beach is beautiful most of the time, at high tide one-hour of each park operation-day, little or no beach is left dry. If the beach is not maintained, then the stone seawall behind the beach may soon be undermined by waves and have to be protected. Beyond the near shore area of erosion, a flat offshore sand profile may indicate the location of some of the eroded sand. If a swimming program is advanced, then the restoration of a 400-foot section (half) of the beach would be undertaken, together with periodic maintenance of the beach profile. Restoration of the beach could be buttressed on one side by either the land to the east or the groin to the west.

Environmental Conditions: Kingsland Point is not located in a Significant Habitat Area; therefore, destruction of essential habitat is not an issue for this site.
However, correspondence with the New York State Natural Heritage Program has identified the peregrine falcon as a species that occurs in the vicinity of the potential Kingsland Point Westchester County Park site. The peregrine falcon is listed as endangered by the NYSDEC. Although impacts to the peregrine falcon are not anticipated as a result of beach construction, further individual site analysis would be conducted during Phase II should plans for construction be advanced at this site.

**Water Quality Considerations:** The water quality stations closest to this site are those sampled by the Rockland County Department of Health. Four sites (Riverfront Park, Bowline Point, Hook Mt., and Piermont Pier) were sampled between June 1990 and August 2000. The closest stations, Hook Mt. and Piermont Pier are located approximately three miles away from the site. Data collected at these sites show that NYSDOH bacteriological criteria are exceeded at times. This trend is also noted at the other two sites. Additional water quality investigation should be performed to provide data that are more current.

Tides, Currents, Waves and Wakes: The Kingsland peninsula offers good shelter for this northeast-facing beach. A wide section of the Hudson, open to the northwest, protects the site from the wake of large vessels; however small boat traffic and wind from the northwest can occasionally cause choppy wave conditions. The selection of a feasible guarded site closer to the bathhouse underpass should help reduce conflicts with small boat traffic and waves. The channel current at Kingsland Point is 1.9 feet per second, maximum tidal range is 3.7 feet.

The Sleepy Hollow Lighthouse (aka Tarrytown Lighthouse and Kingsland Point Lighthouse) is in the southwest corner of the park. This lighthouse was once a half-mile off shore, warning ships away from dangerous shoals on the east side of the Hudson River. Years of landfill by the former GM factory moved the shoreline within a few feet of the light. The cast iron tower was installed in 1883. Over its 78 years of operation, 12 light keepers and their families occupied the structure. The light was automated in the mid-1950s and operated until 1961, when navigation lights on the Tappan Zee Bridge rendered it obsolete. In the 1970s, Westchester County acquired the decommissioned structure from the federal government. The Village recently installed an exact replica of the original Fresnel lens along with a rotating light, though some further renovations are needed to the structure. The Village recreation department occasionally opens the 1883 light for tours.

(b) Horan’s Landing.

Horan’s Landing is an approximately one acre, Village-owned park on River Street near the foot of Beekman Avenue adjacent to the River House. The site was previously utilized by
the Village's DPW for the storage of road maintenance material and employee parking. The site is comprised of filled underwater lands conveyed to the Village by the State of New York in the late 19th Century.

The park was renovated in 2004, and contains a grassy area, picnic tables, and small beach that serves as a kayak and paddleboard launch. Horan’s Landing is at the southern edge of Sleepy Hollow’s portion of the Riverwalk and connects directly to the stretch of the Riverwalk adjacent to Ichabod’s Landing.

There may be additional service-related opportunities for boaters and transient boaters through the expansion of water dependent uses at Horan’s Landing, as detailed in Section IV and summarized below. Adjacent to Horan’s Landing is a pier that was refurbished by the developer of the River House. The developer has provided an easement to the Village for public access to the pier. This pier has the potential to provide an access point for boat and ferry tours of the Hudson River.

In addition, Horan’s Landing is a possible location for a marina in that it is set back from the Hudson River providing protection from wave activity. The latest U.S. Army Corps of Engineers survey indicates that there is less than 2 feet of water at the mouth of the Horan’s Landing “inlet”; and aerial photos indicate that shallow conditions persist throughout the inlet. Dredging would therefore be required to construct the marina, and periodic maintenance dredging may be necessary to keep the marina viable.

The process to siting/con structing a marina at Horan’s Landing would require permits/approvals from New York State and the U.S. Army Corps of Engineers (USACE). The New York State Office of General Services would make a determination as to ownership of the underwater lands; after which any necessary lease agreements with the owners will be negotiated. The USACE New York District would determine the proposed marina’s compliance with Section 10, Section 401, and Section 404. The NYS Department of Environmental Conservation would determine the proposed marina’s compliance with New York State wetlands and protection of waters regulations.

(c) Philipse Manor Beach Club.

Philipse Manor Beach Club is a private beach club for members and residents of Philipse Manor. The Club has a small beachfront where members and guests can swim. Water quality is monitored regularly. In recent years, the popularity of the club has grown, and membership has reached an all-time high; as a result, the Club operates at capacity. All residents of Philipse Manor are automatically eligible for membership. Annual openings for non-residents including residents of Sleepy Hollow Manor, Weber Park, Sleepy Hollow and Tarrytown are very limited and are made possible only when an active member resigns. Club by-laws require that a minimum of 50% of its membership reside in Philipse Manor.
3. **Inland Recreation Facilities**

The following summarizes existing recreational facilities located inland from the Hudson River waterfront and within the Village of Sleepy Hollow. The location of these sites is illustrated on Map 8.

**Village of Sleepy Hollow**

**Peabody Preserve Outdoor Classroom.**

Peabody Preserve Outdoor Classroom is located off U.S. Route 9 across from the northern end of the Sleepy Hollow Cemetery. This 39-acre site is owned by the School District of the Tarrytowns and **the eastern-most portion of the site** is used for soccer and other field sports. The unused areas are characterized by a reasonably intact natural ecosystem that includes marshlands that are associated with Lake Fremont Pond and Fremont Brook. The site is **open to the public and** also contains wooded areas and is used for nature walks and nature retreats, in addition to its function as an outdoor classroom for school district students and teachers. The community has expressed a desire for further expansion and upgrades, including trails, programming, and signage.

**Barnhart Park.**

Barnhart Park is located at the northern end of Barnhart Avenue and west of Andrews Lane. This 2.8-acre Park has **tennis**, volleyball and basketball courts, a small picnic shelter, a soccer field, and two large playground equipment areas, one for small children and the other for larger kids. It also has a water park area with sprinklers. There are bathroom facilities open from approximately April through November. In addition, the Park has a pavilion available for private rentals and a large grassy area with scenic views of the Hudson.

**Devries Park.**

Devries Park, is located at the end of Devries Avenue in Philipsburg Manor. The 11-acre park, which is adjacent to the Pocantico River and borders on marshland, is situated on an old landfill. The park contains two baseball fields, a picnic shelter, playground, and tennis courts. The park is in need of further small-scale landscaping improvements, and the Pocantico River would benefit from stream corridor management as it flows through the Park. **The Pocantico River in this location is not used for boating, swimming or fishing.** An abandoned footbridge links the park with Westchester County's Kingsland Point Park to the west of the railroad tracks. The footbridge is in a deteriorated condition but if rehabilitated would provide a valuable link across the railroad tracks for a trail from Kingsland Point Park to Devries Park and other public access and recreation sites to the east.
Douglas Park.

Douglas Park is located at the northern end of New Broadway. This 17-acre parcel was renovated in 2010-2011 and features natural wood playground equipment, a nature trail and two small gazebos. It is the location for Sleepy Hollow's annual Easter Egg Hunt. Dogs are not permitted in the Park. There are no cars allowed into the Park. Trail links with the Old Croton Aqueduct Trailway connect the Park with the Rockefeller State Park Preserve and the Sleepy Hollow Cemetery, providing a network of local walks.

Patriots Park.

Patriots Park is located on Broadway and is within both Sleepy Hollow and Tarrytown. The park is designated as an arboretum for native and estate ornamental trees of the Hudson River Valley. It is used for passive recreation. On the grounds stands a monument erected to honor three militiamen who foiled the British spy mission of Major John Andre. Andre was carrying information from Major General Benedict Arnold betraying the American Revolutionary cause to the British. The Park is listed on the State and National Registers of Historic Places.

On Saturdays, between Memorial Day and Thanksgiving, Patriot’s Park is home to the popular Tarrytown and Sleepy Hollow (TaSH) Farmers Market. Established in 2015, the TaSH is hosted by Rivertowns Village Green, Inc. a 501(c)3 organization founded to improve access to fresh, locally produced, high quality food for the full socioeconomic spectrum of the community.

Gory Brook Road.

Gory Brook Road is located off New Broadway and is an abandoned roadbed that runs north from the main built area of Sleepy Hollow through the Rockefeller State Park Preserve to Sleepy Hollow Road in the Town of Mount Pleasant. This informal trail links the main built residential area of Sleepy Hollow with the network of Trails in the Rockefeller State Park Preserve.

Sleepy Hollow High School and Morse Elementary School.

On the grounds of the High School and Morse School are small playgrounds for the public to use. Also on the High School grounds are athletic fields, tennis courts, and a running track.

Several small neighborhood park areas exist within the residential areas of the Village. These include the Reverend Sykes Park, and Margotta Courts.

New York State

The Rockefeller State Park Preserve.
The Rockefeller State Park Preserve is located in the Town of Mount Pleasant and the Village of Sleepy Hollow. A total of 1,771 acres of the State Park Preserve, once part of the 3,600 acre Rockefeller Estates at Pocantico Hills, was transferred to the State by the Rockefeller Family in December 1983. At the same time, a $3 million grant from the John D. Rockefeller III Fund was received for maintenance of the Park Preserve. The Preserve subsequently increased in size to a total of 865 acres. The area of the Rockefeller State Park Preserve is shown on Map 8. The Park Preserve is characterized by a variety of landscape types, including wetlands, rivers, woodlands, meadows, fields and a lake. The National Audubon Society has designated the Rockefeller State Park Preserve as an Important Bird Area with over 180 species; it is also known for its wildlife, carriage trails, and scenic vistas.

Vehicular access to the Park Preserve is from Route 117 in Mount Pleasant, where a short access road leads from the main entrance to a 150-car parking lot and an overflow lot. This arrangement routes park traffic from the surrounding regional interstate highways and parkways directly to the Park Preserve, avoiding impacts on local roads, such as Sleepy Hollow Road and Bedford Road, whose charm and visual quality are unique features in the area. Adjacent to the parking lot are restroom facilities and the Park Offices. There are 30 miles of trails that traverse the Park Preserve radiating out from the parking lot. This includes 15 miles of well-maintained gravel carriage paths, originally developed by the Rockefeller Family at the turn of the century to capture the beauty of the surrounding landscape.

Activities in the Park Preserve are strictly limited. The Park Preserve caters for outdoor education and low-intensity, passive recreation and is ideal for walking, jogging, cross-country skiing, nature study, bird watching and photography. Permits are available for horseback riding and carriage driving, while fishing is permitted during the bass season. Regulations prohibit bicycles, motorized vehicles (including snowmobiles and trail bikes), hunting and trapping, camping, swimming, open fires, smoking, radios, unleashed pets and the consumption of alcohol. Blanket picnics are not permitted but trail lunches are allowed in designated areas. Park Police and Rangers patrol the Park Preserve on horses and all-terrain vehicles to enforce the regulations and maintain the integrity of the Park Preserve.

About one quarter of the Park Preserve is in the Village of Sleepy Hollow. This area provides numerous opportunities to explore the natural and cultural history and ecological characteristics of the landscape.

The Old Sleepy Hollow Road Trail leads from the parking lot in the Town of Mount Pleasant to the trails and carriage paths that traverse the area of the Park Preserve in the Village of Sleepy Hollow. These include the Pocantico River Trail, the Eagle Hill Trail, the Witches Spring Trail, and the Big Tree Trail. The Old Croton Aqueduct Trailway, itself a State Park, and the closed road bed of the Village's Gory Brook Road run along the western boundary.
of the Park Preserve and provide trail links to the main residential areas of Sleepy Hollow to the south. The trail network provides many loop trails and links to other areas of the Rockefeller State Park Preserve.

The trail and carriage paths in the Sleepy Hollow section of the Park Preserve cover varying terrain. Trails run through woodland and meadows, alongside the Pocantico River and Gory Brook and rise to the summit of Eagle Hill where a scenic overlook provides a panoramic vista that stretches over the surrounding woodlands, fields and meadows to Kykuit, the Hudson River and the Tappan Zee Bridge. A feature of the trails are the well-constructed carriage paths and the stone bridges over the Pocantico River.

The Rockefeller State Park Preserve attracts over 400,000 visitors annually, with approximately 50% of them Westchester County residents. Thus, the Preserve provides an important local recreation facility and provides the opportunity for considerable public access to the upland landscape of Sleepy Hollow. The Park Preserve is also an important regional recreation facility, both within Westchester County and the metropolitan area of New York City.

Old Croton Aqueduct Trailway.

The Old Croton Aqueduct Trailway is a 26-mile-long trail located over the Old Croton Aqueduct, which once supplied water to the City of New York from the Croton Reservoir; together they were New York City's first successful public water supply. Construction began on the enclosed system in 1837 and was completed in 1848, with the first water flowing through the Aqueduct in 1842. While the Old Croton Dam and Aqueduct were built to last, New York City's population increased rapidly and its water requirements surpassed the capacity of the reservoir and aqueduct. Construction of the New Croton Aqueduct was begun in 1885 and this replaced the Old Croton Aqueduct as the main water supply to the City, although the Old Croton Aqueduct continued to carry water to New York City until 1955. The Old Croton Aqueduct is listed on the State and National Registers of Historic Places as a National Historic Landmark in recognition of its historical, technological and architectural significance (see historic resources section of Section II).

Although the Old Croton Aqueduct no longer carries New York City's water supply, it still serves a valuable public purpose. The linear corridor now provides a public trailway which runs from the Croton Reservoir, in Northern Westchester County, to the New York City line. The trailway connects cities, towns and villages and links urban, suburban and rural areas. The Old Croton Aqueduct Trailway begins in the Town of Cortlandt and passes through the Town and Village of Ossining; the Village of Briarcliff Manor; the Town of Mount Pleasant; and the Villages of Sleepy Hollow, Tarrytown, Irvington, Dobbs Ferry and Hastings-on-Hudson on the way to the City of Yonkers and New York City.
New York State purchased the public right-of-way from New York City Water Supply in 1968, and the trailway is now owned and managed as a State Park by the New York State Office of Parks, Recreation and Historic Preservation (Taconic Region). The trailway is primarily a walking path, although parts are suitable for equestrian use. There are many points of access along the corridor, and for much of its length the trailway is easy to find and follow. Annual use of the Old Croton Aqueduct Trailway is estimated at over 1,200,000 visitors.

In Sleepy Hollow, the Old Croton Aqueduct Trailway exhibits a wooded rural character. It runs south from the Town of Mount Pleasant, along the western boundary of the Rockefeller State Park Preserve and then between the State Park Preserve and the Sleepy Hollow Cemetery. There are links to the extensive trail network in the Park Preserve and to the Sleepy Hollow Cemetery, where public access is permitted. The trailway crosses the Pocantico River and then runs between Douglas Park and the abandoned roadbed of Gory Brook Road, both owned by the Village of Sleepy Hollow. The wooded path of the trailway ends at Bedford Road and takes on a more urban character, as it crosses Bedford Road and runs beneath the High School building emerging to the east of John Paulding Elementary School in the Village of Tarrytown.

The Old Croton Aqueduct Trailway provides Sleepy Hollow with a link to a larger regional trail system. The links to the Rockefeller State Park Preserve open up large acreages of state parkland which extends into the Town of Mount Pleasant. A pedestrian bridge over U.S. Route 9 links the Old Croton Aqueduct Trailway and provides a link between Rockwood Hall and the main section of the Rockefeller State Park Preserve to the east of U.S. Route 9. On a wider scale the Old Croton Aqueduct Trailway also offers potential to link into the ever-expanding Westchester County Trailway network. This involves existing and proposed trails and linkages which include the Old Croton Aqueduct Trailway, the North County Trailway and the Tarrytown Lakes Extension, the South County Trailway and the Tarrytown-Kensico Trailway, the Bronx River Pathway and the Briarcliff- Peekskill Trailway.

4. Other Public Access and Recreation Sites.

Philipsburg Manor Upper Mills.

This privately-owned site is located on U.S. Route 9, North Broadway, in the main part of Sleepy Hollow. The early 17th century farm and trading post of the Philipse family features a restored grist mill, Dutch style manor house and barn. The site is owned and managed by Historic Hudson Valley, and is generally open to the public daily, for an admission fee. The site includes an interpretive center, gift shop and picnic grounds, and features tours, demonstrations and special events. (see Historic Resources Section of Section III).
Sleepy Hollow Cemetery.

This historic private cemetery has been listed on both the New York State and National Registers of Historic Places. It is located on U.S. Route 9, North Broadway, in the middle of the Village and is open to the public daily. The cemetery is covered by many narrow roads and features a shaded walk on the main access road alongside the Pocantico River. There are informal links to the Old Croton Aqueduct, Rockefeller State Park Preserve and Douglas Park. (see Historic Resources Section of Section II).

The Old Dutch Church and Burial Ground.

The Old Dutch Church of Sleepy Hollow, listed on the National Register of Historic Places as Dutch Reformed Church (Sleepy Hollow), is a 17th-century stone church located on Albany Post Road (U.S. Route 9) in Sleepy Hollow. It is the second-oldest existing church and the 15th oldest existing building in the state of New York. It was renovated after an 1837 fire; however, some of those renovations were reversed 60 years later, and further work was done in 1960. It was listed on the New York State Register in 1966, among the earliest properties so recognized. It had already been designated a National Historic Landmark in 1961 (see Historic Resources Section of Section II).

It is still the property of the Reformed Church of the Tarrytowns, which holds summer services there, as well as on special occasions such as Christmas Eve.

The Church and its 5-acre churchyard feature prominently in Washington Irving's "The Legend of Sleepy Hollow.”

Sleepy Hollow Lighthouse.

The historic Sleepy Hollow Lighthouse is owned and operated by Westchester County as part of Kingsland Point Park. The Lighthouse was built in 1882-83. It is accessible to the public by making reservations through the Westchester County Department of Parks, Recreation and Conservation. The Lighthouse is reached by a path that runs along the northwest side of the Edge-on-Hudson property from the southern part of Kingsland Point Park (see Historic Resources Section of Section II). Currently, the Lighthouse suffers from deteriorated conditions and is in need of restoration.

Kykuit.

Kykuit, derived from the Dutch word Kijkuit meaning "lookout," is situated on the highest point in Pocantico Hills, overlooking the Hudson River at Tappan Zee. The 40-room house is a National Historic Landmark owned by the National Trust for Historic Preservation, which has opened the property and parts of the estate to the public. The site is managed and
run in partnership with Historic Hudson Valley, which oversees site interpretation and visitor management. Access to Kykuit is by a small bus from Historic Hudson Valley’s Philipsburg Manor Upper Mills site, located on U.S. Route 9, North Broadway, in the main part of Sleepy Hollow. This is due to access constraints caused by the local road network, parking limitations at Kykuit, and the desire to control overall visitor numbers to the estate.

5. **Village of Sleepy Hollow Greenway.**

The Hudson River Valley Greenway (Greenway) is a voluntary regional cooperative effort, including counties bordering the Hudson River. The Greenway was created to facilitate a voluntary regional strategy for preserving scenic, natural, historic, cultural, and recreational resources along the Hudson River. Participation qualifies the Village for a number of important benefits including technical and funding assistance from Greenway and possible scoring preference over non-compact communities in the evaluation of applications for State grants.

A Village of Sleepy Hollow Greenway system has been identified that will connect many of the public access and recreational facilities that already exist in the Village, directly linking the Old Croton Aqueduct, Douglas Park, the Old Dutch Church and Burial Ground, the Sleepy Hollow Cemetery, Philipsburg Manor Upper Mills, Devries Park, Kingsland Point Park and the Hudson River waterfront. The proposal grew out of the Village's development plan for Horan’s Landing Park and riverfront esplanade located on River Street.

The Sleepy Hollow portion of the Greenway was originally put forward as a phased implementation plan. Phase 1 included the creation of Horan’s Landing on River Street and the beginnings of the Greenway network linking the new waterfront park via Village streets to Barnhart Park, Philipsburg Manor Upper Mills, Old Dutch Church and Burial Ground, the Sleepy Hollow Cemetery, Devries Park and Kingsland Point Park. Phase 2 includes the extension of the Greenway network to embrace the major public open spaces of Douglas Park, the Old Croton Aqueduct Trailway and the Rockefeller State Park Preserve and the extension of the Riverwalk linking Horan’s Landing with Kingsland Point Park. The extension of the Riverwalk from Ichabod’s Landing to Kingsland Point Park is currently under construction as part of the Edge-on-Hudson public improvements.

The Village of Sleepy Hollow, the Department of State, the Hudson River Access Forum, and more recently Scenic Hudson, the Hudson River Valley Greenway Communities Council, and the Hudson River Greenway Conservancy, all recognize the potential greenway links within Sleepy Hollow and continue to work toward its implementation.

6. **Underwater Lands Issues**
The historic understanding that the air, the running waters and the sea are common to all people is the main thrust of the Public Trust Doctrine. This Doctrine, dating from Roman times and based on common law principles, guarantees the public's right to reach and use tidal lands, waters and their living resources. Under the Public Trust Doctrine, the State of New York generally holds title to the foreshore, tidal waters and submerged land under tidal waters below the mean high water line as trustee for the public and must administer the use of these lands in the public interest.

In New York State, the courts have interpreted the Public Trust Doctrine to mean that the public has the right to use public trust lands and waters for bathing, boating, fishing, and other lawful purposes when the tide is in; and when the tide is out, to walk along the foreshore to gain access to the water for these purposes and to lounge and recline on the foreshore. The courts have recognized that recreation is a valid and protected Public Trust purpose. The Public Trust Doctrine applies on the Hudson River, which is tidal to the Federal Dam at Troy. The Public Trust Doctrine is a complicated and ever evolving legal concept. A good discussion of the Public Trust Doctrine and how to use it is put forward in “The Public Trust Doctrine: Let's Use It” (Hudson River Sloop Clearwater, Inc., 1992).

Upland property owners whose lands abut public trust resources have rights. The public cannot access public trust land across private land without the owner's permission. Additionally, these owners possess riparian rights to the Hudson River. These rights entitle the owner to access navigable water. These rights are limited as to the type of use which may be placed in the water, and they must be reasonably exercised. By the nature of location over the water, the exercise of these rights almost always interferes with public use of the water and lands subject to the Public Trust Doctrine.

In New York State, adjacent upland owners can also apply to purchase or lease underwater lands. In the 18th and 19th centuries, the State sold large expanses of public trust lands and waters to adjacent land owners to promote the development of commerce. In many cases, these owners placed fill in the Hudson River to create new land. In more recent years, private uses of public trust waters include marinas, commercial fishing operations, and docks and piers for shipping, and recreational boating. Many grants were limited and a public interest in the underwater land remains. While the courts have consistently recognized the Public Trust Doctrine as a sovereign right held for the people, they have also recognized the validity of grants of public trust land to riparian owners. The courts have held that where some types of grants have been made by the State without any express reservation of the public rights, the public trust and accompanying public rights are extinguished, although the State may still regulate such lands under its police power and may authorize local governments to do so as well. The courts have also held that some grants may be invalid if the grant is not in the public interest.

The importance of the Public Trust lands for public access and as a recreational resource
and the use of the Public Trust Doctrine to better protect New York's coastal areas, their living resources, and the public's right to access and enjoy them have recently been re-emphasized. The use of trust lands by the public generates billions of dollars for the State economy. The foreshore and underwater lands of the coast are used for recreation, boating, fishing, swimming, and visual enjoyment. The tidal areas provide habitat and breeding areas for shellfish and finfish of commercial and recreational importance. Private actions that interfere with these activities diminish the public's use and enjoyment of these commercially and recreationally productive resources.

In 1992, the NYS Legislature passed Chapter 791, codifying, in part, the public trust in underwater lands. The Legislature found that regulation of projects and structures, proposed to be constructed in or over State-owned land underwater, was necessary to responsibly manage the State's proprietary interests in trust lands. Additionally, the regulation would severely restrict alienation into private ownership of public trust lands owned by the State. The intent of the Act was also to ensure that waterfront owners' reasonable exercise of riparian rights and access to navigable waters did not adversely affect the public's rights. The Legislature stated that use of trust lands is to be consistent with the public interest in reasonable use and responsible management of waterways for the purposes of navigation, commerce, fishing, bathing, recreation, environmental and aesthetic protection, and access to the navigable waters and lands underwater of the State.

An accurate inventory of the public trust lands and those lands that have been leased or granted to private interests within the Village of Sleepy Hollow is very important. The ownership of underwater lands may have an important impact on the ability to implement some of the policies of the Village's LWRP. The Village of Mamaroneck, Westchester County carried out such an underwater lands study within the context of its LWRP (Village of Mamaroneck and C.R. Johnston Associates, 1989). This study had three principal objectives:

- to identify those nearshore areas (underwater land) where ownership, jurisdiction, and right to use the property may be unclear or undocumented in current local codes, programs, and plans;
- to document and clarify the ownership, jurisdiction, and usage rights on these properties; and
- to evaluate how this information may affect local and State management of water and waterfront areas and, more specifically, how this information can best be utilized by the local municipality to improve public access and recreational opportunities, protect and promote water-dependent uses and maintain scenic quality.

This study provides a model which could be used in the Village of Sleepy Hollow to...
inventory and analyze its underwater land resources.

Before considering any development activity or land purchases along the waterfront area, prospective developers and owners are advised to check on the ownership of the adjacent underwater lands. Upated ownership information was obtained from This must be done at the NYS Office of General Services (OGS) office in Albany as part of this LWRP amendment and can be found in the Appendix of the LWRP. OGS is the administrator of State lands, including underwater lands, and maintains a series of "Water Grant Index Maps" that identify lands within State ownership, as well as grants, easements, and leases previously issued by the State to various public and private entities.

Much of the adjacent underwater land is privately owned in Sleepy Hollow and is transferred with the upland development rights. New York State and the Village of Sleepy Hollow maintain only minimal ownership of the adjacent underwater lands. Recent waterfront developments in the Village have considered this as part of the development processes, and attention was given to the public's rights with regard to waterfront properties.

It is very important to understand the nature of the ownership of underwater lands as municipal, State, and federal agencies should consider the public's rights under the Public Trust Doctrine during their regulatory review of development proposals. In many cases it can provide a rationale for modifying or denying permits when an activity would impair public trust resources or if the use is inconsistent with the Public Trust Doctrine. Where areas have been illegally filled, State agencies can seek to have the area restored to its original condition and configuration or require the provision of compatible public trust opportunities elsewhere. Existing State grants, easements and leases to upland owners for use of public trust lands do not necessarily extinguish the public's rights to use these resources. Remaining public rights depend on the specific grant, easement or lease and in some cases require judicial interpretations. In addition, the federal government has tremendous powers under the Federal Navigation Servitude to regulate, and even absolutely prohibit, activities in the navigable waters of the United States, which includes the Hudson River.

E. NATURAL RESOURCES

1. Significant Fish and Wildlife Habitats

Many habitats that are vital to the survival of New York State's coastal fish and wildlife resources exist within the State's Coastal Area. However, as development pressures have mounted, these habitats are being degraded or lost. In response to public concern about accelerating habitat destruction, a policy aimed at protecting our most important coastal habitats was established in the New York State Waterfront Revitalization of Coastal Areas
Coastal Fish and Wildlife Habitats of Statewide Significance for the Hudson River Valley were designated by the NYS Secretary of State in 1987. There are no Coastal Fish and Wildlife Habitats of Statewide Significance designated within or adjacent to the Village of Sleepy Hollow. Within the Hudson River, the closest Coastal Fish and Wildlife Habitats of Statewide Significance are: the Croton River and Bay Habitat; and the Haverstraw Bay Habitat, both to the north of the Village.

Aside from the habitats of Statewide Significance, the Village of Sleepy Hollow has identified five habitat areas of local significance that the Village wishes to protect. They are as follows:

- Fremont Pond and associated wetlands/watercourses and adjacent upland areas;
- Philipsburg Manor and Devries Park wetland and watercourse areas of the Pocantico River;
- Upper Pocantico River and Gory Brook watercourse areas;
- The Hudson River immediately adjacent and within 1,000 feet of the Village's shoreline.
- The lands in State ownership associated with the Rockefeller State Park Preserve and the Old Croton Aqueduct Trail.

The composite of habitat values and species of plant and animals associated with these areas is rather extensive and important to the Village. There are no rare, threatened, or endangered plant or animal species known to exist within Sleepy Hollow.

All of the habitat areas identified have experienced, and continue to experience, human disturbances of some type. These disturbances also vary considerably, but include such activities as: the effects of bulkheading; filling and dredging; removal of vegetation; adjacent land uses; and recreational activities and facilities such as fishing, boating, and associated marina and boat launch facilities. The specific impacts of these human disturbances depend on the nature and scale of the human interactions within and affecting the habitat areas.

Although not comprehensive, examples of general types of activities and impacts within and adjacent to the Village which could destroy or significantly impair the identified habitats are listed below:

- Any activity that would substantially degrade water quality.
- Discharges of sewage or stormwater runoff containing significant amounts of sediments or chemical pollutants into the habitat area.
• Any activity that would substantially increase turbidity or sedimentation, reduce flows, increase water temperatures, or alter tidal fluctuations.
• Any major physical alteration of the habitat.
• Spills of oil or other hazardous substances.

Also, of particular concern are the potential effects of upstream and adjacent disturbances, including water withdrawals, impoundments, stream bed disturbances, vegetation removal, or runoff from agricultural, residential, commercial and industrial areas.

The general activities and impacts discussed above do not have to destroy or impair pose a threat to the natural resources of the habitats identified above. In addition to avoiding incompatible use of the habitats and adjacent lands, many management measures can be taken to ensure that negative impacts do not occur. In most cases, these measures have been included into existing local land use regulations within the Village. Probably the most effective way to protect wetlands and watercourses is to maintain an undisturbed vegetative upland buffer around the habitat areas. Such buffering is required in the Village's existing Wetland/Watercourse Protection Law (Local Law No. 1, 1990, Chapter 418 of the Village Code). For example, existing areas of natural vegetation bordering the Pocantico River should be maintained to provide bank cover, soil stabilization, and buffer areas. Other management measures include established "Best Management Practices" for construction sites and agricultural practices, stream corridor management, removal of trash, control of exotic species, and maintenance of appropriate public access to a habitat area. For example, the Village commissioned the development of water quality improvement report for Fremont Pond to outline Best Management Practices as a guide to reduce contaminants that enter the pond.

2. Water Resources

The Hudson River is certainly the main water feature for Sleepy Hollow. However, there are a number of other water resources within the Village that are also significant, such as the Pocantico River, Fremont Pond, and Andre Brook.

The quality of water resources is defined in terms of chemical, physical, and biological characteristics which, in turn, relate to the water's acceptability for its intended use. The NYS Department of Environmental Conservation (DEC) has classified all streams, lakes, and rivers according to best use. The classifications are used to regulate water quality and enforce water quality standards. The water quality classifications used by DEC are as follows:

Class AA Source of water supply for drinking, culinary or food processing purposes and any other usage.
Class A  Source of water supply for drinking, culinary or food processing purposes and any other uses with treatment.

Class B  Primary contact recreation and any other uses except as a source of water supply for drinking, culinary or food processing purposes.

Class C  Suitable for fishing and all other uses except as a source of water supply for drinking, culinary or food processing purposes.

Class D  Suitable for secondary contact recreation but will not support the propagation of fish.

According to the DEC Environmental Resource Mapper, the Hudson River adjacent to the Village of Sleepy Hollow is classified "SB" by DEC. This classification is the same as "B" above, except that the "S" simply identifies that the water is brackish or saline. The water quality classification for Fremont Pond is "B" and the classification for the runoff stream from Fremont Pond to the Hudson River is "SC". The lower reaches of the Pocantico River, that portion that is tidal influenced below the mill pond at Philipsburg Manor, is classified as "SB". That portion of the Pocantico adjacent to Philipsburg Manor at the mill pond and upstream to the small dam adjacent to Sleepy Hollow Cemetery is classified as "B". Further upstream, beyond the small dam, the Pocantico River is classified as "C(T)". The "T" implies that the Pocantico River is suitable for trout fish propagation.

In general, sources of pollution to waterbodies may be classified as either point or nonpoint. Point sources, as the name implies, are discrete sources of pollution, the classic example being a pipe bearing sewage or industrial effluent. Nonpoint pollution enters the waterbody from more diffuse sources, such as runoff from streets, fields, etc. Pollution control has historically focused on point sources, as these sources are more easily determined and the effects are often more readily apparent. Since the passage of the 1972 Federal Water Pollution Control Act Amendments (PL 92-500), remarkable progress has been made in controlling pollution from point sources. Despite the progress, more remains to be done.

Numerous point and nonpoint sources have degraded and continue to degrade the water quality of the Hudson River. Many development activities can impair water quality, including discharges from sewage treatment plants and industrial sites; problems arising from combined storm and sanitary sewers; septic system effluent; agricultural fertilizers, pesticides and wastes; pollution from marinas; boat discharges; household pollution; lawn care; maintenance of golf courses; street run-off; and construction site run-off.

In the Village of Sleepy Hollow potential impairments to water quality could result from stormwater run-off, industrial discharges, and from the full range of nonpoint sources of pollution outlined above. In addition, a growing cause of pollution in the Hudson River is
discharges from the increasing number of recreational boats on the River. There are currently no pump-out facilities within Sleepy Hollow and only two in the neighboring Village of Tarrytown.

The Village of Sleepy Hollow recognizes the need to maintain high water quality in and adjacent to the Village. People depend on clean and pure water for drinking, cooking and cleaning; wildlife depends on clean water to live on and in; commercial fishing requires clean water and water-based recreation requires clean water. Indeed, clean water is tied to a healthy economy and a healthy community. All surface water that flows through Sleepy Hollow ends up in the Hudson River, the Village recognizes that it is their responsibility to the Hudson River Valley to ensure that this water is not polluted or loaded with sediment, or otherwise impairing the water quality through inappropriate or improper actions occurring within the Village.

The Village of Sleepy Hollow recognizes the need to improve the quality of its surface waters to the extent they are able. This requires an understanding of where pollution and sedimentation are entering the waters within the Village and what types of pollutants are entering these waters. Water quality improvements are needed at Fremont Pond, which suffers from algae blooms resulting from nitrate, phosphate, iron, and zinc levels that exceed state water quality standards. The pond also has high levels of coliform bacteria, total suspended solids, and low levels of dissolved oxygen. In 2017, the LRC Group completed a report on water quality improvement for Fremont Pond, recommending a series of best management practices to reduce contaminant loading and mitigate their effect. See Section IV for a discussion of proposed improvements to Fremont Pond.

The Village regulates stormwater management and erosion and sediment control in Chapter 358 of the Village Code. The Village of Sleepy Hollow is an MS4 community under the Phase II Stormwater program implemented by the Environmental Protection Agency. Stormwater runoff is transported through municipal separate storm sewer systems (MS4) and deposited into local waterways. In Sleepy Hollow that includes Fremont Pond, and the Pocantico and Hudson Rivers. The goals of the MS4 program is to decrease stormwater quantity and improve stormwater quality. The Village developed a stormwater management program to meet the goals and regulations set forth in the Phase II MS4 Stormwater program. In order to accomplish water quality and quantity best management practices and improvements, the Village will need to consistently maintain and upgrade its stormwater drainage lines, culverts, and catch basins. This also include shoreline stabilization measures for Fremont Pond and the Pocantico River where appropriate and applicable. See Section IV for proposed projects related to stormwater management improvements.

3. **Wetlands**

Once believed to be flooded wastelands, wetlands are now recognized as valuable natural resources. Wetlands provide important wildlife habitats, opportunities for recreation and valuable open space. Wetlands also play an important role in flood control and in improving
water quality, as they are natural filters able to absorb large quantities of run-off and filter out impurities and sediments. In New York State, the Freshwater Wetlands Act (1975) protects certain wetlands from activities which can have a negative impact on water quality. Any wetland of 12.4 acres or more, and smaller wetlands determined to be of unusual local importance, are regulated by the Act. Anyone proposing to undertake an activity on or within 100 feet of a designated wetland, may be required to obtain a permit from DEC.

There are no DEC-designated freshwater wetland areas within the Village of Sleepy Hollow. In addition to designated wetlands, all wetlands and watercourses associated with navigable waters are protected under Article 15 of the NYS Environmental Conservation Law.

In addition to protection under State laws and regulations, wetlands are protected under the Federal Clean Water Act with the U.S. Army Corps of Engineers administering the 401 permit program. These wetlands have been identified under the National Wetlands Inventory and can include wetlands as small as one acre. The federal wetlands are defined by three criteria: type of vegetation, period of inundation, and hydric soils; whereas the State designated wetlands are defined in terms of size and vegetation only.

Map 10 identifies federally and locally identified wetlands within the Village of Sleepy Hollow.

All of the wetlands within the Village have experienced, and continue to experience, human disturbance. This includes the effects of bulkheading; filling and dredging; removal of vegetation; adjacent land uses; and various types of recreational activities. The impact of these human disturbances depends on the nature and scale of human interactions within or adjacent to the wetlands. Although not comprehensive, examples of generic activities and impacts originating in the Village which could destroy or significantly impair wetlands are similar to the habitat impairments listed in Section II-B-1. Of particular concern are the potential effects associated with adjacent land uses and activities.

Negative impacts from such activities can be avoided or mitigated. In addition to avoiding incompatible use of the wetlands and adjacent land, many management measures can be taken to ensure that negative impacts do not occur. Probably the most effective way to protect these identified wetlands is to maintain an undisturbed vegetative upland buffer around the wetlands. Other management measures include established "Best Management Practices" for construction sites and agricultural practices, stream corridor management, removal of trash and control of exotic species.

The Village's existing Wetland/Watercourse Protection Law (Local Law No. 1, 1990) provides the Village with a comprehensive means of controlling and mitigating activities that may negatively impact the Village's wetlands and watercourses.
F. **HISTORIC RESOURCES**

1. **Introduction**

The historical development of Sleepy Hollow is summarized in Section II-A-2. The Village has a large number of historic resources, many of which have been recognized by their listing on the State and National Registers of Historic Places. In addition, there are a number of locally significant historic resources; their significance is summarized below.

The Village recognizes the importance of protecting its historic resources. Thus, as part of the original LWRP, the Village amended its Architectural Review Law by including specific historic resource protection provisions and a procedure for designation of historic resources of local significance. (See Section V for a description of this local law.) These resources are community amenities and are used by the community to promote local tourism.

2. **Historic Resources on the State and National Registers of Historic Places**

   (a) **Dutch Reformed Church of Sleepy Hollow.**

   The Old Dutch Reformed Church is located on U.S. Route 9, just north of the Pocantico River. The Church was built in the 1680s by Frederick Philipse, a wealthy Dutch settler with extensive land holdings in the region along the Hudson River. The congregation was organized in 1697 and services were conducted in Dutch. The steeple bell was cast in Amsterdam in 1685 and still hangs in the belfry today. It continues to call to worship members of one of the oldest, continuous congregations in the United States. In 1819, Washington Irving published *The Legend of Sleepy Hollow* in which the Church figured prominently. In 1962, the Church was designated as a Registered National Historic Landmark, making it property of national historic significance. The State of New York, with funding from the Environmental Quality Bond Act, has provided funding for restoration of the structure. The Church is the oldest church in continuous use in the United States. It has not been modernized and still uses candles for light and a stove for heating.

   (b) **Old Dutch Burying Ground Cemetery.**

   The Cemetery is associated with the Dutch Reformed Church and is one of America's oldest cemeteries. It is located adjacent to the Old Dutch Reformed Church to the north. The Church provides a record of the early settlers of the area. The gravestones themselves are some of the earliest and most enduring examples of American folk art. The burials in the cemetery may have begun as early as 1645 or as late as 1700. The early markers have long since disappeared, probably because they were made of materials such as wood that rapidly decayed. The Cemetery contains grand neoclassical monuments and mausoleums, as well as weathered sandstone markers from the colonial period. The burying ground clearly is a reflection of the history of the Village and the changing aesthetic and religious values of the
nation as a whole.

(c) Philipsburg Manor and Upper Mills.

This property is located on U.S. Route 9 (North Broadway) in the heart of Sleepy Hollow. This facility is an 18th century manor house and trading center of the Philipse family, with restored gristmill, Dutch style manor house and barn. The original owner of the property was Frederick K. Philipse, who came to America from Holland in 1653 as a carpenter and became one of the wealthiest men in the new colonies. (See history of Village in Community Profile, Section II-A-2.) The stone manor house boasts a rich collection of early New York and European furniture, as well as Dutch Delft ceramics and continental brass. The property is open for tours and demonstrations as a living museum and has become a popular destination. It is owned and operated by Historic Hudson Valley and is on the National Register of Historic Places as a National Historic Landmark.

(d) Sleepy Hollow Lighthouse (also known as Tarrytown Lighthouse).

The Sleepy Hollow Lighthouse is located on the eastern shore of the Hudson River, one hundred feet from the Edge-on-Hudson property. It is to the north of the Tappan Zee Bridge and south of Kingsland Point Park. The Lighthouse was constructed between 1882-1883. It was the southernmost in a series of eight lighthouses charged with the responsibility for providing navigational aid to shipping on the Hudson River. It is the only conical steel lighthouse structure in the thematic group to have living quarters incorporated into the structure. It is also the only family station in the lower Hudson and the only lighthouse located in Westchester County. It was built to mark a dangerous area off the Tarrytown shoals at a time when river commerce was at its peak. The Lighthouse has remained largely unaltered for almost one hundred years except for repair and updating when needed. The beacon was automated in 1957 after construction of the Tappan Zee Bridge made the need for the lighthouse keeper unnecessary. In 1959, the federal government declared all but one hundred feet around the lighthouse surplus land (which was sold to General Motors) to accommodate the expansion of the GM Assembly Plant. The light was deactivated in 1961 and the lighthouse was decommissioned in 1965 after more than three quarters of a century of service. In the early 1970s, Westchester County obtained an easement from GM to build a pedestrian walkway out to the Lighthouse from Kingsland Point Park. The County acquired the Lighthouse from the federal government in 1974, in recognition of its historic value and it was placed on the National Register of Historic Places in 1979. There are currently tours of the facility available through the Westchester County Department of Parks and Recreation.

(e) Philipse Manor Train Station.

The Philipse Manor Train Station is located on Riverside Drive. The station was built in
In 1910, the train station contains one of the cast iron eagles which once adorned the original Grand Central Station in New York City. The Station originally was quite artistic with a majestic stone fireplace, dark paneling and oriental rugs. Originally, 25 passenger trains per day stopped at the station. In the 1970s, Amtrak stopped using the smaller train stations on the Hudson River line. Vandalism began to take its toll on the Station and in 1977, a reclamation effort was proposed. The Station is currently owned by Metro-North Commuter Railroad with a long-term lease to the Hudson River Valley Writers' Center. The Writers' Center recently applied for and received an Inter-modal Surface Transportation Efficiency Act (ISTEA) Enhancement Grant from the NYS Department of Transportation for renovation of the Station for passive cultural types of uses. The restoration work is now completed. The Station is listed on the Westchester County Inventory of Historic Places and listed on the State and National Registers of Historic Places. There is also a Metro-North Commuter Railroad platform stop located at the Station.

(f) Old Croton Aqueduct.

The Old Croton Aqueduct runs through (north-south) the Village of Sleepy Hollow. The Aqueduct formerly supplied water to the City of New York from the Croton Reservoir to the north. This was New York City's first successful public water supply projects. Construction began on the enclosed aqueduct system in 1837, with the first water flowing through the system in 1842. Although water traveled through the conduit in 1842, construction on the project was not completed until 1848. The total cost, including purchase of land, ranged between $12 million and $13 million. From the Croton Dam to the Harlem River, the Aqueduct stretched a total of 33 miles. The Croton water supply system, including the Croton Reservoir and the Aqueduct was one of the most notable public works projects of the nineteenth century. Although the capacity of the Aqueduct became insufficient for the growing population of New York City, it was still used up until 1955. All of the above ground facilities, as well as the masonry conduit itself, are listed on the State and National Registers of Historic Places as a National Historic Landmark based on their historic, technological, and architectural features. The land above the Old Croton Aqueduct is currently owned by the State of New York and is managed by the Office of Parks, Recreation, and Historic Preservation as a historic trailway for public use.

(g) James House (James Phelps Memorial Hospital Center).

The James House property is located on the grounds of the James Phelps Memorial Hospital Center and the very northwestern corner of the Village just off of U.S. Route 9 (North Broadway). This former private Italian villa-style residence was built in 1850. The house is now used for hospital-related fundraising events and other activities. The house is situated on the western edge of the 66-acre hospital complex property, 14 acres of which comprises the immediate setting of the house. The home site also includes a historic stonewall and is
enhanced by specimen trees and an unobstructed view of the Hudson River and the Palisades across the River. The house is on the Westchester County Inventory of Historic Places and is on the State and National Registers of Historic Places.

(h) Pokahoe (Fremont House).

Pokahoe, or the Fremont House, is located at 7 Pokahoe Drive and consists of 3.7 acres of a steeply sloping site incorporating an 1850 gothic revival residence constructed of site-quarried granite. The property also includes a section of the old New York Central Railroad. The house was constructed in 1850 for James Watson Webb, diplomat and journalist, who owned the New York Morning Courier and Inquirer. He was also an Ambassador to Brazil who negotiated the withdrawal of the French from Mexico in 1867. The property was also owned at one time by Ambrose C. Kingsland, a mayor of New York City. Primary historical significance of the property, however, is derived from the site's association with General John Charles Fremont, "The Pathfinder," who, with his wife, Jessie Benton Fremont, owned Pokahoe from 1865 to 1872. Fremont, with Kit Carson as his guide, led pioneers to the west coast along a route that became known as the Santa Fe Trail. He later served as the Governor of California and the first (unsuccessful) Republican candidate for President of the United States. The property is listed on the Westchester County Inventory of Historic Places and is on the State and National Registers of Historic Places.

(i) Patriots Park.

Patriots Park is located on Broadway (U.S. Route 9) and is within both the Villages of Sleepy Hollow and Tarrytown; the boundary of which is Andre Brook, which flows through the Park. It is designated as an arboretum for native and estate ornamental trees of the Hudson River Valley. On the grounds stands a monument erected to honor three militiamen who foiled the British spy mission of Major John Andre. Andre was carrying information from Major General Benedict Arnold betraying the American Revolutionary cause to the British. The Park is listed on the State and National Registers of Historic Places.

(j) Kykuit.

Kykuit is the name of the historic John D. Rockefeller estate house located in historic Pocantico Hills section of Sleepy Hollow off of Bedford Road. The name Kykuit comes from the Dutch word for "Lookout." The house was built in 1913 by John D. Rockefeller. Kykuit is listed on the State and National Registers of Historic Places.

The 40-room mansion is surrounded by formal gardens and the west porch provides a wide vista of the Hudson River. This is the most historic portion of the John D. Rockefeller estate and has been donated to the National Trust for Historic Preservation. Known as the Pocantico Hills Historic Area, the 86-acre portion of the estate includes Kykuit, the principal
residence of John D. Rockefeller, Jr. and Nelson Rockefeller from 1913 to 1979. The area was opened to the public in 1994 and public tours are managed by Historic Hudson Valley. The gardens contain sculptures collected by Nelson and beneath the gardens are underground galleries which display other art works which he collected. The mansion itself is a melange of styles, but is most frequently described as a Georgian Revival.

3. Historic Resources of Local Importance to the Village of Sleepy Hollow and Region.

(a) Sleepy Hollow Bridge. The stone abutted bridge crossing the Pocantico River for U.S. Route 9 (North Broadway). This is near the original bridge that was referenced in Washington Irving's story of Sleepy Hollow where the Headless Horseman rode.

(c) Fremont Fountain. Natural spring outlet adjacent to Sleepy Hollow Cemetery. Dedicated to the memory of J.C. “The Pathfinder” Fremont by William Rockefeller.

(d) Kidds Rock. According to legend, this is where Frederick Philipspe met and bargained with Captain Kidd, the famous privateer who sailed the Hudson.

In addition, it should be noted that the entire Village of Sleepy Hollow has historic importance based on its use Washington Irving as a backdrop for his famous story. The name is derived from the Dutch “SlapershovenSlaperingh Haven.”

G. ARCHAEOLOGICAL RESOURCES

The prehistory of the lower Hudson Valley region, which includes the Village of Sleepy Hollow, encompasses the PaleoIndian, Archaic, Transitional, and Woodland Periods. The PaleoIndian period (10,000-8,000 B.C.) represents the earliest occupation of the southeastern New York region. The Archaic (8,000-1,700 B.C.) refers to a time prior to the introduction of horticulture and pottery manufacture and is divided into Early, Middle, and Late periods. The Transitional period (1,700-1,000 B.C.) witnessed a gradual change in Archaic lifestyles with the development of "Woodland" period traits. The Woodland period (1,000 B.C. - A.D. 1,600), which is characterized by the use of pottery and reliance on horticulture, is divided into Early, Middle, and Late periods.

Some or all of these types of pre-history resources may be found in the Village of Sleepy Hollow.
Hollow.

As a means of providing protection to these resources, the NYS Office of Parks, Recreation, and Historic Preservation has requested that any ground-modifying construction should be proceeded by an archaeological investigation through consultation with the State Historic Preservation Officer when necessary. This is incorporated as part of the submission requirements to the Village Planning Board, per Village Code Section 450-2, Planning Board procedure.

H. SCENIC RESOURCES

1. Introduction and Background

Sleepy Hollow contains a tremendous visual variety of landscapes and scenic viewsheds. The Hudson River and Tappan Zee Bridge are strong visual elements for the Village. The natural and agricultural landscapes associated with the Pocantico River and Rockefeller State Park Preserve also provide strong visual elements for the Village. This scenic character promotes a high quality of life in the Village as residents have access to viewpoints and scenic recreational opportunities. It also contributes significantly to local tourism. For these reasons, a detailed inventory of scenic resources in the Village is provided in this section.

In recognition of the scenic value of the coast, the federal government, through the Coastal Zone Management Act, and the State of New York, through Article 42 of the Executive Law, "Waterfront Revitalization of Coastal Areas and Inland Waterways Act," provide for protection of coastal scenic resources. This State legislation gives statutory authority to the Department of State to identify and protect Scenic Areas of Statewide Significance (SASS) and to protect the general scenic quality of the State's Coastal Area.

The Department of State embarked on a program to identify, evaluate and recommend areas for designation as a SASS. The Department developed a scenic assessment methodology to determine the scenic quality and aesthetic significance of a landscape. The methodology is based on federal and New York State legislative findings, New York State Coastal Policy 24 and the State's Coastal Management Regulations. It identifies the scenic quality of the components of coastal landscapes and evaluates them against criteria for determining aesthetic significance. The components are described according to three levels of quality and significance: (1) distinctive, of Statewide Significance; (2) noteworthy, of regional and local significance; and (3) common. The scenic assessment methodology used is outlined in detail in the "Technical Memorandum - Identification of Scenic Areas of Statewide Significance in New York State" (Department of State, 1992).

The methodology divides the subject landscape into subunits. The boundaries of subunits are drawn to reflect salient characteristics of the landscape such as topography or land use. To facilitate the determination of landscape quality, the landscape of the subunit is divided
into three categories of elements - physical character, cultural character, and views. Each category in turn is divided into specific elements and sub-elements of the landscape that contribute to the character of the categories, as listed below:

Physical character: landform, vegetation, shoreline configuration, and water features.

Cultural character: land use, ephemeral characteristics, historic character, symbolic value/meaning, architectural character, landscape character, state of upkeep, and discordant features.

Views: coastal viewshed, length of views, breadth of views, background, composition, and focal points.

The categories and their elements are called landscape components. For each element and sub-element in the subunit a range of characteristics are described, together with an associated rating of distinctive, noteworthy or common. The characteristics of the landscape elements found in the subunit were compared against descriptions of each level of quality developed for the State and Region, which provided the standard for evaluation.

To determine aesthetic significance, the composition of the subunit's landscape as a whole was first evaluated. That is, the landscape components were rated for the scenic quality of their relationship with each other, and the level of quality was determined. The components were then evaluated against the criteria that determine aesthetic significance. These are the variety, unity, contrast and uniqueness of scenic components, the lack of discordant features in the landscape and the degree of public accessibility and recognition of a landscape. As with the assessment of scenic quality, aesthetic significance was determined by applying the same quantitative rating system for distinctive, noteworthy and common value.

The first application of the scenic assessment methodology was used in the coastal area of the Hudson River Valley. The initial series of candidate SASSs included the Haverstraw Bay Parks SASS. This included three subunits in the Village of Sleepy Hollow, based around Phelps Hospital, Philipse Manor and Sleepy Hollow Manor, and Sleepy Hollow. The Haverstraw Bay Parks SASS was not included in the SASSs that were designated by the NYS Secretary of State (Department of State), which focused on more rural sections of the Hudson River. This does not reduce the value of the proposed Haverstraw Bay Parks candidate SASS, which continues to have very important scenic values of regional and local significance.

Scenic landscapes which have been recognized as a candidate SASS but were not included in the final SASS designations for the Hudson River Valley, or did not qualify as a candidate SASS, can still be given a significant measure of recognition and protection. They can be
considered to be "Identified Landscapes of Statewide Scenic Importance," "Landscapes of Regional Scenic Importance," or "Landscapes of Local Scenic Importance." These areas can be afforded protection under Policy 25 of the Coastal Management Program which addresses the protection of overall coastal scenic quality. Local governments are in a unique position, through their exercise of local land use authority, to protect and improve the scenic quality of the entire coast within their municipal boundaries.

2. Village of Sleepy Hollow Scenic Assessment

The scenic assessment methodology developed by the Department of State to identify SASS's can also be applied to evaluate the scenic resources of the coastal area of a local municipality. In Sleepy Hollow the landscape has already been broken down into subunits and analyzed for Statewide Significance as part of the Hudson River Valley SASS process. The Village was included in parts of two distinctive and noteworthy subunits, part of the candidate Haverstraw Bay Parks SASS, and three common subunits. Using the analysis and evaluations of the SASS program, attached in Appendix A, and supplementing this with further site visits and analysis of viewpoints, scenic vistas, and scenic corridors, the following assessment of scenic and visual resources of the Village has been prepared.

The Village of Sleepy Hollow is located on the eastern shorelands of the Tappan Zee stretch of the Hudson River. The low shoreline gives way to gently rising rolling upland, a sharp contrast to the dynamic cliffs of the Palisades on the distant western shore of the Hudson River, some 2.5 miles wide at the Tappan Zee. The Village contains a number of positive scenic components, including Kykuit, the restored Philipsburg Manor, the Pocantico River, Fremont Pond, the residential neighborhoods of Sleepy Hollow Manor and Philipse Manor, the Sleepy Hollow Cemetery, and the Rockefeller State Park Preserve.

The Village has a wide variety of internal and external views. Most external views are limited to the immediate waterfront area where views are of the broad expanse of the Hudson River at the Tappan Zee, the impressive and dominating structure of the Tappan Zee Bridge; the Nyack waterfront and its development; the cliffs, hills and ridges of the Palisades, culminating in the headland of Hook Mountain, which rises to 736 feet; and distant views of Croton Point and Haverstraw Bay to the north and the urban skyline of Manhattan to the south. Internal views are limited by various types of development, topography, and vegetation. Viewed from the Hudson River and the western shore, the Village of Sleepy Hollow is dominated by the former large industrial complex of the GM plant (now under construction as Edge-on-Hudson), while the residential development on the low rolling shorelands is hidden from view by the existing landscaping. The wooded uplands of Sleepy Hollow rise above the shorelands.

The SASS evaluation of the region broke the Village of Sleepy Hollow down into six discrete subunits. At the more detailed local level the Village has been broken up into nine
discrete subunits (See Map 12). These are:

- Phelps Memorial Hospital; Sleepy Hollow Manor; Rockefeller State Park Preserve;
- Sleepy Hollow Cemetery; Philipse Manor; Lower Pocantico River; Sleepy Hollow Southern Waterfront; Inner Village; Webber Park.

The scenic components of these subunits are discussed below.

**Phelps Memorial Hospital Subunit**

The Phelps Memorial Hospital subunit is located on the steeply rising shorelands of the Hudson River. The shoreline configuration is smooth, dominated by the railroad tracks. The subunit is dominated by the buildings and parking areas of the Phelps Memorial Hospital and the Kendal-on-Hudson development, providing a residential and institutional landscape. In contrast is the rolling estate landscape of lawns and woodlands associated with the historic James House, which offers glimpses of the broad expanse of the Tappan Zee and beyond to Hook Mountain. The subunit is well maintained. The subunit offers little public accessibility, due to the private ownership of the hospital site and Kendal-on-Hudson.

The Phelps Memorial Hospital subunit was identified as part of the candidate Haverstraw Bays Park SASS.

**Sleepy Hollow Manor Subunit**

The Sleepy Hollow Manor subunit features a residential neighborhood located on the low rolling shorelands of the Hudson River. The residential neighborhood is a mix of old and new development. The informal layout of the roads and siting of houses respects the rolling topography of the subunit. The design of the houses is varied. The winding roads follow the relief. Development is set in landscaped settings with lawns, shrubs and garden trees combining with mature street trees to form a vegetative canopy that screens development from the adjacent U.S. Route 9 (Broadway) and the Hudson River. The informal nature of development, the extensive landscaping, mature street trees, and winding roads give a sense of enclosure to the development.

The Peabody Preserve Outdoor Classroom is located in the southern part of the subunit, separating the informal residential layout of Sleepy Hollow Manor from the formal grid pattern of the adjacent residential development of the Philipse Manor subunit. The Peabody Preserve Outdoor Classroom includes a recreational field and mature mixed woodland that stretches down to Fremont Pond and Pokahoe Drive.

The shoreline configuration is low and straight and the railroad runs alongside the shore. The main water feature of the subunit is Fremont Pond, a freshwater pond fed by a stream.
and springs that *rise-originates* in the Sleepy Hollow Cemetery. Residential development lines the shore of the pond. The pond drains into the Hudson River through a small wetland area that has been encroached on by residential development.

The subunit is accessible from local roads and from Peabody Preserve Outdoor Classroom. There are many unfolding vistas of houses set in landscaped settings, available from the winding roads in the subunit. Views of Fremont Pond are available from the bridge on Pokahoe Drive. Glimpses of the Hudson River and the Palisades, notably Hook Mountain, are available from street ends and between houses. The subunit is well maintained and there are no discordant features.

The Sleepy Hollow Manor subunit was also identified as part of the candidate Haverstraw Bays Park SASS. The subunit features a variety of contrasting housing styles set in a distinctive landscaped setting. The informal residential layout is unified by the mature vegetative coverage and the pleasant suburban theme. The informal layout of the residential development is an unusual departure from the traditional grid style of development.

**Rockefeller State Park Preserve Scenic Subunit**

The largely undeveloped Rockefeller State Park Preserve subunit consists of a rolling upland with some steeply rising hills, and gentle river valleys containing the swift flowing Rockefeller Brook, Gory Brook and Pocantico River. The subunit is dominated by Kykuit Hill, rising to over 450 feet, Cedar Hill, and Eagle Hill. The subunit is basically a historic estate landscape featuring the Kykuit Estate built for John D. Rockefeller Jr., by his father in 1905. The estate is dominated by Kykuit, a large Beaux-Arts mansion sited axially with a dramatic view of the Hudson River. The mansion and sculpture gardens now house the art collection of Nelson Rockefeller. While living at the Kykuit Estate, Nelson Rockefeller commissioned further additions to the estate including a Japanese house and garden.

The northern portion of the subunit is part of the Rockefeller State Park Preserve. Large portions of the Rockefeller estate have been transferred to the State of New York as gifts by the Family starting in 1983. The Preserve is characterized by wetlands, wooded hillsides and open meadows. The Preserve is crossed by a network of carriage paths and trails, with access from local roads. Well preserved stone bridges are a feature of the carriageway network. The Old Croton Aqueduct Trail runs through the subunit. The subunit is crossed by Old Sleepy Hollow Road, a winding tree lined country road with views of the surrounding estate and park preserve.

Views within the subunit are generally contained by topography and vegetation. There is a panoramic vista from the Eagle Hill Trail which extends from the mansion on Kykuit Hill over the rolling woodland and meadows of the Rockefeller Estate and the State Park Preserve to Cedar Hill and beyond to the distant Tappan Zee Bridge and the Palisades. The
public and private land in the subunit is well maintained and there are no discordant features.

The Rockefeller State Park Preserve subunit was also identified as part of the candidate Haverstraw Bays Park SASS. The subunit features a variety of contrasting scenic components, notably the rolling landscape, steep slopes, stream corridors, the formal and informal landscape of the estates, woodland and meadows. The subunit is unified as a classic estate landscape. The Kykuit Estate complex is possibly the best example of its type and period in the State. The subunit is highly accessible from the State Park Preserve and receives widespread recognition through its association with the Rockefeller family.

**Sleepy Hollow Cemetery Subunit**

The Sleepy Hollow Cemetery subunit is dominated by the formal landscape of the Sleepy Hollow Cemetery, a prime example of the 19th century American Romantic movement. The Cemetery is located on the steeply rising slopes above the low rolling shorelands of the Hudson River, giving way to a rolling upland that falls steeply to the Pocantico River and then rises again on the steep slopes of Cedar Hill. The well-maintained formal landscape of the Cemetery features narrow winding roads, the regimental layout of gravestones with their accompanying floral tributes, large mausoleums, mature trees and formal plantings. The fast flowing Pocantico Brook flows through the subunit in an enclosed wooded corridor that splits the Cemetery.

A significant historic structure within the Cemetery is the Old Dutch Church and the Dutch Burial Ground. (See Section II-F-2-a & b).

Adjacent to the Cemetery is Douglas Park. Located on the steep slopes of Cedar Hill, the heavily wooded Village Park provides a natural park experience within an otherwise developed, urban area (See Section II-D-3).

The Sleepy Hollow Cemetery subunit was also identified as part of the candidate Haverstraw Bays Park SASS. The subunit features a varied topography unified by the formal landscape of the Sleepy Hollow Cemetery. The wooded corridor of the Pocantico Creek and the informal layout of the heavily wooded Douglas Park provide a natural area that contrasts with the more manicured landscape of the cemetery. Public access is permitted to the Sleepy Hollow Cemetery, between certain hours of the day, and the Village's Douglas Park. The subunit is recognized as the site of the historic Sleepy Hollow Cemetery.

**Philipse Manor Subunit**

The Philipse Manor subunit features a residential neighborhood located on the low rolling shorelands of the Hudson River. The residential neighborhood is laid out in a formal grid,
and appears more open than the adjacent residential development in the Sleepy Hollow Manor subunit. The houses are designed in a variety of styles and are set in landscaped settings, with lawns, shrubs and garden trees combining with mature street trees to form a vegetative canopy that screens development from the adjacent U.S. Route 9 and the Hudson River.

The shoreline configuration is low and straight and the railroad runs alongside the immediate shore. The Philipse Manor Railroad Station is on the State and National Registers of Historic Places (See Section II-F-2-e). The Philipse Manor Beach Club is located along the shoreline on a small point and cove.

The subunit is accessible from local roads. The formal grid setting of the residential neighborhood leads to long and wide vistas along the residential streets. Views of the Hudson River and the Palisades, notably Hook Mountain, are available from street ends and from Riverside Drive. The subunit is well maintained and there are no discordant features, although the amount of parked commuter vehicles along Riverside Drive reduces the scenic quality of the subunit.

The Philipse Manor subunit was also identified as part of the candidate Haverstraw Bays Park SASS. The subunit features a variety of contrasting housing styles set in a distinctive landscaped setting. The subunit is unified by the mature vegetative coverage and the formal residential layout.

**Lower Pocantico River Subunit**

The Lower Pocantico River subunit features the lower stretch of the Pocantico River and its confluence with the Hudson River. The low floodplain alongside the River is a mix of recreational areas, landscaped estates, woodland and wetland. The natural landscape of the subunit has been altered by extensive filling at two recreational areas. The flow of the Pocantico has been altered by the damming of the River to create a mill pond at Philipsburg Manor historic site. The dam creates a waterfall. The shoreline configuration is a smooth bulkheaded shoreline with rip-rap and a sandy beach which meet at Kingsland Point, a small promontory in the Hudson River.

There is significant public access to the subunit at the Philipsburg Manor historic site, Devries Park and Kingsland Point Park. These sites are also well recognized by the public. The landscape is well maintained and there are no discordant features in the subunit.

The main cultural feature in the subunit is the restored Philipsburg Manor, originally built in the 1680s. It was saved from destruction and restored through financing from John D. Rockefeller, Jr. and opened to the public in 1943. The site includes a modern visitor center, and the historic stone house, grist mill and dam. **Sleepy Hollow Restorations (Historic**
Hudson Valley has restored the house to its original appearance. The reconstructed Upper Mill is a good example of the grist mills that were once common along the tributaries of the Hudson River. The reflections in the mill pond of the old manor house and surrounding willows provides ephemeral characteristics that enhance the scenic quality of the subunit. The site is open to the public.

Devries Park, owned and operated by the Village of Sleepy Hollow, is located alongside the Pocantico River just west of Philipsburg Manor. The flat filled area features two baseball fields. The Pocantico River, forms a wide pond with wetland edges before narrowing and flowing under the railroad tracks and into the Hudson at Kingsland Point Park.

Kingsland Point Park, owned and operated by Westchester County, is a large parcel of public open space on the shoreline of the Hudson River. The flat recreational landscape features open grassy areas, clusters of trees and a sandy beach. There is a brick bath house. The Park is accessed by a car bridge over the railroad tracks.

There are a number of significant views within and from the subunit. The view of Philipsburg Manor from the U.S. Route 9 bridge is of the landscaped estate of the Manor and features the historic white manor house, grist mill and the mill pond. Internal views within the site of the Manor are important and feature the same focal points. The view of the Pocantico River from Devries Park is to the wide section of the river with surrounding woodland and wetland. The main external views from the subunit are from Kingsland Point Park. The Park offers the most significant Hudson River views from within the Village of Sleepy Hollow. The views are broad, long and uninterrupted, encompassing the lighthouse, the broad expanse of the Hudson River at the Tappan Zee, the impressive and dominating structure of the Tappan Zee Bridge, Mario M. Cuomo Bridge, the Nyack waterfront and its development; and the cliffs, hills and ridges of the Palisades, culminating in the headland of Hook Mountain, which rises to 736 feet.

The eastern section of the Lower Pocantico River subunit, including the Philipsburg Manor historical site, was also identified as part of the candidate Haverstraw Bays Park SASS. The subunit features a variety of formal landscapes including the historic Philipsburg Manor estate with its manor house and grist mill, and the recreational landscape of Devries Park and Kingsland Point Park. The Pocantico River varies in width from its normal narrow fast flowing channel to the wide mill pond at the Grist Mill and the wide pond adjacent to the Devries Park.

Sleepy Hollow Southern Waterfront Subunit

The Sleepy Hollow Southern Waterfront subunit includes the area of the Village containing the former GM Plant. The flat filled area is bulkheaded, giving a smooth shoreline
configuration to this man-made point. The area is currently under construction to complete the Edge-on-Hudson mixed-use development. Once complete, the property will become another Village neighborhood, including nearly 1,200 new housing units. In addition, the property will include more than 16 acres of parkland and active recreation fields, and an extension of the existing Riverwalk providing public access to the waterfront. Located adjacent to the Edge-on-Hudson property to the south is the Village of Sleepy Hollow Public Works facility, the Ichabod’s Landing development, and the Village's Horan’s Landing Park. This subunit also contains the historic Sleepy Hollow lighthouse (See Section II-F-2-d).

Public accessibility is abundant in the subunit, as the Riverwalk currently or will in the future run the entire length of the waterfront within the subunit. Limited public access is also available to the Sleepy Hollow lighthouse from Kingsland Point Park, with a walkway along the shoreline adjacent to the Edge-on-Hudson property. Once complete, further connection will be provided through the property. As mentioned, the lighthouse offers significant views of the Hudson River.

**Inner Village Subunit**

The Inner Village subunit rises abruptly to the gently rolling plateau located above the low shorelands of the Hudson River. The subunit is the main, more urban area of Sleepy Hollow and features the commercial core, centered on Beekman Avenue, and surrounding residential neighborhoods. The subunit is well maintained. The residential neighborhoods are in a good state of upkeep and almost entirely built-out. The appearance of the commercial area of Beekman Avenue has benefitted substantially from streetscape improvements including tree planting, provision of on and off-street parking, sidewalk improvements, street light replacement and provision of street furniture.

The majority of views are contained within the subunit, constrained by the built development. The future residential and mixed-use Edge-on-Hudson buildings located in the adjacent Edge-on-Hudson subunit, are a major intrusion into views of the Hudson River from the western sections of the subunit (as were the former GM industrial buildings). Significant views of the Hudson River and the Tappan Zee Bridge are available along Beekman Avenue and Cortlandt Street. These narrow glimpses of the River are framed by the surrounding buildings. Development at street ends would close these views and impair the scenic quality of the subunit. Barnhart Park offers views of Kingsland Point Park, Devries Park, and the Hudson River to the northwest over and adjacent to the Edge-on-Hudson property. The most extensive views of the Hudson River are available from Hudson Street and the corner of Beekman Avenue. Again constrained by development, the views stretch across a parking lot and through a chain link fence to the Tappan Zee Bridge and onto the Manhattan skyline in the distance. Views down Beekman Street are of the Hudson River and Nyack on the western shorelands of the Hudson River.
Webber Park Subunit

The Webber Park subunit is located on the steep slopes of Cedar Hill, rising above the rolling plateau of the Inner Village subunit. The subunit is heavily developed and features a number of residential neighborhoods and the Sleepy Hollow High School complex. Mature street trees are important and dominant components in the landscape.

Views are mainly contained within the subunit, although there are glimpses of the Hudson River and the Tappan Zee Bridge from local streets in the upland areas. Public accessibility is limited to local streets.

3. Analysis of Elements of Scenic Importance Within Sleepy Hollow

The above scenic assessment has considered how the many and varied scenic components of the subunits contribute to the aesthetic quality of the Village of Sleepy Hollow. The Village's subunits can be categorized into various levels of scenic importance. They can be considered to be "Identified Landscapes of Statewide Scenic Importance," "Landscapes of Regional Scenic Importance," or "Landscapes of Local Scenic Importance." The breakdown is as follows:

Identified Landscapes of Statewide Scenic Importance and Landscapes of Regional Scenic Importance:

Phelps Memorial Hospital; Sleepy Hollow Manor; Sleepy Hollow; Sleepy Hollow Cemetery; Philipse Manor; Lower Pocantico River.

Landscapes of Local Importance:

Edge on Hudson property; Lower Village; Upper Village.

These areas are afforded protection under Policy 25 of the Sleepy Hollow Local Waterfront Revitalization Program, which addresses the protection of overall coastal scenic quality. The Village of Sleepy Hollow is in a position, through the use of its LWRP and exercise of local land use authority, to protect and improve the scenic quality of the identified scenic resources within their municipal boundaries.

4. Specific Viewsheds to be Protected

During the process of inventorying the Village's scenic resources for the original LWRP, a total of 64 individual viewsheds were initially identified as important and characteristic components of the above nine landscape subunits. After analysis of these viewsheds, the
Village's LWRP Committee decided to eliminate nine (9) of the individual viewsheds, primarily because there were too many discordant elements present. After analyzing the remaining 56 individual viewsheds, the LWRP Committee grouped them into 23 Viewsheds of Local Importance. The location of each of the 23 viewsheds are identified on Map 12. Representative photographs and brief descriptions of each of the 23 viewsheds are provided below.

The following list and description of viewsheds is not in any order of importance. Each of the 23 viewsheds of local importance have been included in Policy 25 (See Section III).

a. Beekman Avenue at intersection with U.S. Route 9
Beekman Avenue at the intersection with U.S. Route 9 (Broadway) is one of the primary entrances to the Village's downtown commercial districts and is certainly a primary entrance for visitors to the Village. The above photograph represents an important viewshed for the Village and one that the Village desires to protect. The Hudson River and west shore are visible at the end of the view corridor created by Beekman Avenue (when leaves are not on the trees). Beekman Avenue starts (eastern terminus) at U.S. Route 9 (Broadway) and extends to the Hudson River. Beekman Avenue dates back before the platting of streets and subdivisions of early Beekmantown, sometimes called Beekman suburb and Pocantico suburb, the old names for present day Sleepy Hollow.

The viewshed possesses the basic character of an old Hudson River village, and many of its buildings are identified by Westchester County as possessing characteristics eligible for listing on the State and National Registers of Historic Places.

Any new development along Beekman Avenue must be encouraged to recognize the distinct nature of a Hudson River community appearance and protect the view at this intersection to the Hudson River. Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
b. Philipsburg Manor Upper Mill Historical Site

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Philipsburg Manor is a major element of the Lower Pocantico River Scenic Subunit as described above. The main cultural feature in the subunit is the restored Philipsburg Manor, originally built in the 1680s. It was saved from destruction and restored through financing from John D. Rockefeller, Jr. and opened to the public in 1943. The site includes a modern visitor center, and the historic stone house, grist mill and dam. Sleepy Hollow Restorations (Historic Hudson Valley) has restored the house to its original appearance. The reconstructed Upper Mill is a good example of the grist mills that were once common along the tributaries of the Hudson River. The reflections in the mill pond of the old manor house and surrounding willows provides ephemeral characteristics that enhance the scenic quality of the subunit. The site is open to the public.

It is very important that future development in this vicinity not detract from the identified viewshed in order to protect the valuable cultural and scenic heritage represented by Philipsburg Manor and Upper Mill.
c. U.S. Route 9 (North Broadway)

3 U.S. Route 9 (North Broadway) view north and south along highway corridor

The above photograph is a view looking north along the U.S. Route 9 corridor and is representative of the view north and south along U.S Route 9 (North Broadway). The U.S. Route 9 corridor is a very important viewshed for the Village of Sleepy Hollow and one the Village wishes to protect. The entire length of U.S. Route 9 within Sleepy Hollow has been designated by the New York State DEC as a Scenic Road under Article 49 of the NYS Environmental Conservation Law.

The U.S. Route 9 corridor within the Village includes an extraordinary number of historic and scenic sites as well as being a roadway that dates back to pre-Revolutionary War times. Its tree lined shoulders include an imposing line of Sycamores on the east side. The highly scenic values of the road corridor coupled with the historic settings surrounding the road make this part of Route 9 one of the most attractive and important in the Hudson Valley. Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
The Old Dutch Church and Burial Grounds and Sleepy Hollow Cemetery

4 The Old Dutch Church and Burial Grounds and Sleepy Hollow Cemetery as viewed from the intersection of U.S. Route 9 and the Pocantico River.

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. The Old Dutch Church and Burial Grounds and the Sleepy Hollow Cemetery are the major elements of the Sleepy Hollow Cemetery Subunit, as described above. The Sleepy Hollow Cemetery subunit is dominated by the formal landscape of the Sleepy Hollow Cemetery. The Cemetery is located on the steeply rising slopes above the low rolling shorelands of the Hudson River, this gives way to a rolling upland that falls steeply to the Pocantico River and then rises again on the steep slopes of Cedar Hill. The well maintained formal landscape of the Cemetery features narrow winding roads, the regimental layout of gravestones with their accompanying floral tributes, large mausoleums, mature trees and formal plantings. The fast flowing Pocantico Brook flows through the subunit in an enclosed wooded corridor that splits the Cemetery. A significant historic structure within the Cemetery is the Old Dutch Church and the Dutch Burial Ground. (See Section II-F-2-a & b.).

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
e. Pokahoe Drive, Lakeview Avenue, Lakeshore Circle, Hunter Avenue, Farrington Avenue, Harwood Avenue, Kelburne Avenue, Highland Avenue, and Palmer Avenue

5 Panoramic View of the Hudson River, especially during leaf-off conditions, and beyond from the end of Highland Avenue as a representative of the views from various streets in Sleepy Hollow Manor and Philipse Manor.

The above photograph is representative of the viewsheds of the Hudson River from the above streets and collectively are all important viewsheds for the Village and ones that the Village desires to protect. From the above streets, as identified on Map 12, parts or all of the Hudson River and the opposite shore can be seen (although trees can block some of these views in the warmer months of the year). The only discordant features within the views are the utility lines and poles situated along the railroad tracks. Except for certain park lands there are no other locations within the Village where such a substantial stretch of land along the Hudson River from which such views can be seen. Thus, the above streets that intersect with Riverside Drive and the others, are very important visual access sites for the public to view be able to view the Hudson River.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
f. Fremont Pond

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Fremont Pond is within the Sleepy Hollow Manor Subunit as described above. One of the main features of the subunit is Fremont Pond, a freshwater pond fed by a stream and springs that rises in the Sleepy Hollow Cemetery. Residential development lines the shore of the pond. The pond drains into the Hudson River through a small wetland area that has been encroached on by residential development.

The water of Fremont Pond is protected by the Village's Watercourse Protection Law. However, it is important that the residents around the Lake, the Sleepy Hollow Manor Association, and the Village continue to cooperate to retain the scenic and environmental quality of Fremont Pond.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
g. Devries Park

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Devries Park is within the Lower Pocantico River Subunit as described above. Devries Park, owned and operated by the Village, is located alongside the Pocantico River just west of Philipsburg Manor. The flat filled area features two baseball fields. The Pocantico River forms a wide pond with wetland edges before narrowing and flowing under the railroad tracks and into the Hudson at Kingsland Point Park.

Improvements at the Park represent a good example of what the Village is doing to create a mixed-use recreation area in a natural setting that combines active and passive recreational uses.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
h. Panoramic Views of the Hudson River and beyond from various points along the shore at Kingsland Point Park

8 Panoramic View of the Hudson River and beyond as a representative of the views from various locations within Kingsland Point Park.

The above photograph is representative of the viewsheds of the Hudson River from the various locations within Kingsland Point Park and collectively are all important viewsheds for the Village and ones that the Village desires to protect. Kingsland Point Park, owned and operated by Westchester County, is a large parcel of public open space on the shoreline of the Hudson River.

Kingsland Point Park is part of the Lower Pocantico River Subunit as described above. There are a number of significant views within and from the subunit. The Park offers the most significant Hudson River views from within the Village of Sleepy Hollow. The views are broad, long and uninterrupted, encompassing the lighthouse, the broad expanse of the Hudson River at the Tappan Zee, the impressive and dominating structure of the Tappan Zee Bridge, the Nyack waterfront, and the cliffs, hills and ridges of the Palisades. Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
i. View of the Hudson River from the corner of Beekman Avenue and Hudson Street

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Beekman Avenue is the main direct thoroughfare from Broadway (U.S. Route 9) into the Village and to the Hudson River and waterfront. The Avenue is wide and heavily traveled.

The viewshed from this vantage point is one that includes the wide expanse of the Hudson River southward to the new Tappan Zee Bridge (Mario M. Cuomo Bridge) and westward across to the opposite shore of Nyack and the hills beyond. As the Edge on Hudson property is currently under construction, once built, some northward views will be impeded, as they once were by the General Motors structures.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.

8 View of the Hudson River from the intersection of Beekman Avenue and Hudson Street

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Beekman Avenue is the main direct thoroughfare from Broadway (U.S. Route 9) into the Village and to the Hudson River and waterfront. The Avenue is wide and heavily traveled.

The viewshed from this vantage point is one that includes the wide expanse of the Hudson River southward to the new Tappan Zee Bridge (Mario M. Cuomo Bridge) and westward across to the opposite shore of Nyack and the hills beyond. As the Edge on Hudson property is currently under construction, once built, some northward views will be impeded, as they once were by the General Motors structures.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
j. View of the Hudson River looking west from the intersection of Beekman Avenue and Barnhart Avenue

10 View of the Hudson River looking west from the intersection of Beekman Avenue and Barnhart Avenue.

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Beekman Avenue is the main direct thoroughfare from Broadway (U.S. Route 9) into the Village and to the Hudson River and waterfront. The Avenue is wide and heavily traveled.

The viewshed from this vantage point is more linear and focused than the previous viewshed because of the structures on both sides of Beekman Avenue. Nonetheless, future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
k. View of the Hudson River looking south from the intersection of Beekman Avenue and Cortlandt Street

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Similar to the previous viewshed the view from this vantage point is linear and focused because of the structures on both sides of Cortlandt Street. Nonetheless, future development must not impact negatively upon this viewshed and the ability to see the Hudson River, Tappan Zee Bridge, and other features to the south.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
1. Views of the Hudson River and Village from the School District of the Tarrytowns facilities on Broadway

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. The upper grades of the School District facilities are located in a sprawling expanse of buildings which encompass a large area of the open sloping bank of the Hudson River. A wide panoramic view of the Hudson River and the Village is available from many locations within the School District property. This is perhaps one of the most easily attained expansive, panoramic viewsheds of the Hudson River from within the Village and is accessible to the public.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
m. View of the Hudson River and Village from the intersections of Route 448 (Bedford Road), Pine Street, and the Old Croton Aqueduct

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Bedford Road, now designated Route 448, is one of the three main entrances to the Village. As one descends down Route 448 west toward Broadway there are opportunities for expansive views of the Hudson River, the opposite shore, and overlooking the rest of the Village below. Though these views are obstructed in the warm weather months when leaves are on the trees, as in the above photograph, the river is visible during the wintertime.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
n. Gory Brook Road looking toward the Hudson River

Source: VHB

14 *View of the Hudson River, overlooking Village from Gory Brook Road.*

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Gory Brook Road represents one of the old main entrances into the area and Village which now has become essentially an accessway to local residents in this area of the Village. The Rockefeller Family acquired the adjacent land through which the old road traversed and the road is now closed to automobile traffic, but is available for horseback riding and foot travel. That portion of the road which services residences however, provides excellent views of the Hudson River over wide panoramic expanses.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
Viewshed looking east at Fremont Fountain site on Broadway (U.S. Route 9)

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. The location of this viewshed is representative of the views all along North Broadway of Sleepy Hollow Cemetery. The Sleepy Hollow Cemetery is the principal component of the Sleepy Hollow Cemetery subunit, described above. The Cemetery is located on the steeply rising slopes above the low rolling shorelands of the Hudson River, this gives way to a rolling upland that falls steeply to the Pocantico River and then rises again on the steep slopes of Cedar Hill. The well maintained formal landscape of the Cemetery features narrow winding roads, the regimental layout of gravestones with their accompanying floral tributes, large mausoleums, mature trees and formal plantings.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
View looking west toward Peabody Preserve Outdoor Classroom from the Fremont Fountain site on North Broadway (U.S. Route 9).

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. The view at this location is looking west toward Peabody Preserve Outdoor Classroom. Peabody Preserve Outdoor Classroom is a significant scenic element of the Sleepy Hollow Manor Subunit, as described above. Peabody Preserve Outdoor Classroom is located in the southern part of the subunit, separating the informal residential layout of Sleepy Hollow Manor from the formal grid pattern of the adjacent residential development of the Philipse Manor subunit. Peabody Preserve Outdoor Classroom includes a recreational field and mature mixed woodland which stretches down to Fremont Pond and Pokahoe Drive.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
q. Viewshed looking west toward the Pocantico River and surrounding landscape at the New York City/Village of Sleepy Hollow Water Pumphouse property on Sleepy Hollow Road.

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Located in the extreme northeast corner of the Village along Sleepy Hollow Road, the viewshed is to the west toward the Pocantico River. At this location there is a feeder stream that joins the Pocantico River. The Pocantico River at this location is a fast-moving stream that meanders through the woods with the adjacent wooded bridle paths of the Rockefeller State Park Preserve. Residences are very sparse in the portion of the Village. The viewshed is representative of a sylvan setting of true peace and tranquility.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
18 Panoramic views from Eagle Hill in the Northeast corner of the Village.

The above photograph represents an important panoramic viewshed for the Village and one that the Village should seek to protect. Eagle Hill is in the Sleepy Hollow Scenic Subunit and is a dominant feature within the subunit. There is a panoramic vista from Eagle Hill which extends from the mansion on Kykuit Hill over the rolling woodland and meadows of the Rockefeller Estate and the Rockefeller State Park Preserve to Cedar Hill and beyond to the distant Tappan Zee Bridge and the Palisades. The public and private land in the subunit is well maintained and there are no discordant features.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
Old Sleepy Hollow Road

The above photograph is representative of the types of views characteristic of the Old Sleepy Hollow Road. The above photograph represents an important panoramic viewshed for the Village and one that the Village desires to protect. The road runs in a southerly direction from the point where it enters the Village boundary to the north. The Old Sleepy Hollow road is within the Sleepy Hollow Scenic Subunit and is characterized as a winding tree lined country road with views of the surrounding Rockefeller Family estate and Rockefeller State Park Preserve. The easterly side of the road borders a wooded expanse, a part of the Rockefeller Family estate. As the road meets the north end of Webber Avenue, the nature of the area changes from rural country road to that of neat, single family homes. The road is one of truly sylvan beauty with spring and fall being the most colorful seasons.

Future development actions along, near, or within the viewshed of the Old Sleepy Hollow Road should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
Panoramic views from Kykuit

The above photograph represents the types of views characteristic of those from Kykuit. The above photograph represents an important panoramic viewshed for the Village and one that the Village desires to protect. Kykuit is located within the Sleepy Hollow Scenic Subunit. The subunit is dominated by Kykuit Hill, rising to over 450 feet, Cedar Hill and Eagle Hill. The subunit is basically a historic estate landscape featuring the Kykuit Estate built for John D. Rockefeller Jr, by his father in 1905. The estate is dominated by Kykuit, a large Beaux-Arts mansion sited axially with a dramatic view of the Hudson River. The mansion and sculpture gardens now house the art collection of Nelson Rockefeller. While living at the Kykuit Estate, Nelson Rockefeller commissioned further additions to the estate including a Japanese house and garden. There is a panoramic vista from Kykuit Hill over the rolling woodland and meadows of the Rockefeller Estate and the State Park Preserve to Cedar Hill and beyond to the distant Tappan Zee Bridge and the Palisades.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.
u. View west of the Hudson River and overlooking the Village from Hudson Terrace

Source: VHB
The above photograph represents an important viewshed for the Village and one that the Village desires to protect. Hudson Terrace is a short street which runs from the rise on Route 448, south to the public school property and also west, down a steep slope to North Broadway (U.S. Route 9). The view of the River from this vantage point is panoramic and typical of the viewsheds experienced from similar elevations within the older portion of the Village. Closely-spaced modest homes with varying architectural styles provide a foreground for the viewshed with the Village center providing the middle ground. The background is the Hudson River and the opposite shore and hills and mountains beyond. Though these views are obstructed in the warm weather months when leaves are on the trees, as in the above photograph, the river is visible during the winetime.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.

v. View west of the Hudson River from Elm Street adjacent to the Sleepy Hollow Senior Center
22 View from Elm Street adjacent to the Sleepy Hollow Senior Center.

The above photograph represents an important viewshed for the Village and one that the Village desires to protect. The above view is from the west end of Elm Street, across from the Sleepy Hollow Senior Center, formerly the vacant Mallory plant employee parking lot. The view west includes trees and other vegetation as well as the hills and mountains across the Hudson River to be seen in the background. The viewshed is important because it is at the top of a bluff overlooking the now under construction Edge on Hudson site and the Hudson River.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.

w. Barnhart Park
The above photograph, while substantially blocked at present by trees and other vegetation, represents an important viewshed for the Village and one that the Village desires to protect. The above view is from the entrance to Barnhart Park looking north. Through the vegetation the view is upriver toward Haverstraw Bay and beyond. Similar to the previous viewshed, the importance of this viewshed is primarily because it is located at the top of a bluff overlooking the Edge on Hudson property and the Hudson River, and because it is a public park.

Barnhart Park is the oldest park in the Village and is located in the center of the more densely populated portion of the Village. With proper tree trimming and maintenance, this park would provide excellent visual access opportunities of the Hudson River and other significant scenic resources.

Future development actions should be undertaken in a manner that recognizes the importance of this viewshed and provides for its enhancement and protection.

5. Other Scenic Resource Information
In 1992, the Village of Sleepy Hollow participated with a number of surrounding municipalities in making a collective application to the NYS DEC for designation of "The Tappan Zee East Scenic District," under the provisions and authority of Article 49 of the NYS Environmental Conservation Law.

Article 49 of the State Environmental Conservation Law authorizes the DEC to designate scenic areas in the State. In order to qualify for such a designation, an area must contain positive aesthetic elements of regional, state-wide, or national significance and must have aesthetically recognizable boundaries. The designation is made by the DEC Commissioner.

In the Fall of 1994, the Commissioner of DEC approved the designation of the Tappan Zee East Scenic District. The District includes the following municipalities: the Villages of Sleepy Hollow, Tarrytown, Irvington, Dobbs Ferry, and Hastings-on-Hudson; and the Towns of Mount Pleasant, and Greenburgh. The accompanying Map 13 shows the location of the Tappan Zee East Scenic District. The map also shows the boundary of the Tappan Zee West Scenic District, previously designated by the DEC Commissioner.

Some of the goals of designation of the Tappan Zee East Scenic District are to stimulate increased public awareness of scenic and historic resources; identify and document the importance of valued cultural assets; enhance community pride; and promote a positive image for the area as a good place in which to live and work.

I. DEVELOPMENT CONSIDERATIONS

1. Public Services and Facilities

The Village of Sleepy Hollow has a year-round primary source of water, which originates from the Catskill/Delaware Aqueduct downstream from the Kensico Reservoir in Valhalla, New York. The primary source from the Catskill Aqueduct has the capability of supplying a maximum capacity of 11.0 million gallons per day (MGD). This transmission main also serves as the primary source of potable water for the neighboring Villages of Tarrytown and Briarcliff Manor. The Catskill Pumping Station can supply a peak water demand of 4.0 MGD on a normal day. If there is an emergency all pumps running can produce a total of 9.9 MGD.

In addition, the Village has an emergency source of water from the New Croton Aqueduct which originates at the surface water Croton Reservoir in Yorktown, New York. The New Croton Aqueduct supply is only utilized in the event of an emergency, or an extended shut down on the Catskill Aqueduct and only with prior notification to the Westchester County Department of Health. Historically, the first (Old) Croton System was constructed in 1842. Although this system was predicted to meet New York City needs for 30 years, it fell short within 14 years due to...
rapid population growth. Along with increased population, per capita consumption rose in the years following 1842, probably due to availability of high-quality water, and the introduction of private, indoor bathrooms. In response to increased demand, the Croton system was expanded, and in 1907 a new Croton Dam and Aqueduct were completed.

The Village’s water system serves a total population of 10,117 (2016 ACS) through 1535 service connections. The total amount of water produced in calendar year 2015 was 457,068,000 gallons. The daily average of water treated and pumped into the distribution system was 1,252,241 gallons per day. The Sleepy Hollow Water Department maintains atwo storage reservoirs. One is situated on Rockefeller State Park Preserve property. This reservoir's capacity is 800,000 gallons. The existing reservoir and is covered and protected from animal hibernation. The Village also has a new reservoir that is operational as of 2017. This site, located off Lake Road in Pocantico Hills, is an underground tank with a capacity of 1.6 million gallons.

The Village has been undertaking studies and assessments concerning its current and future drinking water supply. In 2016, the Village undertook a feasibility study on the Sleepy Hollow, Tarrytown and Briarcliff Manor water supply, pumping, and storage consolidation. Since that study additional discussions and consolidation decisions between the municipalities have taken place. Next steps are discussed in Section IV of the LWRP.

The Village has been increasingly experiencing water main lines breaking; a weakened line system will lose water through seepage and in some cases may burst when valves are closed to repair breaks. The Village is currently in the middle of a long-term program of relining water mains and adding new water valves to better control the system. A number of streets will need to have 4-inch water mains replaced by 6-inch and 8-inch lines.

The Village used to have its own sewage treatment system. However, it is now linked into a larger Westchester County system which is shared by many municipalities. The condition of the existing sewage infrastructure within the Village is generally good. There are some minor problems of infiltration. However, comparatively, the Village does not have any major sewage system problems. The Village does have a regular maintenance and improvement program for the storm and sanitary sewer systems.

Existing water and sewer infrastructure within the Village is generally adequate to support further development and redevelopment within the Village.

2. **Flooding**

The Village of Sleepy Hollow is participating in the Regular Phase of the National Flood Insurance Program. As such the Village has a "Flood Insurance Rate Map," dated September 28, 2007, which identifies the flood-prone areas for the Village. The Flood Insurance Study
for the Village produced by the Federal Emergency Management Agency (FEMA), provides
details on the flood characteristics of the rivers and streams in and adjacent to the Village.
This study examines, in detail, the potential for flooding in the Village of Sleepy Hollow
and includes details of discharges, stillwater elevations, and hydraulic characteristics
associated with various flooding circumstances or possibilities.

The Federal Emergency Management Agency has mapped the Special Flood Hazard Areas
for the Village and indicated them on the Flood Insurance Rate Map. The 100-Year flood
boundaries are indicated on Map 10.

As identified in the Village of Sleepy Hollow Multi-Hazard Mitigation Plan, the Hudson
River, which is tidally influenced, has the potential to cause significant flooding within its
floodplain, as does the Pocantico River. Flooding can occur in the Village during all seasons,
but generally, the most probable flooding season occurs between the months of February
and April when snowmelt upstream adds to heavy spring rains to produce increased runoff.
Summer and Fall flooding also occur due to hurricane activity. NYS DEC projects a future
Sea Level Rise in the Lower Hudson Region of approximately 16 inches by 2050, as a
medium projection, which will further impact future flooding conditions in the Village.

There are no structural flood protection measures located within Sleepy Hollow. In order to
minimize the harmful effects of flooding in the community, the Village regulates new
development actions taking place within the designated flood prone areas (see Map 10).
Construction activities within the flood hazard areas are subject to restrictions designed to
promote a wiser use of these areas. In general, development in these areas should be
discouraged or undertaken only if proper precautions are taken.

3. **Steep Slopes**

The Village of Sleepy Hollow has large areas of steep slopes as identified on Map 10. The
major purpose of delineating steep slopes is to identify areas of the Village where erosion
would occur if vegetation were removed. These slopes do not affect public access to the
waterfront. While practically all of the Village's steep slope areas are currently vegetated, it
would be particularly damaging to these steep slope areas to remove trees and other
vegetation, since most of the areas are adjacent to watercourses. In other areas, removal of
vegetation would very likely result in erosion harm to adjacent landowners.

Development on the identified steep slopes and clearing of vegetation from these areas could
impair the scenic quality of the Village and could lead to increased soil erosion and run-off,
thus threatening water quality in the watercourses within, and adjacent, to the Village.

4. **Erosion**

The Hudson River, at this location, is generally not subject to severe erosion. No Coastal
Erosion Hazard Areas have been identified in Sleepy Hollow under the provisions of Article 34 of the NYS Environmental Conservation Law. However, there are some areas of the Village that are experiencing minor erosion. In addition to the general fluvial and tidal action of the Hudson River, this erosion is also associated with the effects of wakes from boating traffic on the River and sporadic and the occasional actions of ice and flooding. The types of erosion the Village is experiencing are not life threatening, but on an individual basis constitute minor problems that need attention.

Erosion protection structures along the Village's Hudson River shoreline are extensively used and are primarily comprised of stone rip-rap and concrete bulkheading. Some of the rip-rap and bulkheading has deteriorated due to lack of maintenance, but has not deteriorated to the point of being dangerous. In general, improper design, construction, and maintenance may lead to the failure of an erosion protection structure to give the protection which they are presumed to provide. The Village recognizes the need for proper maintenance and has included specific areas in need of rehabilitation as proposed projects in Section IV of this LWRP. For example, the bulkhead at Ichabod’s Landing is deteriorating and is in need of restoration.

In addition to the minor fluvial and tidal erosion associated with the Hudson River, there is also minor erosion associated with the Pocantico River, Andre Brook, and the Fremont Pond watershed. The steep slopes associated with these watercourses makes them particularly susceptible to erosion, particularly where vegetation has been disturbed or removed.
Section III

Local Policies and
Applicable State Policies
III. LOCAL POLICIES AND APPLICABLE STATE POLICIES

DEVELOPMENT POLICIES

POLICY 1  RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL, AND OTHER COMPATIBLE USES.


POLICY 1B  ENCOURAGE THE MAINTENANCE OF THE HISTORIC PHILIPSE MANOR TRAIN STATION (OWNED BY THE HUDSON VALLEY WRITERS CENTER) FOR PASSIVE CULTURAL TYPES OF USES.

POLICY 1C  CONTINUE TO ENCOURAGE THE MAINTENANCE OF THE SCHOOL DISTRICT OF THE TARRYTOWN’S PROPERTY ADJACENT TO FREMONT POND, KNOWN AS THE PEABODY PRESERVE OUTDOOR CLASSROOM, FOR INCREASED RECREATIONAL USE WITH FACILITIES SUCH AS RECREATIONAL FIELDS, AND EDUCATIONAL NATURE WALKWAYS.

POLICY 1D  REDEVELOP THE VILLAGE-OWNED PUBLIC WORKS LOT ON RIVER STREET FOR MIXED USE OR OTHER COMPATIBLE USES THAT ARE IN KEEPING WITH THE CHARACTER OF THE VILLAGE, INCREASED PUBLIC WATERFRONT ACCESS, PARK—AND MARINE-RELATED PUBLIC RECREATIONAL USES.

POLICY 1E  RESTORE, REVITALIZE, AND REDEVELOP THE VILLAGE’S CENTRAL BUSINESS DISTRICT THROUGH MARKETING AND BRANDING WITH EMPHASIS ON STABILIZING AND STRENGTHENING EXISTING BUSINESSES, APPEALING TO AND ACCOMODATING BOTH VISITORS AND RESIDENTS OF ALL
INCOME LEVELS, FURTHERING A WATERFRONT IMAGE FOR THE VILLAGE, AND PRESERVING ITS HISTORIC COMMUNITY CHARACTER.

POLICY 1F


POLICY 1G

EXISTING BUILDINGS, STRUCTURES OR SITES THAT ARE UNDERUTILIZED AND/OR ABANDONED AND/OR IN A STATE OF POTENTIAL OR EXISTING DETERIORATION, SHALL NOT BECOME FURTHER DETERIORATED SO AS TO BECOME A DETRIMENT OR PUBLIC SAFETY HAZARD TO THE VILLAGE.

POLICY 1HK

RESTORE, REVITALIZE, AND REDEVELOP THE AREA ALONG, AND ON BOTH SIDES OF NY ROUTE 9 (NORTH BROADWAY) WITH APPROPRIATE CONSIDERATION GIVEN TO LANDSCAPING AND SCENIC VIEWSHED PROTECTION, BETWEEN ITS INTERSECTION WITH BEEKMAN AVENUE AND THE BRIDGE CROSSING THE POCANTICO RIVER. (SEE POLICY 25)

POLICY 1H

SUPPORT VILLAGE REVITALIZATION AND REDEVELOPMENT BY INCREASING EFFICIENCY AND EFFECTIVENESS OF MUNICIPAL FACILITIES AND SERVICES.

POLICY 1I

SUPPORT VILLAGE REVITALIZATION AND REDEVELOPMENT BY SUPPORTING VILLAGE CONNECTIVITY, INCLUDING BETTER PEDESTRIAN AND BICYCLE AMENITIES (SUCH AS CROSSWALKS AND BIKE LANES) AND IMPROVING GATEWAYS TO THE VILLAGE THROUGH WAYFINDING SIGNAGE AND OTHER INITIATIVES.

Explanation of Policies

All government agencies must ensure that their actions further the revitalization of waterfront areas within the Village of Sleepy Hollow. The transfer or purchase of property; the construction of a new road or park; provision of pedestrian access; establishment of enterprise zones; and the provision of tax incentives to businesses are examples of governmental means for spurring economic growth and waterfront revitalization. When such actions are proposed, they must be analyzed to determine if they would contribute to or adversely affect the Village’s waterfront revitalization plans and efforts. Such plans and efforts must be recognized as the most effective means of encouraging economic growth in the community, without consuming valuable open space. Uses requiring a location on the shoreline must be given priority in any development effort. Revitalization efforts must conform to the other policies of this program for the protection and beneficial use of significant coastal resources found in Sleepy Hollow’s waterfront area.
Sleepy Hollow's waterfront area contains a mix of industrial, commercial, residential, agricultural, open space, and recreational uses. The following list of deteriorated and underutilized areas helps to reflect this diversity. In order to stimulate the desired revitalization in the waterfront area, the Village will encourage the investment or reinvestment of capital in a broad range of projects with emphasis on revitalization and redevelopment of the areas identified below. The Village will promote those projects and activities which support or enhance development, revitalization, rehabilitation, and redevelopment objectives.

The Village is committed to promoting the revitalization and beneficial use of these areas in a manner sensitive to other coastal policies including: uses requiring a location abutting the waterfront (Policy 2); concentration of development to areas with adequate, existing infrastructure (Policy 5); permit simplification (Policy 6); protection of fish and wildlife habitats (Policies 7 through 9); public access and recreation (Policies 19 through 23); scenic quality (Policy 25); and water quality (Policies 35 and 36).

The following sites have been identified by the Village as either underutilized, deteriorated, in need of rehabilitation, or any combination of all three:

- Kingsland Point Park and Lighthouse (owned by Westchester County), including Westchester County’s undeveloped park land adjacent to the Pocantico River between Philipsburg Manor and the railroad and the shorefront property between the railroad and the waterfront northwest of the bath house (underutilized);
- East Parcel—Sleepy Hollow Common (owned by the Sleepy Hollow Local Development Corporation), located between Devries Park and Barnhart Park on the east side of the railroad (underutilized);
- The bulkhead at Ichabod’s Landing is in need of repair (deteriorated and in need of rehabilitation); The School District of the Tarrytown’s property bounded by North Broadway (Route 9) to the east, and the railroad tracks to the west. (underutilized);
- The Central Business Districts on Beekman Avenue, and Cortlandt and Valley Streets (certain aspects of the Central Business Districts are in need of rehabilitation, and are underutilized);
- The Village-owned public works lot on River Street (targeted to become the Village’s Riverfront Park) (underutilized);
- The Edge on Hudson (former General Motors property) immediately adjacent to the Hudson River (previously underutilized; Non water-dependent use; currently under construction to incorporate water-enhanced uses and waterfront trails);
- Horan’s Landing (inlet in need of rehabilitation for potential marina use);
- The area along, and on both sides of Route 9 (North Broadway), between its intersection with Beekman Avenue and the bridge crossing the Pocantico River.
Any development/redevelopment of these sites should maximize possible ties to the water (as appropriate) and be undertaken to enhance and improve the general visual quality of the Hudson River and Pocantico River waterfronts, and the Village in general (see Policy 25); protect and improve water quality (see Policies 33 and 37); and protect and enhance the continued viability of the Village's identified wetlands and watercourses (see Policy 44). Whenever possible, waterside public access should be incorporated: this provision becomes more important for uses which have dependency upon a waterfront location. The intent, especially for areas along the Hudson River and Pocantico River, is to enhance and make the best use of the valuable visual and water resources, and to increase physical and visual access, increase recreational use and attract people to the waterfront and Beekman Avenue businesses. Waterfront walkways, improvements to pedestrian amenities, green areas, connecting trails, multiple use parks (with orientation of primary uses to the water), and gateway initiatives are all strongly encouraged.

New development and redevelopment within the Village should further enhance the Village's coastal resources by increasing the ratio of open space to built area, especially increasing setbacks adjacent to wetlands and waterways by siting structures further inland whenever possible, and also by enlarging side yard setbacks to retain river views. Additionally, publicly-owned lands should be retained as much needed open space and for public access (see Policies 19 and 20). Increasing the spacing between buildings and keeping the height of buildings as low as possible will enable pedestrians and motorists to view the Hudson River and other water courses, improve the balance of open to built area, and reinforce the Village's historic connection to the Hudson River.

In determining whether an action proposed to take place on the waterfront is suitable, the following standards will be used:

a. Priority should be given to uses which are dependent on a location adjacent to the water (see Policy 2);

b. The action should enhance existing and anticipated uses;

c. The action should serve as a catalyst to private investment in the area;

d. The action should improve the deteriorated or underutilized condition of a site and, at a minimum, must not cause further deterioration;

e. The action must lead to development which is compatible with the character of the area, with consideration given to scale, architectural style, density, and intensity of use;

f. The action should have the potential to improve the existing economic base of the community, and, at a minimum, must not jeopardize this base. For example, waterfront development meant to serve consumer needs would be inappropriate in an area where no increased consumer demands were expected and existing development was already meeting demand;

g. The action should improve adjacent and upland views of the water, and, at a minimum,
must not block or affect these views in an insensitive manner. Structures shall be clustered or oriented to retain views, save open space, and provide spatial organization to development;

h. The action should have the potential to improve the possibilities for multiple use on the site;

i. Adequate off-street parking shall be provided for all uses. Parking areas shall be sufficiently drained so as to contain all drainage on a site and to prevent ponding. Whenever feasible, parking areas shall be placed at the rear of buildings and/or screened by plantings to shield them from the waterfront and Village streets;

j. Vehicular ingress and egress, interior traffic circulation, parking space arrangement, loading facilities and pedestrian walkways shall be planned and built so as to promote safety and efficiency.

k. In order to foster and maintain the small scale historic character of the Village, all new developments and structures shall not exceed the building height of surrounding structures and or that allowed by the zoning district where such use is proposed;

l. Screening with trees or other plantings may be required for parking and other disturbed areas which are created and are not already screened adequately. A landscaping plan demonstrating that suitable vegetation will be planted and nurtured may be required. Such a plan shall become a part of the approved site plan. The original land form of a site should be maintained or restored, except when changes screen unattractive elements and or add appropriate interest;

m. When a proposed nonresidential development activity is located adjacent to residences or a residential district, appropriate buffer landscaping, natural screening and fencing are to be provided in order to protect neighborhood tranquility, community character, and property values;

n. Lighting facilities and lighted signs shall be placed and shielded in such a manner as not to create direct light to shine on other properties, and shall not be permitted to create a hazard on a public street;

o. All development shall be served by public water supply and sewage systems, provided adequate capacity is available. On site solid waste disposal containers shall be adequately screened from view; and

p. Wherever possible, public access shall be provided to the waterfront to the maximum extent possible.

q. Improvements to pedestrian amenities should be incorporated into the planning of the site.
Where applicable, if the action involves municipal services and facilities, efficiencies of those services and facilities should be considered as part of the overall project. Where applicable, actions should align with Sleepy Hollow’s conservation priorities.Comprehensive Plan.

An attractive setting for the central business districts along Beekman Avenue and Cortlandt and Valley Streets can be enhanced by concentrating on the historic character of the Village. Creating such a desirable environment will not only help to attract new business and improvements to existing businesses, but also tourist traffic.

Revitalization in these retail areas will be accomplished through a comprehensive program of infill development, facade rehabilitation, and street scape improvements.

Business signs should be evaluated, both to identify deteriorated, oversized or otherwise detractive unsightly signs and propose maintenance, redesign or removal, and to propose sign needs, in terms of design, placement, and information.

The existing larger central business district establishments should be complemented by smaller specialty shops, possibly exhibiting local talents and expertise (such as art, crafts, etc.), and neighborhood grocery stores, delicatessens, etc. to help make the central business district a unique and appealing place for residents and tourists.

The former General Motors Plant in Sleepy Hollow was a long-standing and important part of the community. The site is currently under construction, and at full build out, the development will include a mix of residential and commercial uses (including retail, office and hotel), parking, as well as more than 16 acres of parkland and active recreation fields, and a promenade along the waterfront linking to the existing Riverwalk. Public amenities may include recreational boat tie up areas, public plazas, restroom facilities, play equipment and other active recreation facilities. The east parcel Sleepy Hollow Common is also to be redeveloped as a mixed-use site with recreation and municipal/community uses.

If a State, federal, or local government action is proposed to take place outside of a given deteriorated, underutilized waterfront area suitable for redevelopment, and is either within the relevant community or adjacent coastal communities, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated, underutilized waterfront area in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

POLICY 2 FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.
POLICY 2A

DOCKS, BOAT RAMPS, MOORING FACILITIES AND OTHER SIMILAR STRUCTURES OR FACILITIES WILL BE DESIGNED AND SITED TO PROTECT NAVIGATION, ASSURE ACCESS BETWEEN WATER AND SHORE, AND MINIMIZE VISUAL AND ENVIRONMENTAL IMPACTS.

Explanation of Policies

There is a finite amount of waterfront space suitable for development purposes. Although demand for a specific piece of property will vary with economic and social conditions or both, a Village-wide and Statewide basis, long-term expectations are for continued high demand for waterfront property.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to coastal waters. To ensure that such "water-dependent" uses can continue to be accommodated within the Village, government agencies will avoid undertaking, funding, or approving non-water-dependent uses when such uses would preempt the reasonably foreseeable development of water dependent uses; furthermore, government agencies will utilize appropriate existing programs to encourage water-dependent activities.

**Water dependent activities shall not be considered a private nuisance if provided such activities were commenced prior to the surrounding activities and have not been determined to be the cause of conditions dangerous to life or health and any disturbance to enjoyment of land and water has not materially increased.**

A water dependent use is an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

The following uses and facilities are considered as water-dependent:

1. Uses which depend on the utilization of resources found in coastal waters (for example: fishing);
2. Recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wildlife viewing);
3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short- and long-term storage facilities);
4. Structures needed for navigational purposes (for example: buoys and lighthouses);
5. Flood and erosion protection structures (for example: breakwaters and bulkheads);
6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants);

8. Uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near to shipping facilities be obtained (for example: coal export facilities, cement plants, quarries);

9. Uses that operate under such severe time constraints that proximity to shipping facilities become critical (for example: firms processing perishable foods); Scientific/educational activities which, by their nature, require access to coastal waters (for example: natural resource nature centers); and

10. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water-dependent uses, they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water-dependent uses. A water enhanced use is defined as a use or activity which does not require a location adjacent to or over coastal waters, but whose location on land adjacent to the shore adds to the public use and enjoyment of the water’s edge. Water enhanced uses are primarily recreational, cultural, retail, or entertainment uses. A restaurant which uses good site design to take advantage of a waterfront view is an example of a water enhanced use. A water-enhanced use is defined as a use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront (e.g., parks, restaurants, hotels, and other tourist accommodations).

If there is no immediate demand for a water-dependent use in a given area, but a future demand is reasonably foreseeable, temporary non-water-dependent uses would be considered preferable to a non-water-dependent use, which involves irreversible, or nearly irreversible commitment of land. Parking lots, passive recreational facilities, outdoor storage areas, and nonpermanent structures are uses of facilities which would likely be considered as "temporary," non-water-dependent uses.

The Village will facilitate the location, continued existence, and expansion of water-dependent uses in its waterfront with particular emphasis on those which will contribute to local revitalization efforts, public and visual access, water transportation, and recreational development. The Village has designated the following locations as those best suited for water-dependent or water-enhanced uses:

1. Philipse Manor Beach Club: a private yacht club; water-dependent recreational uses (existing water-dependent use).
2. Kingsland Point Park and the Sleepy Hollow Lighthouse: water-dependent and water-enhanced public recreational uses, to include possible mooring field and transient boating facilities.

3. Horan’s Landing on River Street: water-dependent and water-enhanced public recreational uses and possible marina.

4. Edge on Hudson at the former General Motors property: public waterfront trail recreational uses, mixed-use water-dependent and water-enhanced development, and possible transient boating and mooring field.

5. The River House, located adjacent to Horan’s Landing on River Street: mixed-use water-enhanced development.

6. Ichabod’s Landing on River Street: water-enhanced development and public waterfront trail recreational uses.

In the actual choice of sites where water-dependent uses will be encouraged and facilitated, the following standards should be used:

1. Competition for space - competition for space or the potential for it, should be indicated before any given site is promoted for water-dependent uses. The intent is to match water-dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water-dependent use area. The choice of a site should be made with some meaningful impact on the real estate market anticipated. The anticipated impact could either be one of increased protection to existing water-dependent activities or else the encouragement of water-dependent development.

2. In-place facilities and services - most water-dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors such as: the availability of public sewer and water services; ability to accommodate parking and necessary storage; and the accessibility of the site via existing streets.

3. Access to navigational channels - if commercial shipping or recreational boating is planned, the Village should consider setting aside a site, within a sheltered harbor area, from which access to adequately sized navigation channels would be assured.

4. Compatibility with adjacent uses and the protection of other coastal resources - water-dependent uses should be located so that they enhance, or at least do not detract from, the surrounding community. Consideration should also be given to such factors as the protection of nearby residential areas from odors, noise and traffic. Affirmative approaches should also be employed so that water-dependent uses and adjacent uses can serve to complement one
another. For example, a recreation-oriented water-dependent use area could be sited in an area already oriented toward tourism. Clearly, a marina, fishing pier or swimming area would enhance, and in turn be enhanced by, nearby restaurants, motels, and other non-water-oriented tourist activities. Water-dependent uses must also be sited so as to avoid adverse impacts on the significant coastal resources.

5. Preference to underutilized sites - the promotion of water-dependent uses should serve to foster development as a result of the capital programming, permit expediting, and other State and local actions that will be used to promote the site.

6. Providing for expansion - a primary objective of the policy is to create a process by which water-dependent uses can be accommodated well into the future. State agencies and the Village should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.

7. **Guidelines**

   **Standards specific for siting and design of docks, boat ramps, mooring facilities, marinas, and support facilities within the Harbor Management Area include:**

   a. Docks will be adequately spaced from each other, shallow areas and adjacent properties to ensure safe movement to and from channels and avoid obstructing adjacent uses;

   b. Permanent structures will be minimized (for example, use floating, removable docks);

   c. In general, all new marina proposals or expansion of existing marinas shall, as appropriate, include sufficient parking, park-like surroundings, toilet facilities, and marine pump out facilities;

   d. Avoid infringement of the federal channels or other established navigation ways;

   e. Ensure adequacy of service floats, walkways, gangways, and lighting;

   f. Launch ramps will be designed to avoid runoff into surface water (for example, catch trenches across the top of the ramp, filled with sand and gravel and covered by grates);

   g. Safe design of utilities, including electric, water and sanitary lines;

   h. Avoid oversized structures. Boathouses are inappropriate to the Sleepy Hollow
Waterfront;

i. Prohibit on-water residences, excluding temporary, seasonal, self-propelled water craft with adequate sanitary hookups;

j. Setback structures whenever possible to promote open areas and visual access;

k. Adequate restroom facilities for the exclusive use of marina patrons shall be required to discourage any overboard discharge of sewage from boats and to protect water quality. The number of toilets required for any given marina shall be determined by the nature and size of the marina and by its specific site location; and

l. Trash receptacles shall be plentiful and convenient to encourage the proper disposal of trash and waste and dog waste bag stations shall be provided at strategic locations.

In promoting water-dependent uses, the following kinds of actions should be considered:

- Favored treatment to water-dependent use areas with respect to capital programming. Particular priority should be given to the construction and maintenance of port facilities, roads, railroad facilities, and public transportation within areas suitable for water-dependent uses;

- When areas suitable for water-dependent uses are publicly owned, favored leasing arrangements should be given to water-dependent uses;

- Where possible, consideration should be given to providing water-dependent uses with property tax abatements, loan guarantees, or loans at or below market rates;

- State and Village planning and economic development agencies will actively promote water-dependent uses. In addition, a list of sites available for non-water dependent uses should be maintained in order to assist developers seeking alternative sites for their proposed projects;

- The Village will work together with State and Federal agencies to streamline permitting procedures that may be burdensome to water-dependent uses. This effort will begin for specific uses in deteriorated or underutilized areas; and

- Local land use controls, especially the use of zoning districts exclusively for waterfront uses, can be an effective tool of the Village government in assuring adequate space for the development of water-dependent uses and the protection of sensitive areas.

The sites listed as undeveloped, underutilized, or in need of revitalization in Policy 1, as well as other
waterfront sites which may become available, will be used for water-dependent or water-enhanced uses according to the above standards and explanation.

Non water related uses are not suitable for the Sleepy Hollow waterfront, and the Village, and other government agencies will make every effort to direct such uses to suitable inland locations.

All proposed uses or activities will be subject to rigorous review by local agencies to ensure: water dependency, compatibility with adjacent uses and functions, enhancement of economic revitalization, protection and improvement of scenic and visual character and resources, protection of water quality, wetlands and watercourses, and provision and expansion of public access and recreational opportunities.

As stated in the Village of Sleepy Hollow's Wetland/Watercourse Protection Law, it is the intent of the Village that activities in and around wetland/watercourse complexes conform to all applicable building codes, sediment control regulations and other regulations, and that such activities not threaten public safety or the natural environment. (See Village of Sleepy Hollow's Wetland/Watercourse Chapter 418 of the Village Code, and Local Waterfront Revitalization Program Policy 44).

POLICY 3 - FURTHER DEVELOP THE STATE'S MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG, AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY, AND ENCOURAGE THE SITING, IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO OR IN SUPPORT OF THE WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE.

Explanation of Policy

Not applicable to Sleepy Hollow as the Village is not one of the identified major ports of New York State.

POLICY 4 - STRENGTHEN THE ECONOMIC BASE OF SMALLER HARBORS AREAS BY ENCOURAGING THE DEVELOPMENT AND ENHANCEMENT OF THOSE TRADITIONAL USES AND ACTIVITIES WHICH HAVE PROVIDED SUCH AREAS WITH THEIR UNIQUE MARITIME IDENTITY.

Explanation of Policy

Not applicable to Sleepy Hollow because the Village's waterfront does not contain a small harbor area.
POLICY 5 ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.

POLICY 5A DISCOURAGE THE DEVELOPMENT OF USES WHICH, BY REASON OF THEIR DEMAND FOR NEW COMMUNITY SERVICES AND FACILITIES OR THEIR IMPOSITION OF BURDENS ON EXISTING SERVICES AND FACILITIES, WOULD REQUIRE DISPROPORTIONATE PUBLIC COST IN COMPARISON TO PUBLIC BENEFITS.

POLICY 5B RETAIN THE RURAL RESIDENTIAL, AGRICULTURAL, AND OPEN SPACE CHARACTER IN THOSE AREAS OF THE VILLAGE EAST OF THE OLD CROTON AQUEDUCT.

Explanation of Policies

By its construction, taxing, funding and regulatory powers, government has become a dominant force in shaping the course of development. Through these government actions, development in the waterfront area will be encouraged to locate within, contiguous to, or in close proximity to, existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

Within the Village efforts to concentrate development must be paralleled by the maintenance and improvement of existing infrastructure which otherwise would be subject to deterioration and declining level of service. Measures to protect and prolong the useful life of existing streets, sewers, water lines and other infrastructure will be given high priority.

All areas of the Village are served by Village-owned sewer and water service. Water, sewer, and electrical power are generally adequate throughout the Village for current and most foreseeable development in the Sleepy Hollow waterfront area. Future development which will place a demand on existing infrastructure (sewer, water, parking, and road network) and other public services will be concentrated in those waterfront areas where existing services are currently available or readily accommodated. Vehicular and pedestrian access and parking facilities for future development will be assessed on a case-by-case basis in accordance with Sleepy Hollow's Site Plan Review regulations (Article X of the Village's Zoning Regulations).

The major areas of open space land areas that are located in the eastern portions of the Village are generally all zoned R-1 One-Family Development/Open Development and generally have public water and sewer service available. To maintain the existing rural agricultural/residential and open space characteristics of the eastern portions of the Village, emphasis will be placed during project review on preserving open space, encouraging new development to take place in the more built-up areas of the Village, and rehabilitating and reusing existing building stock.

The above policies are intended to accomplish the following:
strengthen existing residential, industrial and commercial centers;

foster an orderly pattern of growth where outward expansion is occurring;

increase the productivity of existing public services and moderate the need to provide new public services in outlying areas;

preserve open space in sufficient amounts and where desirable; and

foster energy conservation by encouraging proximity between home, work, and leisure activities and expanding connected networks of pedestrian and bicycle facilities.

For any action that would result in large-scale development or an action which would facilitate or serve future development, determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate. The following standards shall be used in making that determination:

1. Cities, built-up suburban towns and villages, and rural villages in the coastal area are generally areas of concentrated development where infrastructure and public services are adequate.

2. Other locations in the coastal area may also be suitable for development, if three or more of the following conditions prevail:
   a. Population density of the area surrounding or adjacent to the proposed site exceeds 1,000 persons per square mile;
   b. Fewer than 50% of the buildable sites (i.e., sites meeting lot area requirements under existing local zoning regulations) within one mile radius of the proposed site are vacant;
   c. A proposed site is served by or is near to public or private sewer and water lines;
   d. Public transportation service is available within one mile of the proposed site; and
e. A significant concentration of commercial and/or industrial activity is within one-half mile of the proposed site.

3. The following points shall be considered in assessing the adequacy of an area's infrastructure and public services:

   a. Streets and highways serving the proposed site can safely accommodate the traffic generated by the proposed land development;

   b. Development's water needs (consumptive and firefighting) can be met by the existing water supply system;

   c. Sewage disposal system can accommodate the wastes generated by the development;

   d. Energy needs of the proposed land development can be accommodated by existing utility systems;

   e. Storm water runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and

   f. Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, or conduct business in the area as a result of the development, or the Village revenue generated by the development will be sufficient to cover the need for increased services.

It is recognized that certain forms of development may and/or should occur at locations which are not within or near areas of concentrated development. Thus, this coastal development policy does not apply to the following types of development projects and activities:

1. Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries, nurseries or community gardens.

2. Development which, by its nature, is enhanced by a non-urbanized setting, e.g., a resort complex, campgrounds, second home developments.
3. Development which is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.

4. Water-dependent uses with site requirements not compatible with this policy or when alternative sites are not available.

5. Development which, because of its isolated location and small scale, has little or no potential to generate and/or encourage further land development.

6. Uses and/or activities which because of public safety consideration should be located away from populous areas.

7. Rehabilitation or restoration of existing structures and facilities.

8. Development projects which are essential to the construction and/or operation of the above uses and activities.

In certain urban areas where development is encouraged by this policy, the condition of existing public water and sewage infrastructure may necessitate improvements. Those State and Federal agencies charged with allocating funds for investments in water and sewer facilities should give high priority to the needs of such urban areas so that full advantage may be taken of the rich array of their other infrastructure components in promoting waterfront revitalization.

POLICY 6 EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.

Explanation of Policy

For specific types of development activities, and in areas suitable for such development, State agencies and local governments participating in the Waterfront Revitalization Program will make every effort to coordinate and synchronize existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each board's and agencies' procedures and programs are synchronized with other agencies' procedures at each level of government. Finally, regulatory programs and procedures will be coordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended.

When proposing new regulations, an agency will determine the feasibility of incorporating the
regulations within existing procedures, if this reduces the burden on a particular type of development and does not jeopardize the integrity of the regulations' objectives.

FISH AND WILDLIFE POLICIES

POLICY 7  SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS WILL BE PROTECTED, PRESERVED, AND WHERE PRACTICABLE, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.

Explanation of Policy

Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. Certain habitats are particularly critical to the maintenance of a given population and, therefore, merit special protection. Such habitats exhibit one or more of the following characteristics:

(a) are essential to the survival of a large portion of a particular fish or wildlife population (e.g., feeding grounds, nursery areas);

(b) support populations of rare and endangered species;

(c) are found at a very low frequency within a coastal region;

(d) support fish and wildlife populations having significant commercial and/or recreational value; and

(e) would be difficult or impossible to replace.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions destroy or significantly impair the viability of an area as a habitat. When the action significantly reduces a vital resource (e.g., food, shelter, living space) or changes environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism, then the action would be considered to "significantly impair" the habitat. Indicators of a significantly impaired habitat may include: reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The range of generic activities most likely to affect significant coastal fish and wildlife habitats include, but are not limited to the following:

1. Draining wetlands, ponds: Cause changes in vegetation, or changes in groundwater and surface water hydrology.

2. Filling wetlands, shallow areas of streams, lakes, bays, estuaries: May change physical character of substrate (e.g., sandy to muddy, or smother vegetation, alter surface water hydrology).
3. Grading land: Results in vegetation removal, increased surface runoff, or increased soil erosion and downstream sedimentation.

4. Clear cutting: May cause loss of vegetative cover, increase fluctuations in amount of surface runoff, or increase streambed scouring, soil erosion, sediment deposition.

5. Dredging or excavation: May cause change in substrate composition, possible release of contaminants otherwise stored in sediments, removal of aquatic vegetation, or change circulation patterns and sediment transport mechanisms.

6. Dredge spoil disposal: May include shoaling of littoral areas, or change circulation patterns.

7. Physical alteration of shore areas through channelization or construction of shore structure: May change volume and rate of flow or increase scouring, sedimentation.

8. Introduction, storage or disposal of pollutants such as chemical, petrochemical, solid wastes, nuclear wastes, toxic material, pesticide, sewage, effluent, urban and rural runoff, leachate of hazardous and toxic substances stored in landfills: May cause increased mortality or sublethal effects on organisms, alter their reproductive capabilities, or reduce their value as food organisms.

The range of physical, biological and chemical parameters which should be considered include but are not limited to the following:

1. Physical parameters, such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation structure, erosion and sedimentation rates;

2. Biological parameters, such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, behavioral patterns and migratory patterns; and

3. Chemical parameters, such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxic and hazardous materials).

When a proposed action is likely to alter any of the biological, physical or chemical parameters as described in the narrative beyond the tolerance range of the organisms occupying the habitat, the viability of that habitat has been significantly impaired or destroyed. Such action, therefore, would be inconsistent with the above policy.

In cooperation with the State's Coastal Management Program, the Department of Environmental Conservation has developed a rating system incorporating these five parameters (The Development and Evaluation of a System for Rating Fish and Wildlife Habitats in the Coastal Zone of New York State, Final Report, January 1981, 15 pp.)

To further aid Federal and State agencies in determining the consistency of a proposed action with this
policy, a narrative will be prepared for each significant habitat which will: (1) identify the location of
the habitat; (2) describe the community of organisms which utilize the habitat; (3) identify the
biological, physical and chemical parameters which should be considered when assessing the potential
impacts of a project on that habitat; (4) identify generic activities which would most likely create
significant impacts on the habitat; and (5) provide the quantitative basis used to rate the habitat. Prior
to formal designation of significant fish and wildlife habitats, copies of the individual habitat narratives
plus copies of habitat maps and completed rating forms will be provided to Federal and State agencies
and the public for the review and comment.

Not applicable to Sleepy Hollow as there are no coastal fish and wildlife habitats of Statewide
significance within or adjacent to the Sleepy Hollow Waterfront Revitalization Area.

POLICY 7A  FREMONT POND AND ASSOCIATED WETLANDS/WATERCOURSES
AND ADJACENT UPLAND AREAS SHALL BE PROTECTED,
PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO
MAINTAIN ITS VIABILITY AS A LOCALLY SIGNIFICANT HABITAT.

POLICY 7B  THE PHILIPSBURG MANOR AND DEVRIES FIELD
WETLAND/WATERCOURSE AREAS OF THE POCANTICO RIVER
SHALL BE PROTECTED, PRESERVED, AND, WHERE PRACTICAL,
RESTORED SO AS TO MAINTAIN ITS VIABILITY AS A LOCALLY
SIGNIFICANT HABITAT.

POLICY 7C  THE POCANTICO RIVER, ROCKEFELLER BROOK, AND GOREY
BROOK WATERCOURSE AREAS SHALL BE PROTECTED,
PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO
MAINTAIN ITS VIABILITY AS A LOCALLY SIGNIFICANT HABITAT.

POLICY 7D  THE HUDSON RIVER IMMEDIATELY ADJACENT AND WITHIN 1000
FEET OF THE VILLAGE'S SHORELINE SHALL BE PROTECTED,
PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO
MAINTAIN ITS VIABILITY AS A LOCALLY SIGNIFICANT HABITAT.

POLICY 7E  ENCOURAGE THE LANDS IN STATE OWNERSHIP ASSOCIATED
WITH THE ROCKEFELLER STATE PARK TO BE PRESERVED AND
OLD CROTON AQUEDUCT TRAIL TO BE SHALL BE PROTECTED,
PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO
MAINTAIN ITS VIABILITY AS A LOCALLY SIGNIFICANT HABITAT.

Explanation of Policies

Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife
populations. Certain habitats are critical to the maintenance of a given population and, therefore,
merit special protection. Such habitats exhibit one or more of the following characteristics:

- are essential to the survival of a large portion of a particular fish or wildlife population (e.g., feeding grounds, nursery areas);
- support populations of rare and endangered species;
- are found at a very low frequency within a coastal region;
- support fish and wildlife populations having significant commercial and/or recreational value; and
- would be difficult or impossible to replace.

In order to protect and preserve a locally important habitat, land and water uses or development shall not be undertaken if such actions destroy or significantly impair the viability of an area as a habitat. When the action significantly reduces a vital resource (e.g., food, shelter, living space) or changes environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism, then the action would be considered to "significantly impair" the habitat. Indicators of a significantly impaired habitat may include: reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidences of disease and mortality.

The range of activities most likely to affect locally important fish and wildlife habitats include, but are not limited to the following:

1. Draining wetlands, ponds: Cause changes in vegetation, or changes in groundwater and surface water hydrology.

2. Filling wetlands, shallow areas of streams, lakes, bays, estuaries: May change physical character of substrate (e.g., sandy to muddy, or smother vegetation, alter surface water hydrology).

3. Grading Land: Results in vegetation removal, increased surface runoff, or increase soil erosion and downstream sedimentation.

4. Clear cutting: May cause loss of vegetative cover, increase fluctuations in the amount of surface runoff, or increase streambed scouring, soil erosion, sediment deposition.

5. Dredging or excavation: May cause change in substrate composition, possible release
of contaminants otherwise stores in sediments, removal of aquatic vegetation, or change circulation patterns and sediment transport mechanisms.

6. Dredged material disposal: May include shoaling of littoral areas or change circulation patterns.

7. Physical alteration of shore areas through channelization or construction of shore structure: May change volume and rate of flow or increased scouring, sedimentation.

8. Introduction, storage or disposal of pollutants such as chemical, petrochemical, solid wastes, nuclear wastes, toxic material pesticide, sewage effluent, urban and rural runoff, leachate of hazardous and toxic substances stored in landfills: May cause increased mortality or sub lethal effects on organisms, alter their reproductive capabilities, or reduce their value as food organisms.

9. Planting lawns next to pond or river with no wetland buffer.

10. Creating impervious surfaces such as paved parking lots or driveways: May result in runoff containing oil and other contaminants.

The range of physical, biological and chemical parameters which should be considered include, but are not limited to, the following:

1. Physical parameters, such as living space circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of the littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;

2. Biological parameters, such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, myristic features, behavioral patterns and migratory patterns; and

3. Chemical parameters, such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

Local regulations of wetlands and watercourses, as well as definitions of these terms, are set forth in Chapter 418 of the Village of Sleepy Hollow Code, Wetlands and Watercourses.

When a proposed action is likely to alter any of the biological, physical or chemical parameters as described in the narrative beyond the tolerance range of the organisms occupying the habitat, the viability of that habitat has been significantly impaired or destroyed. Such action, therefore, would
be inconsistent with this policy.

In cooperation with the State's Coastal Management Program, the Department of Environmental Conservation has developed a rating system incorporating these five parameters (The Development and Evaluation of a System for Rating Fish and Wildlife Habitats in the Coastal Zone of New York State, Final Report, January 1981, 15 pp.).

To further aid Federal and State agencies in determining the consistency of a proposed action with this policy, a narrative will be prepared for each significant habitat which will: (1) identify the location of the habitat; (2) describe the community of organisms which utilize the habitat; (3) identify the biological, physical and chemical parameters which should be considered when assessing the potential impacts of a project on that habitat; (4) identify generic activities which would most likely create significant impacts on the habitat; and (5) provide the quantitative basis used to rate the habitat. Prior to formal designation of significant fish and wildlife habitats, copies of the individual habitat narratives plus copies of habitat maps and completed rating forms will be provided to Federal and State agencies and the public for the review and comment.

POLICY 8
PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIO-ACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES.

POLICY 8A
CONTROL THE INTRODUCTION OF NEW INDUSTRIES OR TECHNOLOGY WHICH COULD INCREASE THE PRESENCE OF HAZARDOUS MATERIALS WITHIN THE SLEEPY HOLLOW WATERFRONT AREA.

POLICY 8B
ENCOURAGE EXISTING INDUSTRIAL PRODUCTION OR STORAGE FACILITIES TO UTILIZE THE MOST CURRENT TECHNOLOGIES AVAILABLE TO MINIMIZE THE POTENTIAL THREAT FROM HAZARDOUS WASTES OR POLLUTANTS TO THE SURROUNDING ENVIRONMENT.

Explanation of Policies

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (§ 27-0901(3)) as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human
health or the environment when improperly treated, stored, transported, or otherwise managed." A list of hazardous wastes (6 NYCRR Part 366) will be adopted by DEC within 6 months after EPA formally adopts its list.

The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land and waters. Such controls should effectively minimize possible contamination of and bio-accumulation in the State's coastal fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants refer to conventional wastes generated from point and non-point sources and not identified as hazardous wastes, but controlled through other State regulations.

POLICY 9 EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS, AND DEVELOPING NEW RESOURCES.

Explanation of Policy

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting, and non-consumptive uses such as wildlife photography, bird watching and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in marine and freshwater coastal areas and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound management considerations. Such considerations include biology of the species, carrying capacity of the resources, public demand, costs and available technology.

The following additional standards should be considered by State, Federal, and Village agencies as they determine the consistency of their proposed action with the above policy:

1. Consideration should be made by Federal, State and Village agencies as to whether an action will impede existing or future utilization of the Village's recreational fish and wildlife resources.

2. Efforts to increase access to recreational fish and wildlife resources shall not lead to over-utilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources shall be determined on a case-by-case basis, consulting the significant habitat narrative (see Policy 7) and/or conferring with a trained fish and wildlife biologist.

4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking the River with fish reared in a hatchery) or develop new resources (e.g., creating private fee-hunting or fee-fishing facilities) must be done in accord with existing State law.

POLICY 10 FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH, AND CRUSTACEAN RESOURCES IN THE COASTAL AREA BY ENCOURAGING THE CONSTRUCTION OF NEW, OR IMPROVEMENT OF EXISTING ON-SHORE COMMERCIAL FISHING FACILITIES, INCREASING MARKETING OF THE STATE’S SEAFOOD PRODUCTS, MAINTAINING ADEQUATE STOCKS, AND EXPANDING AQUACULTURE FACILITIES.

Explanation of Policy

Commercial fishing adjacent to the Village of Sleepy Hollow, and throughout the Hudson River, has historically been an active industry for many years. The economies of the industry and pollution in the River brought an end to this era after World War II. Recently, the environment for such activity has shown signs of improvement, although many obstacles still exist and actions which improve the quality and management of the fisheries stocks and which provide onshore facilities for commercial fishing are encouraged given the current limitations of the Sleepy Hollow waterfront.

Commercial fishery development activities must occur within the context of sound fishery management principals developed and enforced within the State's waters by the New York State Department of Environmental Conservation and the management plans developed by the Regional Fisheries Management Councils (Mid-Atlantic and New England) and enforced by the U.S. National Marine Fisheries Service within the Fishery Conservation Zone. (The Fishery Conservation Zone is the area of coastal waters extending from the three mile State waters boundary to the 200 mile offshore boundary of the U.S. waters. The Conservation Zone is authorized by the U.S. Fishery Conservation and Management Act of 1976.) Sound resource management considerations include optimum sustained yield levels developed for specific commercial fish species, harvest restrictions imposed by State and federal governments, and the economic, political (uses conflicts), and technological constraints to utilizing these resources.

The following additional guidelines should be considered by State and federal agencies as they determine the consistency of their proposed action with the above policy:

1. A public agency's commercial fishing development initiative should not preempt or displace private sector initiative.

2. A public agency's efforts to expand existing or create new on-shore commercial fishing support facilities should be directed towards unmet development needs rather than merely displacing
existing commercial fishing activities from a nearby port. This may be accomplished by taking into consideration existing State or regional commercial fishing development plans.

3. Consideration should be made by State and Federal agencies whether an action will impede existing utilization or future development of the state's commercial fishing resources.

4. Commercial fishing development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources.

Commercial fishery development activities must occur within the context of sound fishery management principals developed and enforced within the State's waters by the New York State Department of Environmental Conservation. Commercial fisheries development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources. Actions by public agencies must be evaluated as to whether they will impede existing utilization or future development of the State's commercial fishing resources.

On the local level, within the Village of Sleepy Hollow, the provision of small scale commercial fishing, including the docking of fishing boats and the provision of related services should be permitted and encouraged where the land area is sufficient and the possible odor, traffic, and aesthetic impacts do not negatively impact adjacent land uses. Oyster farming should also be explored to determine if the mix of salt and fresh water would make this a viable commercial fishing activity.

FLOODING AND EROSION HAZARDS POLICIES

POLICY 11 BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERING OF HUMAN LIVES CAUSED BY FLOODING AND EROSION.

Explanation of Policy

Because of Sleepy Hollow's location on the Hudson River, it is not subject to severe coastal erosion, as are parts of Long Island and the Great Lakes. Under the provisions of the New York State Coastal Erosion Hazard Act (CEPA) (Article 34 of the NYS Environmental Conservation Law), the NYS Department of Environmental Conservation has determined that the erosion hazard along the Sleepy Hollow coastal area is not severe enough to warrant mapping. Therefore, no coastal erosion hazard areas under Article 34 of the Environmental Conservation Law have been identified in the Village's waterfront area. However, the Village has identified the following locations as areas experiencing minor erosion and to which this policy shall apply: the mouth of the Pocantico River and north along the Hudson River (this erosion is also associated with the effects of wakes from boating traffic on the River and the sporadic and occasional actions of ice and flooding). In addition, the Village's shoreline experiences general fluvial and tidal action from the Hudson River. In addition to the minor fluvial and tidal erosion associated with the Hudson River, there is also minor erosion associated with the Pocantico River, Andre Brook, and the Fremont Pond watershed. The steep slopes associated with these watercourses makes them especially susceptible to erosion, particularly where vegetation has been disturbed or removed. The types of erosion the Village is experiencing are not life threatening,
but on an individual basis constitute minor problems that need attention. (See Section II for a description of this erosion area.) In addition, the Village’s shoreline, as well as the mouth of the Pocantico River and Fremont Pond are vulnerable to storm surges and flooding during major storm events.

This flooding aspects of this policy shall apply to all flood hazard areas identified by the Federal Emergency Management Agency in the flood hazard study entitled: "The Flood Insurance Study for Westchester County, New York (All Jurisdictions)" dated September 28, 2007 and on the study's accompanying Flood Insurance Rate Maps, effective September 28, 2007. The Village's Flood Hazard Areas are summarized on LWRP Map No. 10. Areas at risk of flooding are also identified in the Village of Sleepy Hollow’s “Multi-Hazard Mitigation Plan” dated September 2014.

The Flood Hazard Area (100 year flood) along the Hudson River, the Pocantico River, Fremont Pond, and Gorey Brook are relatively narrow.

All development within the Village's flood hazard areas are regulated by the Village's Flood Damage Prevention Law (Chapter 220 of the Village Code), which is in accordance with all provisions of the National Flood Insurance Program Standards.

All new construction and substantial improvements to existing structures shall be constructed with materials and utility equipment resistant to flood damage. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration into the systems and discharge from the systems into flood waters.

In flood hazard areas identified on Map No. 10, including the areas surrounding Pocantico River and Fremont Pond, where human lives may be endangered by flooding, all necessary emergency preparedness measures should be taken. The Westchester County Office of Emergency Management has prepared plans for the County, including the Westchester County Comprehensive Emergency Management Plan, revised in October 2016. The Multi-Hazard Mitigation Plan also outlines a series of goals, objectives and strategies to ensure public safety, including specific actions related to flooding around Fremont Pond and the Pocantico River. These should be used as guidelines for review of activities proposed within these hazard areas. In addition, the Multi-Hazard Mitigation Plan outlines the exacerbated potential for flooding in Sleepy Hollow resulting from climate change and rising sea levels. All new construction and substantial improvements to existing structures should consider any additive flooding effects from future sea level rise.

**POLICY 12 ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BEACHES, DUNES, BARRIER ISLANDS, AND BLUFFS. PRIMARY DUNES WILL BE PROTECTED FROM ALL ENCROACHMENTS THAT COULD IMPAIR THEIR NATURAL PROTECTIVE CAPACITY.**
Explanation of Policy

Not applicable. The natural protective features referred to in this policy are not found along the Sleepy Hollow shoreline.

POLICY 13  THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY YEARS AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.

POLICY 13A  THE EXISTING BULKHEADS AND SHORELINE STABILIZATION STRUCTURES ALONG THE HUDSON RIVER, INCLUDING KINGSLAND POINT PARK, SHALL BE MAINTAINED IN GOOD CONDITION. NEW OR EXPANDED WATERFRONT DEVELOPMENT SHALL BE REQUIRED TO RESTORE AND MAINTAIN EROSION AND FLOOD CONTROL STRUCTURES ALONG THEIR RIVER FRONTAGE. NATURAL SHORELINE STABILIZATION SHOULD BE ENCOURAGED UTILIZING BEST MANAGEMENT PRACTICES.

POLICY 13B  THE CONSTRUCTION OR RECONSTRUCTION OF DOCKS, BOATHOUSES, BOAT HOISTS, PUBLIC ACCESS FACILITIES AND OTHER SHORELINE STRUCTURES SHALL BE UNDERTAKEN IN A MANNER WHICH WILL, TO THE MAXIMUM EXTENT PRACTICABLE, PROTECT AGAINST DAMAGE TO NATURAL RESOURCES OR WITHSTAND THE DESTRUCTIVE FORCES OF EROSION DUE TO WAVE ACTION AND ICE MOVEMENT.

Explanation of Policies

Erosion protection structures are widely used throughout the State's coastal area. However, because of improper design, construction and maintenance standards, many fail to give the protection which they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.

Proper design, construction, and maintenance of shoreline structures will also prolong their utility and benefits when resistance to wave and ice action is included as a design parameter. This policy will thus assist in slowing the rate of deterioration of shoreline structures and in avoiding disruptions or losses of public access to the Hudson River by increasing the durability of such structures. Government agencies should consider the risk that wave and ice action impose on both public or private capital investment in shoreline structures, especially where water depth, current or other
limiting site conditions require more costly design, construction, and maintenance practices.

When erosion protection structures are proposed, the following will be provided:

- Plans and a detailed explanation, to include nonstructural approaches and evaluation of alternative approaches.
- Evidence that the structure is not likely to fail and become a danger or obstruction to navigation; or injure the navigable capacity of the River along the waterfront area.
- Evidence that, to the extent practicable, structural approaches will give preference to the use of natural materials over other materials such as sheet steel, concrete, and demolition materials. **Porous or vegetated shoreline barriers should be prioritized.**

**POLICY 14**  ACTIVITIES AND DEVELOPMENT, INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT, OR AT OTHER LOCATIONS.

**Explanation of Policy**

Erosion and flooding are processes which occur naturally. However, through human actions, there can be an increase in the severity and adverse effects of those processes, causing damage to, or loss of property, and endangering human lives. Those actions include: (1) the use of erosion protection structures such as groins, jetties and bulkheads, or the use of impermeable docks which block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; (2) the failure to observe proper drainage or land restoration practices, thereby causing run-off and the erosion and weakening of shorelands; and (3) the placing of structures in identified floodways so that the base flood level is increased causing damage to otherwise hazard-free areas.

Sleepy Hollow's participation in the National Flood Insurance Program establishes regulations pertaining to development in designated flood hazard areas. Proper drainage and land restoration practices should be followed to prevent erosion and weakening of shorelands. Structures placed in identified floodways should not increase the base flood level so as to cause damage to otherwise flood free areas. Increased flooding caused by existing structures in floodways, such as the railroad tracks through the former GM site, shall be mitigated where appropriate.

**POLICY 15**  MINING, EXCAVATION OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT
CAUSE AN INCREASE IN EROSION OF SUCH LAND.

Explanation of Policy

Coastal processes, including the movement of beach materials by water, and any mining, excavation or dredging in near shore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands. *Offshore mining is a future alternative option to land mining for sand and gravel deposits which are needed to support building and other industries.*

Any dredging within the Sleepy Hollow waterfront area shall be carefully planned and monitored to ensure that disturbance of adjacent and natural resources is kept to an absolute minimum.

POLICY 16  PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE, AND NEW DEVELOPMENT WHICH REQUIRE A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION, OR EXISTING DEVELOPMENT; AND ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG TERM MONETARY AND OTHER COSTS INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.

POLICY 16A  PUBLIC FUNDS SHALL NOT BE USED FOR SHORELINE STRUCTURES SUBJECT TO SEVERE WAVE ACTION AND ICE MOVEMENT EXCEPT WHERE THE PUBLIC BENEFITS THAT WOULD ACCRUE TO THE VILLAGE IN TERMS OF IMPROVING PUBLIC ACCESS AND RECREATION, ENHANCING TOURISM OR SITING WATER-DEPENDENT USES OUTWEIGH THE LONG TERM COSTS OF SUCH STRUCTURES.

POLICY 16B  PUBLIC FUNDS SHALL BE USED FOR WAVE AND ICE PROTECTIVE STRUCTURES ONLY WHERE DEEMED NECESSARY FOR PUBLIC SAFETY OR, IF PUBLIC BENEFITS OUTWEIGH LONG TERM COSTS, FOR THE PROTECTION OF SHORELINE STRUCTURES UPON WHICH EXISTING OR PROPOSED WATER-DEPENDENT USES MUST RELY.

Explanation of Policies

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life and existing investment in development or new development which requires a location in proximity to the coastal area or in adjacent waters to be
able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

Wind driven wave action and ice movement represent destructive forces which cause considerable short- and long-term damages to shoreline structures. Public investment in shoreline structures exposed to these forces is generally unwise unless sufficient capital is expended to ensure such structures have adequate strength and durability. Measures to diminish the severity of wave action or ice movement may be needed to protect life, limb, or property. However, public investment in measures to protect properties must, as in the construction of shoreline structures in more exposed areas, weigh the economic benefits accruing to Sleepy Hollow and its waterfront area, in view of public costs.

POLICY 17 NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION SHALL BE USED WHenever possible.

POLICY 17A PROTECT THE STEEP SLOPES AND HILLSIDES THROUGHOUT THE VILLAGE THROUGH THE USE OF NONSTRUCTURAL MEASURES, WHEN PRACTICAL, TO PREVENT EROSION, ESPECIALLY THROUGH THE RETENTION, OR PLANTING OF VEGETATIVE COVERS.

Explanation of Policies

This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the coastal area, as well as the costs of protection against those hazards which structural measures entail.

"Non-structural measures" shall include, but not be limited to: (1) within coastal erosion hazard areas identified under Section 0104 of Coastal Erosion Hazard Areas law (Environmental Conservation Law Article 34), and subject to the permit requirements on all regulated activities and development established under that law, (a) the use of minimum setbacks as provided for in Section 0108 of Environmental Conservation Law Article 34; and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on dunes and bluffs, the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate angle of repose so as to reduce the potential for slumping and to permit the planting of stabilization vegetation, and the installation of drainage systems on bluffs to reduce runoff and internal seepage of waters which erode or weaken the landforms; and (2) within identified flood hazard areas, (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation about the base flood level.
The nonstructural measures to be employed in Sleepy Hollow primarily address the adverse impacts of flooding upon development.

As defined by the New York State Coastal Management Program, nonstructural measures within identified flood hazard areas include: (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation above the base flood level.

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with this policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

In determining whether or not non-structural measures to protect against erosion or flooding will offer appropriate protection, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

There are many areas of steep slopes or embankments which present a danger of erosion should current vegetation be removed for construction and development. The steep slopes identified on Map No. 10 should have existing vegetation maintained to the maximum extent possible to minimize visual impact from adjacent areas and from the River. If new steep slopes are created as new development occurs, measures should also be taken to reduce erosion and minimize visual impact.

GENERAL POLICIES

POLICY 18 TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

POLICY 18A PROTECT THE VITAL ECONOMIC, SOCIAL, CULTURAL, AND ENVIRONMENTAL INTERESTS OF THE VILLAGE IN THE EVALUATION OF ANY PROPOSAL FOR NEW ROADS, ROAD WIDENING OR INFRASTRUCTURE.

POLICY 18B TO PROTECT THE SOCIAL INTERESTS OF THE VILLAGE, PROPOSED ACTIONS MUST GIVE FULL CONSIDERATION TO THE IMPACTS OF SUCH ACTIONS ON COMMUNITY AND CULTURAL RESOURCES OF THE VILLAGE AND THE QUALITY OF LIFE SUCH RESOURCES SUPPORT.
POLICY 18C TO PROTECT THE ENVIRONMENTAL INTERESTS OF THE VILLAGE, PROPOSED ACTIONS MUST GIVE FULL CONSIDERATION TO THE IMPACTS OF SUCH ACTIONS ON VALUABLE AND SENSITIVE NATURAL RESOURCES OF THE VILLAGE.

Explanation of Policies

Proposed major actions may only be undertaken in the waterfront area if they will not significantly impair valuable coastal waters and resources, thus frustrating the achievement of the purposes of the safeguards which the State and Village have established to protect those waters and resources. Proposed actions must take into account the social, cultural, economic and environmental interests of the State and Village and their citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation, and recreation.

The Village is particularly concerned that any new road, road widening, or infrastructure not adversely impact the established residential and neighborhood commercial character of the Village. The Village is especially opposed to demolition of sound structures, interruption or discontinuation of normal traffic patterns, or destruction or physical isolation of the residential neighborhoods and/or shopping areas.

The Village is equally concerned that any new road, road widening, or infrastructure not adversely impact the historic, social, and visual integrity and character of the Village.

In evaluating any proposals for new roads, road widening, or infrastructure, the following considerations should be preeminent in the review: increases in traffic; disruption of existing residential and commercial uses; disruption of current patterns of transportation; severe environmental, social, historic, visual impacts associated with construction; loss of recreational areas or the opportunity for access to them.

The social interests of the Village rest largely upon community and cultural resources in the waterfront area and the manner in which such resources contribute to coastal character, sense of place, and quality of life. Protection and enhancement of community and cultural resources, therefore, must be carefully considered when actions are proposed. Proposed actions should benefit or, at a minimum, not detract from these resources or their contribution to local social interests and character.

Village environmental interests focus on the protection of valuable and sensitive natural resources and their beneficial use in relation to economic, social, and quality of life interests for the Village. The natural resources are very important to the Village's economy, community character, sense of place, and quality of life. Proposed actions, therefore, must consider the local environmental interests in terms of the balance to be maintained between the natural and built environments of the Village. Where actions would be likely to negatively disturb this balance, they should not be undertaken or, at a minimum, be modified so as to minimize to the greatest degree possible, the disturbance.

PUBLIC ACCESS POLICIES
POLICY 19  PROTECT, MAINTAIN, AND INCREASE THE LEVELS AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS, AND WATERFRONT PARKS.

POLICY 19A  PROTECT, MAINTAIN, AND INCREASE THE LEVEL AND TYPES OF ACCESS TO THE PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES OF KINGSLAND POINT PARK AND FREMONT POND AND ENCOURAGE THEIR INCREASED UTILIZATION AND DEVELOPMENT.


POLICY 19C  ENCOURAGE, DEVELOP, PROTECT, AND MAINTAIN LINEAR AND CONTINUOUS PEDESTRIAN WATERFRONT ACCESS (THE RIVERWALK) ALONG THE ENTIRE LENGTH OF THE VILLAGE WATERFRONT.


POLICY 19E  HORAN’S LANDING ALONG RIVER STREET SHOULD REMAIN PUBLICLY OWNED WITH FUTURE IMPROVEMENTS PROVIDING FOR PUBLIC ACCESS TO THE RIVER AND WATER-RELATED RECREATION AND POSSIBLE CONSTRUCTION OF A POTENTIAL MARINA.

POLICY 19F  ENCOURAGE THE RESTORATION AND REUSE OF THE PEDESTRIAN BRIDGE OVER THE RAILROAD TRACKS CONNECTING KINGSLAND POINT PARK AND THE KATHRYN W. DAVIS BATHHOUSE WITH
DEVRIES FIELD

POLICY 19G ENCOURAGE, DEVELOPMENT, PROTECTION, AND MAINTENANCE DOCKING AND/OR MOORING FACILITIES FOR TRANSIENT BOATS AND OPPORTUNITIES FOR RECREATIONAL AND COMMUTER FERRY OPERATIONS.

Explanation of Policies

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. Because this is often due to access-related problems, priority will be given to improving physical access to existing and potential coastal recreation sites. The particular water-related recreation resources and facilities which will receive priority for improved access are public beaches; boating facilities, fishing areas and waterfront parks. The Sleepy Hollow Waterfront Revitalization Program will encourage mixed use areas and multiple use of facilities to improve access.

The particular water-related recreation resources and facilities which will receive priority for improved access in Sleepy Hollow are waterfront parks, passive and active recreation trails, boating facilities, fishing areas, public beaches, and historic sites. To optimize the use of these resources, the Village must facilitate various modes of access, including pedestrian, vehicular, and waterborne. To provide increased public access and recreational opportunities at the waterfront, the Village has adopted specific standards into their RF-Riverfront Development Zoning District and their SRF - Southern Riverfront Development Overlay District to ensure that future development does not preclude or exclude these opportunities. These regulations provide a land use zoning incentive opportunity such that any new or revitalized development proposed adjacent to the Pocantico River and Hudson River, to the greatest extent possible, include appropriate and complementary forms of water-related recreation/public access. The SRF district regulations were enacted to address the redevelopment challenges of the smaller parcels along the Village’s southern waterfront area, to ensure that the objectives of the RF district would be applied in that area. Complementary recreation shall include, but not be limited to, those examples identified in Policy 1 and the list of compatible types of development included in Policy 22. The types of land uses which should provide waterfront public access as a multiple use includes the following:

- Multi-family residential;
- Commercial marinas;
- Service and retail commercial uses; and
- Industrial and manufacturing uses (as appropriate)

Recreation as a complementary use must also be considered for these types of uses. It should also be provided as a mixed use under certain circumstances (see Policy 22).

The following general standards will be used in determining the consistency of a proposed action with this policy:

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1. The existing access from adjacent or proximate public lands or facilities to public water-related resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from public lands or facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access or unless such actions are found to be necessary or beneficial by the public body having jurisdiction over such access as the result of a reasonable justification of the need to meet systematic objectives.

The following is an explanation of the terms used in the above standards:

a) **Access** - the ability and right of the public to reach and use public coastal lands and waters.

b) **Public water-related recreation resources or facilities** - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.

c) **Public lands or facilities** - lands or facilities held by Federal, State, Village, or County in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.

d) A reduction in the existing level of public access includes, but is not limited to, the following:

(1) The number of parking spaces at a public water-related recreation or facility is significantly reduced.

(2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting system-wide objectives.

(3) Pedestrian and bicycle access is diminished or eliminated because of hazardous crossings required at new, altered or existing transportation facilities (including railroads), electric power transmission lines, or similar linear facilities.

(4) There are substantial increases in the following: already existing special fares (not including regular fares in any instance) of public
transportation to a public water-related recreation resource or facility, except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary; and/or admission fees to such a resource or facility, and an analysis shows that such increases will significantly reduce usage by individuals or families and incomes below the State government established poverty level.

e) An elimination of the possibility of increasing public access in the future includes, but is not limited to, the following:

(1) Construction of public facilities, which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.

(2) Sale, lease, or other transfer of public lands that could provide public access to a public water-related recreation resource or facility.

(3) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities.

(4) Inadequate parking or bicycle storage provided, or no direct, accessible sidewalk or trail for public pedestrian access.

2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:

a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.

b) b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

3. All government agencies will not undertake or fund any projects which increase access to a water-related resource or facility that is not open to all members of the
4. In their plans and programs for increasing public access to public water-related resources and facilities, agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation, within the boundaries of the Federal-Aid Metropolitan urban area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.

The opportunities to link the public parklands and other publicly owned land with major points of natural and cultural interest and recreation along the Hudson River, Pocantico River, and within the Village is a major goal of the Village. All means to provide for public access linkages, such as construction of a walkway and/or easements or acquisition of private lands which would create linkages, should be pursued. Public access linkages would provide the opportunity for greater utilization of public parklands, as well as other undeveloped public lands, as points of historic or cultural interest which would broadly expand the public's enjoyment of the Village's natural and cultural resources. (See Map No. 14 for potential linkages.)

While it is the intent of this policy to provide public access along the Hudson River and Pocantico River to link various public recreation facilities, it is also the intent that this be done in a manner that is compatible, in terms of design, landscaping, lighting, and periods of use, with the principal development's function. It is also intended that an important secondary purpose of these facilities is to provide a visually attractive pedestrian walkway which ties the waterways and various public recreation facilities, while not detracting from views from the water or from the opposite shore, and encourages waterborne and landborne visitors and residents to make use of these facilities while enjoying a Village environment enhanced by extensive and obvious ties to the water and public recreation facilities.

The following additional standards shall apply when determining the consistency of proposed actions with this policy:

1. For appropriate types of new development, redevelopment or rehabilitation of existing uses along the Hudson River and Pocantico River shall include provisions for waterfront public access, unless it can be demonstrated to the satisfaction of the Village Planning Board that access cannot be provided in a manner that is not detrimental to the public health, safety, welfare or will be unreasonably detrimental to the principal use.

2. Single family, detached residences, if not a part of a proposed subdivision action, are excluded from this provision. However, they will be encouraged to participate, or at least not hinder, the intent and purposes of this policy.

The uses subject to these standards include those listed under Policy 22 and those
3. The design, maintenance, hours of operation, etc. of such facilities will be determined as part of Site Plan Review by the Village Planning Board (and Board of Zoning Appeals, as appropriate) in consultation with the owner/developer or public agency.

POLICY 20 ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY OWNED SHALL BE PROVIDED AND IT SHALL BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES.

POLICY 20A CONTINUE TO ENCOURAGE AND MAINTAIN WATER-DEPENDENT AND/OR WATER-ENHANCED PUBLIC RECREATIONAL USE(S), WITH POTENTIAL PUBLIC ACCESS LINKAGE TO TARRYTOWN'S WATERFRONT ACCESS RESOURCES AND TO KINGSLAND POINT LIGHTHOUSE AND PARK.

Explanation of Policies

In coastal areas where there are little or no recreation facilities providing specific water-related recreational activities, access to the publicly-owned lands of the coast at large should be provided for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such access would provide for walking along a waterfront park, beach, or Village waterfront, visiting a historic resource or walking to a vantage point from which to view the waterfront. Similar activities requiring access would include bicycling, birdwatching, photography, nature study, beach combing, and fishing.

For those activities, there are several methods of providing access which will receive priority attention of the Sleepy Hollow Local Waterfront Revitalization Program. These include: the development of a waterfront and Village-wide trails system; the provision of access across transportation facilities (such as the railroad) to the waterfront; the improvement of access to waterfront areas in the Village; and the promotion of mixed and multi-use development.

While such publicly-owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile coastal resources.

The regulation of projects and structures, proposed to be constructed in or over lands underwater, is necessary to responsibly manage such lands, to protect vital assets held in the name of the people of
the State, to guarantee common law and sovereign rights, and to ensure that waterfront owners’ reasonable exercise of riparian rights and access to navigable waters shall be consistent with the public interest in reasonable use and responsible management of waterways and such public lands for the purposes of navigation, commerce, fishing, bathing, recreation, environmental and aesthetic protection, and access to the navigable waters and lands underwater of the State.

The following standards will be used in determining the consistency of a proposed action with this policy:

1. Existing or future access from adjacent or proximate public lands or facilities to existing or future public coastal lands and/or waters shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public waterfront lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding regional or Statewide public benefit or, in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

The following is an explanation of the terms used in the above standards:

a) (See definitions under Policy 19 for "access" and "public lands or facilities").

b) A reduction in the existing or anticipated level of public access - includes, but is not limited, to the following:

   (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.

   (2) Pedestrian access is diminished or blocked completely by public or private development.

c) An elimination of the possibility of increasing public access in the future - includes, but is not limited to, the following:

   (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
(2) Sale, lease, or other conveyance of public lands that could provide public access to public coastal lands and/or waters.

(3) Construction of private facilities which physically prevent the provision of convenient public access to public coastal lands and/or waters from public lands and facilities.

(4) Inadequate parking or bicycle storage provided, or no direct, accessible sidewalk or trail for public pedestrian access.

2. The existing level of public access within public coastal lands or waters shall not be reduced or eliminated.

a) A reduction in the existing level of public access includes, but is not limited to, the following:

(1) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.

(2) Access is reduced or blocked completely by any public developments.

3. Public access from the nearest public roadway to the shoreline and along the waterfront shall be provided by new land use or development, except where (a) it is inconsistent with public safety, military security, or the protection of identified fragile coastal resources; (b) adequate access exists within one-quarter of a mile; or (c) agriculture would be adversely affected. Such access shall not be required to be open to public use until a public agency or private entity agrees to accept responsibility for maintenance and liability of the access way.

4. The State will not undertake or directly fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

5. In their plans and programs for increasing public access, all government agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public
6. Proposals for increased public access to coastal lands and waters shall be analyzed according to the following factors:

(a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.

(b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

7. In making any grant, lease, permit, or other conveyance of land now or formerly underwater, there shall be reserved such interests or attached such conditions to preserve the public interest in the use of state-owned lands underwater and waterways for navigation, commerce, fishing, bathing, recreation, environmental protection, and access to the navigable waters of the State. In particular, the granting of publicly owned underwater or formerly underwater lands to private entities will be limited to exceptional circumstances only.

This policy applies to the areas of publicly-owned lands within the Village of Sleepy Hollow, including: the Village's Riverfront Park property on River Street; Kingsland Point Lighthouse and Park; Devries Field; the School District of the Tarrytown's property adjacent to Fremont Pond; Douglas Park; Barnhart Park; Patriot's Paradise; the Old Croton Aqueduct; and The Rockefeller State Park Preserve. The policy also applies to any other publicly-owned sites which may exist.

In addition, there may exist state-owned interest in lands which were formerly underwater (and subsequently filled). These lands should be retained in State ownership. Where practicable, access to these lands will be developed, including the securing of any adjacent upland ownership, easement or other suitable rights needed to give public access to these lands.

RECREATION POLICIES

POLICY 21 WATER DEPENDENT AND WATER ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED, AND WILL BE GIVEN PRIORITY OVER NON-WATER RELATED USES ALONG THE COAST. WATER DEPENDENT AND WATER ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED, AND WILL BE GIVEN PRIORITY OVER NON-WATER RELATED USES ALONG THE COAST PROVIDED IT IS CONSISTENT WITH
THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

POLICY 21A
WATER-DEPENDENT AND WATER-ENHANCED RECREATION SHALL BE ENCOURAGED AND SHALL BE GIVEN PRIORITY OVER NON-WATER RELATED USES AT THE FOLLOWING PUBLICLY-OWNED SITES:

- Horan’s Landing on River Street; and
- Kingsland Point Park and Lighthouse.

POLICY 21B
ENCOURAGE THE DEVELOPMENT OF ADDITIONAL SUPPORT FACILITIES AND MAINTENANCE OF EXISTING FACILITIES TO PROVIDE FOR PASSIVE AND ACTIVE RECREATIONAL USES, INCLUDING BOATING, KAYAKING, SWIMMING, AND FISHING, WHERE APPROPRIATE, AT KINGSLAND POINT PARK AND ALONG THE POCANTICO RIVER. PROVIDE FOR AND MAINTAIN PUBLIC ACCESS TO SLEEPY HOLLOW Lighthouse.

POLICY 21C
IN ASSOCIATION WITH ANY PREVIOUS, ONGOING, OR PLANNED REDEVELOPMENT, INCLUDING EDGE ON HUDSON (THE FORMER GENERAL MOTORS PROPERTY), ICHABOD’S LANDING, AND RIVER HOUSE, WATER-DEPENDENT AND WATER-ENHANCED RECREATIONAL USES SHALL BE ENCOURAGED AND MAINTAINED, AND SHALL BE GIVEN PRIORITY OVER NON-WATER-RELATED USES.

POLICY 21D
Explanation of Policies

Water-related recreation in Sleepy Hollow includes such obviously water–dependent activities as boating, swimming, and fishing, as well as certain activities which are enhanced by a waterfront location and increase the general public's access to the waterfront such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of coastal scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important coastal resources as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, agriculture and significant mineral and fossil deposits, and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-water dependent uses, including non-water-related recreation uses. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses. Determining a priority among water dependent uses will require a case by case analysis.

Among priority areas for increasing water-related recreation opportunities are those areas where access to the recreation opportunities of the waterfront can be provided by new or existing public transportation services and those areas where the use of the shore is severely restricted by highways, railroads, industry, or other forms of existing intensive land use or development. The Department of State, working with the Office of Parks, Recreation, and Historic Preservation and with local governments, will identify communities whose use of the shore has been so restricted and those sites shoreward of such developments which are suitable for recreation and can be made accessible. Priority shall be given to recreational development of such lands.

The siting or design of development in a manner which would result in a barrier to the recreational use of a major portion of Sleepy Hollow's waterfront should be avoided as much as practicable.

Among the types of water-dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this program. The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development.

Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pump out facilities. There is a need for a better locational pattern of boating facilities to correct problems of overused, insufficient, or improperly sited facilities.

Water-related off-road recreational vehicle use is an acceptable activity; provided no adverse environmental impacts occur. Where adverse environmental impact will occur, mitigating measures will be implemented, where practicable to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced.

Ground water contamination presents a threat to Fire Island National Seashore water resources.

This policy and the provision for water-dependent and water-enhanced recreational facilities, such as
boat launch sites, parks, fishing piers, walkways, docking facilities, etc. has application in Sleepy Hollow.

POLICY 22 DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, WILL PROVIDE FOR WATER-RELATED RECREATION, WHENEVER SUCH RECREATIONAL USE IS COMPATIBLE WITH REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND IS COMPATIBLE WITH THE PRIMARY PURPOSE OF THE DEVELOPMENT.

POLICY 22A IN ASSOCIATION WITH ANY PREVIOUS, ONGOING, OR PLANNED REDEVELOPMENT, INCLUDING EDGE ON HUDSON (THE FORMER GENERAL MOTORS PROPERTY), ICHABOD’S LANDING, AND RIVER HOUSE, WATER-RELATED RECREATION SHALL BE PROVIDED FOR AND MAINTAINED AS A MIXED USE, PROVIDED SUCH RECREATIONAL USE(S) IS (ARE) COMPATIBLE WITH THE PRIMARY PURPOSE OF THE DEVELOPMENT.

Explanation of Policies

Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located along the waterfront, they should, to the fullest extent permitted by existing law, provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development which can generally provide water-related recreation as a multiple use include, but are not limited to:

- parks
- highways
- power plants
- utility transmission rights of way
- sewage treatment facilities
- mental health facilities*
- hospitals*
- prisons*
- schools, universities*
- military facilities*
- nature preserves*
- large residential subdivisions and multi-family housing projects (50 units or more)
- shopping centers
- office buildings
industrial and manufacturing facilities (as appropriate)*

Prior to taking action relative to any development, all government agencies should consult with the State Office of Parks, Recreation, and Historic Preservation (OPRHP), and with the Sleepy Hollow Waterfront Advisory Commission to determine appropriate recreation uses. The agency should provide OPRHP and the Village of Sleepy Hollow with the opportunity to participate in project planning.

Appropriate recreational uses which do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project cost.

In determining whether compelling reasons exist which would make recreation inadvisable as a multiple use, public safety should reflect a recognition that some risk is acceptable in the use of recreation facilities.

Whenever a proposed development is compatible with the natural and built environments of the Village and consistent with the LWRP policies and purposes, and the development could, through the provision of recreation and other multiple uses, significantly increase public use of the waterfront, then such development should be encouraged to locate adjacent to the waterfront (this situation would generally only apply within the more developed portions of the Village).

* The types of recreation uses likely to be compatible with these facilities are limited to the more passive forms, such as trails or fishing access. In some cases, land areas not directly or immediately needed by the facility could be used for recreation.

HISTORIC RESOURCES AND VISUAL QUALITY POLICIES

POLICY 23 PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHAEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES, OR THE NATION.

POLICY 23A PRESERVE AND ENHANCE THE STRUCTURES, AREAS, OR SITES WITHIN THE VILLAGE OF SLEEPY HOLLOW THAT ARE CURRENTLY LISTED ON THE STATE AND/OR NATIONAL REGISTER OF HISTORIC PLACES.

POLICY 23B PRESERVE AND ENHANCE THE STRUCTURES, AREAS, OR SITES WITHIN THE VILLAGE OF SLEEPY HOLLOW THAT HAVE BEEN
IDENTIFIED AS BEING ELIGIBLE FOR LISTING ON THE STATE AND/OR NATIONAL REGISTER OF HISTORIC PLACES.

POLICY 23C

ENCOURAGE THE RESTORATION AND ADAPTIVE REUSE OF HISTORIC BUILDINGS, STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHAEOLOGY OR CULTURE OF SLEEPY HOLLOW AND ITS SURROUNDINGS.

Explanation of Policies

Among the most valuable of the State's man-made resources are those structures or areas which are of historic, archaeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies, and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites. The policy is not to be construed as a passive mandate but must include effective efforts, when appropriate, to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the Village, it will actively promote the preservation of historic and cultural resources which have a waterfront relationship.

The structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the Village, State, or the Nation comprise the following resources:

1. A resource, which is in a Federal or State park established, among other reasons, to protect and preserve the resource.

2. A resource on, nominated to be on, or determined eligible to be on the National or State Registers of Historic Places.

3. A resource designated by the State Nature and Historic Preserve Trust.

4. An archaeological resource which is on the State Department of Education's inventory of archaeological sites or identified by the State Office of Parks, Recreation, and Historic Preservation.

5. A local landmark, park, or locally designated historic district that is located within the boundary of an approved local waterfront revitalization program.

6. A resource that is a significant component of an Urban Cultural Park.
All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the Village, the State, or the Nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls, such as becoming a Certified Local Government, to prevent a significant adverse change to such significant structures, districts, areas or sites. A significant adverse change includes but is not limited to:

1. Alteration of or addition to one or more of the exterior architectural, structural, ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archaeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entry ways and doors; fenestration; lighting fixtures; roofing, sculpture and carving; steps; rails; fencing; windows; vents and other openings; grillwork; signs; canopies; and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)

2. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archaeological resource or component thereof, to include all those features described in (1) above plus any other appurtenant fixtures associated with a building, structure or earthwork.

3. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgment about compatibility should focus on the visual and locational relationship between the proposed action and the special character of the historic, cultural, or archaeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. Within historic districts, this would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthworks, or component thereof of a recognized historic, cultural or archaeological resource which has been officially certified as being imminently dangerous.
to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's "Standards for Rehabilitating Historic Buildings" of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archaeological resource which does not involve a significant adverse change to the resource, as defined above.

The New York State Archaeological Sensitivity Map (OPRHP, 2018) (See Map 11 within Section II) indicates that the Village of Sleepy Hollow has multiple archaeological site sensitivity over almost the entire Village. Because of the sensitivity of archaeological resources, it is not possible to identify specific sites within Sleepy Hollow where archaeological resources have been found or are likely to be found. Given the possibility of archaeologically significant sites in Sleepy Hollow (see Section II), developers should contact the New York State Historic Preservation Office prior to any ground-modifying construction to determine appropriate protective measures to be incorporated into the development process at these sites.

Sleepy Hollow's cultural and historic heritage is among its most valuable assets. There are numerous individual structures which are on the State and/or National Register of Historic Places and numerous structures which are eligible for nomination to the State and National Register of Historic Places. (See Section II for a detailed description of Sleepy Hollow's historic resources.)

The structures of significance in the history, architecture, archaeology or culture of the Village include the following resources:

- Sleepy Hollow Cemetery.
- Old Dutch Reformed Church and Burial Grounds of Sleepy Hollow, 1 story, c. 1698.
- Old Croton Aqueduct.
- James House (James Phelps Memorial Hospital Center).
- Philipsburg Manor and Upper Mills, stone, original portion built by Frederick Philipse, c. 1683; frame wing added in 1785.
- Pokahoe (Fremont House).
- Rockefeller House (Hawes House) 2-story clapboard, mid-19th century.
• Kykuit, 4-story stone mansion, Georgian style, enlarged from earlier building, c. 1912 for John D. Rockefeller.

• Tarrytown Sleepy Hollow Lighthouse (Kingsland Point Lighthouse), ironclad tower, completed 1883.

• Beekman House, Victorian mansion, c. 1850, much altered.

• St. Mark’s Church, gray stone Gothic, mid-19th century. (Church of Immaculate Conception)

• Masonry bridge over Andre Brook, 1875.

• Patriot’s Park

• Philipse Manor Train Station

In addition to the above specific sites and structures, this policy applies throughout the Village, particularly since historic, architectural, and archaeological resources are an important factor in the Village's heritage.

POLICY 24 PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE AS IDENTIFIED ON THE NEW YORK STATE COASTAL AREA MAP. IMPAIRMENT SHALL INCLUDE: (i) THE IRREVERSIBLE MODIFICATION OR GEOLOGIC FORMS, THE DESTRUCTION, OR REMOVAL OF STRUCTURES, WHENEVER THE GEOLOGIC FORMS, VEGETATION OR STRUCTURE ARE SIGNIFICANT TO THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE; AND (ii) THE ADDITION OF STRUCTURES WHICH BECAUSE OF SITING OR SCALE, FORM, OR MATERIALS WILL DIMINISH THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE.

Explanation of Policy
Policy 24 is not applicable to Sleepy Hollow since scenic resources of Statewide significance have not been identified for the Village.

**POLICY 25**

**PROTECT, RESTORE OR ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE, BUT WHICH CONTRIBUTE TO THE OVERALL SCENIC QUALITY OF THE COASTAL AREA.**

**POLICY 25A**

PROTECT OR ENHANCE VIEWS OF THE HUDSON RIVER, THE HUDSON RIVER VALLEY, AND THE OPPOSITE SHORE FROM THE IMMEDIATE RIVERFRONT AS VIEWED FROM PUBLICLY OWNED PROPERTIES.

**POLICY 25B**

PROTECT OR ENHANCE THE FOLLOWING IDENTIFIED SCENIC RESOURCES AS AREAS AND VIEWSHEDS OF LOCAL SCENIC SIGNIFICANCE.

**POLICY 25C**

REDEVELOP THE AREA ALONG, AND ON BOTH SIDES OF NY ROUTE 9 (NORTH BROADWAY) WITH APPROPRIATE CONSIDERATION GIVEN TO LANDSCAPING AND SCENIC VIEWSHED PROTECTION, BETWEEN ITS INTERSECTION WITH BEEKMAN AVENUE AND THE BRIDGE CROSSING THE POCANTICO RIVER.

The following nine (9) scenic landscape subunits (see Section II-H for a description of these nine scenic subunits of the Village.):

- Phelps Memorial Hospital
- Sleepy Hollow Manor
- Rockefeller State Park Preserve
- Sleepy Hollow Cemetery
- Philipse Manor
- Lower Pocantico River
- Sleepy Hollow Southern Waterfront
- Inner Village
- Webber Park

The following twenty-three (23) viewsheds of local importance (see Section II-H for a description and photograph documenting each of these viewsheds.):

- Beekman Avenue at intersection with U.S. Route 9
- Philipsburg Manor Upper Mills Historical Site
- U.S. Route 9 (North Broadway)
- The Old Dutch Church and Burial Grounds and Sleepy Hollow Cemetery
- Hudson River from the following Streets: Pokahoe Drive; Lakeview Avenue; Lakeshore Circle; Hunter Avenue; Farrington Avenue; Harwood Avenue; Kelburne Avenue; Highland Avenue; and Palmer Avenue
- Fremont Pond
- Devries Field Park
- Hudson River from Kingsland Point Park
- Hudson River from corner of Beekman Avenue and Hudson Street
- Hudson River from Beekman Avenue and Barnhart Avenue
- Hudson River from Beekman Avenue and Cortland Street
- Hudson River and Village from School District of the Tarrytown's facilities on Broadway
- Hudson River from intersection of Route 448; Pine Street, and the Old Croton Aqueduct Trail
- Gorey Brook Road looking toward the Hudson River
- Viewshed looking east at Fremont Fountain site on North Broadway
- Viewshed looking west at Fremont Fountain site on North Broadway
- Viewshed looking west toward Pocantico River at the New York City/Village of Sleepy Hollow Water Pump House property on Sleepy Hollow Road
- Eagle Hill
- Old Sleepy Hollow Road
- Kykuit
- Hudson River and Village from Hudson Terrace
- Hudson River from Elm Street the Sleepy Hollow Senior Center
- Barnhardt Park

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Explanation of Policies

When considering a proposed action which would affect a scenic resource not of Statewide significance, agencies shall ensure that the action will be undertaken so as to protect, restore or enhance the overall scenic quality of the coastal area. Activities which could impair or further degrade scenic quality are:

(i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and

(ii) the addition of structures which because of siting or scale, will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified scenic resource.

The scenic qualities of the Village of Sleepy Hollow result from a combination of the clustered buildings (many historic) and wooded hillsides against the backdrop of the Hudson River and opposite shorelands. The height, bulk, scale, and color of future buildings and structures will be important factors in maintaining the character of the Village, as will be the preservation of the Village's many wooded hillsides and roadways that intersperse the developed areas.

The siting and design standards listed below should be considered for proposed actions in general throughout the Village. More emphasis may need to be placed on removal of existing elements, especially those which degrade, and on addition of new elements or other changes which enhance. Removal of vegetation at key points to improve visual access to coastal waters and other identified scenic resources is one such change which might be expected to enhance scenic quality.

Standards for minimizing scenic impairment and visual access include:

- siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;

- clustering or orienting structures to retain views, save open space, and provide visual organization to a development;

- incorporating sound, existing structures (especially historic buildings and structures) into the overall development scheme;
• removing deteriorated and/or degrading elements;

• maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into a site, and obscure unattractive elements;

• maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;

• protecting and enhancing mature trees and undisturbed stands of trees, particularly along public road rights of way, including avoiding cutting trees greater than 6 inches in diameter at 5 feet above the ground, and selective cutting of smaller trees if necessary to enhance a stand's viability;

• using appropriate materials, in addition to vegetation, to screen unattractive elements, and maintain existing materials and fencing that is in need of repair;

• using appropriate scales, forms, and materials to ensure that buildings and other structures are compatible with and add interest to the landscape;

• any new construction or activities in the Village must be undertaken so as not to obstruct the views identified in Policy 25B. Particular attention must be paid to views from public parks and public rights of way;

• construction within the identified viewsheds and scenic corridors must be in a manner that will not obstruct the view and identified important elements of that view to the maximum extent practicable; and

• natural materials and colors will be used to the maximum extent practicable in construction such that structures are not discordant with the landscape.

• using appropriate lighting, including dark sky lighting principles, to minimize light pollution.

The scenic landscape subunits, viewsheds, and scenic road corridors to be protected as identified above in Policy 25B are described and documented by photograph in Section II-H.

AGRICULTURAL LANDS POLICY
POLICY 26 CONSERVE AND PROTECT AGRICULTURAL LANDS IN THE STATE'S COASTAL AREA.

POLICY 26A EXPAND OPPORTUNITIES FOR COMMUNITY GARDEN USES IN FUTURE DEVELOPMENT OF AGRICULTURAL LANDS.

Explanation of Policy

Policy 26 is not applicable to the Village of Sleepy Hollow as there are no agricultural lands present that it applies to.

ENERGY AND ICE MANAGEMENT POLICIES

POLICY 27 DECISIONS ON THE SITING AND CONSTRUCTION OF MAJOR ENERGY FACILITIES IN THE COASTAL AREA WILL BE BASED ON PUBLIC ENERGY NEEDS, COMPATIBILITY OF SUCH FACILITIES WITH THE ENVIRONMENT, AND THE FACILITY'S NEED FOR A SHOREFRONT LOCATION.

POLICY 27A FUTURE DEVELOPMENT IN THE VILLAGE SHALL ADHERE TO SLEEPY HOLLOW’S PRIORITIES AS A NEW YORK STATE CLIMATE SMART COMMUNITY

Explanation of Policy

New York’s overall annual energy demand has begun to flatten over time, in part due to the success of State and utility energy efficiency programs. However, peak load (the highest amount of energy consumption in a given year) has continued to increase at a more rapid pace. Renewable power sources—hydro, solar, wind, and other carbon-free solutions—also continue to grow as a share of the total energy produced in the State. Significant investments in the billions of dollars are needed to replace New York’s aging electric transmission and distribution infrastructure just to meet currently projected energy demand. To respond to these significant shifts in the State’s energy infrastructure, State energy policies are being designed to maintain energy system reliability during peak load in ways that improve the grid’s overall system efficiency, from both energy transmission and capital investment perspectives.

The New York State energy planning process provides a comprehensive framework for improving the State’s energy system, addressing issues such as environmental impacts, resiliency, and affordability. 59 key areas of focus for New York’s energy planning and implementation policies include integration of renewable energy generation; local energy generation that can foster both economic prosperity and environmental stewardship; seeking innovative energy solutions across the State’s public facilities and operations; increasing energy efficiency; and decreasing greenhouse gas
emissions. New York’s energy policy is also central to how the State responds to the challenges presented by a changing climate. New York State’s energy planning recognizes that extreme weather events demand more resilient energy infrastructure, and that climate change presents both challenges and opportunities to lead and innovate.

A determination of public need for energy is the first step in the process for siting new facilities. The directives for determining this need are set forth in the New York State Energy Law. With respect to transmission lines, Article VII and X of the State's Public Service Law requires additional forecasts and establish the basis for determining the compatibility of these facilities with the environment and the necessity for a shorefront location. With respect to electric generating facilities, environmental impacts associated with siting and construction will be considered by one or more State agencies or, if in existence, an energy siting board. The policies derived from these proceedings are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Law. That law is used for the purposes of ensuring consistency with the State Coastal Management Program and the Sleepy Hollow Local Waterfront Revitalization Program.

In consultation with the Village of Sleepy Hollow, the New York State Department of State will comment on State Energy Office policies and planning reports as may exist; present testimony for the record during relevant proceedings under State Law; and use the State SEQR and DOS regulations to ensure that decisions on other proposed energy facilities (other than those certified under the Public Service Law) which would impact the waterfront area are made consistent with the policies and purposes of the Sleepy Hollow Local Waterfront Revitalization Program.

Sleepy Hollow is also a participant in the New York State Climate Smart Communities program. Future development in the Village should be consistent with the climate smart priorities, including GHG emission reduction, climate adaptation, energy efficiency and renewable energy production, and promotion of green technologies.

POLICY 28  ICE MANAGEMENT PRACTICES SHALL NOT INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER, DAMAGE FISH AND WILDLIFE AND THEIR HABITATS, INCREASE SHORELINE EROSION OR FLOODING OR INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER.

Explanation of Policy

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydro-electric power; fish and wildlife and their habitats as identified in the New York State Coastal Area Maps and this LWRP, flood levels and damage, and rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.
POLICY 29  THE DEVELOPMENT OF OFFSHORE USES AND RESOURCES, INCLUDING RENEWABLE ENERGY RESOURCES, SHALL ACCOMMODATE NEW YORK’S LONG-STANDING OCEAN AND GREAT LAKES INDUSTRIES, SUCH AS COMMERCIAL AND RECREATIONAL FISHING AND MARINE COMMERCE, AND THE ECOLOGICAL FUNCTIONS OF HABITATS IMPORTANT TO NEW YORK.

POLICY A  FUTURE DEVELOPMENT IN THE VILLAGE SHALL ADHERE TO SLEEPY HOLLOW’S PRIORITIES AS A NEW YORK STATE CLIMATE SMART COMMUNITY

Explanation of Policy

While the State policy is not applicable, as the types of energy resources addressed by this policy are not likely to be found in the Hudson River, the Village wants to promote and consider green energy alternatives, building materials, and uses as part of any development proposal.

Sleepy Hollow is also a participant in the New York State Climate Smart Communities program. Future development in the Village should be consistent with the climate smart priorities, including GHG emission reduction, climate adaptation, energy efficiency, and renewable energy production, and promotion of green technologies.

WATER AND AIR RESOURCES POLICIES

POLICY 30  MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES, INTO COASTAL WATERS WILL CONFORM TO STATE AND NATIONAL WATER QUALITY STANDARDS.

Explanation of Policy

Municipal, industrial and commercial discharges include not only "end-of-the pipe" discharges into surface and groundwater but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also, the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through the regional treatment system before reaching the State's waterways.

Such "end-of-pipe" discharges are monitored and regulated by the New York State Department of Environmental Conservation SPDES program (State Pollution Discharge Elimination System) as well as by federal law and the U.S. Environmental Protection Agency. Local vigilance must be exercised to ensure that such state and federal regulations are adequately enforced. The Village will work cooperatively with State officials to this end and recommend more stringent standards when

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appropriate. Individual discharge of pollutants should also be considered under this policy.

POLICY 31 STATE COASTAL AREA POLICIES AND PURPOSES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS; HOWEVER, THOSE WATERS ALREADY OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.

Explanation of Policy

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and State coastal management policies shall be factored into the review process for coastal waters. However, such consideration shall not affect any water pollution control requirement established by the State pursuant to the Federal Clean Water Act.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting." Waters not meeting State standards and which would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limiting." Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting," and all new waste discharges must receive "best practicable treatment." However, along stream segments classified as "water quality limiting," waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development.

The quality of water resources is defined in terms of chemical, physical, and biological characteristics which, in turn, relate to the water's acceptability for its intended use. The New York State Department of Environmental Conservation (DEC) has classified all streams, lakes, and rivers according to best use. The classifications are used to regulate water quality and enforce water quality standards. The water quality classifications used by DEC for fresh surface waters can be found at 6 NYCRR 701.2-701.9 for fresh surface waters and for saline surface waters at 6 NYCRR 701.10-701.14 are as follows:

Class AA——Source of water supply for drinking, culinary or food processing purposes and any other usage.

Class A——Source of water supply for drinking, culinary or food processing purposes and any other uses with treatment.

Class B——Primary contact recreation and any other uses except as a source of water supply for drinking, culinary or food processing purposes.
Class C—— Suitable for fishing and all other uses except as a source of water supply for drinking, culinary or food processing purposes.

Class D—— Suitable for secondary contact recreation but will not support the propagation of fish.

The Hudson River adjacent to the Village of Sleepy Hollow is classified "SB" by DEC. This classification is the same as "B" above, except that the "S" simply identifies that the water is brackish or saline. The water quality classification for Fremont Pond is "B" and the classification for the runoff stream from Fremont Pond to the Hudson River is “SC”. The lower reaches of the Pocantico River, that portion that is tidal influenced below the mill pond at Philipsburg Manor, is classified as "SB". That portion of the Pocantico adjacent to Philipsburg Manor at the mill pond and upstream to the small dam adjacent to Sleepy Hollow Cemetery is classified as "B". Further upstream, beyond the small dam, the Pocantico River is classified as "C(T)". The "T" implies that the Pocantico River is suitable for trout fish propagation.

In general, sources of pollution to water bodies may be classified as either point or nonpoint. Point sources, as the name implies, are discrete sources of pollution, the classic example being a pipe bearing sewage or industrial effluent. Nonpoint pollution enters the water body from more diffuse sources, such as runoff from streets, fields, etc. Pollution control has historically focused on point sources, as these sources are more easily determined and the effects are often more readily apparent. Since the passage of the 1972 Federal Water Pollution Control Act Amendments (PL 92-500), remarkable progress has been made in controlling pollution from point sources. Despite the progress, more remains to be done.

In the Village of Sleepy Hollow potential impairments to water quality could result from storm water run-off, industrial discharges, and from the full range of nonpoint sources of pollution mentioned above. In addition, a growing cause of pollution in the Hudson River is discharges from the increasing number of recreational boats on the River. There are currently no pump out facilities within the Village of Sleepy Hollow and only two in the neighboring Village of Tarrytown.

The Village of Sleepy Hollow recognizes the need to maintain high water quality in and adjacent to the Village. People depend on clean and pure water for drinking, cooking and cleaning; wildlife depends on clean water to live on and in; commercial fishing requires clean water and water-based recreation requires clean water. Indeed, clean water is tied to a healthy economy and a healthy community. All surface water that flows through the Village ends up in the Hudson River and Sleepy Hollow recognizes that it is their responsibility to the Hudson River Valley to ensure that this water is not polluted or loaded with sediment, or otherwise impairing the water quality through inappropriate or improper actions occurring within the Village.

POLICY 32 ENCOURAGE THE USE OF ALTERNATIVE OR INNOVATIVE SANITARY WASTE SYSTEMS IN SMALL COMMUNITIES WHERE THE COSTS OF CONVENTIONAL FACILITIES ARE UNREASONABLY HIGH, GIVEN THE SIZE OF THE EXISTING TAX BASE OF THESE COMMUNITIES.
POLICY 32A  FUTURE DEVELOPMENT IN THE VILLAGE SHALL BE REQUIRED TO USE STATE OF THE ART LOW FLOW WATER FIXTURES AND WATER SAVING DEVICES TO REDUCE THE DEMAND FOR WATER AND REDUCE THE FLOW TO THE SEWAGE TREATMENT FACILITIES. WHERE PRACTICABLE, THE GUIDELINES IN THE NEW YORK STATE MUNICIPAL MODEL WATER CONSERVATION PLAN SHOULD BE FOLLOWED.

Explanation of Policy

Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers. These types of systems are often more cost effective in smaller, less densely populated communities and for which conventional facilities are too expensive.

POLICY 33  BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORM WATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.

Explanation of Policy

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of storm water runoff and combined sewer overflows. At present, structural approaches to controlling storm water runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and storm water collection systems) are not economically feasible. Until funding for such projects becomes available, non-structural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged. The guidelines included in the New York State Department of Environmental Conservation's document entitled: Stream Corridor Management - A Basic Reference Manual should be consulted for overall management and site treatment to assist in the control of storm water runoff. In addition, the guidelines prepared by Westchester County entitled: Erosion and Sediment Control; Best Management Practices Manual Series, Westchester County, NY, 1991 should be consulted for overall management and site treatment during review of development proposals. Other guidelines that should be consulted are: the New York State Department of Environmental Conservation's Maintenance Guidance: Stormwater Management Practices, New York State Standards and Specifications for Erosion and Sediment Controls, and New York State Stormwater Management Design Manual; the New York State Department of Environmental Conservation's series of Best Management Practices Catalogues; and the Empire State Chapter of the Soil and Water Conservation Society's Guidelines for Urban Erosion and Sediment Control.
POLICY 34 DISCHARGE OF WASTE MATERIALS INTO COASTAL WATERS FROM VESSELS SUBJECT TO STATE JURISDICTION INTO COASTAL WATERS WILL BE LIMITED SO AS TO PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS.

POLICY 34A NEW MARINAS OR EXPANSION OF EXISTING MARINAS SHALL PROVIDE MARINE WASTE PUMP OUT FACILITIES.

Explanation of Policies

All untreated sanitary waste from vessels is prohibited from being discharged into the State’s coastal waters. Where coastal resources or activities require greater protection than afforded by this requirement the State may designate vessel waste no discharge zones. Within these no discharge zones the discharge of all vessel waste whether treated or not is prohibited. A determination from EPA that an adequate number of vessel waste pumpout stations exists is necessary before the State can designate a no discharge zone. The State prepared a Clean Vessel Act Plan which identifies the coastal waters for which no discharge zones are needed and the number of vessel waste pump outs required to obtain the determination from EPA. The discharge of other wastes from vessels is limited by State law. The discharge of sewage, garbage, rubbish, and other solid and liquid materials from water craft and marinas into the State's waters is regulated. Also, specific effluent standards for marine toilets have been promulgated by the Department of Environmental Conservation (6 NYCRR, Part 657).

POLICY 35 DREDGING AND FILLING IN COASTAL WATERS AND DISPOSAL OF DREDGED MATERIAL WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.

POLICY 35A DREDGING SHALL NOT OCCUR DURING FISH SPAWNING SEASONS AND MUST BE AUTHORIZED BY AN APPROPRIATE PERMIT FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND U.S. ARMY CORPS OF ENGINEERS.

POLICY 35B DREDGED MATERIAL SHALL NOT BE DEPOSITED IN WETLANDS OR FISH AND WILDLIFE HABITATS AS IDENTIFIED IN THE SLEEPY HOLLOW LOCAL WATERFRONT REVITALIZATION PROGRAM.

POLICY 35C RECLAMATION OF DREDGED MATERIAL SITES, INCLUDING LANDSCAPING, SHALL BE REQUIRED WHERE IT IS PRACTICAL TO DO SO.
POLICY 35D DREDGED MATERIAL SITE DESIGN WILL INCORPORATE CONSIDERATIONS FOR NATURAL FEATURES, VIEWSHEDS, AND SHALL, WHERE FEASIBLE, CONFORM TO EXISTING LANDFORMS.

POLICY 35E TOXIC OR HAZARDOUS DREDGED MATERIAL SHALL NOT BE DEPOSITED WITHIN THE VILLAGE OF SLEEPY HOLLOW.

Explanation of Policies

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Such dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands and other important coastal resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation, proper siting of the dredge material disposal sites, and the beneficial use of dredged material. Dredging permits will be granted if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law, (Articles 15, 24, 25, and 34), and are consistent with Sleepy Hollow LWRP policies pertaining to the protection of coastal resources (See Policies 7, 7A, 7B, 7C, 7D, 7B, 15, 19, 20 24, 25, 25A, 25B and 44). The Village recognizes that Fremont Pond may be in need of dredging.

POLICY 36 ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS; ALL PRACTICABLE EFFORTS WILL BE UNDERTAKEN TO EXPEDITE THE CLEANUP OF SUCH DISCHARGES; AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.

Explanation of Policy

See Policy 39 for definition of hazardous materials.

This policy applies to all activities related to the shipment and storage of petroleum and other hazardous materials in the Village of Sleepy Hollow.

POLICY 37 BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.
Explanation of Policy

Best management practices used to reduce these sources of pollution could include, but are not limited to, soil erosion control practices, and surface drainage control techniques. Similar techniques are discussed as pertinent to the policies on erosion control (Policy 12) and storm water runoff (Policy 33). The guidelines included in the New York State Department of Environmental Conservation's document entitled: Stream Corridor Management: - A Basic Reference Manual should be consulted for overall management and site treatment to assist in the control of storm water runoff. In addition, the guidelines prepared by Westchester County entitled: Erosion and Sediment Control: Best Management Practices Manual Series, Westchester County, NY 1991 should be consulted for overall management and site treatment during review of development proposals. Other guidelines that should be consulted are: the New York State Department of Environmental Conservation, 's Maintenance Guidance: Stormwater Management Practices; the New York State Department of Environmental Conservation's series of Best Management Practices Catalogues and the Empire State Chapter of the Soil and Water Conservation Society's Guidelines for Urban Erosion and Sediment Control. Also, the Village of Sleepy Hollow's Wetland/Watercourse Protection Law shall be consulted for overall management and site treatment during review of development proposals. Best management practices outlined in the Water Quality Improvement plan for Fremont Pond, dated September 21, 2017 and revised November 15, 2017, should be consulted as well where applicable. Chapter 358 Stormwater Management and Erosion and Sediment Control contains additional requirements.

Guidelines regulating development or construction to be used in implementing this policy include the following:

1. Runoff or other non-point pollutant sources from any specific development must not be greater than would be the case under natural conditions. Appropriate techniques to minimize such efforts shall include, but not be limited to, the use of storm water detention basins, rooftop runoff disposal, rooftop detention, parking lot storage and cistern storage.

2. The construction site, or facilities, should fit the land, particularly with respect to its limitations.

3. Natural ground contours should be followed as closely as possible and grading minimized.

4. Areas of steep slopes, where high cuts and fills may be required, should be avoided.
5. Extreme care should be exercised to locate artificial drainage ways so that their final gradient and resultant discharge velocity will not create additional erosion problems.

6. Natural protective vegetation should remain undisturbed if at all possible; otherwise plantings should compensate for the disturbance.

7. The amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water should be limited.

8. The velocity of the runoff water on all areas subject to erosion should be reduced below that necessary to erode the materials.

9. A ground cover should be applied sufficient to restrain erosion on that portion of the disturbed area undergoing no further active disturbance.

10. Runoff from a site should be collected and detained in sediment basins to trap pollutants which would otherwise be transported from the site.

11. Provision should be made for permanent protection of downstream banks and channels from the erosive effects of increased velocity and volume of runoff resulting from facilities constructed.

12. The angle for graded slopes and fills should be limited to an angle no greater than that which can be retained by vegetative cover or other erosion control devices or structures.

13. The length as well as the angle of graded slopes should be minimized to reduce the erosive velocity of runoff water.

14. Rather than merely minimize damage, take the opportunity to improve site conditions wherever practicable.

POLICY 38 THE QUALITY AND QUANTITY OF SURFACE WATER AND GROUNDWATER SUPPLIES, WILL BE CONSERVED AND PROTECTED, PARTICULARLY WHERE SUCH WATERS CONSTITUTE THE PRIMARY OR SOLE SOURCE OF WATER SUPPLY.
Explanation of Policy

The Village of Sleepy Hollow purchases its water from New York City's water supply system. The source of the water for Sleepy Hollow is surface water and comes from the Catskill Watershed system. In addition, during emergency situations the Village of Sleepy Hollow has an emergency connection to New York City’s Croton Watershed. There is an existing proposal to build on existing shared water facilities to further consolidate source of water supply and pumping facilities between the Village of Sleepy Hollow and the Villages of Tarrytown and Briarcliff Manor.

Both the Catskill and Croton New York City Watershed systems must be protected. Any action which would have an impact on the quality of these two water supply systems must be thoroughly reviewed and mitigating measures taken.

Adverse impacts upon the Catskill and Croton Watershed systems resulting from direct actions and indirect actions such as construction activity, land use management, and point and non-point source water pollution discharges must be reviewed for their impacts on these watershed systems as a water supply.

POLICY 39  THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT GROUNDWATER AND SURFACE WATER SUPPLIES, RECREATION AREAS, AND SCENIC RESOURCES.

POLICY 39A  --- LONG TERM STORAGE, TREATMENT, AND DISPOSAL OF SOLID WASTE, PARTICULARLY HAZARDOUS WASTE, SHALL BE PROHIBITED IN SLEEPY HOLLOW WITH THE EXCEPTION OF MUNICIPAL SOLID WASTE COLLECTION, REDUCTION, AND RECYCLING ACTIVITIES.

Explanation of Policy

The definitions of terms "solid wastes" and "solid wastes management facilities" are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludges from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes.

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (§ 27-0901.3), as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential
hazard to human health or the environment when improperly treated, stored, disposed, transported or otherwise managed." A list of hazardous wastes (NYCRR Part 371) has been adopted by the New York State Department of Environmental Conservation.

Examples of solid waste management facilities include resource recovery facilities, sanitary landfills and solid waste reduction facilities. Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include: filling of wetlands and littoral areas, atmospheric loading, and degradation of scenic resources.

**Railroad uses within the Village of Sleepy Hollow for construction and repair activities, shall not be operated or conducted in a manner that will unnecessarily contribute pollutants to the soil, air, ground water, and surface water.**

See Policy 36.

**POLICY 40**  
**EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNDULY INJURIOUS TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.**

**POLICY 40A**  
**EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WITHIN SLEEPY HOLLOW SHALL NOT ADVERSELY IMPACT EXISTING AND PROPOSED VILLAGE LAND AND WATER USES.**

**Explanation of Policy**

A number of factors must be considered when reviewing a proposed site for facility construction. One of these factors is that the facility "not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the State, the public health, and public enjoyment of the receiving waters." The effects of thermal discharges on water quality and aquatic organisms is considered by State agencies or, if applicable, a siting board when evaluating any applicant's request to construct a new steam electric generating facility.

**POLICY41**  
**LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE FEDERAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.**

**POLICY41A**  
**LAND USE AND DEVELOPMENT IN SLEEPY HOLLOW SHALL NOT DEGRADE EXISTING AIR QUALITY OR CONTRIBUTE TO AN**
INABILITY TO MAINTAIN OR ATTAIN NATIONAL AMBIENT AIR QUALITY STANDARDS AND SHALL NOT GENERATE OR CAUSE MORE THAN ONE TON PER YEAR OF TOXIC AIR POLLUTANTS TO BE EMITTED INTO THE ATMOSPHERE.

Explanation of Policy

New York's Coastal Management Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the coastal area.

To the extent possible, the State Implementation Plan will be consistent with coastal lands and water use policies. Conversely, coastal management guidelines and program decisions with regard to land and water use and any recommendations with regard to specific sites for major new or expanded industrial, energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan. Currently, the Village of Sleepy Hollow is in a non-attainment area for ozone. In addition, the Village is in a maintenance area for has high levels of carbon monoxide (CO). It is believed that the high levels of CO may, in part, be caused by vehicular traffic on the Tappan Zee Bridge and the effects of air pollutants being trapped in the River basin.

The Department of Environmental Conservation will allocate substantial resources to develop a regulatory and management program to identify and eliminate toxic discharges into the atmosphere. The State's Coastal Management Program will assist in coordinating major toxic control programming efforts in the coastal regions and in supporting research on the multi-media nature of toxics and their economic and environmental effects on coastal resources.

POLICY 42 COASTAL MANAGEMENT POLICIES WILL BE CONSIDERED IF THE STATE RECLASSIFIES LAND AREAS PURSUANT TO THE PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS OF THE FEDERAL CLEAN AIR ACT.

Explanation of Policy

The policies of the State and of the Sleepy Hollow Local Waterfront Revitalization Program concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action to change prevention of significant deterioration land classifications in coastal regions or adjacent areas. In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration land classification designations based upon State and local coastal management programs.
POLICY 43 LAND USE OR DEVELOPMENT IN THE COASTAL AREA MUST NOT CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF ACID RAIN PRECURSORS: NITRATES AND SULFATES.

Explanation of Policy

The New York Coastal Management Program incorporates the State's policies on acid rain. As such, the Sleepy Hollow Local Waterfront Revitalization Program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

WETLANDS POLICY

POLICY 44 PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND WETLAND/WATERCOURSE COMPLEXES AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

POLICY 44A RESTORE AND PRESERVE TIDAL AND FRESHWATER WETLANDS AND WETLAND/WATERCOURSE COMPLEXES ALONG THE POCANTICO RIVER, FREMONT POND AND STREAM BETWEEN FREMONT POND AND THE HUDSON RIVER TO PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

Explanation of Policy

Tidal wetlands include the following ecological zones: coastal fresh marsh; intertidal marsh; coastal shoals, bars and flats; littoral zone; high marsh or salt meadow; and formerly connected tidal wetlands. These tidal wetland areas are officially delineated on the Department of Conservation's Tidal Wetlands Inventory Map. The New York State Department of Environmental Conservation is currently mapping the Hudson River tidal wetland areas from the has not identified and mapped any tidal wetland areas north of the Tappan Zee Bridge north to the Troy Dam.

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the New York State Freshwater Wetlands Act and the New York State Protection of Waters Act (Water Resources Law, Environmental Conservation Law Article 15).

The benefits derived from the preservation of freshwater wetlands include but are not limited to:

- habitat for wildlife and fish, including a substantial portion of the State’s commercial fin and shellfish varieties; and contribution to associated aquatic food chains;
- erosion, flood and storm control;
• natural pollution treatment;
• groundwater protection;
• recreational opportunities;
• educational and scientific opportunities; and
• aesthetic open space in many otherwise densely developed areas.

The Village Chapter 418 of the Village of Sleepy Hollow’s Code has a Wetland/Watercourse Protection law (Local law No. 1—1990). The Village's Wetland/Watercourse Protection Law also identifies the following, more specific benefits and functions of wetland and watercourse complexes:

• Protection of water resources by providing sources of surface water, recharging groundwater and aquifers, serving as chemical and biological oxidation basins and/or functioning as settling basins for naturally occurring sedimentation.

• Controlling flooding and storm water runoff by storing or regulating natural flows.

• Providing unique nesting, migratory and wintering habitats for diverse wildlife species, including many on the New York State and Federal endangered species lists.

• Supporting unique vegetative associations specifically adapted for survival in low-oxygen environments and/or brackish or salt water.

• Providing areas of unusually high plant productivity which support significant wildlife diversity and abundance.

• Providing breeding and spawning grounds, nursery habitat and food for various species of fish.

• Serving as nutrient traps for nitrogen and phosphorus and filters for surface water pollutants.

• Helping maintain biospheric stability by supporting particularly efficient photo synthesizers capable of producing significant amounts of oxygen and supporting bacteria which process excess nitrates and nitrogenous pollutants and return them to the atmosphere as inert nitrogen gas.
• Providing open space and visual relief from intense development in urbanized and growing areas.

• Serving as outdoor laboratories and living classrooms for the study and appreciation of natural history, ecology, and biology.

This policy shall apply to all wetland and watercourse areas included in the Village's Wetland/Watercourse Protection Law. The wetland and watercourse areas for which the Village's Wetland/Watercourse Protection Law is applicable are specifically defined in § 418-3 and § 418-5 of the Village Code.

The Village of Sleepy Hollow has extensive wetland and wetland/watercourse complexes for a community it's size. The wetland and wetland/watercourse complexes are identified on Map No. 10. The areas identified on Map No. 10 may not represent all of the areas covered by the definitions contained in the Village's Wetland/Watercourse Protection Law. Therefore, specific site investigation may be necessary to determine and interpret the boundaries for wetland/watercourse areas.
Section IV

Proposed Land and Water Uses And Proposed Public and Private Projects
IV. PROPOSED LAND AND WATER USES AND PROPOSED PUBLIC AND PRIVATE PROJECTS

A. PROPOSED LAND USES

1. Introduction

Over the last decade, Sleepy Hollow's waterfront has been recognized as a significant economic resource, and as a result, the Village began implementing redevelopment and revitalization plans of the waterfront. The most significant changes were the significant recent growth in tourism in the Village, and the development of the Ichabod’s Landing and the River House residential complexes. In addition, the impending changes to the former General Motors property, known as Edge-on-Hudson and the East Parcel Sleepy Hollow Common, is a highly anticipated development project. This site has been the dominant feature on the Village's waterfront for more than one hundred years. The convergence of these events have opened the way for a fundamental restructuring of the Village's economy, premised upon large-scale reconstruction of portions of the waterfront and other areas of the Village. The Village's LWRP will crystallize this trend into a cohesive effort.

The Village's LWRP seeks to help maintain and restore the community character of the Village, protecting and improving the natural and cultural resources that contribute to the strong sense of place that Village residents have and want to preserve. The LWRP proposes to achieve this by sustaining the existing land use patterns throughout much of the Village, building on development patterns and trends, utilizing existing infrastructure and resources wisely, and developing completely new land uses for the former General Motors property.

It is the latter opportunity that the Village is proposing has approved the most dramatic shift in land use. The Village rezoned the land associated with the former GM plant from M-Manufacturing to RF-Riverfront Development Zoning District. The LWRP and the RF Zoning District are designed to encourage an economic stimulus and revitalization of the Village and its Hudson River waterfront by establishing a well-designed, comprehensively planned central focus for the Village's waterfront area. Both the LWRP and the RF Zoning District call for a mix of residential and waterfront commercial uses, to serve as a catalyst for the economic and physical revitalization of the entire "downtown" older portion of the Village. It is also the purpose of the LWRP and RF Zoning District to encourage and allow for a mix of uses on the waterfront with a consistent set of design standards to ensure a unified and comprehensively planned development that will function effectively and achieve a high standard of site planning and architectural design. Such a development for this area of the Village is envisioned to replicate an "old-would create a Hudson River waterfront community image-with architectural style and overall development layout to reflect that which prevailed in the Hudson River Valley prior to 1900. Both the LWRP and the RF Zoning District also call for a high level of public access (both physical and visual) to the waterfront.
Throughout the remainder of the Village opportunities for growth, revitalization, and redevelopment exist within the predominately long-established land use pattern, through a combination of modest new development, redevelopment, and rehabilitation of under-utilized sites and property, and enhancement of existing developed areas of the Village.

The existing land use pattern of the Village of Sleepy Hollow is well defined. This is illustrated on Map 3 and examined in detail in Section II. The historic development patterns still dominate, reflecting the importance of the Hudson River, the Pocantico River, and the railroad as means of transportation and the early resource-based industries of the area. The historic and current land use development patterns have been critical in defining the community character of the Village.

As a result of the Inventory and Analysis of the Village's resources contained in Section II, and the identified policies of Section III, there are two categories of land use situations which emerge within the Village:

- Areas of predominantly stable land uses
- Areas suitable for development, redevelopment, and/or enhancement

These two land use situations are incorporated into the proposed land use pattern identified on Map 7 and are discussed below.

2. Areas of Predominantly Stable Land Uses

This category of land use occupies the majority of the land use pattern within the Village. It comprises the fully developed residential areas, and the various park lands owned by the Village, County, and State. In general, these areas are not subject to any foreseeable major changes in land use types and patterns or other factors which could significantly alter the character of the area or Village. The proposed land uses for these areas of the Village follow the existing land use and development patterns as depicted on Map 3.

3. Areas Suitable for Development, Redevelopment, and/or Enhancement

The areas of the Village suitable for development, redevelopment, and/or enhancement are primarily located in the downtown/Inner Village portion of Sleepy Hollow. The foremost area of the Village suitable for redevelopment is the former General Motors property, also known as Edge on Hudson and the East Parcel, which is currently commencing construction and other land immediately adjacent to the south. See Maps, 5, and 15 for the location of the areas where land uses are anticipated to change. It is this area of the Village where the most dramatic shift in land use is being undertaken. For this area of the Village the LWRP and RF Zoning District call for a mix of residential and waterfront commercial uses, to serve as a catalyst for the economic and physical revitalization of the entire downtown/Inner Village. The Edge on the Hudson will provide for mixed use development on 67-acres and the East...
Parcel will provide for recreational and entertainment complex as well as a new home for the Sleepy Hollow Department of Public Works on 28 acres. The Edge on the Hudson will provide 1,177 residential units, townhomes, and apartments; a 140-room hotel; 135,000 square feet of retail space; and 30,000 square feet of office space. The project also includes over 16 acres of parks and extension of Riverwalk Trail into Kingsland Point Park.

Another area or site that is suitable for redevelopment is the current Department of Public Works site located at 38 River Street, which will become available once a new DPW facility is constructed at the East Parcel. This approximately 2-acre parcel is near the Ichabod’s Landing and Horan’s Landing park. The parcel is located in the RF district. Redevelopment of this site will be a public/private partnership initiative, and the Village intends that site redevelopment will be consistent with the policies of the LWRP.

Another area of potential redevelopment is the vacant parcel located on Beekman Avenue between Valley and Pocantico Streets. This parcel represents an opportunity to provide a more continuous streetfront while adding retail space that could host new commercial uses (e.g. a coffee shop). At the south end of Valley Streets, a group of small vacant parcels (formerly an auto dealership) is planned for a Salvation Army facility, but represents an opportunity to provide a gateway welcoming residents and visitors coming from the Tarrytown train station.

Commercial, office and mixed uses in Sleepy Hollow are concentrated along its four main commercial corridors. Beekman Avenue between Broadway and Kendall Avenue concentrates most of the mixed uses in one- to four-story buildings, with retail, restaurants or personal-service uses on the street level and residential uses above. While Cortlandt and Valley Streets are also mixed-use corridors, both have less continuous retail frontages, and businesses that primarily target residents of the immediately surrounding neighborhood. All the aforementioned areas – Beekman, Cortlandt, and Valley – are largely made up of small parcels that rarely allow for on-site parking. By contrast, most of the commercial uses on larger parcels are located along Broadway, a more auto-oriented corridor where on-site parking is more common. As a result, most of the Village’s professional and medical offices are concentrated on Broadway.

The Village has sought and received over the years a number of capital improvement grants and assistance for upgrading and enhancing the streetscape infrastructure of upper Beekman Avenue: These have included street lighting, curb improvements, benches, sidewalk improvements, and tree installations as well as assistance to local merchants for storefront and facade upgrading. Capital funding for additional off-street parking and/or off-street parking study is also critical to revitalizing the Beekman Avenue Business District.

Traffic and pedestrian improvements are slated for Broadway (Route 9) from the intersection of Pocantico Street to Pierson Avenue. These will enhance the streetscaping and the pedestrian safety in an area that is highly visited by tourists.

The Valley and Cortlandt streets have been identified as areas suitable for redevelopment.
and enhancement. While connected to Beekman Avenue and sharing some of the same economic circumstances associated with Beekman Avenue, the Valley and Cortland Street Business Districts are slightly different in that they tend to serve the retail needs of the immediate neighborhood.

Unlike Beekman Avenue, the Valley and Cortland Street Business District area has not received as much attention with respect to capital improvement grants and assistance for upgrading the streetscape infrastructure. The Village should focus additional streetscape infrastructure enhancement attention in this business district area. There has however, been some reinvestment in this business district area by local merchants in the form of redevelopment and enhancement. Such activity should be encouraged by the Village.

Retail uses are fragmented within the various commercial corridors, and the LWRP encourages the Village to find ways to fine-tune the zoning codes to better accommodate the needs of existing and new residents in terms of housing, commercial, and mixed uses. Through these updates, the Village will provide equitable options for all its residents and enhance redevelopment opportunities of the commercial corridors.

Generally, areas suited for development, redevelopment, or enhancement should consider projections of future sea level rise, as provided by the New York State Department of Environmental Conservation. New construction and substantial improvements to existing structures should consider any additive flooding effects from future sea level rise, and where human lives may be endangered by major coastal storms, all necessary emergency preparedness measures should be taken, including disaster preparedness-planning.

B. PROPOSED WATER USES

The Village of Sleepy Hollow has recognized the need to manage their near shore areas of the Hudson River and have thus integrated the Village of Sleepy Hollow Harbor Management Plan within the LWRP. A harbor management plan addresses conflict, congestion, and competition for space in the use of a community's surface waters and underwater lands and provides the opportunity to identify various alternatives for the optimum use of the waterfront and adjacent water surfaces. Section II identified the key harbor management issues concerning water use in the Village of Sleepy Hollow. These are the lack of a public boat docking and launch area, the lack of marina space and opportunities and the limited facilities for transient boaters.

The Village recognizes the need to provide improved access for marina space and facilities for transient boaters. The only marina site within Sleepy Hollow is the Philipse Manor Yacht Club, which is a private membership facility that is not well situated and oriented for serving the needs of the general boating public. There are, however, two large private marinas just to the south of Sleepy Hollow, in the Village of Tarrytown. These two marinas are described in Section II and do provide services to transient boaters. From a market demand, economic, and land and water use standpoint, the provision of marina space and uses in the Village of Sleepy Hollow would benefit not only the Village of Sleepy Hollow, but also the
The RF - Riverfront Development Zoning District provides a strong emphasis and encouragement for water-dependent commercial uses such as marinas. Thus, it is anticipated that associated with redevelopment of the properties within the RF District there could be additional marina types of uses and related small retail boat service uses.

The Village of Sleepy Hollow also intends to investigate the possibility of additional access and limited service-related opportunities for boaters and transient boaters. At Horan’s Landing, this could be achieved through providing opportunities for non-motorized boating in the beach area and exploring the potential to use the existing pier for transient boaters, through the development expansion of water dependent uses at of their Riverfront Park project Horan’s Landing Park. The Village may also consider the potential installation of a mooring field north of Kingsland Point at another location on the waterfront, as appropriate. For a more detailed description of this project see Section IV-C - Proposed Projects.

The Village has identified the following existing water-dependent uses (also see Policy 2 in Section III). These will be maintained within the waterfront area:

- Philips Manor Beach Club; and
- Kingsland Point Park and Sleepy Hollow Lighthouse as current and proposed recreational uses; and
- Recently refurbished pier by the River House.

In addition to those uses and locations identified above, the Village has identified the Village's Horan’s Landing Park site on River Street the following additional locations as those best suited for water dependent or water enhanced uses. These sites represent the best opportunities opportunity to provide marina space and facilities for transient boaters within Sleepy Hollow: The Village's Riverfront Horan’s Landing Park site on River Street. To be developed for water-dependent and water-enhanced public recreational uses. (See Section IV-C - Proposed Projects.)

Map 15 depicts the proposed water uses within the Village of Sleepy Hollow harbor management area. This map illustrates the federal Tarrytown Harbor project as a navigation channel for ingress and egress to the shores of the Villages of Sleepy Hollow and Tarrytown. The Tarrytown Harbor consists of a federally maintained channel 12 feet deep, 250 feet wide along the wharf in Tarrytown; and extends both north and south to connecting channels 12 feet deep that are 150 feet in width and provide ingress and egress for vessel traffic to access the deep water in the Hudson River. The total length of the harbor project channel is one mile. The channel is maintained by the U.S. Army Corps of Engineers. For the precise location and dimensions of the Tarrytown Harbor channel, reference should be made to Map 9 found in Section II.

Map 3 also identifies and designates the surface waters of the Hudson River with a use classification of open water/recreation. This is a continuation of the current use of the
Hudson River and reflects the importance of the Hudson River as a recreational resource within this region of the Hudson River Valley.

Proposed improvement projects affecting the harbor management area of the Village are associated with projects that are described in Section IV-C - Proposed Projects.

The Village of Sleepy Hollow has established as policy, the following order of priority for land uses on the immediate waterfront: water-dependent uses; water-enhanced uses; and non-water-dependent uses. The following uses and facilities are considered as water-dependent:

- uses which depend on the utilization of resources found in coastal waters;
- recreational activities which depend on access to coastal waters;
- structures needed for navigational purposes;
- flood and erosion protection structures;
- facilities needed to store and service boats;
- scientific/educational activities which, by their nature, require access to coastal waters;
- support facilities which are necessary for the successful functioning of permitted water-dependent uses; and
- commercial/recreational water transportation

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water-dependent uses. Water-enhanced uses include a use or activity which does not require a location adjacent to coastal waters, but whose location on the waterfront adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail, or entertainment uses (19 NYCRR 600.2(ai)) are those that may benefit economically from a waterfront location, but do not require it for their operation, and provide for public enjoyment of the waterfront. Water-enhanced uses, such as restaurants or parks often attract people to the waterfront, providing passive recreational public access opportunities for the general public. Allowing water-enhanced uses is often necessary and important in order to generate revenue to support or maintain water-dependent uses. Appropriate water-enhanced uses should be part of a mix of uses on the waterfront in the Village. Non-water related uses are not suitable for the Sleepy Hollow waterfront and the Village and other government agencies will make every effort to direct such uses to suitable inland locations.

C. PROPOSED PUBLIC AND PRIVATE PROJECTS

1. Introduction

As a result of developing their this LWRP, the Village has identified a series of small- and large- scale projects. Their locations are identified on Map 9 and/or described below. The projects seek to:
• restore and revitalize underutilized sites within the Village;
• improve existing public recreational facilities and provide additional public access to the waterfront area;
• link public sites along the waterfront and throughout the Village to neighboring communities;
• protect and improve historical and scenic resources; and
• provide a proactive and positive economic boost to the Village.

In addition to furthering the goals of the Village of Sleepy Hollow LWRP, the proposed projects also further the goals of the Hudson River Valley Greenway. The Hudson River Valley Greenway seeks to encourage compatible economic development while preserving the resources and natural beauty of the Hudson River Valley. In particular, the Village of Sleepy Hollow LWRP identifies trail linkages and access points that represent Hudson River Greenway Trail and the Hudson River Waterway Trail within Sleepy Hollow.

2. Proposed Public and Private Projects

a. Expansion of Water Dependent Uses at Horan’s Landing Park

Horan’s Landing is a park located on a 0.923-acre parcel, along the Hudson River with a grassy area and small beach. While no swimming is allowed from the beach, it does serve as a kayak and paddleboard launch. Adjacent to Horan’s Landing is a pier that was refurbished by the developer of the River House. The developer has provided an easement to the Village for public access to the pier. This pier has the potential to provide an access point for boat and ferry tours of the Hudson River.

The pier is currently being used as a launch point for workers for the Mario M. Cuomo Bridge. Once that construction is complete, the pier could be considered as a site for recreational ferries on the Hudson River and/or to attract transient boaters (e.g., dock and dine).

The beach at Horan’s Landing should continue to be a site for non-motorized uses, such as canoes, kayaks, and stand-up paddleboards. This Village is currently constructing a kayak storage facility.

In addition, Horan’s Landing is a possible location for a public marina in that it is set back from the Hudson River providing protection from wave activity. The latest U.S. Army Corps of Engineers survey indicates that there is less than 2 feet of water at the mouth of the Horan’s Landing “inlet”; and aerial photos indicate the shallow conditions persist throughout the inlet. Dredging would therefore be required to construct the marina, and periodic maintenance dredging may be necessary to keep the marina viable. The rate of sediment deposition within the inlet is difficult to ascertain at this time, as no records of previous dredging events could be found. Laboratory testing of the inlet sediments will determine whether the dredged sediments qualify for beneficial reuse at a local redevelopment site. Marina design that incorporates strategic placement of docks and wave attenuators would be critical to minimizing sediment deposition in the inlet. Additionally, the marina design could
incorporate a turbo scour system or air bubble system to keep sediments from flowing through the marina entrance.

The process to siting/constructing a marina at Horan’s Landing would require permits/approvals from New York State and the U.S. Army Corps of Engineers. The New York State Office of General Services would make a determination as to ownership of the underwater lands; after which any necessary lease agreements with the owners will be negotiated. The USACE New York District would determine the proposed marina’s compliance with Section 10, Section 401, and Section 404. The NYS Department of Environmental Conservation would determine the proposed marina’s compliance with New York State wetlands and protection of waters regulations.

Estimated Project Cost: To be determined

b. Completion of the Greenway / Riverwalk Trails and Development of Interconnections between Trails Within the Village

Sleepy Hollow has several trail networks located within its boundaries. It has an existing north-south trail with the Old Croton Aqueduct and some developed sections of the north-south Riverwalk trail along its waterfront. In addition, there are parks with existing trails such as Rockefeller State Park. The Village has an east-west trail with the Horseman’s Trail; while identified on maps, it may need to be reestablished in the field. Wherever possible, the Village should develop, maintain, and re-establish as many trail networks and interconnections as possible for both pedestrians and bicyclists. These include connections to existing trails as well as other cultural, recreational, and institutional locations throughout the Village.

The Village’s greenway/Riverwalk trail and promenade system originates at the new Riverfront Park. Horan’s Landing connects to the trail in Tarrytown at the Village’s southern border, and then proceeds (or will proceed upon completion of construction) in a northerly direction around the entire shorefront perimeter of the Edge on Hudson property to Kingsland Point Park. The Riverwalk then proceeds through Kingsland Point Park and the Philipse Manor neighborhood on Riverside Drive. In the future, it will wind its way through the Sleepy Hollow Manor neighborhood and continue through Kendal-on-Hudson connecting, with the Rockefeller State Park Rockwood Hall area. Some sections of the Riverwalk are complete, including Ichabod’s Landing and Kingsland Point Park, and other sections are planned or soon to be constructed. The Village is currently fixing recently completed repairs to sidewalks in the northern area of Sleepy Hollow for the Riverwalk portion north of Philipse Manor Station. The trail connects to Kendal-on-Hudson via a footpath at the end of Birch Close sidewalks would connect to Kendal-on-Hudson. Another section of the trail will be completed with the development of Edge-on-Hudson.

The Old Croton Aqueduct is a State owned linear park that runs from Van Cortlandt Park at the Bronx County/City of Yonkers border to the Croton Dam in Cortlandt. The Old Croton Aqueduct passes through Sleepy Hollow. However, access onto the Old Croton Aqueduct
is limited to certain areas in the Village and additional access points would be beneficial and increase its use.

Within Kingsland Point Park, the Village has proposed an easterly spur of the Riverwalk trail that would connect to Devries Park and meet up with the Horseman’s Trail which connects to the Philipsburg Manor historic restoration site along the Pocantico River and terminates at the Old Croton Aqueduct. This would provide for interconnectedness of existing trail, a specific goal of the community. As part of the overall project, the Horseman’s Trail needs better marking and will need to be reestablished in various sections.

Obviously, permission in the form of an easement or some other agreement would have to be made with any private land owners as applicable along the way in order to gain the needed public access and trail development and connections as envisioned by the Village.

As an element, this project would be an integral part of the larger proposed Hudson River Valley Greenway Trail System as described in the preceding section. Mapping of the trail systems and installation of wayfinding signage of access points would increase the use of the various trails.

Estimated Project Cost: To be determined based on the various sections and the trail design.

c. Development of the former General Motors Property (Edge on Hudson and East Parcel)

The former General Motors property is slated for redevelopment and known currently being redeveloped as the Edge-on-the-Hudson and the East Parcel-Sleepy Hollow Common. The Edge on Hudson development will provide for mixed use development on 67-acres of the site and the East Parcel-Sleepy Hollow Common will provide for recreational uses and entertainment complex as well as a new home for the Sleepy Hollow Department of Public Works on 28 acres. Edge on the Hudson will provide 1,177 residential units, townhomes, and apartments; a 140-room hotel; 135,000 square feet of retail space; and 30,000 square feet of office space. The project also includes over 16 acres of parks and extension of Riverwalk Trail into Kingsland Point Park. The first phase to be constructed covers around 24 acres and includes 306 residential units (40 affordable senior housing units, 148 rental units - of which 21 will be workforce housing - 46 condominium units, and 72 townhouse units). The development of this site and its public amenities remains paramount. While the development of the Edge on Hudson is commencing under private funding, the East Parcel will require additional funding to fulfill its vision (see Map 15). The East Parcel envisions the development of new athletic fields, amphitheater, a passive park, a new Department of Public Works building, and community center. Current estimates for full build out of the Parcel are $63 million.

Construction of an east-west bridge that connects Edge-on-Hudson to Sleepy Hollow
Common is an important component of these two developments. The bridge would span over the Metro-North tracks, providing critical access from the waterfront to the rest of the Village. It is important that access between the parcels is investigated and implemented where possible as these projects move forward. In addition, easy access from the East Parcel Sleepy Hollow Common to the rest of the Village should be an integral part of the redevelopment of the site.

Estimated Project Cost: $63 million for East Parcel

d. Redevelopment of the Current Department of Public Works Property

Another area or site that is suitable for redevelopment is the current Department of Public Works site located at 38 River Street. This approximately 2-acre parcel is near the Ichabod’s Landing and Horan’s Landing park. The parcel is located in the RF district and will be vacated by the Village once a new Department of Public Works site is developed at the East Parcel. Redevelopment of this site would be a public/private partnership initiative, and the Village intends that the redevelopment of the site would be consistent with the policies of the LWRP and take into account projected sea level rise in its design. Improvements to the current conditions to provide additional and improved sidewalks and bicyclist mobility along River Street are needed, particularly given its importance as a pedestrian corridor to the Tarrytown Train Station.

Estimated Project Cost: To be determined.

e. Broadway (U.S. Route 9) Corridor Enhancements

For a number of years this stretch of Broadway was dominated by automobile-related service businesses, such as car dealerships and gasoline service stations. Some of these properties have since been converted into office space. The Village should continue to further the conversion of properties along the Broadway corridor to uses more consistent with the commercial and tourism-based economy that has emerged throughout the years.

Major intersections along Broadway create a challenge for pedestrians, including residents walking and cycling around the Village, as well as visitors to Sleepy Hollow’s many historic and tourism attractions. Improvements to these intersections would create a safer, more welcoming environment for residents and visitors alike. Enhancements of the streetscaping would create a more pedestrian focused environment. The Sleepy Hollow Comprehensive Plan recommends potential traffic and pedestrian improvements are slated for Broadway from the intersection of Pocantico Street to Pierson Avenue. The proposed improvements will enhance the streetscaping and the pedestrian safety in an area that is highly visited by tourists. Work will include new sidewalks, crosswalks, lighting, and trees and will receive funding from the New York State Department of Transportation. Continued focus on the Broadway (Route 9 corridor) should be a long-term priority of the Village.

Gateway signage tells visitors when they are entering the Village. Signs could be placed on
Broadway at both the northern and southern entrances to the Village and along the route from the Tarrytown train station.

Estimated Project Cost: To be determined

f. Revitalization of Inner Village (Beekman Avenue, Valley and Cortlandt Streets Commercial Districts)

Commercial, office and mixed uses in Sleepy Hollow are concentrated along its four main commercial corridors. Beekman Avenue between Broadway and Kendall Avenue concentrates most of the mixed uses in one- to four-story buildings, with retail, restaurants or personal-service uses on the street level and residential uses above. While Cortlandt and Valley Streets are also mixed-use corridors, both have less continuous retail frontages, and businesses that primarily target residents of the immediately surrounding neighborhood. Beekman, Cortlandt, and Valley are largely made up of small parcels that rarely allow for on-site parking. By contrast, most of the commercial uses on larger parcels are located along Broadway, a more auto-oriented corridor where on-site parking is more common. As a result, most of the Village’s professional and medical offices are concentrated on Broadway.

An area of potential redevelopment is the parcel located on Beekman Avenue between Valley and Pocantico Streets. This parcel represents an opportunity to provide a more continuous streetfront while adding retail space that could host new commercial uses (e.g. a coffee shop). At the south end of Valley Streets, a group of small vacant parcels (formerly an auto dealership) is planned for a Salvation Army facility but represents an opportunity to provide a gateway welcoming residents and visitors coming from Tarrytown train station.

There are a number of retail vacancies within the Inner Village. The LWRP encourages the private redevelopment of key sites of the western end of Beekman Avenue as a transition area from the original business district to a new mixed commercial and residential district located on the General Motors site and new retail businesses within this area.

As detailed in Section II, Sleepy Hollow is a walkable Village, but challenging pedestrian pathways and aging downtown make it less likely that residents and visitors will walk. Implementation of streetscape and intersection improvements to promote more pedestrian activity and improve urban design would help increase the walkability of the downtown. Improvements could include sidewalk rehabilitation, and the addition of furniture, tree planting, landscaping, lighting, and bicycle infrastructure. These improvements would increase safety and accessibility, expand pedestrian access, and support beautification efforts to improve the appearance of retail areas. Increased wayfinding signs help to direct visitors to shops, restaurants, and historic sites, as well as arts and cultural resources would also help enliven the environment and pedestrian experience in and around the Inner Village.

In addition, many building facades in the downtown area are aging and upgrades would improve urban design downtown, attracting more visitors and businesses. Building facades
are an important part of the pedestrian environment and affect the experience of downtown residents, workers, shoppers, and visitors. Rehabilitation of facades or the creation of design guidelines would help improve the area.

The community has expressed concern about parking, especially in the Inner Village. The primary conflict appears to occur in the evenings, when residents are returning from work, but businesses still need access to on-street parking for shoppers, diners, and employees. Part of the challenge in the Inner Village is that many of the homes are built on small lots that provide little or no off-street parking. The Village provides permit-parking in off-street parking lots, but there is not enough signage to direct visitors to available lots and regulations can be unclear. A parking study and/or a parking management study would help identify issues and offer options and solutions to the current parking situation. In addition, the parking study could also take a look at a local shuttle to help reduce the parking demand as well.

Finally, the community has identified the need for additional gathering spaces both inside and out as well as public art installations within the Inner Village to help increase the number of residents and visitors to the Inner Village which will in turn increase the number of customers for the local businesses.

Estimated Project Cost: To be determined

Devries Park Upgrades / Railroad Bridge Overpass Reconstruction / Pocantico Shoreline Stabilization

Devries Field is a public recreation facility owned by the Village and situated just east of the Metro-North Railroad at the end of Devries Avenue. It is bounded on the east and north by the Pocantico River, which in this area is tidally influenced from the Hudson River. Opposite Devries Park to the west is Kingsland Point Park, owned by Westchester County. The Park is bounded on the south by a large, former parking lot associated with the former General Motors assembly plant. In recent years, the Village has made considerable capital improvements to Devries Park, and it is heavily used during the warm months. Amenities include two baseball fields, a picnic shelter, playground, and paddle tennis courts. An evaluation of the recreational facilities within the Park will identify areas that need improvement and potential projects.

There is a derelict pedestrian overpass that once served to provide a pedestrian crossover of the railroad right-of-way that would, if reconstructed, serve to provide access between Devries Park and Kingsland Point Park. The reconstructed pedestrian overpass would provide an important link between the Village and County parks, and would be an important connection with the future Edge on Hudson development. It would also provide a link between Riverwalk and the Horseman’s Trail. A study that would investigate the possible reestablishment of this bridge would help the Village determine if this project is feasible.
The Pocantico River runs through Devries Park. The section of the river that runs through Devries Park is a constructed watercourse, not a natural passage. The riverbanks in these areas are eroded and require stabilization.

Estimated Project Cost: To be determined

h. Peabody Preserve Outdoor Classroom Expansion/Fremont Pond Water Quality Improvements

Peabody Preserve Outdoor Classroom is owned by the Union Free School District of the Tarrytowns, having been acquired as the site of a public school that was never built. It is a large parcel of land (39 acres) that separates two residential areas, Philipse Manor and Sleepy Hollow Manor, and spans the distance between Route 9 and the Hudson River. Only the portion of the property that is adjacent to Route 9 is utilized, as a recreational field. It is used for organized soccer, community picnics, and unorganized sport activities such as golf practice by local residents. The unused areas are characterized by a reasonably intact natural ecosystem that includes marshlands that are associated with Fremont Pond and Fremont Brook. **The School District is committed to preserving these natural areas for outdoor and nature-based education.** The beginnings of a nature trail system, which could be a part of the Hudson Valley Greenway Trail system, has been built for Peabody Preserve Outdoor Classroom but additional environmental educational trails, programs, signage, and materials linking to Fremont Pond are possible and would be a benefit to the Village and the School District; these entities should conduct a study to identify possible improvements for the area. Water quality improvements are needed at Fremont Pond. This includes possible dredging. **The Village proposes to implement Green infrastructure pilot projects as a solution to help improve water quality while also educating the public.** The projects would include those outlined in the report on water quality improvement for Fremont Pond, completed in 2017 by the LRC Group, which would include aeration or pond drawdown. Potential locations could include the Peabody Preserve Outdoor Classroom and other properties surrounding the Pond that impact its water quality.

Estimated Project Cost: To be determined

i. Kingsland Point Park Upgrades and Rehabilitation

Kingsland Point Park occupies the area of Hudson River shoreline between the former General Motors (Edge-on-Hudson) property and the Philipse Manor residential subdivision. It includes the historic Sleepy Hollow Lighthouse, which occupies what was once a shoal several hundred yards from the natural shoreline and is now only a few feet from the edge of the filled land on which the former General Motors assembly plant was situated. The Lighthouse is maintained as a museum but is not actively operated as such at the present time. Kingsland Point Park is owned and operated by Westchester County, and is small by County park standards. It is not well maintained. It includes a beach, which is not maintained and is not publicly accessible, and a boat launch, which is also not maintained. The Park is primarily used as a picnic grounds by Sleepy Hollow residents as well as other County
residents. A bathhouse was recently renovated and holds classes and other events there. The Park is underutilized and could be improved significantly as a major waterfront recreational resource. The LWRP and approvals for the Edge-on-the-Hudson require the development to interface with the Park through a trailway connection. Following redevelopment, the Park will potentially provide a major riverine park resource for the Village, County, and region.

Improvements and repairs to the Lighthouse, boat launch, and eroded shoreline, would provide enhanced opportunities for visitors to the Park and casual recreational boating by the general public.

Estimated Project Cost: To be determined

j. Emergency Water Supply Upgrades and Expansion

The Village of Sleepy Hollow’s year-round primary source of water originates from the Catskill/Delaware Aqueduct downstream from the Kensico Reservoir in Valhalla, New York. The primary source from the Catskill Aqueduct has the capability of supplying a maximum capacity of 11.0 million gallons per day (MGD). This transmission main also serves as the primary source of potable water for the neighboring Villages of Tarrytown and Briarcliff Manor. The Catskill Pumping Station can supply a peak water demand of 4.0 MGD on a normal day. If there is an emergency all pumps running can produce a total of 9.9 MGD.

In addition, the Village has an emergency source of water from the New Croton Aqueduct which originates at the surface water Croton Reservoir in Yorktown, New York. The New Croton Aqueduct supply is only utilized in the event of an emergency, or an extended shut down on the Catskill Aqueduct and only with prior notification to the Westchester County Department of Health.

The Village’s water system serves a total population of 10,218 (2017 census population estimates) through 1535 service connections. The total amount of water produced in calendar year 2015 was about 457 million gallons. The daily average of water treated and pumped into the distribution system was 1.2 million gallons per day. The Sleepy Hollow Water Department maintains two storage reservoirs. One is situated on Rockefeller State Park Preserve property. This reservoir’s capacity is 800,000 gallons. The existing and reservoir is covered and protected from animal hibernation. The Village also has a new reservoir that is operational as of 2017. This site, located off Lake Road in Pocantico Hills, is an underground tank with a capacity of 1.6 million gallons.

The Village has been undertaking studies and assessments concerning its current and future drinking water supply. In 2016, the Village undertook a feasibility study on the Sleepy Hollow, Tarrytown and Briarcliff Manor water supply, pumping, and storage consolidation. Since that study additional discussions and consolidation decisions between the municipalities have taken place. The Village has identified the following needed projects for its drinking water supply:
• Direct connection to the Ultraviolet (UV) Treatment Plant to secure a secondary water source due to the Catskill aqueduct being shut down periodically over the next five year for repairs.
  o Estimated Project Cost: $1,000,000.

• Sleepy Hollow will be utilizing studied the potential to use Briarcliff’s new pump station as the main pump station and the existing Sleepy Hollow pump station will be used as a secondary pump station. To execute this plan study, new piping and upgrades are required.
  o Estimated Project Cost: $1,000,000.

k. Water Conservation by Replacing and Relining Water Lines

The Village must deal with the increasing frequency of water main lines breaking and the tendency of a weakened line system to not only lose water through seepage, but to burst when valves are closed to repair breaks. Availability of clean water is a major determinant of community health and a priority for the enhancement of residential and business quality. The Village has embarked on a long-term program of relining water mains and adding new water valves to better control the system. Over the years, the Village has undertaken water line relining and repair and will continue to need to do so in the future. The Village should consider the effects of sea level rise on its water lines and incorporate any resiliency measures to secure its infrastructure as part of any future repair. The actual work would be done by the Village's Department of Public Works employees. Relining of water mains would have to be done by outside contractors. Estimates for this work would have to be provided to determine the actual cost of relining. The Village has current relining needs of approximately $4.5 million dollars.

Estimated Project Cost: $4,500,000.

l. Stormwater Management Improvements

The Village of Sleepy Hollow is a MS4 community under the Phase II Stormwater program implemented by the Environmental Protection Agency. Stormwater runoff is transported through municipal separate storm sewer systems (MS4) and deposited into local waterways. In Sleepy Hollow that (including Fremont Pond, and the Pocantico and Hudson Rivers). The goals of the MS4 program is to decrease stormwater quantity and improve stormwater quality. The Village developed a stormwater management program to meet the goals and regulations set forth in the Phase II MS4 Stormwater program. In order to accomplish water quality and quantity best management practices and improvements, the Village will need to consistently maintain and upgrade its stormwater drainage lines, culverts, and catch basins. This also includes shoreline stabilization measures for Fremont and the Pocantico where appropriate and applicable. These upgrades and improvements will not only improve water quality but will help the habitats within these waterways. The Village should consider the effects of sea level rise on its stormwater management and incorporate any resiliency measures to secure its infrastructure as part of any future repair. Currently Washington Street
has been identified for needed stormwater improvements. The actual work would be done
by the Village’s Department of Public Works employees. Estimates for this work would have
to be provided to determine the actual cost.

Estimated Project Cost: To be determined

m. Rehabilitation of Bulkhead at Ichabod’s Landing

The bulkhead at Ichabod’s Landing is deteriorating and is in need of restoration. The Village
has various options for bulkhead restoration. Replacement/restoration options include:
replacement in kind (stacked stone wall), full-face concrete, concrete with steps carved into
the bulkhead (step-downs) to allow for better views of the Hudson River and to provide
the opportunity to get down closer to the water, rip-rap, marine gabion baskets that are stepped
down towards the water planted with native intertidal grasses, vegetated gabion mattress,
and vegetated cribbing (timber or concrete). The restoration of the bulkhead at Ichabod’s
Landing would require permits/approvals from New York State and the U.S. Army Corps of
Engineers. The USACE New York District would determine the proposed marina’s
compliance with Section 10, Section 401, and Section 404. The NYS DEC would determine
the proposed marina’s compliance with New York State wetlands and protection of waters
regulations.

Estimated Project Cost: To be determined

n. Transient Boating and Mooring Field Investigation

To draw more visitors to Sleepy Hollow, the Village could create a mooring field for
transient boats north of Kingsland Point. The mooring field would hold greater appeal to
transient boaters if there is a launch service provided to transport boaters from the mooring
field to Village waterfront restaurants, attractions, and businesses. The launch service can be
publicly or privately owned and operated.

The Village would undertake a survey to determine the seasonal demand for transient boats
to determine the size of the mooring field (underwater land acreage). The survey would
address the frequency of use by transient boaters, length of transient boats, and key
attractions the boaters will want to see while in the Village of Sleepy Hollow. If determined
that demand would support installation of the mooring field, funding would be used for its
installation.

Once a decision is reached on the size of the mooring field, the process to siting/constructing
a mooring field north of Kingsland Point would require permits/approvals from New York
State and the U.S. Army Corps of Engineers. The New York State Office of General Services
would make a determination as to ownership of the underwater lands; after which any
necessary lease agreements with the owners would be negotiated. The USACE New York
District would determine the proposed marina’s compliance with Section 10, Section 401, and Section 404. The NYS Department of Environmental Conservation would
determine the proposed marina mooring field’s compliance with New York State wetlands and protection of waters regulations. The New York State Department of State would determine the proposed marina mooring field’s consistency with a NYSDOS approved LWRP.

Estimated Project Cost: To be determined
Section V

Techniques For Local Implementation Of The Program
V. TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

This section describes the Village techniques and management structure for implementation of the Village of Sleepy Hollow LWRP. It describes the land use controls that have been enacted by the Village to implement the policies and projects of the LWRP, and describes the means for long-term management of Sleepy Hollow's LWRP. It specifies the authority of the Village to implement the LWRP and presents the organizational strategy that the Village will follow to implement the LWRP's policies and projects.

A. LOCAL LAWS AND REGULATIONS IMPLEMENTING THE VILLAGE'S LOCAL WATERFRONT REVITALIZATION PROGRAM

1. Introduction

One of the primary means of implementing the Sleepy Hollow LWRP is through local laws and regulations concerning land use. The balance between development/redevelopment and resource protection that is apparent in the LWRP policies and the proposed land uses of the LWRP has been achieved through the application and amendment of many of the Village's existing laws and regulations.

2. Village of Sleepy Hollow Comprehensive Plan, Local Laws and Regulations

   a. Comprehensive Plan

   The Village of Sleepy Hollow Comprehensive plan was developed in 2019. The Plan incorporates the entire Village of Sleepy Hollow and identifies existing conditions and trends; action areas; recommendations; and implementation strategies and plan. Areas of focus include economic resources; housing and neighborhoods; land use and zoning; connectivity; parks and open space; natural environmental; sustainability; community resources; municipal services; and governance, communication, and transparency.

   b. Zoning Regulations and Site Plan Review

   The zoning regulations for the Village of Sleepy Hollow were initially adopted in September 8, 1964 and amended last in 2013. The Zoning Regulations establish use districts and regulates the uses within these districts. The Zoning Regulations establish setback and density requirements, regulate the bulk and arrangement of buildings, the area of lots covered, the open spaces to be preserved, provision of off-street parking, access, drainage, accessory uses, fences and walls, signs, lighting, screening and landscaping, swimming pools, and other similar issues normally regulated within zoning regulations.

   In addition, the Village's Zoning Regulations contain within them Site Plan Review provisions. These regulations require site plan review and approval for: (1) the construction of all new buildings, homes, and detached garages built next to an existing dwelling, exceeding 250 square feet of space; (2) any change of use from residential to non-residential; and (3) all proposed subdivisions of land, with the exception of lot line adjustments three...
feet or less; and (4) Any change which would result in a change of the contour of the lot greater than 10% or result in a change in the slope of the lot greater than 10%.

Prior to adoption of the Village's LWRP, the Village's Zoning Regulations divided the Village of Sleepy Hollow into the following zoning districts:

- **R-1** One-Family Residence, Open
- **R-2** One-Family Residence, Low Density
- **R-2A** One-Family Residence, Low Density
- **R-3** One-Family Residence, Medium Density
- **R-4** One- and Two-Family Residence
- **R-5** Multiple Residence, Medium Density
- **R-6** Multiple Residence, High Density
- **H** Hospital
- **C-1** Highway Commercial
- **C-2** General Commercial
- **CEM** Cemetery Area
- **P** Parks
- **PP** Public Parking Area
- **RF** Riverfront Development District
- **SRF** Southern Riverfront Development Overlay District

Overlay Districts

The boundaries of these zoning districts are identified on the Village's Zoning Map, Map 5.

c. **Subdivision Regulations** Chapter 425

The Village also has Subdivision Regulations that were adopted in 1965. The regulations require the submission of proposed subdivisions to the Village Planning Board for review and approval. They include standards for street layout, lot configuration, drainage improvements, provision of open space and recreation land or improvements, and the preservation of natural features.

d. **Flood Damage Prevention Law** Chapter 220

This law requires permits for construction within flood hazard areas identified by the Federal Emergency Management Agency. With such a law in place, property owners are eligible for purchase of subsidized flood damage insurance that would not otherwise be available. Projects within the flood hazard area are reviewed to ensure that hazards from flooding are minimized through appropriate standards concerning construction techniques and materials, siting, and protection and maintenance of drainage areas. The law also requires subdivision proposals to be consistent with the need to minimize flood damage. The law is administered by the Village Building Inspector. Appeals may be made to the Village Planning Board.

e. **Wetland/Watercourse Protection Law** Chapter 418
This law was adopted in 1990. It is very comprehensive in its application of protection to wetlands and watercourses within the Village. The law states that "[i]t is the intent of the Village of Sleepy Hollow that activities in and around wetland/watercourse complexes conform to all applicable building codes, sediment control regulations and other regulations and that such activities not threaten public safety or the natural environment or cause nuisances by:

A. Impeding flood flows, reducing flood storage areas or destroying storm barriers, thereby resulting in increased flood heights, frequencies, or velocities on other lands.

B. Increasing water pollution through location of domestic waste disposal systems in wet soils; inappropriate siting of stormwater control facilities; unauthorized application of fertilizers, pesticides, herbicides and algicides; disposal of solid wastes at inappropriate sites; creation of unstabilized fills; or the destruction of wetland soils and vegetation serving pollution and sediment control functions.

C. Increasing erosion.

D. Decreasing breeding, nesting, and feeding areas for many species of waterfowl and shorebirds, including those rare and endangered.

E. Interfering with the exchange of nutrients needed by fish and other forms of wildlife.

F. Decreasing habitat for fish and other forms of wildlife.

G. Adversely altering the recharge or discharge functions of wetlands and watercourses, thereby impacting groundwater or surface water supplies.

H. Significantly altering the wetland/watercourse hydroperiod and thereby causing either short- or long-term changes in vegetational composition, soils characteristics, nutrient recycling, or water chemistry.

I. Destroying sites needed for education and scientific research, such as outdoor biophysical laboratories, living classrooms and training areas.

J. Interfering with public rights in navigable waters and the recreation opportunities provided by wetlands/watercourses for fishing, boating, hiking, birdwatching, photography, camping, and other passive uses.

K. Destroying or damaging aesthetic and property values, including significant public viewsheds."

The law has a very comprehensive list of regulated activities for which a permit from the Planning Board is required. Because of the comprehensive nature of this law, it implements many of the natural resource protection policies of the Village's LWRP.
The Village adopted its stormwater management law in 2005. Its purpose is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction. This chapter along with the stormwater control regulations included in the Zoning Chapter achieve the following objectives:

a. Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02, or as amended or revised;

b. Require land development activities to conform to the substantive requirements of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-02-01, or as amended or revised;

c. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion and maintain the integrity of stream channels;

d. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;

e. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable;

f. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety; and

g. Encourage the use of green infrastructure practices to control stormwater runoff such as protecting natural areas, reducing impervious cover, and runoff reduction techniques to the maximum extent practicable.

The law has a very comprehensive list of regulated activities for which a permit from the Village is required. Because of the comprehensive nature of this law with regards to stormwater and erosion and sediment control, it implements many of the natural resource protection policies of the Village's LWRP.

g. Architectural Review Board Law

The Village adopted its Architectural Review Board Law in 2013. As stated in the law, it is the purpose of the Jaw to prevent "excessive uniformity, dissimilarity, inappropriateness or poor quality of design in the exterior appearance of buildings erected in any neighborhood"
or other structures erected, reconstructed, or altered in any area of the Village [that] adversely affects the desirability of the immediate area and the neighboring area within the community for residential, business or other purposes and by so doing impairs the benefits of occupancy property in such areas; impairs the stability and value of both improved and unimproved real property in such areas; prevents the most appropriate development and use of such areas; contributes to the degeneration of property in such areas, with attendant deterioration of or use of property in such unimproved real property in such areas, prevents the most appropriate development of such areas, produces degenerative conditions affecting the health, safety, comfort and general welfare of the inhabitants of the community, and destroys a proper relationship between the taxable values of real property in the areas and the cost of municipal services provided therefor."

The law requires review by this Board for every building permit application for construction of a new building or for exterior improvements or alterations to an existing building, and site plan approval is not required, with the exception of building permits for construction, improvement, or alteration of single-family and two-family residences, review and approval by the Board of Architectural Review shall be required.

h. Waterfront Consistency Law Chapter 414

Waterfront Consistency Review Law Actions to be directly undertaken, funded, or permitted within the Village of Sleepy Hollow’s coastal area must be consistent with the policies set forth in the Village’s LWRP. Sleepy Hollow’s Waterfront Consistency Review Law provides the framework for the Village to consider policies and purposes contained in the LWRP when reviewing its actions, and to assure that such actions are consistent with the intent of the LWRP (see Appendix A for the Consistency Law).

i. Westchester County Hudson River and Tarrytown Lakes and Immediate Drainage Area Critical Environmental Areas

In 1989 the Westchester County Board Legislature adopted local law number 16-1989 that established a number of Critical Environmental Areas throughout the County pursuant to 6 NYCRR § 617.4(h) of the SEQRA regulations. Within the Village of Sleepy Hollow there are two areas that have been designated as Critical Environmental Areas: (1) the Hudson River Critical Environmental Area; and (2) the Tarrytown Lakes and Immediate Drainage Area Critical Environmental Area.

The Hudson River CEA within Sleepy Hollow encompasses all lands and water west of Route 9 to the center of the Hudson River. The Tarrytown Lakes and Immediate Drainage Area CEA encompasses a small triangular area in the very southeast corner of the Village (Kykuit Hill). The significance of this designation by Westchester County is that all actions undertaken within these areas are defined as Type I actions by SEQRA and thus the likelihood that environmental impact statements will have to be prepared for such actions is increased.

While this is not a Village of Sleepy Hollow law, it does impact upon actions that take place in certain portions of the Village and provides greater environmental scrutiny for projects
that are proposed within these areas. Thus, this County law will aid in implementing certain policies of the Village's LWRP.

B. OTHER ACTIONS TO IMPLEMENT THE LOCAL WATERFRONT REVITALIZATION PROGRAM

In addition to the local laws and regulations identified above, a number of other public and private actions will be necessary to implement the Village's LWRP.

1. Proposed Projects

The Village has identified a number of improvement projects designed to address and implement many of the LWRP Policies outlined in Section m. These projects are discussed in detail in Section IV. The projects seek to:

- restore and revitalize underutilized waterfront areas;
- improve existing public recreational facilities and provide additional public access and recreational opportunities to the waterfront and other areas of the Village;
- link public sites and trailways along the waterfront and throughout the Village;
- upgrade and maintain vital utilities and infrastructure; and
- protect and improve historical and natural resources.

In implementing these projects, the Village should seek to develop a full range of public/private partnerships. Actions necessary to implement these projects are discussed in Section IV.

2. Village of Sleepy Hollow Harbor Management Plan

The Village of Sleepy Hollow has identified the need to manage the use of its coastal waters through the implementation of the Village of Sleepy Hollow Harbor Management Plan. This plan is integrated within the LWRP. It addresses conflict, congestion and competition for space in the use of Sleepy Hollow's surface waters and underwater land. The key harbor management issues identified in Section II are the lack of a public boat docking and launch area, the lack of marina space and opportunities and the limited facilities for transient boaters. Many of these issues are to be addressed through the implementation of the proposed projects discussed in Section IV. In addition, the Village will examine and consider the desirability of enacting a local law to extend Village authority to regulate structures and other activities in the Hudson River, pursuant to authority given to the Village in Article 42 of the NYS Executive Law.

3. Hudson River Valley Greenway

The Village of Sleepy Hollow LWRP, through its policies and proposed projects, furthers the goals of the Hudson River Valley Greenway Communities Council and the Greenway
Heritage Conservancy for the Hudson River Valley. The Hudson River Valley Greenway encourages compatible economic development while preserving the resources and natural beauty of the Hudson River Valley, one of the main objectives of the Village's LWRP. As such, the Village of Sleepy Hollow has identified the Hudson River Valley Greenway Communities Council and the Greenway Heritage Conservancy for the Hudson River Valley as important partners in the implementation of the Village's LWRP.

The Village has incorporated the five basic criteria identified as the basis for attaining the goal of a Hudson River Valley Greenway within the policies, proposed land use, and proposed projects outlined in the Sleepy Hollow LWRP. These criteria are natural and cultural resource protection, regional planning, economic development, public access, and heritage environmental education.

This means that the Village of Sleepy Hollow LWRP should be acceptable as the Village of Sleepy Hollow's local greenway plan, allowing the designation of the Village of Sleepy Hollow as a participating "Greenway Community." The Village of Sleepy Hollow LWRP should form the basis of the community's planning input into the sub-regional and Greenway Compact planning process.

One of the main objectives of the Hudson River Valley Greenway is to promote public access to the Hudson River, with a goal being the creation of a trail from Troy to Manhattan along the Hudson River. The Village of Sleepy Hollow will work with the Trail Coordinator of the Greenway Conservancy for the Hudson River Valley to develop further the access projects contained in the Village of Sleepy Hollow LWRP and to ensure their inclusion as part of the designated Hudson River Greenway Trail system and the Hudson River Waterway Trail.

C. MANAGEMENT STRUCTURE TO IMPLEMENT THE LOCAL WATERFRONT REVITALIZATION PROGRAM

All State and Federal actions proposed within the Village of Sleepy Hollow Local Waterfront Revitalizations Area will be reviewed in accordance with the guidelines established by the New York State Department of State. The Procedural Guidelines include Coordinating NYSDOS and LWRP Consistency Review of Federal Agency Actions, Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs.

It is the intention of the Village of Sleepy Hollow that the revitalization of the Village take place in a coordinated and comprehensive manner that ensures a proper balance between the protection of natural resources and the need for economic development and revitalization. Various local officials and boards are responsible for management and coordination of the LWRP and are directly involved in ensuring that consistency reviews are completed for action and projects requiring review.

In order to provide a LWRP focus within the community, the Village has enacted a Local Consistency Review Law and a Waterfront Advisory Committee Local Law that provide for
establishment of an advisory committee and a process for the review of actions within the Village for consistency with the LWRP. The procedures for review are identified in the Local Consistency Review Law.

The Waterfront Advisory Committee will assist in interpreting the LWRP to the Village Board, the Planning Board, the Architectural Review Board, Zoning Board of Appeals, and any and all other Village agencies, officers, offices, personnel, and the general public, and will also be responsible for coordinating and/or overseeing implementation of projects identified in Section IV of the LWRP. The main role of the Waterfront Advisory Committee will be to advise the Village Board of Trustees and Mayor, Planning Board, and Architectural Review Board on the consistency of proposed actions in the Village with the policies of the Village's LWRP. The recommendation of consistency by the Waterfront Advisory Committee will be an important element in the decision by the Lead Agency relating to both the determination of consistency and the eventual approval, disapproval, or modification of the project proposal.

The purpose of the LWRP Consistency Review Law is to provide a framework for agencies of the Village to consider the policies, purposes, and common interests contained in the Village's LWRP when reviewing applications for actions or direct Village agency actions and to assure that such actions are consistent with those policies and purposes. The procedures for consistency review are intended to ensure that all of the policies of the Village's LWRP are considered as early as possible in the formulation of a proposed action. Timing for review by the Waterfront Advisory Committee is established so as to avoid delays in the permitting process.

1. Assignment of Specific Responsibilities

   The complexity and far-reaching nature of the Local Waterfront Revitalization Program will result in the involvement of several agencies, boards, and individual officials. Therefore, effective coordination of the Local Waterfront Revitalization Program requires that, in addition to designating a lead agency and official, specific responsibilities be identified and assigned wherever possible.

   This type of action will eliminate confusion and duplication of effort and will also establish accountability among various participants in the management process. A summary of functional assignments follows:

   a. Village Board of Trustees

   By virtue of its legislative authority, the Village Board exercises ultimate control over all other agencies described in this section.

   The Village Board, therefore, has ultimate responsibility for the implementation of the Local Waterfront Revitalization Program. This responsibility is exercised through the other Village agencies listed in this section in the manner described. The Village Board provides policy development and funding of municipal agencies, programs, and services. The Village Board also has the ability to adopt and amend legislation.
b. Mayor

The Mayor's relationship with the Village Board is one in which he/she must seek their approval in the form of funds and/or legislation for major projects within the Village's Coastal Area (entire Village) and other Local Waterfront Revitalization Program-related initiatives.

The Mayor, on the other hand, exercises immediate and direct control over the various offices and departments of the Village. The Mayor also exercises indirect control or influence over certain other Village boards and committees by appointing the members of those entities.

As the City's chief elected official, the Mayor is responsible for overseeing the administration of all municipal laws, regulations, and programs. The Local Waterfront Revitalization Program will fall within this mandated responsibility.

In his/her capacity as the Village's Chief Executive, the Mayor is in the position to exercise considerable leadership in guiding the implementation of both the spirit and the letter of the Local Waterfront Revitalization Program.

c. Village Planning Board

The Planning Board, from time to time, hears presentations by or receives comments from the other Village departments and commissions listed in this section.

Since the Planning Board already deals with permits, development plans, variances, and public facilities, review of items pertaining to the LWRP will frequently require that the Board take additional factors which pertain to the LWRP into consideration, utilizing special guidelines outlined in the Local Waterfront Revitalization Program. Under the Waterfront Consistency Review Law the Planning Board is granted empowered to make consistency determination when matters within the LWRP area are before the Board.

Planning Board actions are open to review by the Village Board. All Board actions are communicated to both the Village Board and the Mayor.

d. LWRP Waterfront Advisory Committee

The LWRP Waterfront Advisory Committee has general oversight responsibilities for the LWRP's management and implementation. Because of the nature of the LWRP, the Committee's areas of concern may overlap those of the other agencies listed in this section.

The LWRP Waterfront Advisory Committee will also function as the Village agency that makes recommendations for consistency of actions with the Village's LWRP as prescribed by the Village's proposed Waterfront Consistency Review Law.

The LWRP Waterfront Advisory Committee's concern and support will be reflected primarily in the form of comments on proposed Local Waterfront Revitalization Program
actions and cooperation with other agencies in the implementation of certain of those actions, and the initiation of projects which are directly or indirectly mentioned in the Local Waterfront Revitalization Program or will benefit it.

e. Environmental Advisory Committee (EAC)

The Environmental Advisory Committee acts as an advisory resource to the LWRP Waterfront Advisory Committee on conservation-related matters and will also receive comments from that committee and other agencies listed in this section.

With respect to the Local Waterfront Revitalization Program, the EAC will function as additional protective entities and advocates for the Village's LWRP.

f. Architectural Review Board

The Architectural Review Board has been given, as part of the LWRP, the authority and responsibilities associated with review and approval of actions involving historic resources within the Village.

2. Procedures to Ensure Local Compliance

Local Waterfront Revitalization Program compliance procedures are distinct but integrally tied to the State Environmental Quality Review procedures. The LWRP Waterfront Advisory Committee is separate from the lead agency designated for the purposes of the SEQRA in that the LWRP Waterfront Advisory Committee only makes recommendations as to an action's consistency with the Local Waterfront Revitalization Program.

All Village agencies contemplating a direct action within the coastal area or receiving an application for approval (in the form of a permit, license, etc.) of an action by others shall follow review and certification procedures set forth in the Village's Waterfront Consistency Review Law and SEQRA.

a. Notification

These procedures call for the submittal of a completed Coastal Assessment Form (CAF) to the Waterfront Advisory Committee.

b. Review

The LWRP Waterfront Advisory Committee will review all CAFs related to development in the coastal area to determine if proposed actions are consistent to the maximum extent practicable with policies and provisions contained in the Village's approved Local Waterfront Revitalization Program.

Based on this review, the LWRP Waterfront Advisory Committee shall make a determination of consistency with the LWRP. Copies of this determination will be submitted to the lead agency, the Planning Board, and other interested agencies.
c. Certification

A Determination of Consistency will be issued by the lead agency within the time period allowed by the Waterfront Consistency Review Law.

d. Action

Contemplated actions may not be taken or approved by Village agencies until the procedures outlined above and described in detail in the Waterfront Consistency Review Law are followed in their entirety.

2. Procedures for Reviewing State and Federal Actions

Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are In Effect

a. Purposes of Guidelines

(1) The Waterfront Revitalization of Coastal Resources and Inland Waterways Act (Article 42 of the Executive Law) and the Department of State's regulations (19 NYCRR Part 600) require certain State agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of approved Local Waterfront Revitalization Programs (LWRPs). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.

(2) The Act also requires that state agencies provide timely notice to the situs local government whenever an identified action will occur within an area covered by an approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist local governments in carrying out their review responsibilities in a timely manner.

(3) The Secretary of State is required by the Act to confer with state agencies and local governments when notified by a local government that a proposed state agency action may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

b. Definitions

Action means:

(1) A "Type 1" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQRA);

(2) Occurring within the boundaries of an approved LWRP; and

(3) Being taken pursuant to a state agency program or activity which has been
identified by the Secretary of State as likely to affect the policies and purposes of the LWRP.

**Consistent to the maximum extent practicable** means that an action will not substantially hinder the achievement of any of the policies and purposes of an approved LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of an approved LWRP, then the action must be one:

1. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
2. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable;
3. That will result in an overriding regional or statewide public benefit; and
4. That will advance one or more of the other coastal policies.

**Local Waterfront Revitalization Program** or LWRP means a program prepared and adopted by a local government and approved by the Secretary of State pursuant to Executive Law, Article 42; which program contains policies on the management of land, water, and man-made resources, proposed land uses and specific projects that are essential to program implementation.

c. **Notification Procedure**

1. When a state agency is considering an action described in (b) above, the state agency shall notify the affected local government.
2. Notification of a proposed action by a state agency shall fully describe the nature and location of the action; shall be accomplished by use of either the State Clearinghouse, other existing state agency notification procedures, or through any alternative procedure agreed upon by the state agency and local government; and should be provided to the local official identified in the LWRP of the situs local government as early in the planning stages as possible, but in any event at least 30 days prior to the agency's decision on the action. (The timely filing of a copy of a completed Coastal Assessment Form with the local LWRP official should be considered adequate notification of a proposed action.)
3. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the chief executive officer can serve as the state agency's notification to the situs local government.

d. **Local Government Review Procedure**

1. Upon receipt of notification from a state agency, the situs local government will be responsible for evaluating a proposed action against the policies and purposes
of its approved LWRP. Upon request of the local official identified in the LWRP, the state agency should promptly provide the situs local government with whatever additional information is available which will assist the situs local government to evaluate the proposed action.

(2) If the situs local government cannot identify any conflicts between the proposed action and the applicable policies and purposes of its approved LWRP, it should inform the state agency in writing of its finding. Upon receipt of the local government's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

(3) If the situs local government does not notify the state agency in writing of its finding within the established review period, the state agency may then presume that the proposed action does not conflict with the policies and purposes of the municipality's approved LWRP.

(4) If the situs local government notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of its approved LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in (e) below shall apply. The local government shall forward a copy of the identified conflicts to the Secretary of State at the time when the state agency is notified. In notifying the state agency, the local government shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

e. Resolution of Conflicts
The following procedure applies whenever a local government has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP.

(1) Upon receipt of notification from a local government that a proposed action conflicts with its approved LWRP, the state agency should contact the local LWRP official to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and local government representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the local government.

(2) If the discussion between the situs local government and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the situs local government shall notify the state agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. The State agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

(3) If the consultation between the situs local government and the state agency does not lead to the resolution of the identified conflicts, either party may request, in
writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary within 15 days following the discussion between the situs local government and the state agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party.

(4) Within 30 days following the receipt of a request for assistance, the Secretary or a Department of State official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the state agency and situs local government.

(5) If agreement among all parties cannot be reached during this discussion, the Secretary shall, within fifteen days, notify both parties of his/her findings and recommendations.

(6) The state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

Procedural Guidelines for Coordinating New York State Department of State and Local Waterfront Revitalization Program. Consistency Review of Federal Agency Actions

a. Direct Actions

(1) After acknowledging the receipt of a consistency determination and supporting documentation from a federal agency, DOS will forward copies of the determination and other descriptive information on the proposed direct action to the local coordinator of an approved LWRP and to other interested parties.

(2) This notification will indicate the date by which all comments and recommendations must be submitted to DOS and will identify the Department's principal reviewer for the proposed action.

The review period will be about twenty-five (25) days. If comments and recommendations are not received by the date indicated in the notification, DOS will presume that the municipality has "no opinion" on the consistency of the proposed direct federal agency action with the LWRP policies.

(4) If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality, DOS will contact the municipality to discuss any differences of opinion or questions prior to agreeing or disagreeing with the federal agency's consistency determination on the proposed direct action.

(5) A copy of DOS' "agreement" or "disagreement" letter to the federal
agency will be forwarded to the local program coordinator.

b. Permit and License Actions

(1) DOS will acknowledge the receipt of an applicant's consistency certification and application materials. At that time, DOS will forward a copy of the submitted documentation to the program coordinator and will identify the Department's principal reviewer for the proposed action.

(2) Within thirty (30) days of receiving such information, the program coordinator will contact the principal reviewer for DOS to discuss

(a) the need to request additional information for review purposes; and

(b) any possible problems pertaining to the consistency of a proposed action with the LWRP policies.

(3) When DOS and the program coordinator agree that additional information is necessary, DOS will request the applicant to provide the information. A copy of this information will be provided to the program coordinator upon receipt.

(4) Within thirty (30) days of receiving the requested information or discussing possible problems of a proposed action with the principal reviewer for DOS, whichever is later, the program coordinator will notify DOS of the reason why a proposed action may be inconsistent or consistent with the LWRP policies.

(5) After that notification, the program coordinator will submit the municipality's written comments and recommendations on a proposed permit action to DOS before or at the conclusion of the official public comment period. If such comments and recommendations are not forwarded to DOS by the end of the public comment period, DOS will presume that the municipality has no opinion on the consistency of the proposed action with the LWRP policies.

(6) If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality on a proposed permit action, DOS will contact the program coordinator to discuss any differences of opinion prior to issuing a letter of "concurrence" or "objection" to the applicant.

(7) A copy of the DOS' "concurrence" or "objection" letter to the applicant will be forwarded to the program coordinator.

c. Financial Assistance Actions

(1) Upon receiving notification of a proposed federal financial assistance action,
DOS will request information on the action from the applicant for consistency review purposes. As appropriate, DOS will also request the applicant to provide a copy of the application documentation to the program coordinator. A copy of this letter will be forwarded to the coordinator and will serve as notification that the proposed action may be subject to review.

(2) DOS will acknowledge the receipt of the requested information and provide a copy of this acknowledgement to the program coordinator. DOS may, at this time, request the applicant to submit additional information for review purposes.

(3) The review period will conclude thirty (30) days after the date on DOS' letter of acknowledgement or the receipt of requested additional information, whichever is later. The review period may be extended for major financial assistance actions.

(4) The program coordinator must submit the municipality's comments and recommendations on the proposed action to DOS within twenty days (or other time agreed to by DOS and the program coordinator) from the start of the review period. If comments and recommendations are not received within this period, DOS will presume that the municipality has "no opinion" on the consistency of the proposed financial assistance action with the LWRP policies.

(5) If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality, DOS will contact the program coordinator to discuss any differences of opinion or questions prior to notifying the applicant of DOS' consistency decision.

(6) A copy of DOS' consistency decision letter to the applicant will be forwarded to the program coordinator.

D. FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

There are two main funding implications associated with implementation of the Village’s LWRP. These are the administrative costs involved in the continued local management of the LWRP and the capital and revenue costs involved in project implementation.

Management costs associated with the administration of the LWRP can be absorbed within the regular budget of the Village and financed out of general revenues. This involves creating a separate budget item for the administration of the LWRP by the Waterfront Advisory Committee to cover the costs of consistency reviews, production of an annual report, and general administrative and clerical needs.

The second funding implication is the capital and revenue costs involved in project implementation. The Village of Sleepy Hollow has identified a number of LWRP projects designed to address and implement many of the LWRP Policies identified in Section III.
These projects are discussed in detail in Section IV.

Although the Village will need to take the lead in achieving the implementation of these projects, it is unlikely that the Village will be able to provide the necessary financial resources to implement any of these projects without seeking financial assistance from other entities or as part of a public/private partnership.

Possible sources of funding include, but are certainly not limited to, the Hudson River Valley Greenway Heritage Conservancy, the NYS Environmental Protection Fund, New York State Department of State, the NYS Clean Water/Clean Air Bond Act, the ISTEA Transportation Enhancement Program and Hazardous Rail Crossing Program, the New York State Council on the Arts, New York State Empire Development Corporation, the Hudson River Improvement Fund, with local matches from the Village in the form of money and/or in-kind services. Local sponsorship of projects should be sought from the local business community. The Village will work closely with the New York State Department of State, Division of Coastal Resources and Waterfront Revitalization to identify possible funding sources.

A key element in the building of successful implementation partnerships is the availability of a local match from the Village. This match is essential in leveraging public or private sector money. The local match generally can take a number of forms, including funding by the Village, the provision of materials or Village public works labor, and the use of volunteers and staff time to provide a monetary equivalent. It is also advantageous to try to link LWRP project implementation to other capital improvement work that is going on within the Village, such as a development proposal or public water supply project, stretching the benefits of limited public funds and achieving multiple objectives. In terms of providing a monetary match, the Village Board should consider setting up a budget item that would dedicate funds for the implementation of LWRP projects. This item could be used to fund small scale projects or parts of projects.
Section VI

State and Federal Actions and Programs Likely to Affect Implementation
VI. STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

State and Federal actions will affect and be affected by implementation of the LWRP. Under State law and the U.S. Coastal Zone Management Act, certain State and Federal actions within or affecting the local waterfront revitalization area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State and Federal agencies is also likely to be necessary to implement specific provisions of the Sleepy Hollow LWRP.

The first part of this section identifies the actions and programs of State agencies which should be undertaken in a manner consistent with the LWRP. This is a somewhat generic list of actions and programs, as that have been identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to the Sleepy Hollow LWRP. Pursuant to the State Waterfront Revitalization and Coastal Resources and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs that are to be undertaken in a manner consistent with approved LWRPs. The following list of State actions and programs is that list.

Similarly, Federal activities subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations in 15 CFR Part 930. The lists of State and Federal actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State and Federal consistency requirements may be obtained from the NYS Department of State.

The third part of this section is a more focused and descriptive list of State and Federal agency actions which are necessary to further implementation of the Sleepy Hollow LWRP. It is recognized that a State or Federal agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements cannot be used to require a State or Federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State and Federal assistance needed to implement the LWRP.
IV.1 State Actions and Programs Which Should be Undertaken in a Manner Consistent with the Sleepy Hollow Local Waterfront Revitalization Program

OFFICE FOR THE AGING

1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

1.00 Agricultural Districts Program
2.00 Rural Development Program
3.00 Farm Worker Services Programs
4.00 Permit and approval programs:
   4.01 Custom Slaughters/Processor Permit
   4.02 Processing Plant License
   4.03 Refrigerated Warehouse and/or Locker Plant License

5.00 Farmland Protection Implementation Grant
6.00 Agricultural Nonpoint Source Abatement and Control Program

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

1.00 Permit and Approval Programs:
   1.01 Ball Park - Stadium license
   1.02 Bottle Club License
   1.03 Bottling Permits
   1.04 Brewer's licenses and Permits
   1.05 Brewer's Retail Beer license
   1.06 Catering Establishment Liquor License
   1.07 Cider Producer's and Wholesaler's licenses
   1.08 Club Beer, Liquor, and Wine licenses
   1.09 Distiller's Licenses
   1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
   1.11 Farm Winery and Winery Licenses
   1.12 Hotel Beer, Wine, and liquor Licenses
   1.13 Industrial Alcohol Manufacturer's Permits
   1.14 Liquor Store License
   1.15 On-Premises Liquor Licenses
   1.16 Plenary Permit (Miscellaneous-Annual)
   1.17 Summer Beer and Liquor Licenses
   1.18 Tavern/Restaurant and Restaurant Wine Licenses
DIVISION OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

   2.01 Certificate of approval (Substance Abuse Services Program)

3.00 Permit and approval:

   3.01 Letter Approval for Certificate of Need
   3.02 Operating Certificate (Alcoholism Facility)
   3.03 Operating Certificate (Community Residence)
   3.04 Operating Certificate (Outpatient Facility)
   3.05 Operating Certificate (Sobering Up Station)

COUNCIL ON THE ARTS

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Architecture and environmental arts program.

OFFICE OF CHILDREN AND FAMILY SERVICES

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Homeless Housing and Assistance Program.

3.00 Permit and approval programs:

   3.01 Certificate of Incorporation (Adult Residential Care Facilities)
   3.02 Operating Certificate (Children's Services)
   3.03 Operating Certificate (Enriched Housing Program)
   3.04 Operating Certificate (Home for Adults)
   3.05 Operating Certificate (Proprietary Home)
   3.06 Operating Certificate (Public Home)
   3.07 Operating Certificate (Special Care Home)
   3.08 Permit to Operate a Day Care Center
DEPARTMENT OF CORRECTS AND COMMUNITY SUPERVISION

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

1.00 Financing of higher education and health care facilities.

2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.

2.00 Permit and approval programs:
   2.01 Certification of Incorporation (Regents Charter)
   2.02 Private Business School Registration
   2.03 Private School License
   2.04 Registered Manufacturer of Drugs and/or Devices
   2.05 Registered Pharmacy Certificate
   2.06 Registered Wholesale of Drugs and/or Devices
   2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
   2.08 Storekeeper's Certificate

OFFICE OF EMERGENCY MANAGEMENT

- hazard identification,
- loss prevention, planning, training, operational response to emergencies,
- technical support, and disaster recovery assistance.

EMPIRE STATE DEVELOPMENT/ EMPIRE STATE DEVELOPMENT CORPORATION

1.00 Preparation or revision of statewide or specific plans to address State economic development needs.

2.00 Allocation of the state tax-free bonding reserve.
NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

2.00 New Construction Program – provide assistance to incorporate energy-efficiency measures into the design, construction and operation of new and substantially renovated buildings.

3.00 Existing Facilities Program – offers incentives for a variety of energy projects

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.

2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.

3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

4.00 Financial assistance/grant programs:

   4.01 Capital projects for limiting air pollution
   4.02 Cleanup of toxic waste dumps
   4.03 Flood control, beach erosion and other water resource projects
   4.04 Operating aid to municipal wastewater treatment facilities
   4.05 Resource recovery and solid waste management capital projects
   4.06 Wastewater treatment facilities

6.00 Implementation of the Environmental Quality Bond Act of 1972, including:

   (a) Water Quality Improvement Projects
   (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.

7.00 Marine Finfish and Shellfish Programs.

9.00 Permit and approval programs:

Air Resources

9.01 Certificate of Approval for Air Pollution Episode Action Plan
9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
9.04 Permit for Burial of Radioactive Material
9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
9.06 Permit for Restricted Burning
9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

9.09 Certificate to Possess and Sell Hatchery Trout in New York State
9.10 Commercial Inland Fisheries Licenses
9.11 Fishing Preserve License
9.12 Fur Breeder's License
9.13 Game Dealer's License
9.14 Licenses to Breed Domestic Game Animals
9.15 License to Possess and Sell Live Game
9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
9.17 Permit to Raise and Sell Trout
9.18 Private Bass Hatchery Permit
9.19 Shooting Preserve Licenses
9.20 Taxidermy License
9.21 Permit – Article 15, (Protection of Water) – Dredge and Deposit Material in a Waterway
9.22 Permit – Article 15, (Protection of Water) – Stream Bed or Bank Disturbances
9.23 Permit – Article 24, (Freshwater Wetlands)

Hazardous Substances

9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
9.26 Permit to Use Chemicals for the Control or Elimination of Undesirable Fish

Lands and Forest

9.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
9.28 Floating Object Permit
9.29 Marine Regatta Permit
9.30 Navigation Aid Permit

Marine Resources

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9.31 Digger's Permit (Shellfish)
9.32 License of Menhaden Fishing Vessel
9.33 License for Non-Resident Food Fishing Vessel
9.34 Non-Resident Lobster Permit
9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
9.36 Permits to Take Blue-Claw Crabs
9.37 Permit to Use Pond or Trap Net
9.38 Resident Commercial Lobster Permit
9.39 Shellfish Bed Permit
9.40 Shellfish Shipper's Permits
9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
9.42 Permit – Article 25, (Tidal Wetlands)

Mineral Resources

9.43 Mining Permit
9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
9.45 Underground Storage Permit (Gas)
9.46 Well Drilling Permit (Oil, Gas and Solution Salt Mining)

Solid Wastes

9.47 Permit to Construct and/or Operate a Solid Waste Management Facility
9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

9.49 Approval of Plans for Wastewater Disposal Systems
9.50 Certificate of Approval of Realty Subdivision Plans
9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
9.53 Permit - Article 36, (Construction in Flood Hazard Areas)
9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
9.55 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
9.56 State Pollutant Discharge Elimination System (SPDES) Permit
9.57 Approval – Drainage Improvement District
9.58 Approval – Water (Diversions for Power)
9.59 Approval of Well System and Permit to Operate
9.60 Permit – Article 15, (Protection of Water) – Dam
9.61 Permit – Article 15, Title 15 (Water Supply)
9.62 River Improvement District Permits
9.63 River Regulatory District approvals
9.64  Well Drilling Certificate of Registration
9.65  401 Water Quality Certification

10.00 Preparation and revision of Air Pollution State Implementation Plan.

11.00 Preparation and revision of Continuous Executive Program Plan.

12.00 Preparation and revision of Statewide Environmental Plan.

13.00 Protection of Natural and Man-made Beauty Program.

14.00 Urban Fisheries Program.

15.00 Urban Forestry Program.

16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

1.00 Financing program for pollution control facilities for industrial firms and small businesses.

DEPARTMENT OF FINANCIAL SERVICES (DEPARTMENT OF BANKING)

1.00 Permit and approval programs:

1.01 Authorization Certificate (Bank Branch)
1.02 Authorization Certificate (Bank Change of Location)
1.03 Authorization Certificate (Bank Charter)
1.04 Authorization Certificate (Credit Union Change of Location)
1.05 Authorization Certificate (Credit Union Charter)
1.06 Authorization Certificate (Credit Union Station)
1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
1.09 Authorization Certificate (Investment Company Branch)
1.10 Authorization Certificate (Investment Company Change of Location)
1.11 Authorization Certificate (Investment Company Charter)
1.12 Authorization Certificate (Licensed Lender Change of Location)
1.13 Authorization Certificate (Mutual Trust Company Charter)
1.14 Authorization Certificate (Private Banker Charter)
1.15 Authorization Certificate (Public Accommodation Office - Banks)
1.16 Authorization Certificate (Safe Deposit Company Branch)
1.17 Authorization Certificate (Safe Deposit Company Change of Location)
1.18 Authorization Certificate (Safe Deposit Company Charter)
1.19 Authorization Certificate (Savings Bank Charter)
1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
1.22 Authorization Certificate (Savings and Loan Association Branch)
1.23 Authorization Certificate (Savings and Loan Association Change of Location)
1.24 Authorization Certificate (Savings and Loan Association Change of Location)
1.25 Authorization Certificate (Subsidiary Trust Company Charter)
1.26 Authorization Certificate (Trust Company Branch)
1.27 Authorization Certificate (Trust Company-Change of Location)
1.28 Authorization Certificate (Trust Company Charter)
1.29 Authorization Certificate (Trust Company Public Accommodations Office)
1.30 Authorization to Establish a Life Insurance Agency
1.31 License as a Licensed Lender
1.32 License for a Foreign Banking Corporation Branch

OFFICE OF GENERAL SERVICES

1.00 Administration of the Public lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.

2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.

3.00 Facilities construction, rehabilitation, expansion, or demolition.

4.00 Administration of Article 5, Section 233, Subsection 5 of the Education Law on removal of archaeological and paleontological objects under the waters of the State.

5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.

6.00 Section 334 of the State Real Estate Law regarding subdivision of waterfront properties on navigable waters to include the location of riparian lines.

DEPARTMENT OF HEALTH

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Approval of Completed Works for Public Water Supply Improvements
2.02 Approval of Plans for Public Water Supply Improvements.
2.03 Certificate of Need (Health Related Facility - except Hospitals)
2.04 Certificate of Need (Hospitals)
2.05 Operating Certificate (Diagnostic and Treatment Center)
2.06 Operating Certificate (Health Related Facility)
2.07 Operating Certificate (Hospice)
2.08 Operating Certificate (Hospital)
2.09 Operating Certificate (Nursing Home)
2.10 Shared Health Facility Registration Certificate

DIVISION OF HOMES AND COMMUNITY RENEWAL AND ITS SUBSIDIARIES AND AFFILIATES

1.00 Facilities construction, rehabilitation, expansion, or demolition.

2.00 Financial assistance/grant programs:

  2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
  2.02 Housing Development Fund Programs
  2.03 Neighborhood Preservation Companies Program
  2.04 Public Housing Programs
  2.05 Rural Initiatives Grant Program
  2.06 Rural Preservation Companies Program
  2.07 Rural Rental Assistance Program
  2.08 Special Needs Demonstration Projects
  2.09 Urban Initiatives Grant Program
  2.10 Urban Renewal Programs

3.00 Preparation and implementation of plans to address housing and community renewal needs.

HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL

1.00 Greenway planning and review
2.00 Greenway Compact activities
3.00 Financial assistance/grants program
3.00 Model Community Program

OFFICE OF MENTAL HEALTH

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

  2.01 Operating Certificate (Community Residence)
2.02 Operating Certificate (Family Care Homes)
2.03 Operating Certificate (Inpatient Facility)
2.04 Operating Certificate (Outpatient Facility)

METROPOLITAN TRANSPORTATION AUTHORITY (regional agency)

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Increases in special fares for transportation services to public water-related recreation resources.

DIVISION OF MILITARY AND NAVAL AFFAIRS

1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

1.00 Funding program for natural heritage institutions.

NEW YORK CITY TRANSIT AUTHORITY (regional agency)

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Increases in special fares for transportation services to public water-related recreation resources.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including Regional State Park Commission)

1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.

2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

3.00 Funding program for recreational boating, safety and enforcement.

4.00 Funding program for State and local historic preservation projects.

5.00 Land and Water Conservation Fund programs.

6.00 Nomination of properties to the Federal and/or State Register of Historic Places.

7.00 Permit and approval programs:
7.01 Floating Objects Permit
7.02 Marine Regatta Permit
7.03 Navigation Aide Permit
7.04 Posting of Signs Outside State Parks

8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.

9.00 Recreation services program.

10.00 Urban Cultural Parks Program.

11.00 Planning, construction, rehabilitation, expansion, demolition or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:
   2.01 Establishment and Construction Prior Approval
   2.02 Operating Certificate Community Residence
   2.03 Outpatient Facility Operating Certificate

PORT AUTHORITY OF NEW YORK AND NEW JERSEY (regional agency)

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Commission.

2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

3.00 Waterfront development project activities.

POWER AUTHORITY OF THE STATE OF NEW YORK

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

1.00 Corporation for Innovation Development Program.
2.00 Center for Advanced Technology Program.

DEPARTMENT OF STATE

1.00 Appalachian Regional Development Program.

2.00 Coastal Management Program.

2.10 Planning, construction, rehabilitation, expansion, demolition or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

3.00 Community Services Block Grant Program.

4.00 Permit and approval programs:

4.01 Billiard Room license
4.02 Cemetery Operator
4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.

2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

NEW YORK STATE THRUWAY AUTHORITY (regional agency)

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Thruway Authority, Canal Corporation, and Canal Recreationway Commission.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

3.00 Permit and approval programs:

3.01 Advertising Device Permit
3.02 Approval to Transport Radioactive Waste
3.03 Occupancy Permit
3.04 Permits for use of Canal System lands and waters

4.00 Statewide Canal Recreationway Plan

DEPARTMENT OF TRANSPORTATION

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.

2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:

   (a) Highways and parkways
   (b) Bridges on the State highways system
   (c) Highway and parkway maintenance facilities
   (d) Rail facilities

3.00 Financial assistance/grant programs:

   3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)

   3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York

   3.03 Funding programs for rehabilitation and replacement of municipal bridges

   3.04 Subsidies program for marginal branchlines abandoned by Conrail

   3.05 Subsidies program for passenger rail service

4.00 Permits and approval programs:

   4.01 Approval of applications for airport improvements (construction projects)

   4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)

   4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities

   4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities

   4.05 Certificate of Convenience and Necessity to Operate a Railroad
4.06 Highway Work Permits

4.07 License to Operate Major Petroleum Facilities

4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)

4.09 Real Property Division Permit for Use of State-Owned Property

5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.

6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

DIVISION OF YOUTH

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.
IV.2 Federal Activities Affecting Land and Water Uses and Natural Resources in the Coastal Zone of New York State

Note: This LWRP’s list of the federal agency activities is identical to the most recent version of the Table 3 list in the New York State Coastal Management Program as approved by the federal Office for Coastal Management on May 7, 2017. Please contact the New York State Department of State, Office of Planning and Development, at (518) 474-6000, for any updates to New York State Coastal Management Program Table 3 federal agency activities list that may have occurred post-approval of this LWRP.

I. Activities Undertaken Directly by or on Behalf of Federal Agencies

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

1.00 Proposed authorizations for dredging, channel improvements, break-waters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.

2.00 Land acquisition for spoil disposal or other purposes.

3.00 Selection of open water disposal sites.

Army, Navy and Air Force

4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).

5.00 Plans, procedures and facilities for landing or storage use zones.

6.00 Establishment of impact, compatibility or restricted use zones.

DEPARTMENT OF ENERGY

1.00 Prohibition orders.
GENERAL SERVICES ADMINISTRATION

1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

1.00 Management of National Wildlife refuges and proposed acquisitions.

Bureau of Ocean Energy Management

2.00 OCS lease sale activities including tract selection, lease sale stipulations, etc.

National Parks Service

3.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

1.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.

2.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).

3.00 Expansion, abandonment, designation or anchorages, lightering areas or shipping lanes and ice management practices and activities.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration
6.00 Highway construction.

St. Lawrence Seaway Development Corporation

7.00 Acquisition, location, design, improvement and construction of new and existing facilities for the operation of the Seaway, including traffic safety, traffic control and length of navigation season.

2. Federal Licenses and Permits and Other Forms of Approval or Authorization

DEPARTMENT OF DEFENSE

Army Corps of Engineers

1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).

2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).

3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).

4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).

5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1244).

6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

DEPARTMENT OF ENERGY

Economic Regulatory Commission

1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.

2.00 Exemptions from prohibition orders.
Federal Energy Regulatory Commission

3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).

4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).

5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).

6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

ENVIRONMENTAL PROTECTION AGENCY

1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).

2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.

3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).

4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

DEPARTMENT OF INTERIOR

Fish and Wildlife Services

1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Bureau of Ocean Energy Management

2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.

3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.
SURFACE TRANSPORTATION BOARD

1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

NUCLEAR REGULATORY COMMISSION


DEPARTMENT OF TRANSPORTATION

Coast Guard

1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.

2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

3.00 Permits and licenses for construction, operation or alteration of airports.

3. Federal Financial Assistance to State and Local Governments

DEPARTMENT OF AGRICULTURE

10.068 Rural Clean Water Program
10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
10.410 Low to Moderate Income Housing Loans
10.411 Rural Housing Site Loans
10.413 Recreation Facility Loans
10.414 Resource Conservation and Development Loans
10.415 Rural Renting Housing Loans
10.416 Soil and Water Loans
10.418 Water and Waste Disposal Systems for Rural Communities
10.422 Business and Industrial Loans
10.424 Industrial Development Grants
10.426 Area Development Assistance Planning Grants
10.429 Above Moderate Income Housing Loans
10.430 Energy Impacted Area Development Assistance Program
10.901 Resource Conservation and Development
10.902 Soil and Water Conservation
10.904 Watershed Protection and Flood Prevention
10.906 River Basin Surveys and Investigations

DEPARTMENT OF COMMERCE

11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
11.301 Economic Development - Business Development Assistance
11.302 Economic Development - Support for Planning Organizations
11.303 Economic Development - State and Local Economic Development Planning
11.304 Economic Development - State and Local Economic Development Planning
11.305 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
11.306 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
11.405 Anadromous and Great Lakes Fisheries Conservation
11.407 Commercial Fisheries Research and Development
11.417 Sea Grant Support
11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
11.501 Development and Promotion of Ports and Intermodal Transportation
11.509 Development and Promotion of Domestic Waterborne Transport Systems

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
14.117 Mortgage Insurance - Homes
14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
14.125 Mortgage Insurance - Land Development and New Communities
14.126 Mortgage Insurance - Management Type Cooperative Projects
14.127 Mortgage Insurance - Mobile Home Parks
14.218 Community Development Block Grants/Entitlement Grants
14.219 Community Development Block Grants/Small Cities Program
14.221 Urban Development Action Grants
14.223 Indian Community Development Block Grant Program

DEPARTMENT OF INTERIOR

15.400 Outdoor Recreation - Acquisition, Development and Planning
15.402 Outdoor Recreation - Technical Assistance
15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
15.411 Historic Preservation Grants-in-Aid
15.417 Urban Park and Recreation Recovery Program 15.600 Anadromous Fish Conservation
15.605 Fish Restoration
15.611 Wildlife Restoration
15.613 Marine Mammal Grant Program 15.802 Minerals Discovery Loan Program
15.950 National Water Research and Development Program
15.951 Water Resources Research and Technology - Assistance to State Institutes
15.952 Water Research and Technology - Matching Funds to State Institutes

DEPARTMENT OF TRANSPORTATION

20.102 Airport Development Aid Program
20.103 Airport Planning Grant Program
20.205 Highway Research, Planning, and Construction
20.309 Railroad Rehabilitation and Improvement - Guarantee of Obligations
20.310 Railroad Rehabilitation and Improvement- Redeemable Preference Shares
20.506 Urban Mass Transportation Demonstration Grants
20.509 Public Transportation for Rural and Small Urban Areas

GENERAL SERVICES ADMINISTRATION

39.002 Disposal of Federal Surplus Real Property

COMMUNITY SERVICES ADMINISTRATION

49.002 Community Action
49.011 Community Economic Development
49.013 State Economic Opportunity Offices
49.017 Rural Development Loan Fund
49.018 Housing and Community Development (Rural Housing)

SMALL BUSINESS ADMINISTRATION

59.012 Small Business Loans
59.013 State and Local Development company Loans
59.024 Water Pollution Control Loans
59.025 Air Pollution Control Loans
59.031 Small Business Pollution Control Financing Guarantee

ENVIRONMENTAL PROTECTION AGENCY

66.001 Air Pollution Control Program Grants
66.418 Construction Grants for Wastewater Treatment Works
66.426 Water Pollution Control - State and Areawide Water Quality Management Planning Agency
66.451 Solid and Hazardous Waste Management Program Support Grants
66.452 Solid Waste Management Demonstration Grants
66.600 Environmental Protection consolidated Grants Program Support
66.800 Comprehensive Environmental Response, Compensation and Liability (Super Fund)

* Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

IV.3 State and Federal Actions and Programs Likely to Affect Implementation

1. State Actions and Programs Necessary to Further the LWRP

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- Funding assistance with planning studies and/or design and construction of projects targeted to control the erosion of steep slopes in the Village’s waterfront area.
- Review and approval for septic system installation and replacement in areas without public septic systems of the waterfront.
- Implement and administer Article 24 of the State's Environmental Conservation Law for identified wetlands areas.
- Map, adopt, and administer the State's Section 505 Coastal Erosion Control legislation.
- Technical assistance, review, and approval of public access improvements within the Village’s waterfront areas.

DIVISION OF HOMES AND COMMUNITY RENEWAL

- Funding and technical assistance with revitalization efforts in the LWRP area.

ENVIRONMENTAL FACILITIES CORPORATION

- Funding assistance for the planning, design and construction of sewer extensions or other improvement projects.

DEPARTMENT OF STATE

- Funding and technical assistance for LWRP implementation of various planning, design and construction projects, as outlined in Section IV of this Program.
- Funding assistance through the Environmental Protection Fund.
- Funding and technical assistance through the Brownfield Opportunity Area Program where applicable.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- Funding and technical assistance with energy efficiency studies and projects.

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

VI-23
• Provision of technical and financial assistance in the renovation of the old pedestrian bridge spanning the railroad tracks linking DeVries Field Park and Kingsland Point Park.

EMPIRE STATE DEVELOPMENT CORPORATION

• Assistance for the preparation of economic feasibility studies for the reuse of various deteriorated and unutilized structures, with the siting or improvement of public facilities and with revitalization efforts within the LWRP area.

OFFICE OF GENERAL SERVICES

• Prior to any development occurring in the water or on the immediate waterfront, OGS will be contacted for a determination of the State’s interest in underwater or formerly underwater lands and for authorization to use and occupy such lands.

OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION

Planning, construction, renovation, expansion of funding for recreational facilities, including improvements to all of the Village's parks and trails.

1. Provision of funding for State and local activities from the Land and Water Conservation Fund.

2. Provision of funding from the Environmental Protection Fund for improvements to parks and recreational facilities within the Village, including Kingsland Point Park.

3. The proposed linkage of public parks should be designed and constructed and implemented with the cooperation and assistance of the Taconic Regional Office. This trail system would eventually link with other local trails to become part of the Hudson River Greenway Trail System.

4. The NYS Office of Parks, Recreation, and Historic Preservation has identified the Sleepy Hollow coastal area as sensitive for the presence of archaeological sites, representing settlement patterns important to our understanding of the State's prehistory and history. Any ground-modifying construction should be proceeded by archaeological investigation through consultation with the State Historic Preservation Officer when necessary.

Department of Economic Development

1. Any action or provision of funding for development or promotion of tourism related activities.

Greenway Heritage Conservancy for the Hudson River Valley

1. Provision of funding for Greenway projects and planning, including the River Walk, park improvements, signage, and general tourism promotion.

2. Designation of the various elements of the Greenway Trail within the Village as part of the Hudson
River Greenway Trail.

3. Inclusion of the Village's proposed small scale boat launch at Horan’s Landing the Hudson River Waterways Trail.

Hudson River Valley Greenway Communities Council

1. Provision of funding and technical assistance for Greenway projects and planning, including the River Walk, park improvements, signage, and general tourism promotion.


2. Federal Actions and Programs
   
a. U.S. Army Corps of Engineers

   1. Technical and financial assistance associated with possible dredging and shoreline stabilization projects that may be proposed as part of a project along the Village's shoreline.
Section VII

Local Commitment and Consultation
VII. LOCAL COMMITMENT AND CONSULTATION

1. Local Commitment

The Village of Sleepy Hollow initiated its efforts to update its Local Waterfront Revitalization Program in 2016, when it submitted an application for grant funding from the NYS Department of State through the Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP) and was awarded funds to prepare the LWRP. In 2018, a Steering Committee was established to oversee and guide the preparation of the program. The Steering Committee was comprised of representatives from the Village Board, Planning Board, Waterfront Advisory Council, and local residents. This committee met six times during the planning process (May, June, July, September, October, and November) for the preparation of the draft LWRP. To strengthen local commitment for the Village's planning efforts, the three public workshops were held (May 31st, October 2nd, and November 7th) to provide local citizens an opportunity to comment on significant issues and opportunities as well as changes to the policies and proposed projects in the Village’s waterfront areas. Each meeting was attended by over 75 people. The purpose of the first meeting was to introduce local residents to the LWRP planning process and to solicit initial comments from the public about their concerns for the waterfront. The second meeting discussed proposed policy changes and projects to include in the LWRP. The third meeting was to solicit any feedback on the draft plan. An online survey was developed and a total of ___376___ people completed the survey.

2. Consultation

The draft LWRP was reviewed and accepted as ready by the Village of Sleepy Hollow for its 60 day review period, at a regular Village Board meeting on _____, and was forwarded to the New York State Department of State. On ________, the Department of State initiated the 60-day review period for the draft LWRP, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the State Environmental Quality Review Act. Potentially affected State and federal agencies, Westchester County, and the adjacent communities were informed of the review period of the draft LWRP amendment. Comments received on the draft LWRP were reviewed and addressed by the Village and the Department of State.

A. Local Consultation

Consultation has consisted of maintaining a close relationship among Village staff and departments whose actions and/or functions may be affected by the LWRP. These include the Village Board, the Village Planning Board; the Village Manager/Administrator; the Building Department; and Department of Public Works.
B. Consultation with other Agencies

Consultation with the Department of State has taken place throughout the preparation of the Draft LWRP. Telephone conversations and e-mails have focused on LWRP preparation, methods of implementation, legal and programmatic concerns. Representatives from the Department of State were also involved.

C. Federal Consultation

The US Army Corps of Engineers was contacted as the LWRP was evolving. Eleven federal agencies were notified of the initiation of the 60-day review period of the draft LWRP. Two of the federal agencies submitted comment letters.