

DRAFT IN PROGRESS

TOWN and VILLAGE OF CLAYTON

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)



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TABLE OF CONTENTS

Introduction and Overview	7
What is an LWRP?	7
Clayton LWRP Summary	7
Planning Process.....	8
Previous Planning Efforts.....	9
LWRP Organization	10
Vision Statement	12
1.0 Waterfront Revitalization Area (WRA)	14
2.0 Inventory and Analysis	15
2.1 Regional Setting and Overview	15
2.2 History	15
2.3 Community Characteristics	17
2.4 Existing Land and Water Uses	23
2.5 Agricultural Lands and Farming Activity	26
2.6 Existing Zoning	27
2.7 Public Access and Recreation.....	29
2.8 Historic Resources.....	32
2.9 Scenic Resources	38
2.10 Topography and Geology	40
2.11 Water	40
2.12 Natural Resources & Environmentally Sensitive Features.....	44
2.13 Fish and Wildlife Resources.....	49
2.14 Infrastructure	54
3.0 Coastal Management Policies	59
Developed Waterfront Policies.....	61
Natural Waterfront Policies	74
Public Waterfront Policies.....	98
Working Waterfront Policies.....	107
4.0 Proposed Land and Water Uses and Projects.....	121
4.1 Proposed Land Use.....	121
4.2 Proposed Water Use	121
4.3 Public Access and Recreational Enhancement Projects and Programs	122

4.4	Infrastructure and Redevelopment Projects and Programs.....	125
4.5	Heritage Protection Projects and Programs	130
4.6	Economic Opportunities	134
4.7	Zoning Improvement Projects and Programs	140
5.0	Techniques For Local Implementation.....	145
5.1	Existing Local Laws and Regulations	145
5.2	Proposed New or Revised Local Laws and Regulations	147
5.3	Other Public and Private Actions	150
5.4	Management Structure.....	150
5.5	Financial Resources.....	156
6.0	State And Federal Actions And Programs Likely To Affect Implementation.....	157
6.1	State Agencies	158
6.2	Federal Agencies	170
6.3	State And Federal Actions And Programs Necessary To Further The LWRP.....	176
7.0	Consultation With Other Affected Agencies.....	179
7.1	Local Consultation.....	179
7.2	Regional Consultation	179
7.3	State Agency Consultation	179
8.0	Local Commitment & Consultation.....	181

LIST OF TABLES

Table 2.1. Population by Age Cohort, 2000	18
Table 2.2. Employment Statistics	19
Table 2.3. Workforce Statistics.....	19
Table 2.4. Household Incomes.....	20
Table 2.5. Year Housing Units Built.....	22
Table 2.6. Comparison of Land Use	23
Table 2.7. Existing Zoning.....	27
Table 2.8. Recreational Facilities: Historical and Cultural	30
Table 4.9. Recreational Facilities: Boating	31
Table 2.10. Town of Clayton Notable Historic Resources	33
Table 2.11. Village of Clayton Notable Historic Resources	35
Table 3-1. Summary of Coastal Management Policies for the Village and Town of Clayton.....	60

LIST OF MAPS

- LWRP Map 1: Waterfront Revitalization Area Boundary
- LWRP Map 2: Existing Land Uses
- LWRP Map 3: Important Agricultural Lands
- LWRP Map 4: Town of Clayton Existing Zoning
- LWRP Map 5: Village of Clayton Existing Zoning
- LWRP Map 6: Public Access and Recreation
- LWRP Map 7: Historic, Archaeological and Scenic Resources
- LWRP Map 8: Topography
- LWRP Map 9: Wetlands
- LWRP Map 10: Significant Coastal Fish and Wildlife Habitats

Introduction and Overview

What is an LWRP?

New York State's Waterfront Revitalization of Coastal Areas and Inland Waterways Act is a unique waterfront tool that encourages a local, home-rule decision-making process for waterfront management. A Local Waterfront Revitalization Program (LWRP) is a comprehensive waterfront management plan developed under the authorization of the Act by local municipalities. The Town and Village of Clayton LWRP (hereafter referred to as the Clayton LWRP) formulates waterfront development objectives by adapting statewide legislation and policies to the unique and individual requirements of the two municipalities. The LWRP also outlines strategies that are used to meet local objectives.

The LWRP process involved cooperation with State, County, local, and private agencies as well as an appointed LWRP Advisory Committee that included local business owners, municipal, and state officials and Town and Village of Clayton residents. The LWRP outlines specific projects and policies to encourage environmental protection, foster economic development, protect valuable water resources, and improve public waterfront accessibility. The LWRP will also enable Clayton officials to play a role in determining that State, Federal and local actions proposed within the waterfront area are conducted in a manner consistent with the policies of the LWRP.

One of the components of the LWRP is the identification of long-term uses and specific projects along the waterfront and related lands. These uses and projects, in conjunction with an established management program, significantly increase Clayton's ability to attract and manage development activities that complement the unique cultural and natural characteristics of its waterfront. Projects proposed within this document, such as that outlined for the Frink America property, will create a new waterfront destination for both regional residents and visitors to Clayton.

The LWRP provides Clayton with the local controls to guide waterfront-related development. More importantly, the LWRP is designed to establish a process to ensure that all actions proposed for Village and Town waterfront areas occur in a fashion prescribed by the LWRP. This "consistency" provision is a tool that is intended to create dialog and encourage cooperation between state, federal and local governments, as well as private sector interests, to build a strong economy and a healthier waterfront environment.

Clayton LWRP Summary

With this LWRP, the Town and Village of Clayton are prepared to cooperatively take on the challenges of the 21st century – to embrace economic change and further enhance the Thousand Islands region as a highly desirable place to not only visit, but to live, work and play. To achieve its goals, Clayton has turned its energy and resources to one of the region's most unique and valuable assets – its broad and diverse waterfront. From world-class recreational opportunities to island-supporting industries, from

village commercial areas to beautiful rural open space areas, from unique cultural institutions to distinctive waterfront character, Clayton is a community that can cater to the needs of visitors as well as enhance the quality of life for its residents. For many in the community, the waterfront represents the past as well as the future, and an opportunity to capitalize on existing strengths while charting a new course.

The proposed uses and initiatives outlined here have the potential to enrich the Clayton community by building on the authentic character still visible in many of the trades practiced today, such as boat building and guide services. The proposed projects also build on Clayton's resources and amenities that make Clayton a cultural destination. Reinvestment in the waterfront is intended to enhance the character and functions of existing waterfront activities as well as safeguard and enrich the right of the public to access the waterfront. Clayton's waterfront will strike a balance, ensuring above all that the waterfront is an inviting place for people to unwind and enjoy civic activities, while also providing important new places and opportunities for innovative residential, commercial and professional activities. This LWRP also recognizes that Clayton is a community of stable neighborhoods and aims to improve the quality of life experienced by their residents.

While the LWRP recognizes specific sites as important to community renewal, it also recognizes broader programs and projects that transcend individual sites. Clayton's LWRP builds on the community's rich cultural and economic diversity by embracing development principles that recognize the delicate, and often difficult, interaction between community, environment, and economic progress. To accomplish much of what is outlined in this LWRP, the leadership of Clayton must work to stimulate new growth and development in a manner that is consistent with this vision. The Clayton comments must also continue to preserve and enhance the quality neighborhoods that are so close to the waterfront. In a society that is becoming increasingly mobile, the residential opportunities afforded by Clayton combined with its cultural and recreational amenities will become progressively more important.

Clayton has always been a special place, and continues to remain a place that is faithful to its heritage. This is one of Clayton's greatest assets. The key will be to balance this authenticity with new ideas as new residents continue to move into the community. The LWRP will facilitate this dialogue.

Planning Process

As part of the planning effort, an inclusive public outreach effort was conducted to gain feedback from the community on existing land and water use issues and to build consensus on a vision of Clayton's Waterfront two key components of the planning process was the establishment of an Advisory Committee and interaction with public. This project schedule summarizes significant tasks and events of the planning process:

- An Advisory Committee was created to work with the planning consultants, providing feedback and reviewing draft documents when necessary
- A public workshop was held hear concerns and suggestions from residents

- Progress reviews to share information during the process

Project Schedule Summary

TASKS/EVENTS	SCHEDULE
Public Information Meeting #1	
Public Workshop	June 11, 2007
Inventory/Analysis/Mapping	June-December 2007
Draft LWRP	September 2008-March 2009
Public Information Meeting #2	April 29, 2009
Plan Finalization	May-June 2009
Public Information Meeting #3	July 2009
Plan Finalization	August 2009

Previous Planning Efforts

The Town and Village of Clayton, the Clayton waterfront, and Jefferson County have been the subjects of a number of studies over the decades. The following plans and documents were reviewed in preparation of this LWRP.

- 1965 - Background Studies and Comprehensive Plan Report for the Saint Lawrence Sub-Region. *Contains recommendations for land use, transportation and community facilities/infrastructure.*
- 1966 - Background Studies and Comprehensive Plan Report (a.k.a. Master Plan Report) for the Town and Village of Clayton, New York. *Contains recommendations for land use, transportation and community facilities/infrastructure.*
- 1986 - Village of Clayton Local Waterfront Revitalization Program.
- 1988 - Village of Clayton Harbor Management Plan. *Outlined a series of goals and objectives relating to Water Use and Navigation, Public Access, Land Use and Development, Natural Resources, and Harbor Administration.*
- 1991 - Town of Clayton Local Waterfront Revitalization Plan.
- 1994 - Waterfront Economic Feasibility Study, Village of Clayton, New York. *Recommended the development of an 85-room hotel, a 2,500 square foot meeting facility, a 231-slip marina and 267 surface parking spaces on the 8-acre Frink America site.*
- 1999 - Shopping Pattern Study
- 2000 - Joint Town and Village of Clayton Comprehensive Plan
- 2001 - Black River Corridor Economic Adjustment Strategy. *Surveyed 322 Jefferson County residents on their employment status, work history and skills.*

- 2003 - An Overview of Tourism – 1000 Islands/St. Lawrence Seaway. *Analyzed 1000 Island tourism in Canada.*
- 2003 - Fort Drum Economic Impact Statement. *Tallies the impact that the military base has on the local economy.*
- 2003 - North Country west, New York Area Workforce Report. *Describes the employment and salary situation faced by new employers in the region.*
- 2003 - 2001 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, New York. *Compiles demographic information on these recreational uses.*
- 2004 - 2003 Economic Impact of Expenditures by Tourists on Northern New York State. *Measures the economic benefits derived by tourism dollars in Jefferson County.*
- 2004 - Wage & Benefits Survey Results for Jefferson County. *Provides a snapshot of the county's workforce based on a survey sent to employers.*
- 2004 - Jefferson County Tourism Profile. *Offers an annual accounting of this economic sector.*
- 2004 - Summer Tourism Season Business Confidence Survey Executive Report. *Surveyed business owners about their observations of the latest season.*
- 2006 - Village of Clayton Downtown Plan of Action & Local Waterfront Revitalization Program. *Prepared by Saratoga Associates for select areas of the Village of Clayton.*
- 2007 - Design Strategies for Waterfront Revitalization in Clayton, New York
- 2008 - Village of Clayton Prioritized Project Plan (Sewer Related Issues),

Concurrent Planning Efforts

During the planning process for the Clayton LWRP, another effort was underway regarding the regulation of water levels in Lake Ontario and the St. Lawrence River. The International Joint Commission (IJC) has been undertaking a review of its Orders of Approval for regulation of Lake Ontario and the St. Lawrence River levels and flows through the Moses-Saunders Dam at Cornwall-Massena. The IJC released a proposed Order of Approval and related regulation plan (Plan 2007) for public review in March 2008.

During the public comment period, the IJC held public hearings and received public comments, which showed little support for Plan 2007. Taking this into account, the IJC determined that Plan 2007 is not a practical option for implementation and concluded that the regulation of water levels and flows should be based on a revised set of goals, objectives and criteria, specifically moving towards more natural flows to benefit the environment, while respecting other interests.

The Clayton LWRP advisory committee, as well as the State of New York, the Ontario Ministry of Natural Resources, and many other federal and state/provincial agencies, private organizations, and

stakeholders in the U.S. and Canada, support an alternative to Plan 2007. Plan B+ is the widely supported management proposal developed by the IJC that would provide significant environmental and economic improvements to the region. The approach to water management outlined in Plan B+ is to mimic natural water patterns while taming the extremes of high and low water levels that can lead to economic damage.

The IJC study demonstrates that Plan B+ will provide significant environmental benefits because it:

- Restores natural variability in water levels, which creates diversified zones of wetlands that shelter a greater variety of plants, fish, birds, mammals, and other animals.
- Improves habitat quality for such key species as northern pike, large-mouth bass, least bitterns, Virginia Rails and the Black Tern.
- Supports key species such as the muskrat – an essential habitat engineer that creates openings in wetlands and provides opportunities for other species.

Plan B+ will benefit local economies by:

- Providing – on average – higher water levels in the spring and fall, which extend the recreational boating season and allow for easier haul out and launching of boats.
- Increasing the number of recreational use days on the water, which will in turn provide increased revenue generation for small business owners, increased tax revenues for municipalities, and expansion of tourism opportunities.
- Protecting the recreational fishing industry of Lake Ontario/St. Lawrence/Lake Erie – valued at \$330 million annually – by restoring the wetlands vital to fish life cycles.
- Increasing hydropower generation by over \$6 million per year. Hydropower offers a cheaper, renewable energy alternative to fossil fuel power plants.
- Improving conditions for shipping on the Great Lakes.

Plan B+ helps fishing and hunting by:

- Increasing the diversity of wetland types along the shoreline. B+ improves nesting, resting and feeding habitat for a variety of waterfowl and fish species, including the northern pike, black tern, least bittern, and wetland-dependent ducks.
- Providing – on average - higher water levels in the spring and fall, which will allow muskrats to over-winter in wetlands and improve habitat for spawning fish, waterfowl, and other aquatic species.

LWRP Organization

Vision Statement

In order to position themselves as a premier waterfront community on the Saint Lawrence River, the Clayton community will strive to:

- Preserve the picturesque nature of the community that is visible in both the quaint, small-town atmosphere of the Village center as well as the rural character and natural beauty of the Town;
- Develop amenities for residents and visitors that will allow Clayton to be an interesting year-round place to live, visit, work, and play;
- Increase access to the water and to recreational opportunities while preserving sensitive natural places;
- Preserve and promote the artistic and cultural resources of the local community, found in historic architecture, exceptional museums, and an opera house;
- Enhance the characteristics of the community that make Clayton a pedestrian-friendly, livable, sustainable place;
- Provide opportunities for appropriate development that is in scale with the existing community fabric;
- Promote economic growth and stability by supporting locally-owned businesses and encouraging vibrant, successful shops, hotels, and restaurants;
- Ensure the Clayton waterfront is a friendly, welcoming place where twenty years from now, children can still play in the streets and people can feel safe and happy about raising their families here.

1.0 Waterfront Revitalization Area (WRA)

The 2006 Village LWRP had the following study boundary:

Beginning at the intersection of Theresa Street and Mary Street east to James Street then north to Jane Street, east to John Street, north to Hugunin Street, east to the Frink America property, then south to Jane Street, east to Franklin Street, south to Union Street and finally south to a point near the southeast corner of Lion's Park.

The 2009 Town and Village LWRP WRA encompasses the entirety of the Village and portions of the Town. On the waterside, the study boundary follows the Town line, and all of the islands in the Town of Clayton are included. The WRA boundary follows the western Town line southeast to Sam Adams Road, northeast to Saint Lawrence Road (Route 9), then southeast to a point 1000' southeast from the existing coastal boundary (which follows French Creek Road in this location). The WRA boundary continues in the northeastern direction to Bartlett Creek, mirroring the existing coastal boundary 1000' to the east of its path along Deferno Road. From Bartlett Creek, the WRA runs due east for 4000' to State Route 12, then turns and runs to the northeast for another 4000'. From this point, the WRA turns to the northwest, and parallels State Route 12 at 3500' to the east until it meets the Village boundary. The WRA follows the Village boundary to its easternmost point. Where the Village boundary turns back towards the Village, the WRA boundary turns due east for 13,000', finally ending back at the eastern Town line. (For much of this length, the boundary mirrors County Route 3, which runs 1000' south of the boundary.)

See LWRP Map 1: Waterfront Revitalization Area Boundary Map

2.0 Inventory and Analysis

2.1 Regional Setting and Overview

The 700-mile long Saint Lawrence River has defined and molded the community from the first native habitation continuing until modern times. Today, Clayton is touted as the “Gateway to the Thousand Islands” and has long been a recreational area for fishing, boating and sightseers. Unfortunately, the 20th century has seen a significant decline in the tourism trade, as well as the logging and shipbuilding that dominated the economy of the 19th century. State Route 12, which runs near the southern boundary of the WRA, is part of the Seaway Trail Scenic Byways system.

Outside of the scattered urban areas, the region is rural. The largest U.S. city in the area is Watertown, New York, approximately 20 miles to the southeast. Watertown is home to approximately 26,705 people. A major economic generator in the region is Fort Drum just a few miles outside of Watertown. A recent expansion at the army post increased population counts to 16,000 military and 14,000 dependents, and over 3,000 civilian workers. The boundary of the Adirondack State Park is less than 50 miles to the east.

Clayton sits less than 20 miles from the start of the Saint Lawrence River at Lake Ontario. Along this stretch, the river is the boundary between the United States and Canada. Between Clayton and the community of Gananoque on the Canadian side of the river sits Grindstone Island – the largest of the 1,000 Islands located in the River. The driving connection to Canada is less than ten miles to the north where NYS Route 12 connects with Interstate 81.

2.2 History

Life and the economy has always centered on the Saint Lawrence River. Even the very first people to see the Clayton area were attracted by the same natural qualities that attract people to Clayton today.

The first humans to call Clayton home arrived around 6 to 8 thousand years B.P. (before present). As the glacial floodwaters retreated, the familiar landscape of the region appeared and so did people. In the surrounding area, Paleo-Indian artifacts from at least 8000 B.P. have been identified from higher elevations (approximately 600') at nearby Ft. Drum, and many sites and artifacts found in Clayton date from the Archaic period (8000 B.P. - 3400 B.P.). The northwest corner of Jefferson County, where the Town and Village of Clayton are located, is known for having the heaviest concentration of prehistoric sites in the State of New York, and Clayton is one of the focal points of this prehistoric activity.

There are over a dozen registered sites and dozens more known areas of prehistoric activity within the Town of Clayton. These sites include campsites, thousands of years old, still littered with chert (flint) points and debris, from the last prehistoric residents, the Saint Lawrence Iroquois. The Saint Lawrence Iroquois were distinct from, but related to, the Five Nations Iroquois and vanished as a separate people about 500 years ago, around the same time as the first European contact in the St. Lawrence Valley. The first and the last historic description of the Saint Lawrence Iroquois was made by the explorer Cartier in

1535. Some 50 years later, Champlain found the distinct culture of the Saint Lawrence Iroquois gone and the Oneida Nation holding claim to the area. The disappearance of the Saint Lawrence Iroquois remains a prehistoric mystery. A local tradition tells that the Oneida won a great battle near the present-day Village of Clayton and the name “Weteringhera Guentere” (meaning “fallen fort”) was given for the area.

To date, no European contact sites have been identified in Clayton, nor is there evidence of much historic activity on the U.S. side of the River until after the Revolutionary War. Some of the earliest settlers left their names on places such as Bartlett’s Point and Barrett’s Creek. After the war of 1812, true settlement started to take shape. As the French settled in the area in the 1820s, the Village was called French Creek. Soon after its name was changed to Clayton in honor of John M. Clayton, a U.S. Senator from Delaware. In 1872, the Village of Clayton was incorporated. In 1883, the Town of Clayton was officially carved from the Towns of Orleans and Lyme.

The forest fed the first major industry in Clayton. Workers lashed trees together into rafts and floated them downstream to Montreal and other areas to be milled into lumber. In 1832, shipbuilding began with the construction of two “ways,” structures on which ships were built and launched, in the area of Hugunin Street. For almost six decades the construction or repair of ships employed as many as two to three hundred workers. Clayton saw its last ship launched in 1890.

Steamers plied the waters of the St. Lawrence from 1840 until 1912. The Village of Clayton served as a refueling stop as well as a departure point for wealthy families to reach their estates or the luxurious hotels on the islands. In 1873, the railroad bolstered the tourism trade by providing a direct connection between the cities of the Northeast and the steamboat terminal in Clayton. Elaborate hotels, shops and other businesses catered to the growing tourist influx. U.S. Presidents Ulysses S. Grant and Chester Arthur visited Clayton during this time. Grant’s visit started a major influx of wealthy tourists and started the construction boom of many large estates.

By the early 20th century, the economic boom brought by tourism started to wane. The advent of the automobile and the increase in small privately owned boats diminished the important role that the Clayton waterfront played in connecting rail passengers to the ferry service. The small boat sales and repair business quickly became lucrative, but few of the fabulously wealthy continued to visit the area. The hotel trade dropped off as more private camps and cottages grew along the shores of the Saint Lawrence River. Few local people could afford wood boats, with the initial cost and the subsequent maintenance. The introduction of fiberglass boats in the 1950’s and 1960’s ushered in a new era of boating and helped the area to prosper. Boats became affordable for the general public.

For a few decades, freight service picked up some of the slack left by the drop-off in rail passengers with Clayton remaining an important refueling station for the coal burning freighters. However, the opening of the Saint Lawrence Seaway in 1959 allowed larger, diesel-fueled vessels to ply the river’s waters and Clayton’s refueling role ceased.

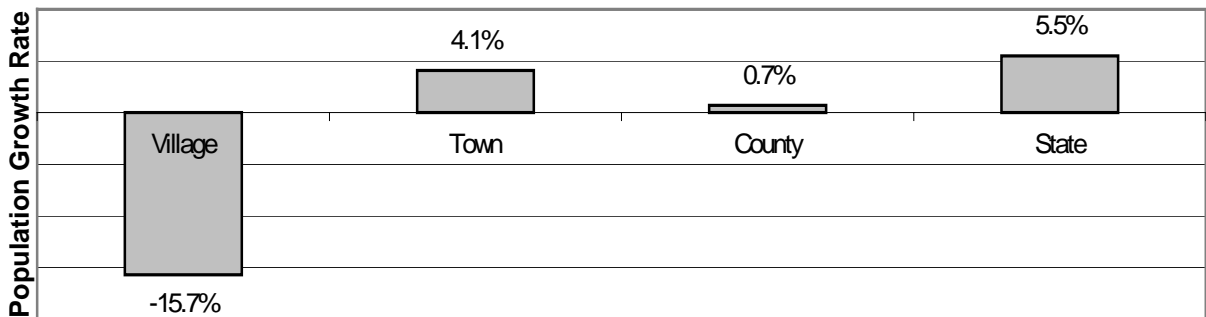
2.3 Community Characteristics

2.3.1 Population

In the 2000 Census, the Village had a total population of 1,821 and the Town had a total population of 4,817.¹ In 1990, the U.S. Census tallied 2,160 people residing in the Village, and 4,629 people residing in the Town. Between 1990 and 2000, the number of Village residents dropped by 15.7 percent, while the Town grew by 4.1 percent. As can be seen in the following chart, the Village trend over the last decade contrasts sharply with regional trends, while the Town shows growth that is more comparable to overall State trends. In other areas, the move away from developed areas reflects the growing trend of suburbanization and sprawl. This trend may also be occurring in Clayton.

Figure 2.1. Population Growth, 1990 to 2000

Source: U.S. Census Bureau: 2000 Census and 1990 Census



We can break down total population by age ranges (a.k.a. age cohorts). This analysis is useful in looking at workforce, market demand, and community character issues. Since neither the WRA nor the Town or Village is an economic island, the trends across larger areas are more important with regards to workforce. However, at the neighborhood and municipal level, changes in age distribution can impact community character and the provision of services. For the purposes of this study, we examine age based on the following cohorts:

- Preschool – less than 5 years old
- School age – 5 to 17 years old
- College age – 18 to 24 years old
- Younger Working Adults – 25 to 34 years old
- Mid-Life – 35 to 54 years old
- Empty Nesters – 55 to 64 years old
- Seniors – 65 years old and older

¹ The Census does not include summer residents.

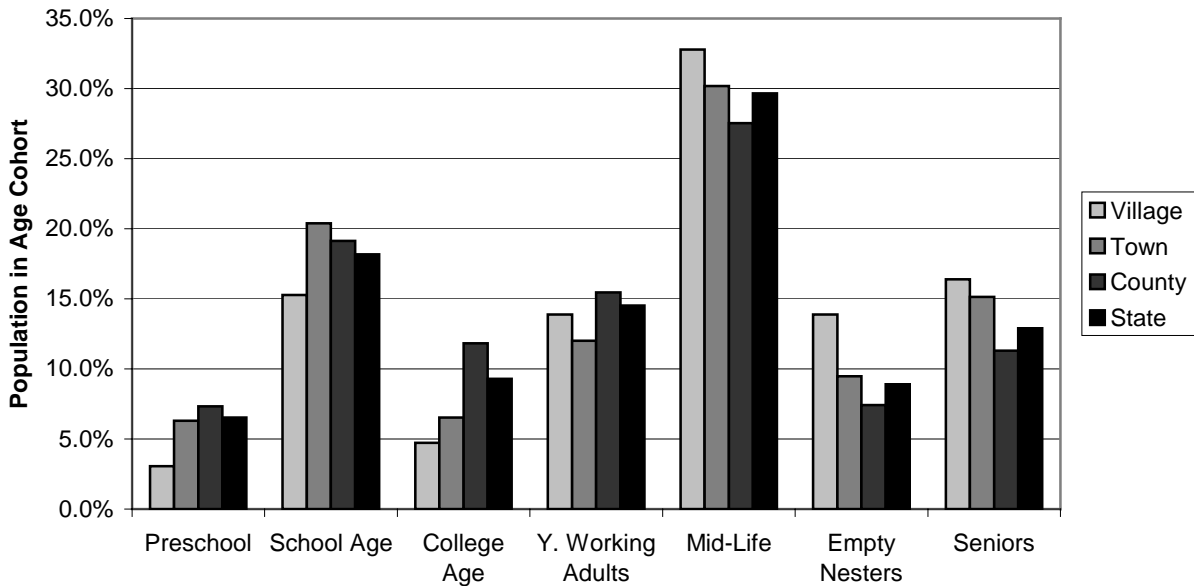
The next table gives raw population number in each age cohort for the Village and the Town.

Table 2.1. Population by Age Cohort, 2000

Population by Age Cohort, 2000 (Source: U.S. Census)		
Age Cohort	Village	Town
Preschool (<5)	104	303
School Age (5-17)	307	982
College Age (18-24)	127	315
Y. Working Adult (25-34)	202	578
Mid-Life (35-54)	520	1,454
Emp. Nest. (55-64)	181	456
Seniors (65+)	380	729
Total	1,821	4,817

When we compare the portion of each age cohort, we see that the residents of the Village and the Town are slightly older than those in the surrounding region: mid-life; empty nesters; and seniors.

Age Cohort Comparison, 2000



2.3.2 Labor Force and Employment

Since workers travel across political boundaries, it is best to examine the labor across areas much larger than the WRA, the Village, or the Town. The North Country West region comprises Jefferson, St. Lawrence and Lewis Counties. The New York State Department of Labor reported the average statistics for 2004 as shown in the table below. The region had higher rates of unemployment than the state as a whole.

Table 2.2. Employment Statistics

Employment Statistics, 2007 (Source: NYS Dept. of Labor)		
County	Unemployment Rate²	Labor Force³
Jefferson	5.3%	48,300
Lewis	5.3%	12,600
St. Lawrence	5.8%	49,400
New York State	4.5%	Not applicable

Unfortunately, this data tells only part of the story. The government's definition of employed is fairly lax – one must be paid for only one hour per week to be considered working. Also, if someone stops looking for work, as often happens during prolonged economic downturns, they are dropped from the labor force, lowering the unemployment rate. Finally, government statisticians do not

consider the many workers who are 'underemployed' – working fewer hours or at lower wages than their desires and skill levels would dictate.

Table 2.3. Workforce Statistics

Workforce Statistics, 2003 (Source: The Pathfinders)		
	Workers	Portion of Labor Force
Total Labor Force	104,900	100%
Underemployed	16,900	16.1%
Unemployed	8,300	7.9%
Workforce re-joiners ⁴	5,200	Not applicable

In 2003, the Pathfinders, a Dallas-based economic development consulting firm, conducted a regional workforce survey for the three county regions: Jefferson; Lewis; and St. Lawrence. The goal of the study was to tally the number of workers available to work should a new employer enter the area. Pathfinders found that 16.1 percent of the labor force was underemployed given their

skills, education and current salaries. Within the group of underemployed, 10 percent of the workers would change jobs for \$8.39 per hour or less; one-third would switch for \$10.71 or less; and half would take new work for \$13.42 per hour or less.

2.3.3 Income Characteristics

The distribution of household incomes in the Village and Town of Clayton tends to skew to the lower side. This can be seen in the following chart, which compares the income distribution of the Village and

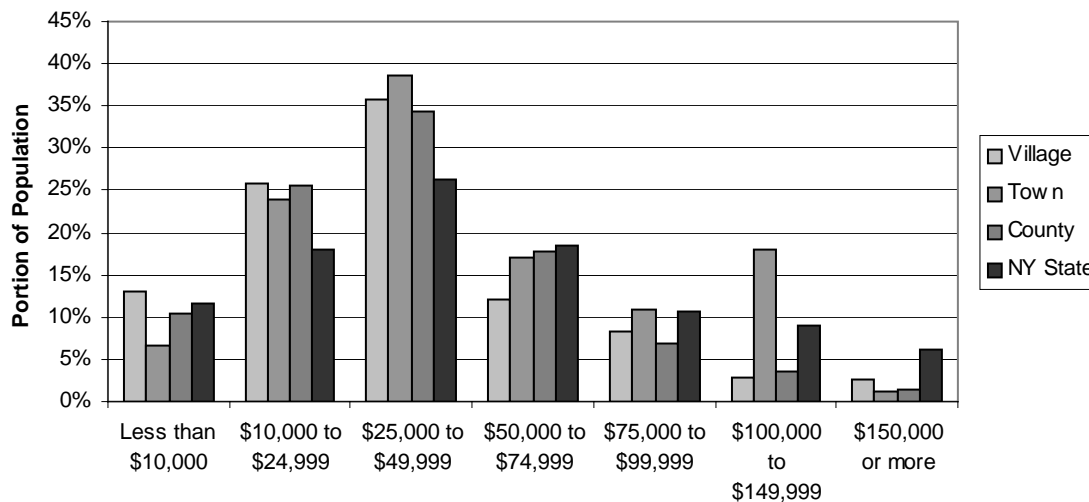
² The Unemployment Rate comprises the portion of the Labor Force that has not worked at least one paid hour per week; but is able to work; and has looked for work in the past month.

³ The Labor Force equals the total number of employed persons (at least one paid hour per week) plus unemployed persons (i.e., people able to work and who have looked for work in the past 4 weeks).

⁴ Number of persons not in the work force, but able to work and would consider working if the correct opportunity presented itself.

Town with Jefferson County and New York State. The distribution of household incomes in the Village is slightly lower than in the County, but significantly lower when compared to the State as a whole.

Household Income Distribution Comparison, 2000



Source: U.S. Census Bureau, 2000 Census

Table 2.4. Household Incomes

Village and Town of Clayton Household Incomes, 2000				
Income	Village		Town	
	Number	Percent	Number*	Percent
Less than \$10,000	113	13.0%	130	6.6%
\$10,000 to \$14,999	90	10.3%	130	6.6%
\$15,000 to \$19,999	76	8.7%	341	17.4%
\$20,000 to \$24,999	58	6.7%	360	18.4%
\$25,000 to \$29,999	73	8.4%	394	20.1%
\$30,000 to \$34,999	63	7.2%	336	17.1%
\$35,000 to \$39,999	42	4.8%	211	10.8%
\$40,000 to \$44,999	74	8.5%	36	18.0%
\$45,000 to \$49,999	59	6.8%	18	0.9%
\$50,000 to \$59,999	39	4.5%	4	0.2%
\$60,000 to \$74,999	66	7.6%	130	6.6%
\$75,000 to \$99,999	73	8.4%	130	6.6%
\$100,000 to \$124,999	19	2.2%	341	17.4%
\$125,000 to \$149,999	5	0.6%	360	18.4%
\$150,000 to \$199,999	18	2.1%	394	20.1%
\$200,000 or more	4	0.5%	336	17.1%

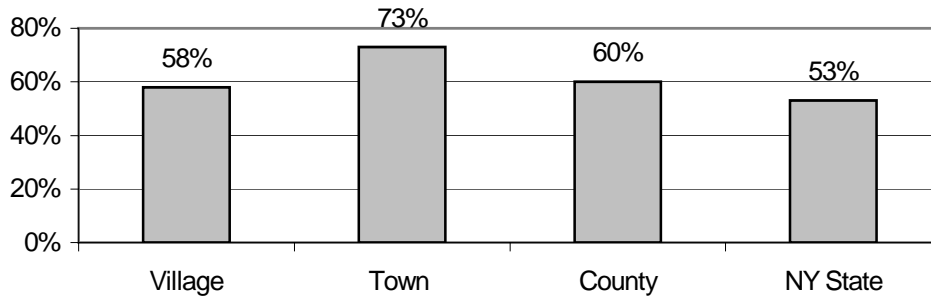
Source: U.S. Census Bureau, 2000 Census

- Note: U.S. Census income data is based on the one-in-six long form survey and not on the complete count. Since it is a sample, total households do not necessarily match actual Town totals.

2.3.4 Housing Characteristics

In 2000, the census found that the owner-occupancy rate of the Village is comparable with regional and state rates. However, the Town of Clayton, with more single-family homes, has a significantly higher rate of owner-occupancy than the Village or the WRA.

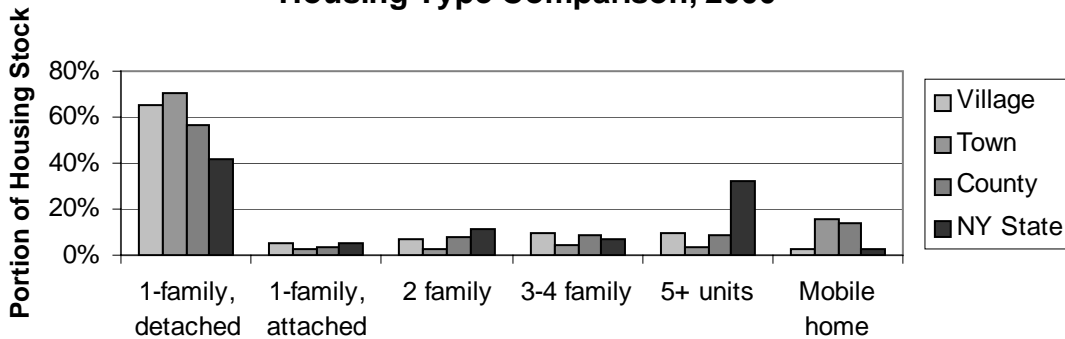
Owner-Occupancy Rate, 2000



Source: U.S. Census Bureau, 2000 Census

The census does not release the detailed data on housing types or age at the census block level, so calculating it for the WRA is impossible. However, it is still interesting to look at the data from the Village and Town and, as done previously, compare it to other regional geographical units.

Housing Type Comparison, 2000



Source: U.S. Census Bureau, 2000 Census

Table 2.5. Year Housing Units Built

Year Housing Units Built, 2000				
Year Structure Built	Village		Town	
	Number of Units	Portion of Total	Number of Units	Portion of Total
1999 to March 2000	0	0.0%	53	1.6%
1995 to 1998	23	2.1%	157	4.6%
1990 to 1994	30	2.7%	304	9.0%
1980 to 1989	105	9.5%	536	15.8%
1970 to 1979	130	11.7%	420	12.4%
1960 to 1969	82	7.4%	428	12.6%
1940 to 1959	197	17.8%	508	15.0%
1939 or earlier	540	48.8%	985	29.0%
Total:	1,107	100.0%	3,391	100.0%

The U.S. Census tracks the age of housing units.⁵ As is typical in historic, urbanized areas, the age of buildings in the Village of Clayton is greater than in the surrounding areas. The average age of housing units in the Town of Clayton is less than the Village, County, or the rest of New York State. The median⁶ year that housing units were built compared to other places is:

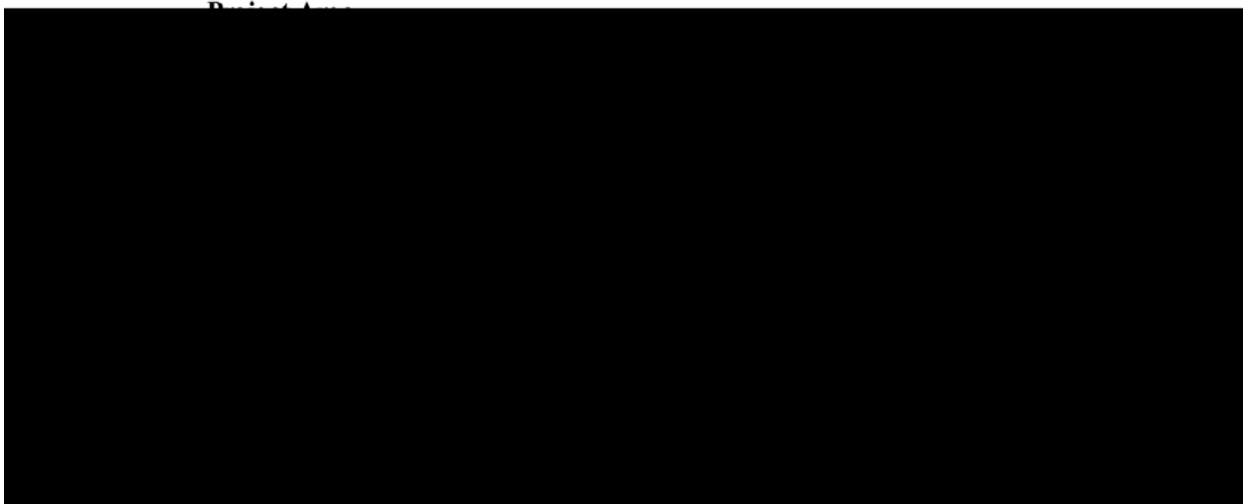
- Village of Clayton: 1942
- Town of Clayton: 1965
- Jefferson County: 1960
- New York State: 1954

⁵⁵ The U.S. Census relies on their survey and interview respondents to report the year structures were built. Therefore data are susceptible to errors of response and non-reporting since respondents must rely on memory or on estimates by people who have lived in the neighborhood for a long time.

⁶ Median indicates a value in an ordered set of values below and above which there is an equal number of values. So in the case of the village: half of the housing units were built before 1942 and half were built after.

2.4 Existing Land and Water Uses

LWRP Map 2: Existing Land Uses displays the different land uses within the Village, Town and WRA.



The following charts compare the relative distribution of land in the Village, the Town, and the WRA. (Add chart for the Town data, revise charts to reflect different WRA.)

Table 2.6. Comparison of Land Use

Comparison of Land Use in the Town and Village of Clayton, 2008						
Land Use	Town of Clayton			Village of Clayton		
	Parcel Count	Size (acres)	Portion of total size	Parcel Count	Size (acres)	Portion of total size
Agricultural	254	25,196.4	48.3%	0	0	0%
Commercial	171	912.65	1.8%	99	47.83	5.0%
Community Services	47	182.95	0.4%	20	48.68	5.1%
Forested	34	1,810.86	3.5%	4	46.64	4.9%
Industrial	16	192.35	0.4%	3	6	0.6%
Public Services	15	182.81	0.4%	3	8.35	0.9%
Recreation & Entertainment	35	404.43	0.8%	23	117.47	12.2%
Residential	2487	14,261.35	27.4%	695	250.19	26.0%
Vacant	1018	8,930.34	17.1%	143	435.8	45.4%
Unknown	4	42.14	0.1%	0	0	0%
TOTALS	4081	52,116.28	100%	990	960.96	100%

2.4.1 Town Land and Water Uses

LAND USES

Agriculture – Agricultural lands occur on the south side of NYS Route 12 and 12E and, to a lesser extent, on Grindstone Island. Farming activities on the mainland are comprised of dairy and beef farming, hay and corn crops and an occasional horse farm. Farming activity on Grindstone Island is comprised of beef farming, hay crops, and pastureland for grazing.

Residential – Residential construction consists primarily of shoreline development with some rural residential activity on the mainland and on Grindstone Island. Shoreline development ranges from small lots with less than 50 feet of frontage, to large lots of over 200 acres. It is anticipated that interest in shoreline property for residential purposes will continue to increase in the future, thus limiting potential for development of water dependent uses.

Commercial – The vast majority of commercial development occurs on the northerly side of NYS Route 12 and 12E and consists of motels, rental camps, cottages, and restaurants. Also present are several marine related commercial uses, such as boat storage, marine construction and repair services, boating equipment sales and marinas which are located along the shore of the mainland at Carrier Bay, Spicer Bay, Mason Point, and on the southwest side of the Village of Clayton, approximately midway along the shore. Other commercial uses include an auto dealership, rental storage facilities, spring water sales, a hardware store, and a real estate office.

Public and Semi-Public Institutions and Facilities – These consist of a couple of seasonal island post offices, a community center, and a dormant K-6 elementary school on Grindstone Island.

Extractive – Several quarries are located on the Crystal Springs Road (County Route 4). One quarry is a private operation that sells gravel to the general public, while the others provide gravel for the municipal purposes of the Towns of Clayton, Cape Vincent and Lyme. In addition to quarries, Frontenac Crystal Springs water-bottling plant is located on the Crystal Springs Road (County Route 4) and provides bottled spring water to the public and private organizations.

Recreation – Private camping facilities are located on the waterside of NYS Route 12E west of the Village of Clayton. Other private boating facilities occur throughout the shoreline in areas of concentrated development on the mainland and islands. Public boating access facilities include the Town-owned Upper Landing on Grindstone Island, which provides access to the island for summer residents. In addition, NYS OPRHP operates camping and recreational facilities at Canoe and Picnic Points on Grindstone Island, while NYS DEC manages 2,262 acres of adjacent French Creek for public hunting, fishing and trapping purposes.

Underutilized, Abandoned or Deteriorated Sites – (Village locations identified - any Town locations?)

Utilities/Services – Utilities consist of the Niagara Mohawk electrical transmission and distribution facility on NYS Route 12 near Blanchard Road. The Sewage Treatment Plant currently occupies waterfront property on the east side of the Village peninsula, but offers potential for redevelopment if the services of the treatment facility are relocated.

Vacant/Undeveloped – These lands are prevalent throughout Grindstone Island, the mainland, and also along the steep slope areas of the shoreline. Most vacant land occurs at large isolated parcels among agricultural and residential development. Additionally, areas of vacant land occur on nearly all the larger islands and throughout the southwest portion of the Town's waterfront area.

Forested – Areas include a 229-acre parcel located on the northeastern end of Grindstone Island, just inland from Canoe and Picnic Point State Park. Other notable forest lands occur near the southwest end of Cross Island on Grindstone Island and on Crystal Springs Road (County Route 4) near the intersection of NYS Route 12E on the northwest side. Other smaller forest tracts occur throughout Grindstone, Picton, Murray and Bluff Islands and, to some extent, on the mainland throughout the southwest side of the Town's waterfront area.

WATER USES

The Town of Clayton waterfront area includes approximately 15 miles of unique shoreline immediately adjacent to the St. Lawrence River, of which a substantial portion has been developed with permanent and seasonal homes, camps, rental cottages and commercial uses. Water dependent uses (those uses that rely on water), such as marinas, commercial docking and boat launching facilities, and guided fishing opportunities are available throughout the Town's shoreline, including Spicer's Bay, Blind Bay and Carrier Bay. These types of water dependent uses allow access for fee to the St. Lawrence River, for water skiing, fishing and pleasure boating purposes during late spring and summer months. In addition, the Town of Clayton owns a boat landing on Grindstone Island that is used during summer months. The boat launch is generally used for access to the island by summer residents and provides an opportunity for the public to access Grindstone Island that otherwise would not exist. Public boating facilities exist on Grindstone Island at Picnic Point State Park and Cedar Point State Park.

These water dependent uses provide a unique appeal for tourism when coupled with the significant historic resources of the Town's waterfront area. Further, the existing and potential economic opportunities directly associated with guided fishing expeditions, tour boat cruises around the Thousand Islands, and recreational boat access are considered a vital aspect of the region's tourism appeal and cultural heritage.

Water enhanced uses (those uses which are enhanced as a result of their proximity to water) such as summer rental cottages, motels, restaurants and public camping facilities are notable along the water side of the NYS Route 12, northeast of the Village of Clayton, and, to some extent, on the water side of NYS

Route 12E, southwest of the Village. In some cases, these water enhanced uses enjoy direct access to the waters edge and are aesthetically enhanced as a result of their proximity to the St. Lawrence River.

2.4.2 Village Land and Water Use

Add detail

Underutilized, Abandoned or Deteriorated Sites – Several locations in the Village are underutilized and have the potential for revitalization. One area is concentrated north of NY Route 12E, particularly the commercial core from Riverside Drive between Centennial Park through to the northeastern portion of the peninsula. In particular, the Frink Property occupies an attractive piece of highly desirable waterfront property that has the potential for redevelopment. During 2008, the Clayton Local Development Corporation worked with EDR to develop conceptual designs for the Frink Property. (Add more?)

The eastern and northeastern shores of the peninsula have opportunities for enhancing public access and mixed-use development, siting new commercial uses and improving visual quality. The Village sewage treatment plant, while performing important functions, also occupies an attractive piece of waterfront property, and creates an offensive odor to nearby residents. The services provided by the sewage treatment plant could be provided by another facility, and the site redeveloped. Redevelopment of this property would positively impact the waterfront and adjacent significant habitat by removing an unpleasant use, and the associated environmental impacts to the water and the air, from the waterfront.

See LWRP Map 2: Existing Land Uses

2.5 Agricultural Lands and Farming Activity

A large portion of land within the Town's waterfront area is farmland that is important to the State. LWRP Map 3: Important Agricultural Lands, shown on the following page, displays significant agricultural land in the WRA. Such land is located on Grindstone Island, adjacent to the Lower Town Landing Road, west of School House Road, northeast of Flynn Bay, on Mason Point, northeast of Carrier Bay, inland from Bartlett Point, northeast of Sawmill Bay, and generally scattered adjacent to French Creek. Although these areas comprise a vast amount of the Town's waterfront, relatively little of this land is utilized for actual agricultural purposes and very little of the waterfront is accessible.

Prime farmland soils (best suited for producing food, feed, forage, fiber and oilseed crops) are primarily located adjacent to French Creek, with small pockets located on the northern portion of Grindstone Island and at various points along the Town's mainland shoreline. These lands are also underutilized with respect to agricultural activity.

Active farming occurs near the municipal boundary of the Town of Cape Vincent and Town of Clayton, where lands have been committed to Agricultural District #2. Other areas that support farming activity and crop production include portions of the north and south sides of NYS Routes 12 and 12E inland from

Bartlett Point, and a small area on Grindstone Island which is used to produce beef cattle, hay crops and pasture grasses.

Farming activity within Jefferson County and the Town has decreased in recent years as a result of:

- the decline of dairy production due to concerns over this market’s cyclical nature,
- significant changes in federal agricultural policy and assistance, and
- loss of land to competing uses.

Agriculture is an important part of the character and culture of the area, and the community needs to explore opportunities to preserve agricultural land and farming activity. Viable agricultural land needs to be retained in order to provide suitable crops and pastureland for dairy and beef farming, to serve as important natural buffer areas, and for economic and aesthetic reasons. Nationwide, the general public has become more interested in purchasing and consuming locally grown products, and subsequently, has begun to show increasing support for local farmer’s markets. This interest in local foods and locally grown products would easily apply to the Clayton community, providing a new avenue for preserving historic agricultural lands and traditional practices by meeting new demands.

Expanding the Farmer’s Market at Frink Park provides a location and an opportunity to enhance local offerings of locally grown and created products. If the Farmer’s Market evolves in the near future, the market should continue to be located in the heart of the Village to ensure spinoff business opportunities for other Village merchants. The community feels that establishing the presence of the market is more important than constructing a permanent, fixed market structure or building that might not be financially viable in the Village.

2.6 Existing Zoning

The following table identifies the zoning districts in the Village of Clayton.

Table 2.7. Existing Zoning

Existing Zoning
Village Zoning District
Resort – Single-Family Residential
Neighborhood Residential
Neighborhood Residential – Special Use
General Residential
Marine Development
Business
Industrial
Industrial – A
RiverWalk District – A

RiverWalk District – B
RiverWalk District – C
Town Zoning District (in WRA)
Residential
Marine Residential
Marine Development
Agricultural and Rural Residential
Hamlet
Business
Industrial
Conservation
TOTAL

To address the concerns about appropriate development, the Town of Clayton should consider ways to encourage density averaging (clustering), cluster development or conservation subdivisions for rural Route 12 and 12E areas. Density averaging or clustering, also referred to as conservation subdivision, allows residences to be built on smaller lot sizes than typically permitted by zoning, provided that the average density of the original parcel is not increased. For example, if zoning required a maximum density of 1 dwelling per 10 acres, a farm of 100 acres would be entitled to develop up to 10 dwelling units. If the 10 dwellings were built on a total of 20 acres of the parcel (with an average lot size of 2 acres), 80 acres would remain open. The smaller lots should be sited in locations that are least suitable for farming, and that offer the most appealing views of open space and natural resources.

Design of the subdivision should include buffers between the new residential development and the remaining farmland. A conservation easement would be placed on the remaining 80 acres to prevent future development. Advantages of conservation subdivisions include: permanent protection of agricultural land from development; more efficient and affordable development, compared to large lot development; and easy administration through zoning and subdivision procedures. Disadvantages include: works best in areas where the zoning requires low density; and need to establish easement provisions and monitoring on agricultural land to ensure continuous protection. Implementing conservation subdivisions may require an increase of lot size requirements in certain districts (up zoning).

See LWRP map 3: important agricultural lands

See LWRP Map 4: Town Existing Zoning

See LWRP Map 5: Village Existing Zoning

2.7 Public Access and Recreation

The waterfront area along the St. Lawrence River and French Creek allows for numerous opportunities to enjoy water-related recreational activities including pleasure boating, canoeing, water skiing, scuba diving, swimming, hunting, fishing, trapping, and nature observation. In this section we list the physical community facilities such as boat launches and museums in and around the WRA, which are available to the general public. LWRP Map 6: Public Access and Recreation, shown at the end of this section, displays areas available for public access and recreation within the WRA.

In Clayton, as in many other Thousand Island communities, the demand for water-related recreational resources exceeds the supply. This has been confirmed by past and present State Park attendance records, which indicate that user demand for public facilities that provide access to water-related recreational resources exceeds the availability and capacity of State-owned facilities.

Demand for water-related recreational activities along Clayton's waterfront area is particularly high during late spring and summer months as tourists and seasonal residents begin to return to the Thousand Islands region. The Clayton waterfront area has several private marinas, boat liveries and commercial docking facilities that provide excellent opportunity for charter fishing, canoeing, boating and water skiing activities. Interviews with local residents indicate a need for development of public boat access and public swimming access along the Village shoreline and the Town's mainland shoreline. Swimming and boating both occur through access at private facilities, but the public has identified the need for additional facilities that provide public access to the water. One location that could be redeveloped to provide additional access to the water is the Village sewage treatment plant property, at the east end of Mary Street. Another possible location for public swimming is Centennial Park. Additional locations for general waterfront access include Bain Street, and the proposed Frink area of the Clayton RiverWalk.

2.7.1 Town Access and Recreation

Members of the public can gain access to the waterfront at the following locations in the Town:

- The 2,262-acre NYSDEC French Creek Wildlife Management Area, which offers access and utilization of the French Creek Marsh, and the adjacent uplands provide excellent hunting opportunities. Parking facilities are available for 5 vehicles, and canoes and small boats can be launched from the bank adjacent to the Marsh and Creek.
- Canoe Point and Picnic Point State Parks, where the State facilities offer 35 campsites, 6 rental cabins, 24 boat slips and a children's playground
- Potter's Beach, a recreational preserve owned by the Thousand Islands Land Trust, is located at the west end of Grindstone Island. Typically accessed by boat, the property provides a natural sand beach and a 230-acre nature preserve adjacent to the river.
- Town-owned Upper Landing on Grindstone Island, where two docks are available for public use
- Limited public access is available through such uses as motels, rental cottages, or restaurants, which provide docking or boat launching facilities for fee.

2.7.2 Village Access and Recreation

Members of the public can gain access to the waterfront at the following locations in the Village:

- Three Village Docks: two located on Riverside Drive, with one being the Regional Dock located at Frink Park, one adjacent to French Creek Bay at the end of Mary Street.
- Three Village Boat Launches: one located at Rees Street, one adjacent to French Creek Bay at the end of Mary Street, and one non-motorized watercraft launch at Centennial Park.
- Limited public access is available through such uses as private marinas, motels, rental cottages, or restaurants, which provide docking or boat launching facilities for fee.

Public parks in the Village include:

- Centennial Park, Memorial Park, and Frink Park, which are primarily used for passive recreation such as fishing and viewing the river. A non-motorized watercraft launch is available at Centennial Park.
- Lion's Park is an open playing field on the east side of Webb Street, mid-block between Union Street and Route 12 (State Street). It provides for active recreation, but not waterfront access. The field is a popular amenity that is used for football, soccer, skating, sledding, and frisbee.
- Clayton Recreation Park, located on East Line Road in the southern part of the Village, has a number of athletic facilities that are open to the public. These facilities include: an outdoor swimming pool, tennis courts, basketball courts, baseball fields, soccer fields, a pavilion, playground, walking trail, and an indoor ice rink used for figure skating, hockey, and public shows in the summer months.

Historical and cultural institutions open to the public in the WRA are listed in the first table below. The second table lists public and private marinas that offer moorage, storage and repair facilities to boaters.

Table 2.8. Recreational Facilities: Historical and Cultural

Recreational Facilities: Historical and Cultural		
Facility	Season	Notes
Antique Boat Museum 750 Mary Street	Mid-May to Mid-October	National premier boat museum with over 200 watercraft
Clayton Opera House 405 Riverside Drive	Year round	Community performance space
Handweaving Museum and Arts Center 314 John Street	Year round	An organization dedicated to reserving and promoting of handcrafts
Thousand Islands Museum 312 James Street	Year round	Historic and artistic displays of life along the Saint Lawrence.
Winged Bull Studios 226 James Street	Year round	A gallery and public studio featuring artist Greg Lago's prints and engravings
St. Lawrence Gallery 203 James Street	Year round	Art gallery and studio that features Michael Ringer's art.

Table 4.9. Recreational Facilities: Boating

Recreational Facilities: Boating		
Facility	Season	Notes
Bayside Marina 1044 State Street	Year-round	Transient slips, showers, restrooms, shore power, mechanic, prop & hull, launch ramp, winter storage, boat rentals
Canoe Point State Park Grindstone Island	May-September	Dock space available at camping area on Grindstone Island, South of the camping area is Picnic Point, with picnic tables.
Cantwell Pier 65 39645 NYS Route 12	Year-round	For sale, winter storage, docks, three year-round boathouses
Cedar Point State Park Marina 36661 Cedar Point Drive	Early May – Mid September	Fuel, dockage, boat launch, bait, tackle, engine rentals
Clayton Marina 50 State Street	Year-round	Transient slips, boat lift, mechanic, prop & hull, launch ramp, restrooms, shore power, showers, marine store, winter storage, boat sales and rental
Don's Prop Shop 38648 NYS Route 12E	Year-round Seasonal hours	Repairs to boats propellers and skegs, trailer repairs, complete welding service and machine shop, marine supply store, and nautical gifts
French Bay Marina 530 Theresa St.	Summer dockage, winter storage	Boat lift, mechanic, prop and hull, launch ramp, restrooms, shore power, showers, mooring, winter storage, boat sales and rental, pumpout facilities
French Creek Marina 250 Wahl Drive	Year-round	Transient slips, fuel (gas), boat lift, mechanic, prop & hull, launch ramp, Laundromat, pumpout, restrooms, showers, marine store, boat sales and rentals, winter storage, campground, fishing
Islander Marina 500 Theresa Street	Year-round, Seasonal docks April-November	Transient slips, Fuel, boat lift, mechanic, Laundromat, pumpout, restrooms, shore power, showers, marine store, winter storage, boat sales and rental
Meyers Marine 40729 NYS Route 12 & 328 Rivershore Drive	Summer dockage, winter storage	Boat lift, mechanic, prop & hull, launch ramp, marine store, winter storage, boat sales
Village Public Dock French Creek Bay	Spring to Fall	Inexpensive daytime and nighttime docking, access to village shops.
Northern Marine 16872 Stern Drive	Summer dockage, winter storage	Fuel (gas), boat lift, mechanic, prop & hull, launch ramp, pumpout, restrooms, showers, winter storage, boat sales
Pier 225 Marina 835 Rees Street	April 15 to October 15	Seasonal and transient slips, sundeck, showers, restrooms
R.J. Marine Associates 690 Riverside Drive	April to October	Transient slips, gas, mechanic, pumpout, winter storage, boat sales

Recreational Facilities: Boating		
Facility	Season	Notes
Seaway Slips & Cottages 1100 State Street	Spring to Fall	Transient slips, mechanic, launch ramp, restrooms, shore power, showers, winter storage, boat rental, fishing pier
Spicer Marine Basin Spicer Bay 40467 NYS Route 12	Summer dockage, winter storage	Fuel (gas), boat lift, mechanic, prop & hull, launch ramp, pumpout, restrooms, shore power, showers, marine store, winter storage, boat sales
St. Lawrence Restoration 411 Franklin St. #2	Summer dockage, winter storage	Transient slips, boat lift, mechanic, prop & hull, restrooms, shore power, showers, mooring, marine store, winter storage, boat sales
Steele's Point Marina 334 Rivershore Drive	May-Sept	Boat and yacht rental, Pontoons, fishing boats, power boats, seadoos
T.I. Adventures 1101 State St.	Summer	Kayak lessons, rentals and sales
Town Public Dock Aunt Jane's Bay Grindstone Island	Spring to Fall	Free docking
Village Public Dock Riverside Drive	Spring to Fall	Free docking with a four-hour limit, restrooms, access to shops
Village Public Dock French Creek Bay	Spring to Fall	Inexpensive daytime and nighttime docking, access to village shops.
Regional Public Dock Riverside Drive, Frink Park	Spring to Fall	Deep-water transient dock
Village Boat Launch Rees Street	Spring to Fall	21' gravel boat launch
Centennial Park Riverside Drive	Spring to Fall	Non-motorized watercraft launch

See LWRP Map 6: Public Access And Recreation

2.8 Historic Resources

Within the Thousand Islands region, there are a number of notable historic, archaeological and scenic resources. Some of these resources can be found in the Town and Village of Clayton, and are described in the following section. LWRP Map 7: Historic, Archaeological and Scenic Resources, located at the end of Section 4.10, displays the historic resources in the WRA.

2.8.1 Town Historic Resources

The mainland shoreline and many of the picturesque islands of the Town of Clayton are dotted with historic homes and cottages that display Italianate, Greek Revival, Federalist, Queen Anne, and Gothic forms of architecture. Architectural styles from past eras provide a sense of the spatial and building

standards that were used during a prominent time of development in the Thousand Islands region. These architectural features and styles are vital aspects to the regional and local tourist economy and deserve to be preserved and protected. Important historic structures in the Town of Clayton are located on Grindstone Island, on the mainland adjacent to the Village of Clayton, and at one location near the Town of Cape Vincent/Town of Clayton municipal boundary. The more significant local historic resources are noted below.

Table 2.10. Town of Clayton Notable Historic Resources

Town of Clayton Notable Historic Resources		
Name*	Location	National Registry Ref. No. & (Determination)**
1. Tomaivoli Cottage	Bluff Island	(No Determination)
2. Boyer Summer Home	Whiskey Island, West Side	(No Determination)
3. Marina and Summer Homes	Calumet Island	(No Determination)
4. Hummel Castle	Grennell Island, West Side	(No Determination)
5. Frontenac Post Office	Round Island, West Side	(No Determination)
6. Gray Summer Home	Round Island, West Side	(No Determination)
7. Churchill Cottage	Watch Island, West Side	(No Determination)
8. McHenry Summer Home	Watch Island, West Side	(No Determination)
9. Dr. Bouryea Summer House	Long Rock Island, West Side	(No Determination)
10. Scott Summer Home	Grennell Island, West Side	(No Determination)
11. Holden Summer Home	Grennell Island, West Side	(No Determination)
12. Neary Cottage	Murray Island, West Side	(No Determination)
13. "Carpe Diem"	Round Island, West Side	(No Determination)
14. The Yacht Club	Round Island	(No Determination)
15. Russell Summer Home	Wintergreen Island, West Side	(No Determination)
16. Summer Home	Round Island, West Side	(No Determination)
17. Summer Home with Screened Porch	Round Island, West Side	(No Determination)
18. Hart Summer Home	Round Island, West Side	(No Determination)
19. Parker Summer Home	Round Island, West Side	(No Determination)
20. Marean Summer Home	Round Island, West Side	(No Determination)
21. Dixie Cottage	Round Island, West Side	(No Determination)
22. "Brun Arche"	Round Island, West Side	(No Determination)
23. Kettell Summer Home	Round Island, West Side	(No Determination)
24. Grindstone Island Methodist Church	Grindstone Island	(No Determination)
25. White Italianate Home	Bartlett Pt. Rd., West Side	(No Determination)
26. Fairview Manor (Long Vue Manor)	38289 NY 12-E	05NR05454, (I)
27. Calhoun Residence	Bog Rd., East Side, South of Bevins Rd.	(No Determination)

Town of Clayton Notable Historic Resources		
Name*	Location	National Registry Ref. No. & (Determination)**
28. Crystal Springs Hotel	CR 4, North of Bog Rd., East Side	(No Determination)
29. Lyman Residence	NY 12, North Side	(No Determination)
30. Willoughby Residence	38876 NY 12-E	(No Determination)

*Names based on the *New York State Preservation Historic Preservation Network Exchange* listing.

** Determinations: I = Individually eligible properties

These historic structures provide a significant cultural heritage that is a unique part of the waterfront's historic character. However, it is important to note that these structures, which are privately owned, face the threat of deterioration or alteration. If the Town and Village are successful in their efforts to encourage revitalization and tourism development, the historic structures may face additional threats such as demolition (partial or complete), wholesale alteration, or impacts from incompatible development on adjacent properties. During the preparation of the LWRP, a few at-risk historic properties were identified by the general public as worthy of preservation. These properties include: Fairview Manor along the Town's mainland shoreline, and the cheese factory on Grindstone Island.

Historic structures that are not identified and protected by local historic preservation laws are subject to the desires of private owners. Local public education efforts should be fostered to increase citizen awareness of the value of historic resources and to encourage private preservation initiatives. Additionally, a historic resource guide, that identifies important historic resources and structures in the Town and Village of Clayton, could be developed for use in the tourism trade.

2.8.2 Village Historic Resources

Two historic districts sit in the Village core, and both are listed on the State and National Registers of Historic Places. Properties in both of these districts are subject to zoning implications for work undertaken in these zones. The 1985 Historic District encompasses buildings on the north and south sides of Riverside Drive between James and John Street as well as parcels along the west side of James Street past Hugunin Street, midway to Jane Street. The two and three-story attached and semi-detached structures represent the waterfront's historic mix of commercial uses on ground floors and residences on upper stories. Built between 1854 and 1920s, the structures include a concentration of Italianate style buildings in brick and wood, three Richardsonian Romanesque structures with stone facades, and other early 20th century commercial buildings.

In 1997, the Village designated another historic district consisting of buildings along the south side of Riverside Drive running from John Street to Merrick. The district includes the Thousand Islands Inn on the southeast corner of Riverside and Merrick, which was built in 1897. It is still an active inn.

Table 2.11. Village of Clayton Notable Historic Resources

Village of Clayton Notable Historic Resources		
Name*	Location	National Registry Ref. No. (Determination)** & (Year)***
1. Wetterhan	Wetterhan Site	00NR01592 (L) (2001)
2. St. Lawrence Gallery	203 James St.	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
3. Pool Hall	209 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
4. The Lost Navigator	215 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
5. Koffee Kove Restaurant	220 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
6. Winged Bull Studio	228 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
7. “McKinley Building”; Gray’s Flower Shop; Porch and Paddle;	232-238 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
8. “Montgomery Ward”; Gold Cup Farms; River Rat Cheese Store	242 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
9. “Lyric Theatre”; Lyric Coffee House	246 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
10. Island Treasures	300 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
11. N/A; Village Video; Thousand Islands Realty, LLC	304-308 James Street	90NR01184 (L) (1985)
12. N/A	306 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
13. N/A	308 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
14. “Antique Store”; Thousand Islands Museum	312 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
15. Clayton Trading Company	320 James Street	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
16. NAPA Auto Parts & Skinners Trolling Spoons Factory	322-326 James Street	97NR01187 (L) (1997)
17. St. Mary’s Church Rectory & Parish	521 James Street	96NR01048 (L)
18. Thousand Islands Inn	335 Riverside Drive	97NR01187 (L) (1997)
19. Town Hall/Opera House Museum	403 Riverside Drive	97NR01187 (L) (1997)

Village of Clayton Notable Historic Resources		
Name*	Location	National Registry Ref. No. (Determination)** & (Year)***
20. Save The River	409 Riverside Drive	97NR01187 (L) (1997)
21. Thousand Islands Land Trust	413 Riverside Drive	97NR01187 (L) (1997)
22. Islanders Boutique	419-421 Riverside Drive	97NR01187 (L) (1997)
23. Reinman's Department Store	435 Riverside Drive	97NR01187 (L) (1997)
24. "Hungerford Building"; Karla's Christmas Shoppe	500 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
25. "Willams Building"; Riverside Café; Tiny Tots Trading Post	504-510 Riverside Drive, North Side; East of John St.	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
26. "Kemp Residence"; Ford English & Assoc., LLC; Riverside Media Group	507 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
27. "Cerow Building"; Jreck Subs	514-516 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
28. Chamber of Commerce; Undersea Images, Inc.; Grater Architects, PC	517-519 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
29. American Legion; Apex Dental Laboratory, LLC	518 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
30. Hilda's Place	522 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
31. N/A	525 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
32. Streets Realty Co.; Courage My Love; The Eagle Shoppe	525-527 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
33. N/A	526 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
34. N/A	527 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
35. Reinman's Decorating Center	528 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
36. "Barker Building"; Solar's Barber Shop	530-532 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
37. N/A	537 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
38. Keybank	538 Riverside Drive	90NR01184 (L) (1985) &

Village of Clayton Notable Historic Resources		
Name*	Location	National Registry Ref. No. (Determination)** & (Year)***
		97NR01187 (L) (1997)
39. N/A	544 Riverside Drive	90NR01184 (L) (1985) & 97NR01187 (L) (1997)
40. Heyman House	731 Beecher Street	(No Determination)
41. N/A	740 High Street	(No Determination)
42. Residence	402 Hugunin Street	(No Determination)
43. Hugunin Residence	403 Hugunin Street	(No Determination)
44. Residence	405 Hugunin Street	(No Determination)
45. Residence	505 Hugunin Street	(No Determination)
46. Dier Insurance & Club Rene	351 James Street	(No Determination)
47. Kennedy Pharmacy	James Street, east side; south of Riverside Dr.	(No Determination)
48. N/A	352 James Street	(No Determination)
49. Angel House	410 James Street	(No Determination)
50. Baptist Church of the 1000 Islands	511 John Street	(No Determination)
51. Clayton United Methodist Church	324 John Street	(No Determination)
52. Christ Episcopal Church	412 Hugunin Street	(No Determination)
53. Hawley Memorial Library	220 John Street	(U)
54. 1000 Islands Craft School	314 John Street	(U)
55. Residence	325 John Street	(No Determination)
56. Residence	220 Merrick Street	(No Determination)
57. Residence	223 Merrick Street	(No Determination)
58. N/A	600 Riverside Drive	(No Determination)
59. Golf Club House	State Street	(No Determination)

* Names based on the *New York State Preservation Historic Preservation Network Exchange* listing or current commercial name.

** Determination: L = Listed; U = Underdetermined (evaluated, but no determination made)

*** 1985 and 1997 listed properties are in a Historic District.

2.8.3 Archaeological Resources in the Town and Village

The history of human habitation in Clayton began between 6,000 to 8,000 years ago. This long history was spurred by Clayton's location near the St. Lawrence River. Although preliminary research suggests that there appear to be significant prehistoric and historic archaeological resources in the Village and Town, to date the Village or Town has not been actively engaged in activities aimed in identifying and preserving these archaeological resources. General locations of these archaeological resources are mapped on LWRP Map 7: Historic, Archaeological and Scenic Resources.

The Village and Town do require consideration of potential archaeological resources through the land development and SEQR assessment process. Development petitioners must consult with the OPRHP inventory of potential archaeologically sensitive sites before proceeding and must comply with any requirements set forth by the State. This may include various levels of investigation. If any resources are found, documentation of the findings, or in rare cases, protection of resources is required.

New York State identifies known archaeologically sensitive areas and protected buffer zones. These sites are based on current records, databases, and file information retained at the New York State Historic Preservation Office (SHPO). The buffer zones are used by SHPO to provide recommendations to state and federal agencies regarding the need for archaeological surveys. The exact locations of known or predicted archaeological sites are not specifically located since the State Historic Preservation Act of 1980 protects them from disclosure. This information can only be accessed at SHPO in accordance with SHPO's Policy on Access to Files, Data and Information. Clayton is fortunate, however, to have local professorial and vocational archaeologists and resources that may have more up-to-date and specific local information on sites and potential sites than current SHPO maps and data. These resources are available as a resource to the Town and Village.

In addition, archaeological areas include underwater resources. The Saint Lawrence River contains a number of shipwrecks, which are located on LWRP Map X. Many shipwrecks have become popular scuba diving locations. The NYS Department of State has initiated development of an underwater trail, the Underwater Blueway Trail, at specific locations throughout the state, including the Saint Lawrence River. To protect and allow proper use of these dive sites, trail development includes marking shipwrecks and rock formations with buoys, guiding lines and signage. Clayton should coordinate with this program.

2.9 Scenic Resources

The Thousand Islands region is recognized as one of the greatest landscapes and impressive scenic vistas in the United States. The landscape and waterfront are sculpted by protruding island and mainland outcroppings, abundant terrestrial and aquatic vegetation, and weathered natural features. Running along Routes 12 and 12E through Clayton is the Seaway Trail, a scenic byway along the St. Lawrence River, Lake Ontario, the Niagara River, and Lake Erie; designated as one of 'America's Byways'. LWRP Map 7: Historic, Archaeological and Scenic Resources, located at the end of Section 4.10, shows significant views in the WRA identified by the committee and during the community charrette.

Scenic Views

Impressive scenic views of the St. Lawrence River are provided along portions of NYS Routes 12 and 12E, and significant viewshed areas are located at French Creek Bay, Carrier Bay and Spicer's Bay. Important scenic views from the river are present along the western, northern and eastern shores of Grindstone Island and from the channel looking towards the Village. The smaller islands, such as Picton and Bluff, contribute equally significant vistas and add to the overall aesthetic quality of the Thousand Islands region.

Efforts to protect and maintain some of the most important scenic views on Grindstone and Murray islands are presently being undertaken by organizations such as the Thousand Islands Land Trust, the Trust for Public Lands, and private individuals. These organizations and individuals have taken positive steps to limit development, protect scenic vistas and wetlands, and create a forest preserve through fee acquisition and conservation easements.

Although protection of scenic resources has taken place on Grindstone and Murray Islands, other areas along Clayton's mainland waterfront have suffered scenic degradation as a result of overdevelopment and the inappropriate use of land adjacent to the water's edge. In some locations, dense forested areas along the shoreline limit visual access from land to the river. In other areas, successional growth in once productive farmland has diminished scenic views. The forested areas and vegetation are desirable in some locations in order to preserve and enhance the natural landscape, restore the natural ecosystem, and improve water quality. In other areas, a scenic view is preferred over the dense vegetation.

Effective land use planning, selective management of vegetative growth, and removal of distracting impairments can upgrade and enhance the aesthetic quality of the area. Additionally, joint municipal cooperation between the Town and Village in conjunction with private developers is needed to promote, enhance and protect the aesthetic beauty and scenic resources within the waterfront area.

Wind energy development has been proposed in southern portions of Clayton, as well as in adjacent communities. The scenic qualities of Clayton may be impacted by such development, and the wind facilities will need to be properly sited in order to preserve the scenic qualities of the Thousand Islands region. Identifying and protecting scenic resources is an important component of smart growth and scenic stewardship.

Overall Visual Quality

Inappropriate signage along NYS Route 12 and 12E, outdoor storage of junk, and conflicting land uses have the potential to degrade the overall quality of the waterfront area. Opportunities to restore, enhance and protect the overall aesthetic resources of the waterfront should be encouraged where possible. Several means to accomplish this include:

1. Concerted public and private revitalization efforts;
2. Revisions to the Town signage law;
3. Purchase of conservation easements that provide for the retention of the existing natural landscape and waterfront area; and
4. Encouragement of clustering and setback through zoning and subdivision regulations.

See LWRP Map 7: Historic, Archaeological And Scenic Resources

2.10 Topography and Geology

The general topography of the region is one of undulating landforms. LWRP Map 8: Topography, displayed on the following page, shows the general topography for the Town, Village and WRA.

The Clayton Waterfront sits largely atop sandstone bedrock known as Potsdam Sandstone, which dates to the Cambrian Period. The absence of sedimentary rock over it reflects a broad transition from more recently deposited limestone in the south and southwestern portions of the Village to the older gneisses and granites located in the north and northeast.

Four general types of soil are distributed throughout the Village waterfront. Silt loams are deep, fine textured, well-drained soil and are found on the eastern end of the peninsula. Silty clay loams are moderately deep and poorly draining, and are located on the western and northern portions of the Village peninsula. Under the drainage ways of French Creek and Bartlett Creek sit sapristis and aquents consisting of mixed organic and mineral materials. Highly altered soils from filling operations can be found at the western end of Mary Street.

The thin soils of the Town's waterfront are represented by five general categories. These categories include: Benson-Newstead-Galloo Outcrop, Chaumont-Galloo-Wilpoint-Guffin clayey loams, Rhinebeck Hudson Rock Outcrop, Vergennes-Kingsbury-Elmridge loams and clays, and Groton-Windsor-Alton sands. Although loams are identified within these soil categories, they represent only a small portion in physical land area. The soil categories are predominantly composed of silty clays which drain poorly and are susceptible to ponding.

See LWRP Map 8: Topography

2.11 Water

The Water Division of the New York State Department of Environmental Conservation does not do testing specifically around Clayton. The water quality in the Saint Lawrence River is very high in general and the state considers it a Class A drinking water source meaning it is drinking water quality with treatment. This is the state's highest classification. The river is the source of drinking water for the Village and the Town.

End of Pipe Discharge

The discharge of pollutants, other than residential septic discharges are primarily associated with several small commercial uses located along the waterfront which have received discharge permits from NYSDEC. Treated effluent from the Village of Clayton sewage treatment facilities also enters the St. Lawrence River. No problems have been identified at this time regarding the discharge of pollutants within the Town's waterfront.

The Village of Clayton is dealing with two combined sewer overflows⁷ as required by the re-permitting of its treatment system. The local state DEC inspector reports that one was seldom used and the other just a little more often and he maintains that they never really impacted water quality. However, the EPA has a goal of releasing no sewage into the Saint Lawrence River and the community is taking steps to make that happen. They have already implemented a series of interim controls outlined by the state and federal governments and are engaged in a long-term public planning process to completely eliminate sanitary sewage discharges.

The local environmental group, Save the River, conducts periodic water quality tests for the bacteria, *Enterococci* (*Enterococcus*) in the Clayton area. In 2008, water quality tests were conducted at Frink Dock; Potter's Beach on Grindstone Island; and near Round Island. Water quality for all locations was within the state and federal standards for swimming water quality.

Water Quality Classifications and Standards

NYSDEC has established water quality standards pursuant to ECL Title 6, Chapter X, Part 701.19 for surface and groundwater supplies in New York State. Determinations regarding water quality are based upon measurements of coliform, P.H., total dissolved solids, dissolved oxygen and other criteria. Waters of the St. Lawrence River adjacent to the Town of Clayton have been designated as Class A and "are suitable for drinking, culinary purposes, food processing and any other usage".

Waters of French Creek are Class C waters and "are suitable for fishing, fish propagation and primary and secondary contact recreation even through other factors may limit the use for that purpose". Consultation with NYSDEC indicated that the water quality of French Creek is designated as Class C since its waters "are primarily used for fishing and not utilized as a drinking water source". Some areas of this watershed may be experiencing eutrophication as a result of upland erosion and fertilizer applications.

Given the fact that the St. Lawrence River serves as a primary water supply for shoreline residences, and that the French Creek is important as a fishery resource, it is necessary to insure that these water sources are not impaired or impacted with regard to their water quality. The existing water use classification for the St. Lawrence River and French Creek are deemed appropriate given their respective uses.

Stormwater Runoff

As previously noted, Blind Bay, Carrier Bay, Sawmill Bay, Irwin Point, Bartlett Point, Mason Point and Grenell Island have been intensely developed with seasonal cottages, rental trailers and permanent homes. These areas have had problems associated with stormwater runoff. Additionally, draft studies released by the NYSDEC indicate that stormwater runoff in the St. Lawrence River basin is contaminated by

⁷ Combined Sewer Overflows (CSOs) are a common problem in older communities. By design (no longer allowed) or by accident, they can carry both storm and sanitary sewage directly into bodies of water when treatment facilities cannot handle flow rates, as during heavy rains.

nutrients, petroleum residuals, pathogens and sediments. Because of the health risks and environmental problems associated with these contaminants, measures are needed to control stormwater runoff. Such measures may include the use of retention or detention ponds, reduction of impervious surfaces in conjunction with development, and treatment to remove contaminants.

At present, there is no municipally owned infrastructure for controlling stormwater runoff within the waterfront. The costs associated with developing such facilities would not be economically feasible if financed solely by the Town or the Village. Opportunities to construct such facilities would therefore necessitate joint efforts between the Town and Village of Clayton, or the Town/Village and developers, or through NYSDEC revolving loan fund for construction of stormwater facilities.

Discharges from Vessels

No data are available regarding actual discharges of sewage or other waste from vessels within the Clayton waterfront area. While this problem may exist in Clayton, it is a general problem involving all waters of the St. Lawrence River.

Presently, some marinas and other water related uses along the Clayton shoreline provide sewage pumpout facilities that are adequate for small pleasure craft discharges. The development of additional pumpout facilities is contingent upon user demand, which will be measured in the near future.

The following options for reducing vessel discharge impacts should be considered:

1. Constructing a municipally-owned sewage pumpout facility in conjunction with the development of any new boat access within the Town or Village of Clayton.
2. Establishing a provision within the Town and Village zoning ordinances which requires new marinas to provide sewage pumpout facilities in areas not serviced by existing pumpout facilities.
3. Fostering communication between Town, Village, State, and Federal agencies to effectively respond to discharge violations through shared responsibility of monitoring and enforcement.

Other concerns related to discharges into coastal waters involve the potential introduction of Zebra mussels and other non-native species into the St. Lawrence River and Great Lakes system as a result of ballast discharges from oceangoing vessels. Potential impacts as a result of the introduction of the mussels could be:

1. Imbalances in the aquatic food chain;
2. Disruption of native fisheries habitats; and
3. Maintenance problems at dams, municipal water intakes and other related structures.

Dredging

The bedrock geology of the Clayton shoreline limits the potential for dredging. Minimal dredging activity has taken place near Sawmill Bay, Carrier Bay and at Steele Point in order to provide additional boat slips at existing marinas that are expanding.

The need for dredging is directly linked to the flow and regulation of water levels in the St. Lawrence River. Requests for dredging permits could increase as a result of drought conditions, unfavorable management of flow and river levels creating low water conditions, and increased development. These problems could severely limit boat access and dockage. Other concerns relevant to the potential increase in dredging activities include:

1. Disruption of bottom sediments;
2. Reduced water quality in areas where contaminated bottom sediments are suspended in the water strata;
3. Increased turbidity resulting in stress on aquatic and benthic organisms; and
4. Disturbance to wetland environments as a result of silt wash.

Spills Into Coastal Waters

The St. Lawrence River channel, which serves as an international shipping corridor for freight and materials from throughout the world, runs parallel to a vast amount of the Clayton mainland and island shoreline. Substances that are transported within this corridor include explosives, petroleum products and hazardous wastes. Vessels occasionally become grounded on shoals as a result of navigational error and unfavorable weather conditions.

Resultant spills of oil or other hazardous substances pose various threats to fish and wildlife, adverse impacts on drinking water supplies, and result in significant degradation to wetland, aquatic and benthic environments. Other factors which influence the impact of spills include the quantity of substances released, existing and prevailing weather conditions, and water level and flow.

Nonpoint Discharges

A January 1990 Nonpoint Source Water Pollution Study, completed by the NYSDEC, identified that nonpoint nutrient contaminants from on-site waste water systems affect bay areas along the St. Lawrence River. Problems associated with nonpoint pollution include: excessive algae and plant growth, nitrogen contamination of water supplies, and reduced recreational values.

Another factor that contributes to the degradation of water quality is soil erosion, which will be discussed in more detail in Section 4.12.3. Although no immediate concerns have been identified in areas of highly erodible soils, land use and site development practices are constrained in such locations. Any uncontrolled activity that would aggravate the erodibility of these soils enhances the potential for water quality problems, or increases sedimentation rates, which may adversely affect fish and wildlife habitats.

Surface and Groundwater Supplies

The surface waters of the St. Lawrence River serve as a primary source of drinking water for the entire Village of Clayton and the shoreline residents of the Town. Water studies conducted in 1968 for Jefferson County by the engineering firm of O'Brien and Gere indicate that no aquifers exist within the waterfront area. However, the presence of drilled wells in bedrock, inland from the waterfront, seems to indicate that groundwater is available. The source of this groundwater is believed to originate by direct recharge from the St. Lawrence River and French Creek drainage basin. No current information is available regarding well yields or locations of bedrock aquifers along the Town's waterfront area.

The New York State DEC cites failing sewage disposal systems as the primary contributing factor to nutrient loading in small bays of the St. Lawrence River. It is unknown to what degree these small bays serve as a drinking water source. Left unchecked, this problem could lead to constraints on the use of existing ground and surface water supplies. The potential for increased summer home and residential development along the shoreline is another factor that could affect the quality and quantity of local ground and surface water supplies.

2.12 Natural Resources & Environmentally Sensitive Features

This section highlights portions of the WRA that contain wetlands, steep slopes and floodplains. These natural resources can be important natural amenities. In many cases, development in or around these areas can prove to be more expensive and limited by regulation.

2.12.1 Floodplains

Most floodplains are found in low areas adjacent to streams, rivers, lakes and oceans and are prone to periodic flooding. In undeveloped areas this natural interaction restores soil fertility, recharges groundwater supplies and creates unique and diverse habitats. LWRP Map 8, shown in Section 4.11, maps the flood zone areas.

The Federal Emergency Management Agency (FEMA) has designated 100-year flood zones. This designation does not mean that flooding will occur only once a century. Instead it means that, in any given year, there is a one-in-one hundred chance of flooding. Frequency of flooding is dependent on many factors including weather conditions and upstream development changes to the watershed.

Flooding is not considered a significant problem within Clayton's waterfront area. However, according to FEMA floodplain maps, certain portions of the WRA lie within the 100-year floodplain of the Saint Lawrence River. In the Village, the floodplain generally consists of a thin band from 0-50 feet around the edge of the peninsula. In areas near the Boat Museum, the floodplain extends inland for over 100 feet.

Narrow portions of the Town shoreline and areas adjacent to French Creek are within Flood Zone A (areas of the 100 year flood). Specifically, these Flood Zone Areas are located at Blind Bay, Irwin Point and Spicer's Bay, south of Round Island and south of Sawmill Bay. Other areas within Flood Zone A

occur on portions of Grindstone Island between North Shore Road and Cross Island Road, one area adjacent to Delaney Bay, northeast of Aunt Jane's Bay, and at Flynn Bay. Mainland Flood Zone A areas occur generally along French Creek from the Cape Vincent town line to the municipal boundary of the Village of Clayton.

The Town of Clayton and the Village of Clayton are in compliance with the terms of the National Flood Insurance program as administered by FEMA. Both the Town and Village of Clayton have adopted floodplain regulations to control the location and siting of new construction activities within flood zone areas in an effort to minimize damage to property, life and natural resources.

2.12.2 Wetlands

Wetlands are among the most biologically productive ecosystems in the world. These water-laden lowlands are a breeding ground and habitat for vegetation, fish and wildlife. They also provide invaluable services to people in the form of water-cleaning filtration, storing floodwaters, and maintaining surface water flow during dry periods. Water filtration assists in removing a large portion of the water's nutrient and pollutant load. Wetlands' function of storing floodwaters reduces the risk of loss of life and property damage. Also, wetlands provide aesthetic benefits, recreational opportunities, educational and research sites, and fishery benefits. (Source: EPA: Functions and Values of Wetlands: EPA 843-F-01-002c)

LWRP Map 9: Wetlands, displayed at the end of this section, shows NWI and NYSDEC wetlands within the Village, Town and the WRA. The Village contains few wetlands mapped in the National Wetland Inventory (NWI).⁸ A small wetland complex is mapped near the base of the Gardner Street Bridge to Washington Island. Extensive freshwater wetland environments are located throughout the Town's waterfront area. Eleven wetland areas are located within and conterminous to Grindstone Island, one is located adjacent to Murray Island, and two are located on the mainland at Blind Bay and French Creek.

These wetlands constitute important ecological resources, which provide numerous environmental benefits and outdoor recreation opportunities by:

1. Protecting surface and groundwater supplies;
2. Acting as permanent retention/detention areas which aid in minimizing flooding and erosion;
3. Filtering and improving water quality;
4. Serving as open space and natural buffer areas;
5. Supporting numerous fish and wildlife habitat, as well as providing spawning and nursery areas;
6. Supplying food and organics within the food chain;

⁸ The U.S. Fish and Wildlife Service compiles the National Wetlands Inventory. The agency defines wetlands as meeting one or more of the following conditions: (1) at least periodically the land supports predominantly hydrophytes; (2) the substrate is predominately undrained by hydric soil; and/or (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year. (<http://www.fws.gov/nwi/>)

7. Providing important recreational opportunities for boating, hunting, fishing and trapping; and
8. Providing areas for biological and ecological study.

While the opportunities and benefits associated with the Village's and Town's wetlands are numerous, concerns have been raised regarding encroachment by residential land use, over utilization and disruption of nursery and fish spawning areas by powerboats, and possible eutrophication and siltation. The area surrounding the French Creek causeway, where French Creek flows into French Creek Bay, is an important aquatic ecosystem that was significantly disturbed by the construction of the causeway. The loss of the aquatic ecosystem in this area has significantly altered the ecology of French Creek. The removal of the natural marsh grasses and the loss of their associated ecosystem services has caused an increase in siltation that has rendered the creek barely navigable by personal watercraft, among other environmental problems. The area surrounding the causeway presents an opportunity to restore an important ecosystem, as well as replace the causeway with a bridge.

Proposals that encourage the protection and preservation of wetlands, such as the 1974 McCrae and Delaney Wetlands Estuarine Sanctuary, by the State University of New York College of Environmental Science and Forestry at Syracuse, have merit for the purposes of natural wetland study. The ability to preserve wetlands for study, however, may be dependent upon other factors, such as private land ownership and acquisition costs.

See LWRP Map 9: Wetlands

2.12.3 Steep Slopes and Erosion

The high costs associated with building on steep slopes make them undesirable for development. The areas are prone to erosion and instability, and are unsuitable for both traditional and alternative septic systems. Many places limit development on steep slopes for safety reasons or to protect the area as a natural amenity. Steep slopes areas exist on Grindstone Island at Buck Bay, Aunt Jane's Bay and Rusho Bay, and on Bluff Island, Picton Island and Murray Island. Areas of steep slopes on the mainland include: east of Lion's Park in the Village of Clayton, shoreline areas west of the Village, northwest and adjacent to the French Creek Wildlife Management Area, and House Road.

Erosion Hazard Areas and Natural Protective Features

There are no NYSDEC designated Coastal Erosion Hazard Areas within the Village's or Town's waterfront. A good portion of Grindstone Island contains highly erodible soils particularly near Flynn Bay, adjacent to the Upper Town landing, at Rusho Bay, and near the intersection of Cross Island Road and Middle Road. Inland areas of highly erodible soils are evident at Sawmill Bay, Carrier Bay and, to a lesser extent, adjacent to French Creek. The areas of highly erodible soils, as noted above, generally coincide with areas of steep slope and, in some cases, low erodible bluffs. These steep slopes and low erodible bluffs serve as natural protective features and buffer the mainland from the erosive forces of

wave and ice action. Although no immediate concerns have been identified with regard to these erosion areas, management practices that minimize the potential for erosion should be implemented.

Erosion Protective Structures

Existing protective structures used to minimize erosion and wave impacts throughout the Clayton shoreline area include: seawalls and bulkheads, groins and jetties, and in a few locations, revetments and riprap. These protective structures provide a necessary means to control wave impacts and soil erosion along the Town's shoreline. Alternatives to structural, engineered solutions exist, and these alternatives should be considered for use in the future as the community continues to deal with erosion protection. Possible alternatives to help protect the shoreline and the ecosystem include bioengineering techniques and planting buffers using deep-rooted vegetation such as tall grasses, shrubs and trees, and aquatic vegetation such as reeds or cattails. These alternative solutions would result in a more natural shoreline, which has aesthetic and scenic benefits.

Nonstructural Measures for Damage Prevention

Minimizing flooding and erosion through nonstructural means within the Clayton waterfront has been primarily accomplished through regulatory provisions in the Village and Town's zoning ordinance and floodplain regulations. Additionally, the Village and Town's floodplain regulations incorporate specific requirements for residential and commercial structures and provide the means to safeguard against potential flood damage. The Village and Town must utilize the provisions of their floodplain regulations and require new uses to locate outside of the floodplain, or provide adequate flood proofing measures, as appropriate. Regulatory provisions, as established within the Village and Town's zoning ordinance and floodplain regulations, are considered adequate at this time.

Ice Management

To date, no significant ice management problems have been experienced along the shoreline areas of the Town or the Village. Potential ice related impacts from natural climatic cycles and human manipulation of flow and water levels during winter months include the following:

1. Potential damage to shoreline structures;
2. Increased bank erosion as a result of ice movement in areas that contain soils of high erodibility;
3. Loss of feeding habitat for wintering birds due to closure of normally open water areas by broken and brash ice;
4. Ice scouring of shoreline wetlands as a result of fluctuating water and ice levels thereby stressing and, in some cases, altering viable fish and wildlife habitat in shoreline and bay areas; and
5. Instability of ice cover resulting in limited or loss of recreational use of river and bay areas for such uses as snowmobiling, skiing, and ice fishing.

The necessity of establishing a stable ice cover on the St. Lawrence River is important for environmental, economic and safety reasons. Therefore, establishing and maintaining consistent water levels that promote stable ice cover should be encouraged with regard to the shoreline areas of Clayton.

2.13 Fish and Wildlife Resources

The 700-mile long Saint Lawrence River is home to many fish species and can be divided into four hydrographic zones. The WRA is part of the Fluvial Section, which runs from Lake Ontario past Montreal to Trois Rivieres. The river life can be divided into seven categories: plants, plankton, benthic organisms, fish, amphibians, birds and mammals.

2.13.1 River Life

Plants. Thousands of species of plants inhabit the water and shorelines of the Saint Lawrence River system. In the Fluvial Section many are found in wetlands, such as marshes, wet meadows and swamps. Plants provide an important food source for other species and create habitats for many organisms.

Plankton are tiny creatures that drift in the water with limited ability to propel themselves. They form the base of the food chain in the St. Lawrence River and include bacteria, yeast, phytoplankton and zooplankton. Like plants, phytoplankton have a role of fixing carbon dioxide via photosynthesis. Zooplankton, on the other hand, are single and multicellular microanimals, which are often the larvae of fish and migrate the length of the river.

Benthic Organisms dwell on the river bottom and are important for recycling organic matter, particularly in deep areas where sunlight does not penetrate. They are also a food source for other species, including people. Some bottom dwellers found in the Fluvial Section include mollusks (e.g., clams), crustaceans (e.g., crabs), oligochaete worms, diptera larve, amphipods, gastropods (e.g., snails) and tubificids.

Fish. Freshwater species found in the fluvial section include bullhead, carp, bass, pumpkinseed, walleye, stickleback, sturgeon, pike, burbot, sucker, perch, shiner, trout, mudminnow, char, muskellunge, and redhorse.

Amphibians and reptiles are important secondary consumers in the food chain eating, for example, insects or plankton. A range of amphibians can be found in and along the river including salamanders, newts, mudpuppies, turtles and frogs.

Birds. Most birds along the Saint Lawrence inhabit the wetlands in the Fluvial Section as well as the Estuaries closer to the Gulf. Many migrate to the river ecosystem during the spring in search of food and breeding grounds. The main birds in the Fluvial Section include blue heron, Canada geese, mergansers, goldeneye, snow geese, moorhen, wood duck, green heron, pied billed geese and Peregrine falcons. Less common species include eagles, redheads and yellowtails.

Mammals. Most of the area's mammal population can be found in the marshes and wetlands. Examples include mink, muskrats, otters, beavers and raccoons.

2.13.2 Significant Fish and Wildlife Habitats

The Town of Clayton waterfront area encompasses a number of significant coastal fish and wildlife habitats within the St. Lawrence River ecosystem. LWRP Map 10: Significant Coastal Fish and Wildlife Habitats, found at the end of this section, shows significant coastal fish and wildlife habitats and the Tern nesting sites in the WRA. These are: French Creek Marsh (including the French Creek Wildlife Management Area), Grindstone Island Wetlands (Flynn, McCrae and Delaney bays), Thousand Island Tern Colonies, Eel Bay, and St. Lawrence River Shoreline Bays.

French Creek Marsh (including the French Creek Wildlife Management Area). This fish and wildlife habitat extends inland approximately five miles from the Village of Clayton, encompassing an approximately 700-acre streamside wetland and adjacent uplands in the NYS DEC's French Creek Wildlife Management Area (WMA). French Creek is a sizeable warm water stream, with a broad floodplain occupied by extensive emergent marsh communities. The drainage area of French Creek is small, and little flow is discernible during the summer. Maximum channel depths of about 10 feet occur downstream of French Creek and Bevins Roads, but are less than 5 feet deep in the two major branches of the Creek. Water levels throughout this WMA are generally continuous with those of the St. Lawrence River, but fluctuations may be affected by the narrow channel opening under NYS Route 12E. The mouth of French Creek, at French Creek Bay, is outside of the Wildlife Management Area, and has been subject to considerable residential and commercial waterfront development, including diking and dredging of wetlands. Upland areas bordering the north, west and south sides of French Creek Marsh are largely rural in nature, including woodlots, abandoned fields, active agricultural lands, and low density residential development. Agricultural activities, including livestock grazing, extend up to the wetland at some locations, but other habitat disturbances are minimal.

Grindstone Island Wetlands. Grindstone Island is the second largest island in New York's portion of the upper St. Lawrence River and the largest island amongst the Thousand Islands, located approximately three miles northwest of the Village of Clayton. The fish and wildlife habitat consists of four large coastal wetland and bay areas on the island. These are: Flynn Bay (approximately 270 acres), which includes adjacent Lindley Bay, located at the southern end of Grindstone Island; McCrae Bay (325 acres), which includes adjacent New Bay, located in the northwestern part of the island; Delaney Bay (200 acres), located in the northeastern part of the island; and the littoral shoreline which extends from Canoe Point south to Point Angiers (200 acres), located along the eastern part of the island. Flynn Bay is a wide-mouth bay facing the main channel of the St. Lawrence River. It has the smallest emergent wetland of the four bays, but features an extensive littoral zone. Flynn Bay is exposed to considerable current and wave action so submergent vegetation is sparse. McCrae Bay and Delaney Bay are dominated by extensive emergent marshes that extend inland up to two miles. Both of these bays are bisected into upper and lower wetland portions, by a small road crossing over McCrae Bay, and by a natural island in Delaney Bay Marsh. The marshes extending from Canoe Point south to Point Angiers consist of extensive littoral zones and shoreline marshes and coves, including Whitehouse Marsh and Plumtree Marsh.

Despite differences in vegetative cover, the Grindstone Island Wetlands share a number of ecological characteristics. Water depths in all four areas generally do not exceed six feet, and are continuous with those of the St. Lawrence River. Drainage areas of the wetlands are small, and little flow is discernible during the summer. Surrounding upland areas are essentially undeveloped, including active agricultural lands, abandoned fields, and woodlots. Habitat disturbances in Grindstone Island Bays are generally limited to occasional livestock grazing, use of motorboats in the bays, and presence of rural road crossings. All of Grindstone Island Bays are privately owned, except for the marshes adjacent to Canoe Point and Picnic Point State Park.

Thousand Island Tern Colonies. The Thousand Island Tern Colonies are located along the St. Lawrence Seaway navigation channel, extending from the Town of Clayton to the Town of Alexandria in Jefferson County. The fish and wildlife habitat consists of one man-made structure supporting navigation lights, located where shoals occur in close proximity to the Seaway channel, and three small rocky islands along with one small group of islands. The specific sites include a small group of islands known as Eagle Wing Group, located approximately one-half mile northeast of the Village of Clayton; Gull Island, located about one mile north of Carrier Bay; Tidd Island, located one mile north of Mason Point; Light Northeast 216, located approximately one-half mile south of Thousand Islands Park; and an island known as Southeast Isle of Pines, located just north of Fishers Landing in the Town of Alexandria.

This artificial structure is a roughly 25 foot square platform, constructed of concrete, rock, steel piping, with varying amount of soil, gravel, and vegetation on the surface. The height of the platform is approximately 8-10 feet above the water. All of the St. Lawrence River navigation lights are owned and maintained by the St. Lawrence Development Corporation, along with many other river structures not included in the habitat.

Eel Bay. Eel Bay is located in the upper St. Lawrence River, on the west side of Wellesley Island, in the Towns of Orleans and Clayton, Jefferson County. The fish and wildlife habitat is an approximate 2,100-acre shallow bay, containing extensive beds of submergent aquatic vegetation (e.g., wild celery, pondweeds, and muskgrass), a fringe of emergent marsh vegetation, and several small islands including Big Gull and Little Gull Islands. The habitat extends southwest to the shores of Murray Isle and Picton Island. There are two sizeable emergent wetland areas, totaling about 75 acres, around the bay shoreline. The larger wetland lies between Flat Iron Island and the north shore, and the smaller one occupies the northeast corner of the bay. Average water depths in Eel Bay range from 6-10 feet, depending of water levels in the St. Lawrence River. The bay bottom is covered variously with soft silt, peat, or clay, except near the south shore, which is rocky. Eel Bay is somewhat sheltered from prevailing winds and wave action, by being situated in the lee of Grindstone Island. Water circulation is substantial with a large channel cutting from the southwest corner and along the shore of Grindstone Island.

The mainland surrounding Eel Bay is almost entirely within Wellesley Island State Park, and remains in a relatively undisturbed natural condition. Private lands with seasonal camps and residences occur only at the hamlet of Grandview Park, on several small islands in the bay, and just east of the larger wetland area. Public access to the area is available from a State boat launching site on the east side of the bay, and from the Minna Anthony Nature Center located near the south shore of Eel Bay, in Wellesley Island State Park.

St. Lawrence River Shoreline Bays. The St. Lawrence River Shoreline Bays are located on the upper St. Lawrence River, between the Village of Clayton and Alexandria Bay, in the Towns of Cape Vincent, Clayton, Orleans, and Alexandria. The fish and wildlife habitat consist of eight shallow bays along the River's mainland shoreline. From southwest (upriver) to northeast (downriver), these bays are: Peos Bay, (20 acres); Millen Bay (35 acres); Rose Bay (30 acres); Carrier Bay (approximately 160 acres); Grasse Point Bay (190 acres); Cobb Shoal Bay, also known as Moore Landing Marsh (40 acres); Swan Bay (140 acres); and Point Vivian Marsh (75 acres). The latter four form an almost continuous three and one-half mile reach of productive littoral zone and wetland habitat. All of the bays are generally less than six feet deep (depending on River levels) and are somewhat sheltered from prevailing winds and wave action. Much of the land area surrounding the St. Lawrence River Shoreline Bays is privately owned, and has been developed into seasonal camps, permanent residences, and small craft harbor facilities (resulting in some habitat disturbance). Grass Point State Park and Collins Landing Wildlife Management Area are exceptions to the predominance of private land ownership. These two public areas provide direct access for public use of the resources associated with the habitat.

See LWRP Map 10: Significant Coastal Fish And Wildlife Habitats

2.13.3 Other Issues Affecting Fish and Wildlife

Bioaccumulation of Pollutants

Point-specific information concerning the bioaccumulation of pollutants in the St. Lawrence River is not available for the Clayton waterfront area. However, the entire river has problems with heavy metal contamination in the sediments. Health advisories issued by the New York State Department of Health recommend limited consumption of sport fish and wildlife taken from the St. Lawrence River, because of a potentially harmful level of chemical contaminants in the River. The Department of Health recommends eating no American eels, channel catfish, lake trout over 25 inches, brown trout over 20 inches and Chinook salmon caught in the river. The agency recommends eating no more than one meal per month of river-caught white perch, white sucker, rainbow trout, smaller lake trout, smaller brown trout and coho salmon over 25 inches. The chemicals of concern are PCBs, Mirex and Dioxin. As such, any effort that eliminates the actual or potential introduction of pollutants along the Clayton waterfront should be encouraged.

Recreational Use of Fish and Wildlife Resources

Recreational use of Clayton's fish and wildlife resources is particularly evident at the NYS DEC's 2,262-acre French Creek Wildlife Management Area. Hunting, fishing and trapping opportunities are available on the marsh and adjacent uplands. "Pheasants are stocked occasionally to augment a small population of Ringnecks, while waterfowl and furbearers find suitable homes in the cattail marsh which borders the open water." Access to this marsh is provided via unpaved roads within this area, although travel by foot is the primary means of passage through the uplands. Additionally, recreational use of fish and wildlife resources is notable throughout the shoreline and island areas, where sport fishing and small game opportunities can be enjoyed.

Commercial Fishing Activities

At this time, there are no commercial fishing activities or uses within the waterfront area. The potential for the location of such uses in the future is a possibility, since the St. Lawrence River contains a number of game and bait fish species. Other commercial fishing activities such as netting, rigging or on-shore processing may prove to be counterproductive with regard to leisure and guide fishing opportunities presently in existence.

2.14 Infrastructure

Sanitary Waste Systems

Local concerns regarding the discharge of sewage effluent into the St. Lawrence River have been raised as a result of failing or inadequate residential septic systems along the Clayton shoreline. Accordingly, the Town has adopted NYS Department of Health regulations and inspection practices, which establish septic system requirements for all new uses to minimize the potential of ground or surface water contamination. The criteria, as contained in the Village and Town's sanitary regulations, establish standards for septic systems based upon individual site conditions, and are considered adequate at present. In addition, the use of alternative septic systems is strongly encouraged to protect water quality and lessen the potential health risks associated with contaminated ground and surface water from failed septic systems within the waterfront area.

It should be noted that a major problem regarding the adequate disposal of sewage effluent is the presence of thin soils throughout the Town's waterfront area which poses severe limitations on the use of traditional septic systems. This factor is especially relevant to the islands and immediate shoreline areas where soils are sparse and bedrock is exposed to the ground surface. The soils are predominantly composed of silty clays which drain poorly, are susceptible to ponding, and are inadequate to effectively treat and dispose of effluent from traditional septic systems. Please see Section 4.15 for a discussion of Clayton soils.

Another factor which imposes limitations on the use of traditional septic systems is the existence of slopes exceeding 15 percent. Traditional or alternative septic systems should not be located in these areas. Please see Section 4.12.3 for a list of steep slopes in the WRA.

A local organization known as Save the River is currently promoting the use of alternative septic systems in the Clayton and Thousand Islands region. Through its Kingfisher Program, this organization offers free septic system inspection and advisement on alternative septic systems. The Program has encouraged numerous shoreline property owners to upgrade their individual sewage treatment systems. Public funding for this Program should be continued.

Additionally, information on alternative septic systems for residential use is available from the NYS Department of Health, Jefferson County Planning Department, and the Tug Hill Commission. These agencies can provide excellent source material regarding replacement of inadequate sewage disposal systems.

Solid Waste Management

The Town's transfer station, located on the waterside of County Route 4, approximately 1.5 miles northeast of the Town of Clayton/Town of Cape Vincent municipal boundary, is used for the disposal of the Town's solid waste. Disposal of solid or hazardous wastes from the Town's transfer station is not known to pose any threats to the water quality within the local waterfront area.

The lack of effective transportation and disposal of solid waste from the island areas has the greatest potential to impact the surface waters of the St. Lawrence River. To date, this has not been identified as a serious problem within the waterfront area.

Major Electric and Industrial Facilities

At this time, no major electric or industrial facilities exist along the waterfront area. The Village and Town of Clayton Zoning Ordinance adequately address the potential for the location of these types of uses. The Town has established an industrial district approximately 1 mile outside of the Town waterfront edge and falls outside of the LWRP area. The Village's Industrial District is less than a mile from the waterfront edge and falls within the LWRP area. It is unlikely that discharges from any potential electrical or industrial use in this district would affect the natural resources of the St. Lawrence River or French Creek, since the district is located substantially inland from these bodies of water.

2.15 Transportation

The transportation network in a community determines how easily people and goods can move into, out of, and within a community and the LWRP waterfront revitalization area. The access and circulation systems inventory includes an investigation of the existing transportation systems including roads, air, and pedestrian/bicycle access. Clayton does not have public transit, such as rail or bus service.

2.15.1 Roads

The road system in Clayton includes Interstate Highways, NY State Routes, arterial roads and additional town roads.

Major Roadways

The major arterial road providing regional access to the Town and Village of Clayton is Interstate 81. Interstate 81 runs through the adjacent towns of Pamela and Orleans, and connects with State routes that travel to Clayton. Interstate Route 81, a four lane limited access highway, directly connects Jefferson County to Ontario, Canada and the US Interstate system. No portion of Interstate 81 is included in the LWRP waterfront revitalization area boundaries, but it serves as a key access route to Clayton.

NYS Routes

Two New York State Roadways are located within the Town and Village of Clayton, providing a means of easy access around the community and into neighboring areas. NYS Route 12 enters from the southeast corner of the Town, travels generally in a north-south direction into the Village of Clayton, where it makes a 90-degree turn and continues in a northeasterly direction along the coast to the Town of Orleans. In the Town of Orleans, Route 12 intersects with Interstate 81 near the Thousand Islands Bridge, and continues on through several shoreline communities, to the vicinity of Morristown.

At the intersection where Route 12 makes a 90-degree turn, NYS Route 12E begins and runs in a southwesterly direction from the Village of Clayton through the Town of Clayton and into the Town of Cape Vincent. Route 12E continues on along the coast of Lake Ontario through Chaumont, before ending in Limerick. Significant portions of Route 12 and 12E are located within the WRA, and act as key gateways into the coastal area. Route 12 and 12E are key community connectors, both within Clayton, and from Clayton to adjacent communities. Both routes provide adequate vehicular access, but lack safe access for bicycling and/or walking.

Local Roads

All roads, excluding major roadways defined above, which lead to the waterfront, are considered local roads. All the roads in the Village of Clayton peninsula area are included in this category, and these roads generally run in a grid perpendicular and parallel to Riverside Drive, the main commercial route in the historic Village core. Adequate circulation occurs through the Village street grid, but there is an opportunity to extend Riverside Drive through the Frink America property, which will make clear connections to the commercial core and seamless connections to adjacent neighborhoods. Riverside Drive could also benefit from potential reconfiguration that allows for traffic calming and pedestrian improvements

In the Town of Clayton and in the outskirts of the Village, local roadways generally run perpendicular to Route 12 and Route 12E and are primarily dead ends that terminate at the River. These roads are generally in good condition. [True?]

2.15.2 Air Service

The Watertown International Airport located approximately 6 miles west of the City of Watertown in Dexter, NY, provides the nearest air service to the Clayton region. Jefferson County owns and operates the airport, which provides both general aviation and commercial air services. The airport is serviced by Cape Air Airways, which provides daily commercial passenger flights. General aviation services, including fuel sales, aircraft engine repair, handicap accessible restrooms, and charter flights, are provided by Tom Brouty Aircraft Service, Inc. The airport provides free parking and quick boarding, as well as free wireless internet.

2.15.3 Pedestrian and Bicycle Circulation

There are deficiencies in the pedestrian and bicycle circulation system within the waterfront revitalization area. The Village core and the neighborhoods immediately surrounding this area have adequate sidewalk systems that allow for safe travel over short distances within the immediate vicinity. The Village should repair and maintain sidewalks that link residential areas to downtown, and strive to improve crosswalk conditions. Constructing a median on Riverside Drive is also a potential opportunity for improving pedestrian safety. Although traffic in the Village is not as intimidating as on major roadways, bicycle lanes have been suggested for local roads in the Village core to provide safer access throughout this area.

Shortcomings of the pedestrian and bicycle circulation system are most evident along major roadways within the Town and Village. Pedestrian and bicycle circulation is limited or non-existent along many major roadways, including NYS Routes 12 and 12E. In these areas, walking is somewhat dangerous for most users, as road shoulders are not wide enough to ensure a high comfort level against the heavy traffic and high speeds of passing vehicular traffic. None of the existing pedestrian paths are truly suitable for avid multi-use recreational uses.

Similar shortcomings also exist with respect to bicycle circulation. Experienced cyclists may be more comfortable traveling on existing major roadways, as they tend to be more at ease sharing the road and interacting with motorists. However, inexperienced or recreational cyclists would likely find the same roadways to be dangerous and unnerving. Walking and biking trails/lanes along Routes 12 and 12E would improve access and safety.

In addition, Clayton lacks adequate trails that can be used for recreation and transportation purposes by bicyclists and pedestrians. The few existing trails include the:

- Grindstone Island Nature Trail that wends its way across property lines in Canoe Point State Park, Picnic Point State Park, and TILT's Grindstone Island Preserve.
- Sissy Danforth Rivergate Trail, a multi-use trail used by hikers, mountain bikers, skiers, ATV riders and snowmobilers that links sections of New York Central Railroad's abandoned railroad beds in the Towns of Philadelphia, LaFargeville, Theresa, Redwood and Clayton.

The Town and Village of Clayton have opportunities to develop additional trails in the French Creek Wildlife Management Area, Grindstone Island, along Routes 12 and 12E, and in additional sections of the railroad bed, specifically in the Frink America property. The RiverWalk would provide an opportunity to provide pedestrian access to the waterfront, as well as a corridor for pedestrian and bicycle circulation. French Creek Bridge has limited access for pedestrians and bicyclists, and redevelopment of this structure would provide opportunities for improving circulation, access, and safety.

2.15.4 Alternative Transportation

The Town and Village of Clayton do not currently have a variety of transportation options for residents and visitors. The community is not served by local or regional bus service, or by railway. The closest ferry service is in Cape Vincent, with trips to Wolfe Island. Boat tours are available, but have limited access when compared with a ferry or water taxi. The community would benefit from alternative transportation options, such as a local trolley, or small ferries and/or water taxis that provide access to a variety of islands, parks and historic sites. Visitors in particular might benefit from the opportunity to rent a golf cart, scooter, bicycle or Segway as a means to get around the community.

3.0 Coastal Management Policies

The Local Waterfront Revitalization Program (LWRP) policies presented in this section consider the economic, environmental, and cultural characteristics of the community's waterfront. The NYS Waterfront Revitalization of Coastal Areas and Inland Waterways Act establishes public policies for appropriate use and protection of the State's coastal areas and inland waterways. One of the most important roles of the Local Waterfront Revitalization Program is the adaptation of the State's waterfront policies by the community to reflect local waterfront issues and utilize local approaches to address them along with the addition of specific local policies.

Once the LWRP is adopted by the Town and Village of Clayton and accepted by the NYS Secretary of State, public agencies will use these policies when considering the appropriateness of a proposed action, such as land use decisions and review of private development plans, within the Local Waterfront Revitalization Area. Federal, State and local laws and regulations (the Federal Coastal Zone Management Act, Article 42 of the NYS Executive Law and Town and Village Waterfront Consistency Review Laws) require agencies to conduct their activities in a manner consistent with these policies. If a proposed action is contrary to one or more of the policies, the action should be considered inconsistent with the LWRP unless an appropriate modification can be made or it can be shown that the action has an overriding public benefit.

The Village and Town of Clayton's Coastal Management Policies consider the economic, environmental, historic and cultural resources and characteristics of the Village and Town, and are consistent with the LWRP vision and objectives identified in Section 2.0 of this document. The policies are comprehensive and reflect existing laws and authority regarding development and environmental protection. Taken together, these policies are used to determine the appropriate balance between economic development and resource preservation that will permit beneficial use of, and prevent adverse effects on, Village and Town resources in the LWRP area.

The policies are organized under four headings: developed waterfront, natural waterfront, public waterfront, and working waterfront. The policies are summarized in the table below.

Table 3-1. Summary of Coastal Management Policies for the Village and Town of Clayton

Developed Waterfront Policies	
Policy 1	Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.
Policy 2	Preserve historic resources of the waterfront area.
Policy 3	Enhance visual quality and protect scenic resources throughout the waterfront area.
Natural Waterfront Policies	
Policy 4	Minimize loss of life, structures, and natural resources from flooding and erosion.
Policy 5	Protect and improve water quality and supply.
Policy 6	Protect and restore the quality and function of the ecosystem.
Policy 7	Protect and improve air quality in the waterfront area.
Policy 8	Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes.
Public Waterfront Policy	
Policy 9	Provide for public access to, and recreational use of, the waterway, public lands, and public resources of the waterfront area.
Working Waterfront Policies	
Policy 10	Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations.
Policy 11	Promote sustainable use of living marine resources.
Policy 12	Protect the agricultural lands.
Policy 13	Promote appropriate use and development of energy and mineral resources.

The following paragraphs examine the applicable State policies with regard to conditions, problems, and opportunities associated with the waterfront areas in the Village and Town of Clayton.

Developed Waterfront Policies

Policy 1: Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.

Explanation of Policy:

The regional character of a community's waterfront is defined by the pattern of developed and open land. The collection of natural, recreational, commercial, ecological, cultural, and aesthetic resources in the community, or landscape, defines its character; and the distribution of developed and open lands establishes a pattern of human use that reflects an historic choice between economic development and preservation of waterfront resources.

Development that does not reinforce the traditional pattern of human use would result in an undesirable loss of the community and landscape character of the region. Development, public investment, and regulatory decisions should preserve open space and natural resources and sustain the historic waterfront communities as centers of activity. Water-dependent uses generally should locate in existing centers of maritime activity in order to support the economic base and maintain the maritime character of these centers, and to avoid disturbance of shorelines and waters in open space areas.

The policy is intended to foster a development pattern that provides for beneficial use of waterfront resources. The primary components of the desired development pattern are: strengthening traditional waterfront communities as centers of activity, encouraging water-dependent uses to expand in maritime centers, enhancing stable residential areas, and preserving open space.

Application to the Village and Town of Clayton:

The Village and Town of Clayton's waterfront areas include a wide variety of land uses, natural resources, cultural and historic resources and recreational facilities and opportunities. Clayton's rich history is tied to water-based activity and development. As Clayton engages in this long-term planning process, priority should be given to land uses that encourage and enhance this rich relationship. Waterfront revitalization is a critical catalyst and component of continued overall community and economic improvement.

The reuse of existing, architecturally significant building stock and historic sites as centers of residential, commercial and recreational activity is the key component of the desired development pattern for the Village of Clayton's downtown and waterfront area. Where new construction is necessary, the construction should be consistent in scale and character with the existing Village character. Land uses that attract residents and visitors to the downtown and offer recreational activities or community-oriented social activities and facilities should be encouraged.

In both the Town and the Village of Clayton, land uses requiring a location on the shoreline and that promote a public visual and physical relationship to the St. Lawrence River should have priority for development on the waterfront. The waterfront areas of the Town primarily contain residential development of all shapes and sizes, from mobile homes to multi-million dollar waterfront estates. The Town also has significant agricultural and open space land uses on Grindstone Island.

Policy 1.1: Concentrate development and redevelopment in or adjacent to traditional waterfront communities.

Explanation of Policy:

The overall intent of this policy is to integrate land use components that highlight existing resources, such as local history and important natural and man-made features, to reinforce community identity. Some principles that follow from the policy:

- Maintain Clayton as a traditional waterfront community. Ensure that new development within the Village and the Town supports and is compatible with the existing desirable character of the community.
- Match land uses to local and regional community needs to avoid unnecessary duplication and to preserve community character.
- Focus public investment, actions, and assistance in waterfront redevelopment areas to reclaim unused waterfront land and brownfields for new purposes.
- Locate new development where infrastructure is adequate or can be appropriately upgraded to accommodate new development.
- Limit development to areas with no environmental constraints and minimize consumption of Village and Town land.
- Develop related recreational and commercial opportunities in the waterfront and downtown areas to encourage movement between the two areas.
- Accommodate new waterfront uses in an orderly manner and foster safe, convenient waterfront access at strategic locations, linked by streets, sidewalks, a RiverWalk system, and other modes of access.
- Increase educational and interpretative uses of the area around the St. Lawrence River.

Application to the Village and Town of Clayton:

Clayton will foster a pattern of development that will emphasize the waterfront and integrate the waterfront areas both within Clayton, and between Clayton and adjacent communities by:

- Providing physical linkages between the waterfront, downtown, and other areas of Clayton, as well as other communities.
- Providing access to the waterfront area from the surrounding community where feasible.
- Encouraging appropriate development in order to protect existing character and resources.

Revitalizing deteriorated, abandoned, vacant or underutilized sites within the waterfront and downtown area will help improve the economic vitality, provide recreational opportunities, and enhance the appearance of these areas. In particular, revitalization, stabilization or redevelopment of the following areas is recommended:

- Revitalize the area north of NY Route 12E, with a particular focus on the commercial core from Riverside Drive between Centennial Park through to the northeastern portion of the peninsula. This includes providing clear pedestrian connections between the Antique Boat Museum and the east end of Riverside Drive. Infill development should be encouraged in this area in a manner compatible with the existing historical context.
- Revitalize, stabilize and redevelop the areas along the eastern and northeastern shores of the peninsula with emphasis on enhancing public access and mixed-use development, siting new commercial uses and improving visual quality.
- Redevelop the sewage treatment plant site. The Village sewage treatment plant occupies an attractive piece of waterfront property, and creates an offensive odor to nearby residents. The services provided by the sewage treatment plant should be provided by another facility, and the site redeveloped. The property could be developed under a number of different scenarios.
- The community identified the dump under the athletic field at Lion's Field as worthy of reclamation.

Policy 1.2: Ensure that development or uses take appropriate advantage of their waterfront location.

Explanation of Policy:

This policy seeks to provide a measure of control for future waterfront land uses in Clayton by devoting these lands to uses that are water-dependent or water-enhanced. 'Water-dependent uses' are defined by the State of New York as "activities that require a location in, on, over, or adjacent to the water because the activities require direct access, and the use of water is an integral part of the activity." 'Water-enhanced uses' are defined as "activities that do not require a location on or adjacent to the water to function, but whose location on the waterfront could add to public enjoyment and use of the water's edge, if properly designed and sited. Water-enhanced uses are generally of a recreational, cultural, commercial, or retail nature."

Inappropriate zoning can undermine efforts to ensure beneficial waterfront development. When zoning does not foster a cohesive and appropriate pattern of development, it can allow valuable waterfront lands to be lost to inappropriate uses that detract from their connection to the waterfront. The NYS DOS policy standards listed below provide guidelines for ensuring appropriate waterfront development in the LWRP project area.

- Reserve the immediate waterfront for water-dependent uses and activities.
- Accommodate water-enhanced uses where they are compatible with surrounding development, do not displace or interfere with water-dependent uses, and reflect the unique qualities of a waterfront location through appropriate design and orientation.
- Allow other uses that derive benefit from a waterfront location, such as residential uses, in appropriate locations.
- Avoid uses on the waterfront that cannot, by their nature, derive economic benefit from a waterfront location.

Application to the Village and Town of Clayton:

There is a finite amount of waterfront space in Clayton, especially in the Village, suitable for development purposes. Therefore, it is reasonable to expect that demand for waterfront land in Clayton will continue to intensify over time. Simply allowing market forces to determine the future, long-term use of this valuable resource does not ensure either an attractive or a publicly accessible waterfront. In fact, it would likely work against such a desired result. In particular, the following areas are recommended for revitalization and redevelopment.

- Restore, revitalize and redevelop the waterside area from Mary Street north to Centennial Park as a working waterfront area while promoting public access that weaves pedestrians in-and-out to the water and back to Riverside Drive via the proposed RiverWalk. Marine-related commercial operations should be encouraged to keep areas visible to passers-by as a testament to the heritage of the community.
- Revitalize and stabilize the congested area of existing marinas, marine-related commercial facilities and residences along the southwestern shores of the French Creek Bay area while providing for the expansion of harbor facilities where conditions allow.
- Enhance and protect the Village area between Centennial Park, along Riverside Drive, to the sewage treatment plant property. Redevelop the Frink Property and explore the feasibility of moving the sewage treatment plant and redeveloping the property.

Policy 1.3: Protect stable residential areas

Explanation of Policy:

Policies for protection of residential areas are as follows:

- Maintain stable residential areas and allow for continued compatible residential and supporting development in or adjacent to such areas. In these areas, allow for the restoration of existing commercial and institutional buildings for conversion to residential dwellings. Opportunities should be provided for the development of a variety of housing types to meet the needs of people at various income and age levels, and household compositions.

- Avoid new uses and developments that are incompatible with existing residential development. Avoid new uses in a stable residential area when the use, design, or scale will significantly impair the character or functionality of the neighborhood.

Application to the Village and Town of Clayton:

Residential land use in Clayton basically takes three forms: detached single-family homes, apartments, and multiple dwelling units. Apartments can be found as accessory units or over first-floor commercial businesses in the downtown area. Multiple dwelling units include townhouses, condominiums, converted older single-family structures, and multi-story buildings. The Village and Town should develop guidelines for new construction, redevelopment, and screening in any part of Clayton to prevent the reduction or loss of vistas that connect people to the river.

Revitalize and redevelop the area of the Village along the southwestern corner of Goose Bay for residential uses with emphasis on improving visual access and quality, and expanding public access and recreation opportunities. Multiple units of residential development are planned for the Frink property. Here, and adjacent to any other proposed residential development in this area, the RiverWalk should be located along the water's edge in front of the development. Water-dependent uses need to be given priority and coordinated with residential development. Protecting adjacent stable residential areas from deterioration and incompatible uses is also important.

Underutilized spaces over stores or in vacant buildings in the downtown area present housing opportunities. Proper zoning can capitalize on these opportunities to contribute to the vibrancy of the downtown.

Policy 1.4: Maintain and enhance natural areas, recreation, open space, and agricultural lands.

Explanation of Policy:

Natural areas, open space, and recreational land produce public benefits that may not be immediately tangible. In addition to scenic and recreational benefits, these lands may also support habitat for commercially or ecologically important fish and wildlife, provide watershed management of flood control benefits, serve to recharge ground water, and maintain links to a region's agricultural heritage.

Also, well maintained natural areas, such as parks, shorelines, small and large wooded and open areas, steep slopes, and streams, enhance community character and aesthetic quality of the natural and manmade environments. Clayton's natural areas, on the waterfront and throughout the Village and Town, benefit the physical environment as well as the physical and psychological health of the community. Any potential adverse impacts of proposed development to physical environments should be addressed and mitigated. Land use planning requirements and development guidelines should reflect attention to site characteristics by limiting the disturbance of steep slopes, wetlands, wooded areas, and water resources.

The requirements and guidelines should foster visual compatibility of the development with the character of the surrounding areas.

Specific policy guidelines regarding development, maintenance and enhancement of open spaces and natural areas are as follows:

- Avoid loss of economic, environmental, and aesthetic values associated with these areas.
- Avoid expansion of infrastructure and services that would promote conversion of these areas to other uses.
- Maintain natural, recreational, and open space values including those associated with large estates, golf courses, and beach clubs.
- Avoid, or minimize the loss of open space, natural areas, wetlands and wildlife habitat while attempting to accommodate the recreational needs of the community.
- Encourage appropriate, low impact uses that take into consideration the local natural features such as geology, topography, and wildlife habitat.
- Improve infrastructure and implement protective measures to prevent erosion and stormwater runoff into the St. Lawrence and its tributaries.
- When evaluating proposed new development, ensure that natural areas are preserved to the maximum extent possible, e.g., preserve native species, large individual trees, stands of trees, unique forest cover types and habitats whenever possible.
- Protect existing parklands and provide additional public recreational opportunities and carefully consider the implications of expanding infrastructure that might accelerate conversion of open spaces or natural areas to other uses.

Application to the Village and Town of Clayton:

It is desirable to achieve and maintain a better balance of natural areas and developed areas in Clayton. Many natural areas throughout Clayton are shrinking because of development and poor maintenance. Much of the natural area that graced the shores of the Clayton waterfront during the past century has been lost to commercial and residential development. Clayton's remaining natural areas, including waterfront, wetlands, wooded and sloped areas, and the French Creek corridor, should be protected and enhanced to mitigate the impact of development activity in the surrounding areas.

Policy 1.5: Minimize adverse impacts of new development and redevelopment

Explanation of Policy:

This policy seeks to minimize potential adverse land use, environmental, and economic impacts that would result from proposed development in order to enhance community character and maintain the quality of the natural and manmade environments of the Village and Town of Clayton.

Also, cumulative and secondary adverse impacts from development and redevelopment should be minimized. Cumulative impacts result from the incremental or increased impact of repetitive actions or activities when added to other past, present, or future actions or activities. Secondary impacts are those that are foreseeable, but occur at a later time or at a greater distance from the action, and are caused or facilitated by an action or activity, whether directly or indirectly.

Application to the Village and Town of Clayton:

- Potential adverse environmental impacts on existing development in Clayton should be minimized as follows:
- Utilize the State Environmental Quality Review Act (SEQRA) process to its fullest extent in the review of projects under Village or Town jurisdiction. SEQRA provides an important means whereby the local community can assess all potential significant environmental impacts of a proposed development. Local, state, and federal review of major actions proposed in the St. Lawrence River waterfront areas should take into account the economic, social, and environmental interests of Clayton residents.
- Locate future development where public infrastructure capacity exists, where existing facilities can adequately handle the development, or where private facilities could be developed in such a way that community character, environmental quality, open space, and natural resources are preserved and water-dependent uses are not displaced.
- Avoid the introduction of discordant features, which would detract from the community. Compare the proposed developments with existing distribution of structures, scale, intensity of use, architectural style, land use pattern, or other indicators of community character.
- Encourage density averaging (clustering), cluster development or conservation subdivisions for rural Route 12 and 12E areas. Density averaging or clustering, also referred to as conservation subdivision, allows residences to be built on smaller lot sizes than typically permitted by zoning, provided that the average density of the original parcel is not increased.
- Preserve undeveloped/open space areas and avoid adverse impacts among existing incompatible uses by avoiding expansion of conflicting uses, promoting mixed-use development approaches (which would reduce the potential for conflict), segregating incompatible uses, and providing buffers or other design measures to reduce conflict between incompatible uses.
- Utilize all planning review, analysis, and mitigation tools, Best Management Practices (BMPs) for stormwater management, non-point source pollution, etc. and others.
- Protect the surrounding community from adverse impacts due to substantial introductions of or increases in odors, noise, or traffic.
- Preserve viewshed to maximum extent possible.
- Protect natural, pristine areas of the river from overdevelopment.

Potential adverse economic impacts should be minimized, as follows:

- Prevent derelict or dilapidated conditions of existing buildings and access structures in the Waterfront Area.
- Protect and enhance the community's commercial districts in the downtown and waterfront areas.
- Promote a diverse economic base in the downtown and waterfront areas to serve the needs of residents and non-residents.
- Preserve natural areas by avoiding the expansion of infrastructure or services into previously undeveloped areas, particularly areas abutting the French Creek marsh, undeveloped island lands, and steep slope areas.
- Increase existing capacity of services and infrastructure to foster the concentration of development in preferred areas, such as the downtown area and to the south along NY Route 12, east of French Creek.

Policy 2: Preserve historic resources of the waterfront area.

Explanation of Policy:

Archaeological sites and historic structures are tangible links to the past development of a community—both its cultural and economic life—providing a connection to past generations and events. The Native American sites, Colonial era farmsteads and outbuildings, 19th century commercial districts, fishing villages, lighthouses, shipwrecks, and Gilded Age mansions are important components in defining the waterfront's distinctive identity and heritage. In a broader sense, these resources, taken together, continue to shape the waterfront culture of New York State. Clayton's historic and cultural legacy is rich in architectural, marine, waterway, and scenic resources that contribute to the enrichment of Clayton's identity and provide a multitude of opportunities to restore or revitalize points of interest for the enjoyment of residents and visitors alike. Many, but not all, of these resources are related to the Village and Town's location on the St. Lawrence River.

The intent of this policy is to preserve the historic and archaeological resources of the waterfront area. Concern extends not only to the specific site or resource but to the area adjacent to and around specific sites or resources. The quality of adjacent areas is often critical to maintaining the quality and value of the resource. Effective preservation of historic resources must also include active efforts, when appropriate, to restore or revitalize. While the LWRP addresses all such resources within the waterfront area, it actively promotes preservation of historic, archaeological, and cultural resources that have a waterfront relationship.

Application to the Village and Town of Clayton:

Clayton's historic and cultural legacy is rich in architecture, marine and land based transportation routes, waterways, and scenic resources that contribute to the enrichment of Clayton's identity and provide a multitude of opportunities to restore or revitalize points of interest for the enjoyment of residents and tourists alike. Many, but not all, of these resources are related to Clayton's St. Lawrence River location.

This policy is applicable to the historic resources identified in Section 4.8.

Policy 2.1: Maximize preservation and retention of historic resources

Explanation of Policy:

Protecting historic materials and features as follows shall preserve the historic character of significant resources identified in the Village and Town of Clayton:

- Preserve the historic character of the resource by protecting historic materials and features or by making repairs using appropriate techniques.
- Provide for compatible use of the historic resource, while limiting and minimizing alterations to the resource.
- Minimize loss of historic resources or historic character when it is not possible to completely preserve the resource.
- Relocate historic structures only when the resource cannot be preserved in place.
- Allow demolition only where alternatives for retention are not feasible.
- Avoid potential adverse impacts of development on nearby historic resources.

Application to the Village and Town of Clayton:

Clayton is committed to respecting the historical and cultural significance of properties, structures and other resources in the Village and the Town when making land use and zoning decisions and when taking other related Village or Town actions.

While the Kemp Realty Building is the Village's only individual waterfront structure listed on the National Register of Historic Places, other structures in the waterfront may deserve similar recognition. Indeed, the limestone building at the Shipyard Museum may be nominated for placement on the National Register of Historic Places. In addition, the turn of the century commercial structures along James Street and Riverside Drive have recently been placed on the National Register of Historic Places as a historic district.

In the Town, important historic structures are located on Grindstone Island, on the mainland adjacent to the Village of Clayton, and at one location near the Town of Cape Vincent/Town of Clayton municipal boundary. None of the historic structures in the Town are listed currently on the State or National Registers of Historic Places. The historic structures in both the Town and Village support the waterfront's historic character.

Policy 2.2: Protect and preserve archaeological resources

Explanation of Policy:

When a development action is proposed in the Village or Town of Clayton on an archaeological site, fossil bed, or in an area identified for potential archaeological sensitivity on the archaeological resources inventory maps prepared by the New York State Department of Education, a cultural resource investigation will be conducted. If cultural resources are discovered as a result of the initial survey, a detailed evaluation will be conducted to allow for a determination of the resource's archaeological significance. If an archaeological resource exists, the Town and Village should minimize potential adverse impacts by:

- Redesigning projects
- Reducing direct impacts on the resource
- Recovering artifacts prior to construction, and documenting the site.
- Prohibiting appropriation of any object of archaeological or paleontological interest situated on or under lands owned by New York State, except as provided for in Education Law, § 233.

With respect to activities that involve excavation in the Village or Town, public agencies and utilities should contact the New York State Office of Parks, Recreation, and Historic Preservation to determine appropriate protective measures for archaeological resources.

Application to the Village and Town of Clayton:

Given the likelihood that zones of archaeological sensitivity exist within the waterfront area, developers must contact the New York State Office of Parks, Recreation, and Historic Preservation to determine appropriate protective measures to be incorporated in the development process. The Town and Village of Clayton will augment the public's knowledge of archaeological resources and the importance of protecting these resources.

Several locations within the Town appear to contain archaeological resources of significance. These include: along the southern and northern portions of Grindstone Island; inland near the Town of Cape Vincent/Clayton municipal boundary; and adjacent to the southern and northern municipal boundary of the Village of Clayton.

Policy 2.3: Protect and enhance resources that are significant to the waterfront culture

Explanation of Policy:

This policy aims to protect the character of historic maritime communities by preserving traditional uses that define the maritime character. The policy is applicable to underwater resources identified in Section 2.9 and Figure X. Specific policy guidelines are as follows:

- Protect historic shipwrecks.
- Prevent unauthorized collection of artifacts from shipwrecks.
- Protect the character of historic maritime communities.

- Preserve and enhance historic lighthouses and other navigational structures by providing for their long-term protection through the least degree of intervention necessary to preserve the structure. Consider extensive shoreline stabilization only if relocation of historic lighthouses is not feasible.

Application to the Village and Town of Clayton:

The Town and Village of Clayton have an already established position as the cultural center of the Thousand Islands. The museums, performing arts and visual arts resources are located in a spectacular naturally beautiful setting with easily accessed recreational activities. The features that have established Clayton's character as a cultural center need to be preserved and protected.

Clayton will provide interpretive materials in appropriate settings to augment the public's understanding and appreciation of Clayton's maritime heritage.

Policy 3: Enhance visual quality and protect scenic resources throughout the waterfront area

Explanation of Policy:

Visual quality is a major contributor to the character of the waterfront area, and the primary basis for the public's appreciation. In addition to the scenic natural resources, the variety of cultural elements in the landscape and the interplay of the built and natural environments are of particular importance to visual quality.

The intent of this policy is to protect and enhance visual quality and protect recognized scenic resources of the waterfront area. The policy is applicable to the scenic resources identified in Section 2.10 and Figure X.

Application to the Village and Town of Clayton:

Part of the Great Lakes and shared with Canada, the Saint Lawrence River is a monumental, international asset. Similar to the Grand Canyon in scale, the river landscape is a tremendous natural feature, and should be a source of pride for the community.

In the Village and Town of Clayton, scenic views are extensive and varied. They include long-range views from roadways and upland areas, and shorter-range views from shoreline locations and from the water. Important scenic resources identified by the community are shown on Figure X.

Policy 3.1: Protect and improve visual quality throughout the waterfront area

Explanation of Policy:

The Village and Town of Clayton will protect and improve visual quality and scenic vistas by adhering to the following standards and guidelines:

- Enhance existing scenic characteristics by minimizing introduction of discordant features.
- Restore deteriorated and remove degraded visual elements, and screen activities and views, which detract from visual quality.
- Preserve existing vegetation and establish new vegetation to enhance scenic quality.
- Group or orient structures to preserve open space and provide visual organization.
- Improve the visual quality associated with urban areas and historic maritime areas.
- Anticipate and prevent impairment of dynamic landscape elements that contribute to ephemeral scenic qualities.
- Recognize water-dependent uses as important additions to the visual interest of the waterfront.
- Protect scenic values associated with public lands, including public trust lands and waters, and natural resources.

Application to the Village and Town of Clayton:

The Village and Town of Clayton recognize the unique value of their scenic vistas appreciated both from land and water. A Scenic Area of Statewide Significance could be designated within the coastal area for select scenic vistas described below. A designated Scenic Area of Statewide Significance (SASS) encompasses unique landscapes that are accessible to the public and recognized for their scenic quality. Such a designation would parallel and support local public access and recreation development activities.

The four Village-owned shoreline properties along Riverside Drive afford exciting views of an expanse of the St. Lawrence River with islands, seaway traffic, fishing and boating activities characteristic of the Thousand Islands region. Other vistas from the Clayton waterfront that warrant protection or enhancement include the view from the Mary Street docks and those from and in the vicinity of the NY Route 12E bridge. Revitalization projects in the Clayton waterfront area will take advantage of these locally significant scenic resources with an aim to protect, enhance and preserve overall scenic character.

The gateways, or entrances, into Clayton present an important opportunity to create a pleasant feeling from both the water and the road. Special attention should be given by all agencies to the importance of visual quality and visual access to the image of the Village's commercial core area along Riverside Drive and the revitalization efforts needed there.

Policy 3.2: Protect aesthetic values associated with recognized areas of high scenic quality

Explanation of Policy:

The following guidelines provide direction for adhering to this policy:

- Protect aesthetic and scenic values associated with the waterfront, and any areas designated as Scenic Areas of Statewide Significance.
- Prevent impairment of scenic components that contribute to high scenic quality.

Application to the Village and Town of Clayton:

The Village and Town should review their regulations and policies to identify strategies to preserve scenic viewsheds, and preserve the aesthetic quality of the river for younger generations. No areas are currently designated in the Town or Village of Clayton as Scenic Areas of Statewide Significance.

Special attention should be given to zoning and architectural review regulations in the downtown area where there is a potential for river views that connect the historic commercial strip with the river that brought Clayton into existence. These views deserve strong protective measures because of their scenic qualities and their centrality to life in Clayton through location and frequency of use. Residents have suggested that overhead utility lines, inappropriate lighting, and inconsistent architectural character negatively impact the character of the downtown area.

Natural Waterfront Policies

Policy 4: Minimize loss of life, structures, and natural resources from flooding and erosion

Explanation of Policy:

In response to existing or perceived erosion and flood hazards, many landowners have constructed erosion control structures. While some structures are necessary to protect development, there are many erosion control structures located along the shore that are not necessary for erosion protection or may actually cause erosion.

Erosion protection structures often contribute to erosion both on and off the site due to poor design and siting and lack of downdrift remediation. Increased erosion, aesthetic impairments, loss of public recreational resources, loss of habitats, and water quality degradation can result from erosion protection structures. The cumulative impact of these structures can be large. Before a permit is granted to allow construction of erosion protection structures, the purpose, function, impact, and alternatives to a structure need to be carefully evaluated to determine that the structures are necessary, and to avoid adverse impacts.

Although some sections of the shoreline have been heavily fortified, significant stretches of the waterfront remain in a natural state. The natural shoreline has an inherent natural, social, and economic value that should be respected to ensure continuing benefits to the State and the region. Consequently, those portions of the shoreline that are not fortified should generally remain in a natural condition to respond to coastal processes.

This policy seeks to protect life, structures, and natural resources from flooding and erosion hazards throughout the waterfront area. The policy reflects State flooding and erosion regulations and provides measures for reduction of hazards and protection of resources.

Application to the Village and Town of Clayton:

Portions of Clayton's St. Lawrence River shoreline are located within the 100-year floodplain. Shoreline stabilization, especially in the waterfront/shoreline area, is vulnerable to seasonal water-level fluctuations. The Village and Town of Clayton participate in the National Flood Insurance Program (NFIP) and have local laws covering flood damage prevention. These laws are designed to prevent future property damage within the flood hazard area.

The Village and Town's waterfront areas have no Coastal Erosion Hazard Areas. However, soils with high potential erodibility have been identified on Grindstone Island at Flynn Bay, Upper Town Landing and between North Shore Road and Cross Island Road. Other islands, which possess highly erodible soils, are Picton, Murray, Bluff and Maple. Mainland areas that contain highly erodible soils include small locations at Sawmill Bay, Carrier Bay and, to a lesser extent, adjacent French Creek. These areas of

highly erodible soil types are usually associated with steep slopes having modest vegetative cover. A few of these areas are likely to experience erosion at a rate of one foot or more per year.

Extensive disturbance of vegetative cover in the process of development would likely result in increased soil erosion. Therefore, public and private actions involving development should be guided to avoid or minimize substantial disturbance of existing vegetative cover to prevent erosion or, at a minimum, be required to employ suitable erosion and sedimentation control techniques after disturbance has occurred. Upland erosion and sedimentation control will be particularly important for protection of the St. Lawrence River and French Creek, as previously discussed in Section 4.1.3 Fish and Wildlife Resources.

Policy 4.1 Minimize losses of human life and structures from flooding and erosion hazards

Explanation of Policy:

Use the following measures, arranged in order of priority, to minimize losses of human life and structures from flooding and erosion hazards:

- Avoid development other than water-dependent uses in coastal hazard areas
- Locate or move development and structures as far away from hazards as practical
- Use vegetative non-structural measures which have a reasonable probability of managing flooding and erosion, based on shoreline characteristics including exposure, geometry, and sediment composition
- Enhance existing natural protective features and processes, and use non-structural measures which have a reasonable probability of managing erosion
- Use hard structural erosion protection measures for control of erosion only where the above measures are not sufficient to protect the principal use, or the use is water-dependent or reinforces the role of a maritime center or a waterfront redevelopment area

Manage development in floodplains outside of coastal hazard areas, so as to avoid adverse environmental effects, minimize the need for structural flood protection measures, and meet Federal flood insurance program standards. In addition, mitigate the impacts of erosion control structures.

Application to the Village and Town of Clayton:

Flooding: Areas of special flood hazard were identified and mapped in Clayton by the Federal Insurance Administration and are subject to Village flood control regulations. In such areas identified, no structure will be permitted that is in violation of local flood control regulations (including mobile homes).

Upland Erosion: Erodible upland soils could be carried into the coastal waters of the Village and Town if development is permitted on steep slopes without erosion and sedimentation control measures. Of the two areas identified and discussed in the preceding section, the area east of the French Creek Marsh is more extensive and closer to sensitive wetlands and fish and wildlife habitats. Public and private actions

involving development in this area should be guided to avoid or minimize substantial disturbance of existing vegetative cover to prevent erosion or, at a minimum, be required to employ suitable erosion and sedimentation control techniques after disturbance has occurred.

Policy 4.2: Preserve and restore natural protective features

Explanation of Policy:

The intent of this policy is to enhance existing natural protective features by the use of non-structural measures that are appropriate to manage erosion problems. Natural protective features are beaches, dunes, shoals, bars, wetlands, and associated vegetation; in Clayton, such features are limited to wetlands, bluffs, and vegetation. As flooding and erosion protection features, these are considered superior to manmade features and will be preserved where feasible in the Village and Town of Clayton.

These guidelines should be followed to preserve and restore natural protective features:

- Prevent development in natural protective features except as specifically allowed in 6 NYCRR Part 505.8.
- Maximize the protective capabilities of natural protective features by: avoiding alteration or interference with shorelines in a natural condition; enhancing existing natural protective features; restoring impaired natural protective features; and managing activities to minimize interference with, limit damage to, or reverse damage which has diminished the protective capacities of the natural shoreline.
- Minimize interference with natural coastal processes by: providing for natural supply and movement of unconsolidated materials; minimizing intrusion of structures into coastal waters and interference with coastal processes; and mitigating any unavoidable intrusion or interference.
- Provide signage or other interpretive materials to increase public awareness of natural features.

Application to the Village and Town of Clayton:

The low erodible bluffs along portions of the Village and Town's mainland waterfront and on Grindstone Island are natural protective features that help safeguard coastal lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of coastal features, improperly designed structures, inadequate site planning, or other similar actions that fail to recognize their fragile nature and protective value may lead to weakening or destruction of these landforms. Activities and development in, or in proximity to, natural protective features must ensure that all such adverse effects are minimized.

The western and northern portions of the Village peninsula are variably subject to wind driven wave action and ice movement, causing both long- and short-term damage to shoreline structures. Shoreline erosion, on the other hand, is minimal due to the durability of the Potsdam sandstone bedrock typically

exposed along the shore and proper design, construction and maintenance of shoreline structures will prolong their utility and benefits when resistance to wave and ice action is included as a design parameter.

This policy will assist in slowing the rate of deterioration of shoreline structures and in avoiding disruptions or losses of public access to the St. Lawrence River by increasing the durability of such structures.

Policy 4.3: Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects

Explanation of Policy:

Every effort should be made to protect the loss of public lands threatened by flooding and erosion using the techniques and standards described above and bulleted below:

- Retain ownership of public trust lands that have become upland areas due to fill or accretion resulting from erosion control projects.
- Avoid losses or likely losses of public trust lands or use of these lands, including public access along the shore, which can be reasonably attributed to or anticipated to result from erosion protection structures.
- Mitigate unavoidable impacts on adjacent property, natural coastal processes and natural resources, and on public trust lands and their use.

Application to the Village and Town of Clayton:

To be completed.

Policy 4.4: Manage navigation infrastructure to limit adverse impacts on coastal processes

Explanation of Policy:

The intent of this policy is to manage navigation channels to limit adverse impacts on coastal processes. Techniques for designing channel construction and maintenance practices to protect and enhance natural protective features and prevent destabilization of adjacent areas; and make beneficial use of suitable dredged material include:

- Using dredging setbacks from established channel edges and designing finished slopes to ensure their stability.
- Locating channels away from erodible features, where feasible.
- Preventing adverse alteration of basin hydrology.
- Managing stabilized inlets to limit adverse impacts on coastal processes.

Application to the Village and Town of Clayton:

To be completed.

Policy 4.5: Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit

Explanation of Policy:

Factors to be used in determining public benefit attributable to the proposed flood control measure include:

- Economic benefits derived from protection of public infrastructure and investment and protection of water-dependent commerce;
- Protection of significant natural resources and maintenance or restoration of coastal processes;
- Integrity of natural protective features;
- Extent of public infrastructure investment;
- Extent of existing or potential public use.

Evaluation of these factors may indicate that public expenditure for flood control projects is warranted in developed centers. Give priority in expenditure of public funds to actions which: protect public health and safety; mitigate flooding and erosion problems caused by previous human intervention; protect areas of intensive development; and protect substantial public investment in land, infrastructure, and facilities.

Whenever possible, use nonstructural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include:

- The setback of buildings and structures;
- The planting of vegetation and the installation of sand fencing and draining;
- The reshaping of bluffs; and
- The floodproofing of buildings or their elevation above the base flood level.

Expenditure of public funds is: limited to those circumstances where public benefits exceed public cost; and prohibited for the exclusive purpose of protecting private development, except where actions are undertaken by an erosion protection district.

In addition to flood and erosion damage, wind driven wave action and ice movement represent destructive forces, which cause considerable short and long-term damages to shoreline structures. Nonstructural measures to minimize damage from wave action and ice movement primarily involve facilitating the location of water-dependent uses which rely on shoreline structures in areas of the waterfront less exposed to such forces.

Application to the Village and Town of Clayton:

Village and Town investment in shoreline structures exposed to flood, erosion, wind driven wave action and ice movement is generally unwise unless sufficient capital is expended to ensure such structures have sufficient strength and durability. Measures to diminish the severity of these forces may be needed to protect life, limb or property. However, Village or Town investment in measures to protect properties, as in the construction of shoreline structures in the more exposed areas, must weigh the economic benefits to Clayton and its waterfront in view of public costs.

Policy 4.6: Consider water level rise when siting and designing projects involving substantial public expenditures*Application to the Village and Town of Clayton:*

Water levels have a significant impact on local businesses, for any change in water levels has an impact on the ability of people to access the Clayton harbor, and therefore, any businesses. During the planning process for the Clayton LWRP, another effort was underway regarding the regulation of water levels in Lake Ontario and the St. Lawrence River. The International Joint Commission (IJC) has been undertaking a review of its Orders of Approval for regulation of Lake Ontario and the St. Lawrence River levels and flows through the Moses-Saunders Dam at Cornwall-Massena. The IJC released a proposed Order of Approval and related regulation plan (Plan 2007) for public review in March 2008.

During the public comment period, the IJC held public hearings and received public comments, which showed little support for Plan 2007. Taking this into account, the IJC determined that Plan 2007 is not a practical option for implementation and concluded that the regulation of water levels and flows should be based on a revised set of goals, objectives and criteria, specifically moving towards more natural flows to benefit the environment, while respecting other interests.

The Clayton LWRP advisory committee, as well as the State of New York, the Ontario Ministry of Natural Resources, and many other federal and state/provincial agencies, private organizations, and stakeholders in the U.S. and Canada, support an alternative to Plan 2007. Plan B+ is the widely supported management proposal developed by the IJC that would provide significant environmental and economic improvements to the region. The approach to water management outlined in Plan B+ is to mimic natural water patterns while taming the extremes of high and low water levels that can lead to economic damage.

Policy 4.7: Ice management practices shall not damage significant 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 Section 4.13 and Policy 6, flood levels and damage, 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.

Application to the Village and Town of Clayton:

Winter navigation along the St. Lawrence Seaway, which has been proposed in the past, would require ice management practices along the Village and Town's river shoreline. Such practices would involve detrimental impacts on coastal resources in the local waterfront area. The Town and Village oppose winter navigation in every conceivable way.

Policy 5: Protect and improve water quality and supply

Explanation of Policy:

The purpose of this policy is to protect the quality and quantity of water in the waterfront area. Quality considerations include both point source and nonpoint source pollution management. The primary quantity consideration is the maintenance of an adequate supply of potable water in the region. The primary water resources in the Village and the Town of Clayton are the St. Lawrence River and French Creek.

Water quality protection and improvement in the region must be accomplished by the combination of managing new and remediating existing sources of pollution. In some areas with existing water quality impairments, more aggressive remediation measures will be needed.

Application to the Village and Town of Clayton:

To be completed.

Policy 5.1: Prohibit direct or indirect discharges, which would cause or contribute to contravention of water quality standards

Explanation of Policy:

This policy focuses on those discharges into the water resources of Clayton's waterfront revitalization area that have an identifiable source, such as a development site, industrial operation, or wastewater treatment plant. These are called "point-source" discharges. Point-source discharges into water resources are regulated by New York State Pollutant Discharge Elimination System (SPDES) permits that serve to prevent discharges that:

- Exceed applicable effluent limits for the discharge source;
- Cause or contribute to contravention of water quality classification and use standards;
- Adversely affect the water quality of receiving waters; or
- Violate a vessel waste no-discharge zone prohibition.

The effective treatment of sanitary sewage and industrial discharges will be ensured by:

- Maintaining efficient operation of sewage and industrial treatment facilities pursuant to the applicable NYSDEC regulations;
- Providing, at minimum, secondary treatment of sanitary sewage;
- Making improvements to sewage treatment facilities to improve nitrogen removal capacity;
- Reducing the loading of toxic materials into waters by including limits on toxic metals as part of wastewater treatment plant effluent permits;
- Reducing or eliminating combined sewer outflows; and
- Providing and managing on-site disposal systems where applicable in accordance with NYS Codes, Rules and Regulations.

Application to the Village and Town of Clayton:

Clayton's municipal sewer system adequately serves most of its coastal area with the exception of areas west of Bartlett Point Road on NYS Route 12E, east of Steele's Point on NYS Route 12 and undeveloped areas east of French Creek Marsh. On site waste disposal systems will be required in these areas in accordance with NYS Department of Health standards while alternative and innovative disposal systems will be encouraged in areas identified as poorly suited to conventional systems.

Policy 5.2: Manage land use activities and use best management practices to minimize nonpoint source pollution of waterfront areas

Explanation of Policy:

Non-point source pollution is pollution that originates from sources that are not localized or easily identifiable. Non-point source pollution includes contaminated surface water runoff of urban areas and agricultural operations. Limiting non-point sources of pollution is the best way to avoid non-point source pollution, which can be accomplished by:

- Reducing or eliminating the introduction of materials that may contribute to non-point source pollution.
- Avoiding activities that would increase stormwater runoff.
- Controlling and managing stormwater runoff.
- Retaining or establishing vegetation or providing soil stabilization.

- Preserving natural hydrologic conditions through maintenance of natural water surface flows, thereby retaining natural watercourses, wetlands, and drainage systems.

Application to the Village and Town of Clayton:

This policy is particularly applicable to Clayton in that the Village comprises the drainage basins of the St. Lawrence River and a tributary, the French Creek Marsh. Non-point source pollution from roadways, fertilized lawns and golf courses, eroded stream banks and steep slopes should be prevented through the implementation of the following standards:

- Develop both watershed planning and protection approaches and efforts targeting specific pollution sources to reverse the degradation of the St. Lawrence River and its tributaries.
- Develop a Village and Town-wide stormwater management plan, in accordance with current EPA Phase 2 Stormwater Management standards, to address any non-point sources of pollution and to establish physical and regulatory mechanisms to prevent further non-point source pollution.
- Incorporate integrated pest management (IPM) practices that encourage use of native or other well-adapted, non-invasive species in landscaping and that require minimal-to-no use of fertilizers, pesticides, herbicides, and fungicides.
- Incorporate the use of oil-separating catch basins at gas stations and parking lots and all other locations where catch basins are proposed as part of development plans.

Policy 5.3: Protect and enhance the quality of waterfront area waters

Explanation of Policy:

Water quality shall be protected based on an evaluation of physical, health, and aesthetic factors. Physical factors include pH, dissolved oxygen, dissolved solids, nutrients, odor, color and turbidity. Health factors include pathogens, chemical contaminants, and toxicity. Aesthetic factors include oils, floatables, refuse, and suspended solids.

To preserve and improve water quality, the Village and Town of Clayton will minimize non-point source pollution, including rainfall and snowmelt, by the following actions:

- Retaining as much of the natural vegetation as possible near the waterfront and avoiding the mass clearing of sites.
- Utilizing large graded areas on the most level portions of development sites, and avoiding the development of steep vegetated slopes.
- Conducting grading and clearing activities outside of the floodplain to the maximum extent feasible.
- Continually evaluating the effectiveness of storm collection systems, and making improvements, where possible, aimed at collecting and detaining sediments in filtering catch basins and retention areas.

Also, water quality protection involves minimizing disturbance of streams, including their beds and banks, in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and level of water; and protecting water quality of the waterway from adverse impacts associated with excavation, fill, dredging, and disposal of dredged material.

State law regulates the discharge of sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas into New York State waterways. Also, specific effluent standards for marine toilets have been publicized by the U.S. Department of Transportation.

Application to the Village and Town of Clayton:

In general, Clayton's coastal waters are of sufficient depth for navigational purposes. Limited dredging may be necessary for Clayton to maintain sufficient water depths for recreational and commercial marine-related facilities.

Clayton's system of stormwater sewers and catch basins, which capture rain water contaminated with eroded soil, automotive residue, road salts, petroleum, and other pollutants, runs directly into the St. Lawrence River. Local measures to control and manage erosion and excessive runoff are essential in preventing degradation of the St. Lawrence River's water quality. A stormwater management plan for the ___ watersheds should be developed to moderate stream flow and control stream bank erosion.

Leaking underground storage tanks (LUSTs) are also a common cause of water resource degradation. The siting and subsequent installation of petroleum storage facilities in Clayton should be subject to vigorous review and inspection standards.

Currently, adequate pump-out facilities are maintained at R.J. Marine Associates, French Creek Marina, and French Bay Marina to discourage the overboard discharge of sewage from boats. State law prohibits the discharge of sewage, garbage, rubbish, and other solid and liquid materials into the State's waters. Priority will be given to the enforcement of this law in significant habitats and public water supply intakes, which need protection from contamination by vessel waste. These laws should be supplemented by local dumping/clean up policies and public education programs about the significance of these unique water resources. The Village and Town should enact a pumpout facility regulation for new and expanded marinas and consider establishing no-discharge zones in the Village and Town waters and a regulation to control all discharges on or in water bodies.

Policy 5.4: Limit the potential for adverse impacts of watershed development on water quality and quantity

Explanation of Policy:

Protect water quality by ensuring that watershed development results in:

- Protection of areas that provide important water quality benefits;
- Maintenance of natural characteristics of drainage systems; and
- Protection of areas that are particularly susceptible to erosion and sediment loss.

In addition, it is important to limit the impacts of individual development projects to prevent cumulative water quality impacts upon the watershed, which would result in a failure to meet water quality standards.

Application to the Village and Town of Clayton:

In addition to the protective measures discussed in sub-policy 5.3, it is particularly important that sensitive areas be protected during construction of approved projects in the watershed areas. Measures to control the loss of soil and ensure bank stability in the St. Lawrence River and along French Creek are crucial to the continued health and viability of these waters.

Policy 5.5: Protect and conserve the quality and quantity of potable water

Explanation of Policy:

This policy addresses the protection and conservation of potable water quality and quantity. Prevent contamination of potable waters by limiting discharges of pollutants and limiting land uses which are likely to contribute to contravention of surface and groundwater quality classifications for potable water supplies. Prevent depletion of existing potable water supplies by limiting saltwater intrusion in aquifers and estuaries through conservation methods or restrictions on water supply use and withdrawals and allowing for recharge of potable aquifers. Limit cumulative impacts of development on groundwater recharge areas to ensure replenishment of potable groundwater supplies.

Application to the Village and Town of Clayton:

The St. Lawrence River is the principal source of water supply for both the Village and Town of Clayton. Groundwater sources are used to a very limited extent in a few outlying areas of the Village not served by the Village's water system. Both sources must therefore be protected.

Policy 6: Protect and restore the quality and function of the ecosystem

Explanation of Policy:

The ecosystem consists of physical (non-living) components, biological (living) components, and their interactions. The physical components include environmental factors such as water, soils, geology, energy, and contaminants. The biological components include the plants, animals, and other living things in and around the shore. Habitat protection is fundamental to assuring the survival of fish and wildlife populations, which are critical elements of the ecosystem.

Certain natural resources that are important for their contribution to the quality and biological diversity of the ecosystem have been specifically identified by the State for protection. These natural resources include regulated tidal and freshwater wetlands; designated Significant Coastal Fish and Wildlife Habitats; and rare, threatened, and endangered species. In addition to specifically identified discrete natural resources, the quality of the ecosystem also depends on more common, broadly distributed natural resources, such as the extent of forest cover, the population of overwintering songbirds, or benthic communities. These more common natural resources collectively affect the quality and biological diversity of the ecosystem.

This policy also recognizes and provides for enhancement of natural resources within regionally important natural areas for which management plans have been prepared.

Application to the Village and Town of Clayton:

To be completed.

Policy 6.1: Protect and restore ecological quality

Explanation of Policy:

The overall intent of this policy is to improve or restore ecological quality through protection of these resources. Some principles that follow from the policy:

- Avoid significant adverse changes to the quality of the ecosystem as indicated by physical loss, degradation, or functional loss of ecological components.
- Maintain values associated with natural ecological communities.
- Retain and add indigenous plants.
- Avoid fragmentation of natural ecological communities and maintain corridors between ecological communities. Maintain structural and functional relationships between natural ecological communities to provide for self-sustaining systems.
- Avoid permanent adverse change to ecological processes.
- Reduce adverse impacts of existing development when practical.
- Mitigate impacts of new development; mitigation may also include reduction or elimination of adverse impacts associated with existing development.

Application to the Village and Town of Clayton:

To be completed.

Policy 6.2: Protect and restore Significant Coastal Fish and Wildlife Habitats

Explanation of Policy:

Significant fish and wildlife habitats are those areas that are difficult or impossible to replace or ones that exhibit one or more of the following characteristics:

- Essential to the survival of a viable population of a particular fish or wildlife species.
- Support a species, which is either endangered, threatened or of special concern (as defined in 6 NYCRR Part 182).
- Support fish or wildlife population having significant commercial, recreational, or educational value to human beings, or of a type that is not commonly found in this region of the state.

Use or activities should be avoided which would cause:

- Direct or indirect physical alteration, disturbance, or pollution that would result in the loss of habitat.
- Significant impairment of a habitat beyond the tolerance range for recovery of fish and wildlife population.
- Degradation of existing environmental conditions.

All projects along the waterfront, and especially projects involving waterfront access, should be developed in a manner that ensures the protection of fish and wildlife resources. Project reviewers must consider potential impacts on fish and wildlife habitats, avoid project development and other activities that would destroy or impair habitats, and encourage project design that will restore previously impacted habitats for desirable species.

Where destruction or significant impairment of habitat values has already occurred or cannot be avoided, potential impacts of land use or development should be minimized through appropriate mitigation. Mitigation includes:

- Avoiding ecologically sensitive areas.
- Scheduling activities to avoid vulnerable periods in life cycles or the creation of unfavorable environmental conditions.
- Preventing fragmentation of intact habitat areas.
- Reducing the scale or intensity of use or development.
- Designing projects to result in the least amount of potential adverse impact.
- Choosing alternative actions or methods that would lesson potential impact.

Application to the Village and Town of Clayton:

French Creek Marsh (including the French Creek Wildlife Management Area); Grindstone Island Wetlands; Thousand Island Tern Colonies; and St. Lawrence River Shoreline Bays (specifically Carrier Bay) are locally significant fish and wildlife habitats located within or near Clayton's waterfront. They should be protected and preserved to maintain their viability and value to the Village and Town and the

general area. Information on the significant coastal fish and wildlife habitats in these areas is detailed in Section 4.13 Fish and Wildlife Resources and on LWRP Figure X: Significant Coastal Fish and Wildlife Habitat.

The French Creek Marsh or at least that portion of the marsh located within the French Creek Wildlife Management Area represents a fish and wildlife habitat of potential statewide significance. Any significant disturbance of French Creek would be especially detrimental during fish spawning and nursery periods (March-July for most warmwater species) and wildlife breeding seasons (April-July for most species). Barriers to fish migration in the creek, whether physical or chemical, could have significant impacts on fish populations within the marsh and in French Creek Bay. Existing areas of natural vegetation bordering French Creek Marsh should be maintained for their value as cover for wildlife, perching sites, and buffer zones. Efforts should be made to reduce habitat disturbance by agricultural activities, especially grazing, through fencing and restoration of riparian vegetation. Potentially incompatible human use of the area, such as use of motorboats, waste disposal or camping should be restricted through enforcement of existing Wildlife Management Area regulations. Proposed public or private development actions must be cognizant of and compatible with the sensitivity of this habitat area. Upland and shoreline development west and east or southeast of the mouth, if not carefully guided and appropriately limited could jeopardize the habitat's viability.

Shallow areas in the southeast corner of Carrier Bay, a St. Lawrence River Shoreline Bay, may also merit consideration as habitat with potential statewide significance due to the spawning and rearing of Muskellunge there. Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, or increase water level fluctuations in Carrier Bay could adversely affect fish and wildlife use of these areas. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) into any of the bays may result in adverse impacts on fish and wildlife resources. Spills of oil or other hazardous substances are a potentially serious threat to fish populations on the Shoreline Bays area and every effort should be made to prevent such contamination. Significant human disturbances of the area, through dredging, filling, construction of roads, waste disposal, or unlimited motorboat access development, could severely reduce the habitat's value as a spawning and nursery habitat. Such disturbances would be especially detrimental during fish spawning and nursery periods (March through July for most species). Carrier Bay and all St. Lawrence River Shoreline Bays should be maintained for their value for wildlife, perching sites, and buffer zones. Proposed public or private development actions near the bay on Steele Point or along NY Route 12 must be undertaken in a manner that will not jeopardize such spawning and rearing activity. While these areas are not targeted for special emphasis by the Village on revitalization or facilitation of water-dependent uses, review of private development or expansion efforts will still be important to ensure that physical disturbances (such as dredging or filling) and contamination (from septic system leachate) are not increased.

In addition, In view of the lack of sewers in the vicinity of both the French Creek Marsh and Carrier Bay, all public agencies must consider the potential effects that intensive development using conventional septic systems could have on the fish and wildlife habitats nearby.

Grindstone Island's four large coastal wetland and bay areas on the Island consist of: Flynn Bay (270 acres) with adjacent Lindley Bay; McCrae Bay (325 acres) with adjacent New Bay; Delaney Bay (200 acres); and the littoral shoreline from Canoe Point south to Point Angiers (200 acres). Elimination of wetland habitats (including submergent vegetation), or significant human disturbance of the area, through dredging, filling, construction of roads, waste disposal, or motorboat access development, could severely reduce the value of Grindstone Island Wetlands to fish and wildlife. Activities that would subdivide these large, undisturbed areas into smaller fragments should be restricted. Channelization would reduce stream channel diversity, and result in a direct loss of valuable habitat area. However, habitat management activities, including water level management or expansion of productive littoral areas, may be designed to maintain or enhance populations of certain fish or wildlife species. Any significant disturbance of Grindstone Island Wetlands would be especially detrimental during fish spawning and nursery periods (March-July for most warmwater species) and wildlife breeding season (April-July for most species). Barriers to fish migration in major stream channels, whether physical or chemical, could have significant impacts on fish populations within the marshes, bays, and the upper St. Lawrence River. Adequate drainage of wetland areas located above road crossings should be provided through the installation and maintenance of bridges or culverts, if necessary Existing areas of natural vegetation bordering these wetlands should be maintained for their value as cover for wildlife, perching sites, and buffer zones. Efforts should be made to reduce stream disturbance by agricultural activities, especially grazing, through fencing and restoration of riparian vegetation. Development of additional public access may be desirable to increase compatible human uses of wetlands, but must be designed to minimize disturbance of sensitive fish and wildlife species that occur in this area.

The Thousand Island Tern Colonies' fish and wildlife habitat consists of one man-made structure supporting navigation lights, located where shoals occur in close proximity to the Seaway channel and three small rocky islands along with one small group of islands. The specific sites include a small group of islands known as Eagle Wing Group; Gull Island; Tidd Island; Light Northeast 216; and Southeast Isle of Pines in the Town of Alexandria. Bird species nesting in colonies on man-made structures and islands in the St. Lawrence River are highly vulnerable to disturbance from mid-April through July. Significant human activity (e.g. boat-landing, fishing or maintenance) on or around occupied sites, including Eagle Wing Group, Gull Island, and Tidd Island, could eliminate tern colonies, and should be minimized during this period. Artificially high water during nesting season would limit use of the islands. Annual or permanent posting of the structure and the islands should be provided to help protect the nesting bird species. Habitat management activities, such as manipulation of surface substrates, control of avian predation or competition, and establishment of additional nesting colonies in the vicinity, may be desirable or necessary in the near future to ensure the survival of common tern populations in the St. Lawrence River. Other navigation structures in the river should be monitored or enhanced for use by

common terns, as part of an overall management program for these bird populations. Introduction or attraction of mammalian predators, including pet animals, would also be detrimental to the colonial bird populations at Eagle Wing Group, Gull Island, and Tidd Island.

Eel Bay's fish and wildlife habitat is an approximate 2,100-acre shallow bay, containing extensive beds of submergent aquatic vegetation (e.g., wild celery, pondweeds, and muskgrass), a fringe of emergent marsh vegetation, and several small islands including Big Gull and Little Gull. The habitat extends southwest to the shores of Murray Isle and Picton Island. There are two sizeable emergent wetland areas, totaling about 75 acres, around the bay shoreline. The larger wetland lies between Flat Iron Island and the north shore, and the smaller one occupies the northeast corner of the bay. Any activity that would substantially degrade water quality in Eel Bay could affect the biological productivity of this area. All species of fish and wildlife may be adversely affected by water pollution, such as oil spills, excessive turbidity or sedimentation, waste disposal, and discharges of sewage or stormwater runoff containing chemical pollutants (including fertilizers, herbicides, or insecticides). Spills of oil or other hazardous substances are an especially significant threat to waterfowl concentrations in this area. Disturbance of littoral areas or wetland vegetation, through dredging, filling, bulkheading, or other shoreline construction activities (including development of motorboat access facilities) would adversely affect fish and wildlife through direct loss of habitat, and through increased human disturbance during fish spawning and nursery periods (April-July for most warmwater species). Development of additional public access opportunities to the Eel Bay area may be desirable, but should be located at existing access points to minimize potential disturbance of productive shallow areas. Significant human activity (e.g. motorboat traffic, fishing) on or around small islands used for nesting by common loons (from April through July) should be minimized during this period. Annual or permanent posting of active nesting areas may be desirable to help protect breeding loons from human disturbance. Substantial alteration of fluctuation of water levels in the St. Lawrence River could also affect fish and wildlife use of the area. Existing areas of natural vegetation bordering Eel Bay and on the islands in the bay, should be maintained to provide cover for wildlife, perching sites, soil stabilization, and buffer zones from human disturbance.

Policy 6.3: Protect and restore tidal and freshwater wetlands

Explanation of Policy:

Compliance with the statutory and regulatory requirements of state wetland laws is critical for protecting and restoring tidal and freshwater wetlands. In addition, this policy recommends using the following management measures, which are presented in order of priority:

- Prevent the net loss of vegetated wetlands by avoiding fill or excavation.
- Minimize adverse impacts resulting from unavoidable fill, excavation, or other activities.
- Provide for compensatory mitigation for unavoidable adverse impacts.
- Provide and maintain adequate buffers between wetlands and adjacent or nearby uses and activities to protect wetland values.

In addition, restore tidal and freshwater wetlands wherever practical to foster their continued existence as natural systems.

Application to the Village and Town of Clayton:

With regard to the Clayton coastal area, this policy relates to extensive freshwater environments associated with French Creek, French Creek Wildlife Management Area, two areas on the mainland at Blind Bay, Carrier Bay, an area adjacent to Murray Island, and eleven areas within and coterminous to Grindstone Island.

The Village and Town recognize the recreational, aesthetic, and ecological benefits attributable to such natural areas and will comply with the NYS Department of Environmental Conservation's implementation of the NYS Freshwater Wetlands Act, and the NYS Use and Protection of Waters Act. Recognizing that the possibility exists for development activities to be permitted in the wetland areas identified within the Clayton coastal area, mitigation of such wetland loss in the form of a one-to-one value-for-value replacement will be considered as a basis for allowing such development only if it can be demonstrated that a viable replacement wetland could and would be established and that provisions for establishment of such a wetland be made through performance bonds, maintenance bonds, or similar methods.

Policy 6.4: Protect vulnerable fish, wildlife, and plant species, and rare ecological communities

Explanation of Policy:

It is the intent of this policy to afford reasonable protection to plant, fish and wildlife species and communities with standing in New York State's Natural Heritage, Significant Habitats, Endangered Species or other authoritative programs, even though they may occupy habitat outside the bounds of a designated Significant Coastal Fish and Wildlife Habitat. Such species are commonly at risk due to loss or degradation of their habitat. "Most endangered species have declined because changes in the environment have reduced their habitats. This loss of habitat results in the greater pressure on creatures which need special or unusual conditions to survive." (New York State Department of Environmental Conservation. Endangered Species in New York).

Any proposed activity that may substantially degrade occupied habitat for such species or communities shall be considered on the Environmental Assessment Form as an action that may: remove a portion of a critical or significant wildlife habitat; occupy a site containing a species of plant or animal life that is identified as threatened or endangered; and/or may substantially interfere with any resident or migratory fish and wildlife species.

Application to the Village and Town of Clayton:

Species at risk currently occupying waterfront area habitats outside the bounds of designated Significant Coastal Fish and Wildlife Habitats include, but are not limited to: the Bald Eagle (Federal and New York

State Endangered); Northern Harrier and Common Tern (New York State Threatened); Common Loon (New York State Species of Special Concern); Small Skullcap (a flowering plant rated as especially vulnerable, with 5 or fewer recorded occurrences in New York State); Lake Sturgeon (New York State Threatened); and Muskellunge (status unrated, but of major concern at local and state levels).

Bald Eagles are present in the waterfront area as spring and fall migrants and winter residents. As winter residents, they occupy open water pools in the ice cover and forested shoreline areas. Seasonally persistent open water pool habitat occurs in the vicinity of Woronoco and Basswood Islands.

Northern Harriers are present in migration, as nesting residents and as winter residents. They occupy wetlands, shorelands, shrublands and fields.

Common Terns are present as migrants and as colonially nesting residents. They occupy open water, shoreline and wetlands.

Common Loons may be present in breeding season, as well as in migration. They occupy open water, shoreline, and wetland edge habitats.

Small Skullcap has been identified as present on three small islands and one mainland site within the waterfront area.

Lake Sturgeon are known to inhabit waters of the waterfront area. Critical habitat locations have not been identified – perhaps due to a lack of data.

Muskellunge spawning/nursery habitat (occupied) has been identified in several waterfront area embayments (Ste LaPan to SLECO: 9/28/89), including Blind Bay and two unnamed bays between McRae and Delaney Bays on Grindstone Island.

Although fish, wildlife and plant species at risk might occupy the full range of habitats present in the waterfront area, some habitat types warrant special attention:

- Open water pools in the winter ice cover.
- The leading edge of ice cover, where it meets the water.
- Mature forest stands, and isolated tall trees near open pools of water in the ice cover.
- Upland wetlands.
- Wetlands along the St. Lawrence River Shoreline.
- Uninhabited islands and shoals, of 2 acres or less in size, especially if they lack tall (approximately 20 ft. or greater) tree cover.
- Shallow water areas to depth of approximately 18 feet, especially if supporting submerged, floating or emergent aquatic vegetation.

- Hay fields, pastures and open fields in succession (such as abandoned farm fields).
- Significant Habitats and Natural Heritage Element Sites as plotted on maps held by the NYS Department of Environmental Conservation located at 317 Washington Street, Watertown, NY.

Policy 6.5: Protect natural resources and associated values in identified regionally important natural areas

Explanation of Policy:

The following measures can be used to protect resources within regionally important natural areas:

- Focus State actions on protection, restoration, and management of natural resources.
- Protect and enhance activities associated with sustainable human use or appreciation of natural resources.
- Provide for achievement of a net increase in wetlands when practical opportunities exist to create new or restore former tidal wetlands.
- Adhere to management plans prepared for regionally important natural areas.

Application to the Village and Town of Clayton:

The Clayton area of the St. Lawrence River is endowed with exceptional fishing resources. Demand continues to increase for access to these resources. The Village and Town of Clayton will continue to cooperate with government agencies to expand recreational uses of these resources while ensuring their protection.

The Village and Town's cooperative efforts with NYS DEC, the NYS Office of Parks, Recreation & Historic Preservation, and other public and private groups will involve the development of public access to, and recreational use of, the St. Lawrence River and its related fish and wildlife resources.

Policy 7: Protect and improve air quality in the waterfront area

Explanation of Policy:

This policy provides for protection of the waterfront area from air pollution generated within the waterfront area or from outside the waterfront area which adversely affects air quality.

Application to the Village and Town of Clayton:

To be completed.

Policy 7.1: Control or abate existing and prevent new air pollution

Explanation of Policy:

New land uses or developments in Clayton are to be reviewed according to the following standards to ensure they do not exacerbate air pollution:

- Ensure that proposed development in Clayton does not exceed thresholds established by the Federal Clean Air Act and state air quality laws.
- Limit pollution resulting from vehicle or vessel movement or operation.
- Limit actions, which directly or indirectly change transportation uses or operations and result in increased pollution.
- Consider measures to reduce car dependency including providing safe pedestrian access throughout the Village and encourage the use of public transportation throughout the Village and Town.
- Recycle or salvage air contaminants using best available air cleaning technologies.
- Restrict emissions or air contaminants to the outdoor atmosphere, which are potentially injurious or unreasonably interfere with enjoyment of life or property.
- Limit new facility or stationary source emissions of acid deposition precursors consistent with achieving final control target levels for wet sulfur deposition in sensitive receptor areas, and meeting New Source Performance Standards for the emissions of oxides of nitrogen.

Application to the Village and Town of Clayton:

To be completed.

Policy 7.2: Limit discharges of atmospheric radioactive material to a level that is as low as practicable

Explanation of Policy:

State air quality statutes regulate radioactive materials, chlorofluorocarbon compounds, and nitrogen pollutants. The following standards provide that, for actions with a potential impact on air quality, Clayton shall provide information to the state, as appropriate, to enable the state to effectively administer its regulations by:

- Providing necessary information on local actions to enable the state to effectively administer its air quality statutes pertaining to atmospheric radioactive material.
- Assisting the state whenever possible in the administration of its air quality statutes pertaining to the atmospheric deposition of pollutants in the region, particularly from nitrogen sources.

Application to the Village and Town of Clayton:

The Village and Town of Clayton shall provide information to the State, as appropriate, to enable the State to effectively administer its regulations.

Policy 7.3: Limit sources of atmospheric deposition of pollutants to the waterway, particularly from nitrogen sources.

Explanation of Policy:

This policy is described under Policy 7.2.

Application to the Village and Town of Clayton:

The Village and Town of Clayton will assist the State whenever possible in the administration of its air quality statutes pertaining to the atmospheric deposition of pollutants in the region, particularly from nitrogen sources.

Policy 8: Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes

Explanation of Policy:

The intent of this policy is to protect people from sources of contamination and to protect waterfront resources from degradation through proper control and management of wastes and hazardous materials. In addition, this policy is intended to promote the expeditious remediation and reclamation of hazardous waste sites to permit redevelopment. Attention is also required to identify and address sources of soil and water contamination resulting from landfill and hazardous waste sites and in-place sediment contamination.

Application to the Village and Town of Clayton:

To be completed.

Policy 8.1: Manage solid waste to protect public health and control pollution

Explanation of Policy:

Solid waste should be managed by:

- Reducing the amount of solid waste generated.
- Reusing or recycling materials.
- Using land burial or other approved methods to dispose of solid waste that is not reused or recycled.

Using proper handling, management, and transportation practices should prevent the discharge of solid wastes into the environment. Solid waste management facilities should operate with methods that prevent or reduce water, air, and noise pollution and other conditions harmful to the public health.

Solid waste disposal should be adequately addressed when evaluating any development proposal or activities generating solid wastes in Clayton.

Application to the Village and Town of Clayton:

To be completed.

Policy 8.2: Manage hazardous wastes to protect public health and control pollution

Explanation of Policy:

Hazardous wastes should be managed in accordance with the following priorities:

- Eliminate or reduce the generation of hazardous wastes to the extent feasible;
- Recover, reuse, or recycle remaining hazardous wastes to the extent feasible;
- Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes that cannot be reduced, recovered, reused, or recycled; and
- Use land disposal as a last resort;

In addition, these additional guidelines should be followed regarding hazardous waste:

- Phase out land disposal of industrial hazardous wastes.
- Ensure maximum public safety through proper management of industrial hazardous waste treatment, storage, and disposal.
- Remediate inactive hazardous waste disposal sites.

Application to the Village and Town of Clayton:

There are no active or inactive hazardous waste disposal sites in the Village or Town of Clayton.

Policy 8.3: Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health

Explanation of Policy:

This policy addresses preventing the release of toxic pollutants or substances hazardous to the environment that would have a deleterious effect on fish and wildlife resources. Prevent environmental degradation due to persistent toxic pollutants by: limiting discharge of bioaccumulative substances, avoiding resuspension of toxic pollutants and hazardous substances and wastes, and avoiding reentry of bioaccumulative substances into the food chain from existing sources. Prevent and control environmental pollution due to radioactive materials.

Public health, private property, and fish and wildlife need to be protected from the inappropriate use of pesticides and petroleum products by:

- Limiting the use of pesticides by effective targeting of actual pest populations.
- Preventing direct or indirect entry of pesticides into waterways except when waterway application is essential for controlling the target species as in pond reclamation projects, black fly control operations, or nuisance aquatic vegetation control projects.
- Minimizing the exposure of people, fish, and wildlife to pesticides.
- Minimizing adverse impacts from potential oil spills through the appropriate siting of petroleum facilities.
- Preventing discharge of petroleum products by following approved handling, storage, and facility design and maintenance principles.

Appropriate action should be taken to correct all unregulated releases of substances hazardous to the environment.

Application to the Village and Town of Clayton:

If the Village and Town of Clayton do not feel that current NYS and County regulations address their specific issues, they should consider developing a pollution prevention program to prevent the release of any toxic pollutants or substances hazardous to the environment that would have a harmful effect on public health and fish and wildlife resources. Public health, private property, and fish and wildlife need to be protected from the inappropriate use of pesticides and petroleum products by using the methods outlined in the Explanation of Policy section.

Policy 8.4: Prevent and remediate discharge of petroleum products

Explanation of Policy:

The handling of petroleum products near water bodies must be undertaken with utmost care. The following guidelines should be applied to the Village and Town of Clayton:

- Minimize adverse impacts from potential oil spills by appropriate siting of petroleum offshore loading facilities.
- Have adequate plans for prevention and control of petroleum discharges in place at any major petroleum-related facility.
- Prevent discharges of petroleum products by following approved handling and storage, and facility design and maintenance principles.
- Undertake clean-up and removal activities of petroleum discharge in accordance with guidelines contained in the New York State Water Accident Contingency Plan and Handbook, and give first priority to minimizing environmental damage by:

- Responding quickly to contain petroleum spills.
- Containing discharges immediately after discovery.
- Recovering petroleum discharges using the best available practices.
- Encouraging careful self-monitoring of auto-related businesses.

Application to the Village and Town of Clayton:

Because of its location along the St. Lawrence Seaway, the Village and Town of Clayton is subject to the dangers surrounding the shipment of petroleum and other hazardous materials. The Village and Town encourage the maximum practicable measures that will prevent or at least minimize spills and discharges of such materials into its coastal waters.

As identified in the Oil Spill Response Model II: St. Lawrence River, the French Creek Marsh is one of the most critical wetland areas along the U.S. side of the international section of the river. It can be easily protected in event of a nearby spill, and every effort should be made to prevent contamination.

Policy 8.5: Transport solid waste, hazardous substances, and hazardous waste in a manner which protects the safety, well-being, and general welfare of the public; the environmental resources of the State; and the continued use of transportation facilities

Application to the Village and Town of Clayton:

As part of its solid waste management plan, the Village and Town will incorporate guidelines to carry out the intent of this policy in its collection and transport of solid waste.

Policy 8.6: Site solid and hazardous waste facilities to avoid potential degradation of waterfront resources

Application to the Village and Town of Clayton:

To be completed.

Public Waterfront Policies

Policy 9: Provide for public access to, and recreational use of, the waterway, public lands, and public resources of the waterfront area

Explanation of Policy:

Along many stretches of the shoreline, physical and visual access to waterfront lands and waters is limited for the general public. Limitations on reaching or viewing the waterfront are further heightened by a general lack of opportunity for diverse forms of recreation at those sites that do provide access. Often access and recreational opportunities that are available are limited to local residents. Existing development has made much of the waterfront inaccessible and new development has diminished remaining opportunities to provide meaningful public access. In addition to decreasing opportunities for physical access, visual access has also been lost due to the reduction in vantage points or outright blockage of views. Long docks have impeded access along public trust lands of the shore, and shoreline fortification has led to the loss of physical access.

Existing public access and opportunities for recreation are inadequate to meet the needs of the residents of New York State. Given the lack of adequate public access and recreation, this policy incorporates measures needed to provide and increase public access throughout the waterfront area. The need to maintain and improve existing public access and facilities is among these measures, and is necessary to ensure that use of existing access sites and facilities is optimized in order to accommodate existing demand. Another measure is to capitalize on all available opportunities to provide additional visual and physical public access along with appropriate opportunities for recreation.

Application to the Village and Town of Clayton:

The particular water-related recreation resources and facilities, which will receive priority for improved access in Clayton's waterfront, are fishing areas, swimming areas, boating facilities and passive/active recreational parks. To optimize the use of these resources, the Village and Town must facilitate alternative modes of access, including pedestrian, vehicular and waterborne.

Clayton's waterfront has historically provided opportunities for access to the St. Lawrence River and its associated recreational resources. However, the extent of public access, both physical and visual, is surprisingly limited in view of the Village and Town's unique coastal setting in the Thousand Islands area. Past ownership and development patterns have eliminated many access opportunities.

Specifically in the Village, present conflicts between pedestrian and vehicular modes of access to or within the waterfront compound the access limitations along Riverside Drive. Resolution of these conflicts through streetscape improvements and a comprehensive pedestrian access system, such as the RiverWalk, will ensure optimum use of the waterfront and Clayton's water-related recreational resources, while also connecting cultural institutions and neighborhoods.

Measures taken to increase the supply and effective use of parking in this part of the Village waterfront will support both revitalization efforts and improved vehicular access to the Village's waterfront recreational facilities. A coordinated signage program should provide improved recognition of available parking.

Both public and private measures can be taken to expand docking and support facilities to improve the accessibility of Clayton's water-related recreational resources to boaters from within the community and from outlying areas along the St. Lawrence River. Expansion of the municipal docks at the west end of Mary Street and construction of a transient dock facility on the Frink property will increase overnight docking capability and, thus, will increase the opportunity for boaters to visit the Village's shoreline parks, cultural and commercial establishments along Riverside Drive.

Development and expansion of private marinas, to the extent possible, will similarly improve waterborne access from the western and eastern sides of the Village peninsula. Maintenance of existing and newly developed dockage and marina facilities will be necessary to ensure their continued service. Joint public-private efforts will be appropriate in diminishing actual or potential damages to these facilities from wave and ice action.

Most of the Town's waterfront is in private ownership. Exceptions include Canoe and Picnic Point State Parks, Potter's Beach, and the Town-owned Upper Landing on Grindstone Island, and the French Creek Wildlife Management Area on the Town mainland. These publicly owned lands should be retained in public ownership. The Town should work with the Thousand Islands Land Trust (TILT) to develop further public access opportunities on TILT property.

Any action taken to increase public access should enhance or, at a minimum, be consistent with local efforts to revitalize deteriorated and/or underutilized areas, facilitate water-dependent uses, protect historic resources and increase the recreational use of the St. Lawrence River, French Creek and their fish and wildlife resources.

All government agencies must give consideration to the Village and Town's existing and potential public access when considering proposed development actions. They should, to the extent permitted by other coastal policies, encourage new or improved pedestrian, vehicular and/or waterborne access to Clayton's recreational facilities while ensuring that their actions do not jeopardize present levels of access.

Policy 9.1: Promote appropriate and adequate physical public access and recreation throughout the waterfront area

Explanation of Policy:

Public access and recreation facilities improve the quality of life for residents and generate revenues for the businesses throughout Clayton. The following standards will be used as a guide in making future decisions regarding public access and expanding recreation opportunities:

- Provide convenient, well-defined, physical public access to and along the shoreline for water-related recreation.
- Provide a level and type of public access and recreational use that takes into account proximity to population centers, public demand, natural resource sensitivity, accessibility, compatibility with on-site and adjacent land uses, and needs of special groups.
- Protect and maintain existing public access and water-related recreation.
- Provide additional physical public access and recreation facilities at public sites.
- Provide physical access linkages throughout the waterfront.
- Include physical public access and/or water-related recreation facilities as part of development whenever development or activities are likely to limit the public's use and enjoyment of public waterfront lands and waters.
- Provide incentives to private development which provides public access and/or water-related recreation facilities.
- Restrict public access and water-related recreation on public lands only where incompatible with public safety and protection of natural resources.
- Ensure access for the general public at locations where State or Federal funds are used to acquire, develop, or improve parkland.

Application to the Village and Town of Clayton:

In Clayton, few recreational facilities provide water-related recreational activities. In addition, there is limited access to the waterfront for pursuits that require only minimal facilities for their enjoyment. Increased access would allow for walking along the Village waterfront or to a vantage point in the Town from which to view the St. Lawrence River. Similar activities requiring access would include bicycling, bird watching, photography, nature study, and fishing. To increase public access and recreation opportunities, the Village and Town should develop or expand both water-dependent and water-enhanced public access and recreation facilities along the entire shoreline.

Most of the Town's waterfront is in private ownership. Exceptions include Canoe and Picnic Point State Parks, Potter's Beach, and the Town-owned Upper Landing on Grindstone Island, and the French Creek Wildlife Management Area on the Town mainland. These publicly owned lands should be retained in public ownership.

Given that access to Canoe and Picnic Point State Park and Upper Landing on Grindstone Island is by boat only, and existing Town boat launching facilities do not adequately meet current demand, there is a need for additional boat launching capabilities for Town residents and visitors. Additional public access for Town and Village residents and tourists could be facilitated in the Village of Clayton, where several

opportunities exist to develop water-related recreational facilities. Any arrangement that the Town may enter into with the Village of Clayton, which may require an intermunicipal agreement, would have to address the Town's need for increased boat launching facilities.

In waterfront 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 bicycling, birdwatching, photography, nature study, fishing, hunting and trapping. The community has identified the need for a public beach to allow enhanced access to the waterfront.

For those activities, there are several methods of providing access, which will receive priority attention of the Coastal Management Program. These include: the development of a coastal trails system; the provision of access across transportation facilities to the shoreline; the improvement of access to waterfronts throughout the Town; and the promotion of mixed and multi-use development.

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

1. Existing access from adjacent or proximate public lands or facilities to existing public coastal land and/or waters shall not be reduced or eliminated, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding local, 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 guidelines:

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

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- ii. Pedestrian access is diminished or blocked completely by public or private development.
 - b. An elimination of the possibility of increasing public access in the future includes, but is not limited to, the following:
 - i. 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.
 - ii. Sale, lease, or other transfer of public lands that could provide public access to a public water-related recreation resource or facility.
 - iii. Construction of private facilities that physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities.
 - 2. The existing level of public access within public coastal lands or waters shall not be reduced or eliminated. A reduction in the existing level of public access includes, but is not limited to, the following:
 - a. Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - b. Access is reduced or blocked completely by any public developments.
 - 3. Public access from the nearest public roadway to the shoreline and along the coast 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; or (b) adequate access exists within one-half mile. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
 - 4. 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 coastal lands. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

The following are recommendations to respond to this policy:

- Develop and maintain public access from the Antique Boat Museum to the southwestern shoreline of Goose Bay via the RiverWalk, understanding that some portions of the RiverWalk will weave in and out from the water's edge back to the street side, incrementally building a fully integrated pedestrian network.
- Develop, protect and maintain pedestrian access to and linkages between public water-related recreational uses and facilities throughout the peninsula through integration of the RiverWalk.
- Increase, maintain and protect waterborne access to the Village and Town's shoreline recreation resources for Village and Town residents and visitors. Additional public access could be facilitated for both the Town and Village through public dockage at the Village docks on Riverside Drive, the Mary Street dock, and expansion of the Town dock on Grindstone Island. A new transient, overnight dock system will be constructed on 300 feet of the Frink property. The Village will encourage expansion and upgrading of private marina facilities along the western and eastern side of the peninsula. The community will develop, protect and maintain vehicular access to public water-related recreational uses throughout the western and eastern portions of the peninsula. The Village plans to construct a fishing pier at Centennial Park, but boats will be prohibited from using the dock.
- Maintain and repair, as needed, those facilities under local government control, which affect public use of the waterfront and provide necessary safety and sanitation services for areas under local jurisdiction.
- Develop and expand water-dependent and water-enhanced public access and recreation facilities along the northern and western sides of the Village peninsula and, if feasible, in the southwest corner of Goose Bay.
- Encourage the development and expansion of water-dependent and water-enhanced semi-public cultural facilities along the northern and western sides of the Village peninsula, particularly in Frink Park and the property east.
- Increase opportunities to fitness for visitors and residents by providing trails and areas to swim, as well as kayaks, canoes, and paddleboats for rental.
- Relocate the Village of Clayton's sewage treatment plant, and redevelop the property in a way that provides open space and public access to the water.
- Provide increased access to French Creek and the associated wildlife management area for recreational activities, such as skating, fishing, bicycling, paddling, and birdwatching.

Policy 9.2: Provide public visual access from public lands to waterfront lands and waters or open space at all sites where physically practical

Explanation of Policy:

To the extent feasible, views of the waterfront from roads and public access locations should be expanded to allow full appreciation of the beauty of these resources, and to increase the attractiveness of the waterfront for residents and visitors.

The following standards should be applied with respect to increasing visual access to waterfront lands and water:

- Limit physical blockage of existing visual access by constructing improvements and buildings at an appropriate scale and location.
- Protect view corridors provided by streets or natural resources.
- Provide interpretive signs/kiosks/exhibits at appropriate locations to enhance the understanding and enjoyment of views.
- Allow and encourage vegetative or other screening of uses that detract from the visual quality of the waterfront.
- Adopt and enforce regulatory and land use mechanisms that preserve and enhance visual resources.

Application to the Village and Town of Clayton:

Clayton has immense scenic resources. Because of the topographic richness of Clayton and its historic character, this potential is not limited to water-related views. Because River and inland scenic resources define the character of Clayton and have significant impact on private property values and the resultant tax base, view preservation and enhancement should receive serious attention. Views should be an important part of any revisions to local zoning and planning regulations.

The Village and Town should take actions on municipal property to improve and enhance visual access to the River from both public and private space. In addition, the community has interest in developing public viewing areas specifically for viewing freighters and other ships in the international shipping channel, with schedules and other information communicated on a viewing board.

Policy 9.3: Preserve the public interest in and use of lands and waters held in public trust by the State, and other public entities.

Explanation of Policy:

The following practices should be used with respect to preserving the public interest in and use of lands and waters held in public trust by the State, and other public entities:

- Limit grants, easements, permits, or lesser interests in lands underwater to those instances where they are consistent with the public interest in the use of public trust lands.
- Determine ownership, riparian interest, or other legal right prior to approving private use of public trust lands under water.

- Limit grants, including conversion grants, in fee of underwater lands to exceptional circumstances.
- Reserve such interests or attach such conditions to preserve the public interest in use of underwater lands and waterways, which will be adequate to preserve public access, recreation opportunities, and other public trust purposes.
- Evaluate opportunities to re-establish public trust interests in existing grants which are not used in accordance with the terms of the grant, or are in violation of the terms of the lease, or where there are significant limitations on public benefits resulting from the public trust doctrine.

Application to the Village and Town of Clayton:

Partner with the Thousand Islands Land Trust to develop public uses of Zenda Farm, a 400-acre open space with views of the Saint Lawrence River and French Creek. Zenda Farm is adjacent to the 2,600-acre French Creek Wildlife Management Area owned by the NYS Department of Environmental Conservation.

Policy 9.4: Assure public access to public trust lands and navigable waters

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Ensure that the public interest in access below mean high water and to navigable waters is maintained.
- Allow obstructions to public access when necessary for the operation of water-dependent uses and their facilities.
- Permit interference with public access for riparian non-water-dependent uses in order to gain the minimum necessary reasonable access to navigable waters.
- Use the following factors in determining the minimum access necessary: the range of water level fluctuation, the size and nature of the water body, the uses of the adjacent waters by the public, the traditional means of access used by surrounding similar uses, and whether alternative means to gain access are available.
- Mitigate substantial interference or obstruction of public use of public trust lands and navigable waters.

Application to the Village and Town of Clayton:

To be completed.

Policy 9.5: Provide access and recreation that is compatible with natural resource values

Explanation of Policy:

Access and recreational activities must avoid adverse impacts on natural resources. The following factors will be utilized in determining the potential for adverse environmental effects:

- The intensity of the anticipated recreational activity.
- The level of disturbance associated with the activity.
- The sensitivity of the natural resources involved.
- The impacts of required operations and maintenance activity.

Access should be limited where the uncontrolled public use of a recreational facility or public access site would impair the natural resources. The following additional standards and guidelines will be applied in analyzing recreation and public access projects along waterfront areas:

- Provide access for fish and wildlife related activities, so long as the level of access would not result in the unacceptable adverse impacts to, or loss of, the resources themselves.
- Use methods and structures of access that maintain and protect open space areas associated with natural resources.
- Impose seasonal limitations on public access where necessary to avoid adverse environmental impacts. This is especially true during the winter season when snowmobiles can cause damage to the banks of rivers and streams and cause excessive noise, and during drought periods when soil and vegetation are easily eroded.

Application to the Village and Town of Clayton:

In designing access facilities to and along the waterfront, provisions should be made for the protection and enhancement of natural habitat and wetlands, including French Creek. Access facilities at the water's surface, i.e. water trails, boat launches, and docks, should be sited and designed with minimum impact to shoreline habitats and the river bottom, or to land-based natural resources used for access to the waterfront. Where possible, existing access facilities should be used and enhanced rather than building new facilities.

Working Waterfront Policies

Policy 10: Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations.

Explanation of Policy:

The intent of this policy is to protect existing water-dependent commercial, industrial, and recreational uses and to promote future siting of water-dependent uses at suitable locations. It is also the intent of this policy to enhance the economic viability of water-dependent uses by ensuring adequate infrastructure for water-dependent uses and their efficient operation.

Water-dependent uses are vital to the economic health of the region and are identified in Section 4.4.

Application to the Village and Town of Clayton:

Water-related recreation in Clayton includes water-dependent activities, such as boating and fishing, as well as certain activities that are enhanced by a coastal location and increase the general public's access to the coast. These include shoreline parks, picnic areas, and scenic viewpoints 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, and historic and cultural resources, and provided demand exists, water-related recreation development is to be increased. Such uses shall have a higher priority than any non-coastal 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 coastal dependent uses will require a case-by-case analysis. The siting or design of new public development in a manner that would result in a barrier to the recreational use of a major portion of a community's shore shall be avoided.

Industrial development is desired in the Clayton community to provide full-time well-paying jobs for local residents. This type of economic development would need to be balanced with the protection and preservation of the waterfront, but where appropriate, might provide a water-dependent use that is critical to the vitality of the Clayton community.

Policy 10.1: Protect existing water-dependent uses.

Explanation of Policy:

Actions that would displace, adversely impact, or interfere with existing water-dependent uses should be

avoided. Conversely, actions that enhance and protect marine and public access facilities should be encouraged.

Application to the Village and Town of Clayton:

The Village will facilitate the location and expansion of water-dependent uses in its waterfront with particular emphasis on those that will contribute to local revitalization efforts and tourism development.

Uses such as marinas, boat repair facilities, tour boat operations and bait and tackle shops will be encouraged along the western side of the Village peninsula. The suitability of these areas for water-dependent uses has already been established by the presence and continued operation of such uses. Portions of these areas are deteriorated and/or underutilized and, therefore provide important target areas for new investment. Local residents are committed to supporting small businesses in Clayton so that they thrive, not merely survive.

Projects along the water's edge in the Village peninsula shall incorporate the Clayton RiverWalk, a key component of the revitalization of the Clayton waterfront and commercial core. The RiverWalk is intended to foster this revitalization by redefining how the water's edge and commercial core are integrated, and connecting important cultural and entertainment destinations within the community. The development of the entire RiverWalk is recommended in this document.

Particular attention should be given to the attraction of marine activities to French Creek Bay in relation to the visual appeal of the St. Lawrence River. The community is encouraged to facilitate new locations, redevelopment and expansion of water-based commercial recreation facilities, marine support services and other water-dependent commercial uses along the western and eastern sides of the Village peninsula and, to a limited extent, along the eastern side of French Creek.

Policy 10.2: Promote maritime centers as the most suitable locations for water-dependent uses

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Ensure that public actions enable maritime centers to continue to function as centers for water-dependent uses.
- Protect and enhance the economic, physical, cultural, and environmental attributes, which support each maritime center.

Application to the Village and Town of Clayton:

To be completed.

Policy 10.3: Allow for development of new water-dependent uses outside of maritime centers*Explanation of Policy:*

New water-dependent uses may be appropriate outside maritime centers if the use:

- Should not be located in a maritime center due to the lack of suitable sites; or
- Has unique locational requirements that necessitate its location outside maritime centers; or
- Would adversely impact the functioning and character of the maritime center if located within the maritime center; or
- Is of a small scale and has a principal purpose of providing access to the waterway.

Application to the Village and Town of Clayton:

To be completed.

Policy 10.4: Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water-enhanced and maritime support services*Explanation of Policy:*

Many water-dependent uses are often supported by or contain non-water dependent uses, which complement and support the water-dependent uses. Non-water-dependent accessory or mixed-use development will be encouraged if the use meets the following criteria:

- Accessory uses are subordinate and functionally related to the principal water-dependent use and contribute to sustaining the water-dependent use;
- Mixed uses support the water-dependent use and are accompanied by a demonstrable commitment to continue operation of the water-dependent use;
- Uses are sited and operated so as not to interfere with the principal operation of the site for a water-dependent use; and
- Users do not preclude future expansion of a water-dependent use.
- Locations with important natural resource values, such as wetlands and fish and wildlife habitats, should be avoided.

Other uses may be included in the waterfront, especially water-enhanced and marine support services, as long as these uses:

- Improve the working waterfront and its character;
- Do not hinder efficient operation of another water-dependent use; and
- Make beneficial use of a waterfront location through siting and design to increase public enjoyment of the waterfront.

Application to the Village and Town of Clayton:

Appropriate recreation 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 the total project costs. Current and future development activities in Clayton to redevelop the west end of Riverside Drive and strengthen commercial establishments in the Village core should be integrated with the improvement of public access and recreational facilities as multiple uses. Municipal approvals of private development projects will assure that recreation, as a multiple use, will be required when appropriate in any development activities within this part of the waterfront.

The Village should encourage the location and expansion of resorts, motels, restaurants, residential and other water-enhanced commercial facilities in three other areas of the waterfront: along the northern tip and eastern portions of the peninsula as well as along the portion of NY Routes 12 and 12E as they approach the Village. Each of these areas already has, to a certain extent, an orientation to the development of water-enhanced accommodations or commercial facilities for the tourist.

Encourage the new location, redevelopment and expansion of tourist accommodations, restaurants and other water-enhanced commercial facilities along the northern side of the Village peninsula and, to the extent consistent with other policies of this program, along the north side of NY Route 12 and the south side of NY Route 12E, west of the Route 12E bridge.

Redevelopment and new development along the north side of Riverside Drive will provide for water-related recreation and public access to the shoreline as a multiple use whenever such multiple use is compatible with the purposes of the development or redevelopment.

The Village will also encourage local museums, arts and craft shows, and other semi-public cultural facilities, which depend on or are enhanced by a location near the water. The principal areas for expanding or attracting and siting such facilities will be along Riverside Drive, at the west end of Mary Street where certain semi-public uses have already located and within Frink Park and adjoining lands.

Policy 10.5: Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation, and maintain regionally important uses.

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Site new and expand existing marinas, yacht clubs, boat yards, and other boating facilities where there is: adequate upland for support facilities and services; sufficient waterside and landside access; appropriate nearshore depth to minimize dredging; suitable water quality classification; minimization of effects on wetlands, shellfish beds, or fish spawning grounds; and adequate water circulation.

- Maintain existing ferry services and promote new ferry services to increase the transportation efficiency of passengers and cargo.
- Improve protection of natural resources when importing, transshipping, or storing petroleum products by promoting inland storage and offshore transshipment of product.
- Maintain regionally important aggregate transshipment facilities.

Application to the Village and Town of Clayton:

To be completed.

Policy 10.6: Provide sufficient infrastructure for water-dependent uses

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Protect and maintain existing public and private navigation lanes and channels at depths consistent with the needs of water-dependent uses.
- Provide new or expanded navigation lanes, channels, and basins when necessary to support water-dependent uses.
- Use suitable dredged material for beach nourishment, dune reconstruction, or other beneficial uses.
- Avoid placement of dredged material in waterbodies when opportunities for beneficial reuse of the material exist.
- Allow placement of suitable dredged material in nearshore locations to advance maritime or port-related functions, provided it is adequately contained and avoids negative impacts on vegetated wetlands and significant coastal fish and wildlife habitats.
- Avoid shore and water surface uses, which would impede navigation.
- Give priority to existing commercial navigation in determining rights to navigable waters.
- Provide for services and facilities to facilitate commercial, industrial, and recreational navigation.
- Foster water transport for cargo and people.
- Maintain stabilized inlets.

Application to the Village and Town of Clayton:

Through their construction, taxing, funding, and regulatory powers, the Village and Town's governing bodies are dominant forces in shaping the course of development in Clayton. 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.

Although Clayton is somewhat rural, public services and infrastructure are generally adequate throughout the Village and Town for current and future development needs. Future development which places a

demand on existing infrastructure (sewer, water and road network) and public services (primarily parking) will be concentrated in waterfront areas where existing services are currently available or readily accommodated. Preferred areas for such development are the Village core area and to the south along NY Route 12, east of French Creek.

Those uses that will place little or no demand on existing public services and infrastructure will be encouraged to locate in those waterfront areas where such services are limited or nonexistent. Such uses include water-dependent recreational facilities and resort single-family residential infill development that can be accommodated by individual on-site services. Single-family residential development is not permitted in the Village RiverWalk districts.

Policy 10.7: Promote efficient harbor operation

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Limit congestion of harbor waters, conflict among uses, foster navigational safety, and minimize obstructions in the waterway to reduce potential hazards to navigation.
- Prohibit any increase or additional use of the waterway if such an increase or addition poses a public safety hazard, which cannot be mitigated.
- Prohibit intrusions or encroachments upon navigation channels and other identified vessel use areas.

Application to the Village and Town of Clayton:

See the Harbor Management Plan.

Policy 11: Promote sustainable use of living marine resources

Explanation of Policy:

Living marine resources play an important role in the social and economic well-being of the people of waterfront communities. Commercial and recreational uses of living marine resources constitute an important contribution to the economy of the region and the State. Commercial products provide high protein food sources to consumers and are distributed throughout the State and nation, and to expanding international markets. In addition to the food value of living marine resources, they have economic significance in the commercial development of value-added food stuffs, pharmaceuticals, cosmetics, and oils. These same resources provide recreational experiences and important accompanying economic activity.

Continued use of living resources depends on maintaining long-term health and abundance of marine fisheries resources and their habitats, and on ensuring that the resources are sustained in usable abundance and diversity for future generations. This requires the State's active management of marine fisheries,

protection and conservation of habitat, restoration of habitats in areas where they have been degraded, and maintenance of water quality at a level that will foster occurrence and abundance of living marine resources. Allocation and use of the available resources must: (1) be consistent with the restoration and maintenance of healthy stocks and habitats, and (2) maximize the benefits of resource use so as to provide valuable recreational experiences and viable business opportunities for commercial and recreational fisheries. Based upon ownership of underwater lands, many communities also provide for the direct management of marine resources.

Application to the Village and Town of Clayton:

No commercial fishing in Clayton, applies only to recreational opportunities.

Policy 11.1: Ensure the long-term maintenance and health of living marine resources

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Ensure that commercial and recreational uses of living marine resources are managed in a manner that: results in sustained useable abundance and diversity of the marine resource; does not interfere with population and habitat maintenance and restoration efforts; uses best available scientific information in managing the resources; and minimizes waste and reduces discard mortality of marine fishery resources.
- Ensure that the management of the State's transboundary and migratory species is consistent with interstate, State-Federal, and inter-jurisdictional management plans.
- Protect, manage, and restore sustainable populations of indigenous fish, wildlife species, and other living marine resources.
- Foster occurrence and abundance of marine resources by: protecting spawning grounds, habitats, and water quality; and enhancing and restoring fish and shellfish habitat, particularly for anadromous fish, oysters, and hard clams.

Application to the Village and Town of Clayton:

Many riparian ecosystems have the capacity for self-renewal if the sources of degradation are mitigated or eliminated. Severe erosion along banks will necessitate a stream restoration project to restore the natural integrity of the river or creek and maintain the health of its resources.

Policy 11.2: Provide for commercial and recreational use of marine resources

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Maximize the benefits of marine resource use so as to provide a valuable recreational resource experience and viable business opportunities for commercial and recreational fisheries.

- Where fishery conservation and management plans require actions that would result in resource allocation impacts, ensure equitable distribution of impacts among user groups, giving priority to existing fisheries in the State.
- Protect the public health and the marketability of marine and fishery resources by maintaining and improving water quality.
- Promote development of and maintain existing artificial reefs to improve marine resources habitat and expand nearshore fishing opportunities.

Application to the Village and Town of Clayton:

Clayton does not have a commercial fishing industry, however recreational fishing is enjoyed (See Figure X).

Policy 11.3: Maintain and strengthen a stable commercial fishing fleet

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Protect and strengthen commercial fishing harvest operations, facilities, and waterfront infrastructure to support a stable commercial fishing industry.
- Improve existing and support expansion of fishing operations and facilities for offshore commercial fishing. Maintain existing commercial fishing operations and facilities at present levels.
- Support nearshore harvesting by providing access, berthing, and off-loading facilities suitable for nearshore operators.
- Protect commercial fishing from interference or displacement by competing land and water uses.
- Strengthen the economic viability of commercial fishing fleets through appropriate domestic and international marketing.

Application to the Village and Town of Clayton:

Clayton does not have any commercial fishing fleets.

Policy 11.4: Promote recreational use of marine resources

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Provide opportunities for recreational use of marine resources.
- Provide adequate infrastructure to meet recreational needs, including appropriate fishing piers, dockage, parking, and livery services.
- Promote commercial charter and party boat businesses in maritime centers.

Application to the Village and Town of Clayton:

To be completed.

Policy 11.5: Promote managed harvest of shellfish originating from uncertified waters

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Allow for harvest of shellfish from uncertified waters, provided shellfish sanitation protocols are adhered to for protection of public health.
- Limit environmental disturbance of the harvest area by using the scale or method of shellfish harvesting operations that is most appropriate to the resource and the physical characteristics of the harvest area. Allow sufficient shellfish spawning stock to remain in the harvest area to maintain the resource while reducing the likelihood of illegal harvesting.
- Promote hand-harvesting of stock for depuration and for relays by nearshore harvesters.

Application to the Village and Town of Clayton:

Clayton does not have a shellfish harvesting industry.

Policy 11.6: Promote aquaculture

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Encourage aquaculture of economically important species.
- Protect native stocks from potential adverse biological impacts due to aquaculture.
- Provide leases of State-owned underwater lands for aquaculture only in areas which are not significant shellfish producing areas or which are not supporting significant shellfish hand-harvesting, and only where aquaculture operations would not significantly impair natural resources or water quality.

Application to the Village and Town of Clayton:

No aquaculture currently occurring in Clayton.

Policy 12: Protect agricultural lands

Explanation of Policy:

The intent of this policy is to conserve and protect agricultural land by preventing the conversion of farmland to other uses and protecting existing and potential agricultural production. Agricultural acreage has sharply reduced over a relatively short period of time. This loss has occurred primarily due to residential development, which has rapidly transformed the landscape from one dominated by agrarian

uses and activities to one dominated by single-family residences. Protecting the remaining agricultural land is necessary to ensure preservation of the agricultural economy, farming heritage, open space, and scenic quality.

Application to the Village and Town of Clayton:

The Village coastal areas do not contain significant agricultural lands, but the Town has a number of agricultural parcels in the Town's portion of the waterfront, particularly on Grindstone Island.

The Village and Town could, however, anticipate or encourage a new agricultural role in the future by expanding the Farmer's Market at Frink Park. Creating interest in, and a retail outlet for, locally grown foods helps to preserve nearby agricultural activities. The Farmer's Market should continue to be located in the heart of the Village to ensure spinoff business opportunities for other Village merchants. However, the community feels that establishing the presence of the market is more important than constructing a permanent, fixed market structure or building that might not be financially viable in the Village.

Policy 12.1: Protect existing agriculture and agricultural lands from conversion to other land uses

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Protect existing agricultural use and production from adverse impacts due to: public infrastructure and facility development; creation of other conditions which are likely to lead to conversion of agricultural lands; and environmental changes which are likely to reduce agricultural productivity or quality, including, but not limited to, quantitative and qualitative changes to groundwater resources.
- Provide sufficient buffer as part of new development when it is located near agricultural land.

Application to the Village and Town of Clayton:

To be completed.

Policy 12.2: Establish and maintain favorable conditions which support existing or promote new agricultural production

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Promote new and maintain existing local services and commercial enterprises necessary to support agricultural operations.

- Provide economic support of existing agriculture by allowing mixed uses, which would assist in retention of the agricultural use.
- Promote activities and market conditions that would likely prevent conversion of farmlands to other land uses.

Application to the Village and Town of Clayton:

To be completed.

Policy 12.3: Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Minimize encroachment of commercial, industrial, institutional, or residential development on agricultural lands.
- Retain or incorporate opportunities for continuing agricultural use.
- Locate and arrange development to maximize protection of the highest quality agricultural land in large contiguous tracts for efficient farming.

Application to the Village and Town of Clayton:

To be completed.

Policy 12.4: Preserve scenic and open space values associated with agricultural lands

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Locate and arrange development to maximize protection of agricultural land in large contiguous tracts to protect associated scenic and open space values.
- Allow farms to operate using appropriate modern techniques and structures without consideration of scenic values.

Application to the Village and Town of Clayton:

To be completed.

Policy 13: Promote appropriate use and development of energy and mineral resources

Explanation of Policy:

In dealing with energy problems, the first order of preference is the conservation of energy. Energy efficiency in transportation and site design, and efficiency in energy generation are the best means for

reducing energy demands. Reduced demand for energy reduces the need for construction of new facilities that may have adverse impacts on waterfront resources.

In addition to the impacts of construction of new energy generating facilities, the potential impacts of oil and gas extraction and storage and mineral extraction must be considered. In particular are the potential adverse impacts of mining activities on aquifers.

Application to the Village and Town of Clayton:

No energy-related mining, extraction or dredging operations are currently present in the Village or Town of Clayton. However, several gravel quarries are located on Crystal Springs Road (County Route 4). One quarry is a private operation that sells gravel to the general public, while the others provide gravel for the municipal purposes of the Towns of Clayton, Cape Vincent and Lyme. In addition to quarries, Frontenac Crystal Springs water-bottling plant is located on Crystal Springs Road (County Route 4) and provides bottled spring water to the public and to private organizations.

Policy 13.1: Conserve energy resources

Explanation of Policy:

Guidelines for achieving this policy include the following:

- Promote and maintain energy efficient modes of transportation, including rail freight and intermodal facilities, waterborne cargo and passenger transportation, mass transit, and alternative forms of transportation.
- Plan and construct sites using energy efficient design.
- Capture heat waste from industrial processes for heating and electric generation.
- Improve energy generating efficiency through design upgrades of existing facilities.

Application to the Village and Town of Clayton:

Energy efficiency can be achieved through several means that fall into the jurisdiction of local governments. The conservation of energy should be an important part of prudent future planning in the Village and Town of Clayton. Energy saving measures will include the following:

- Monitoring of electricity, natural gas, and gasoline consumption by all Village and Town-owned structures and vehicles, and encouraging all Village and Town residents to do the same.
- Promoting an increased use of public transportation where practical and to the extent feasible.
- Integrating modes of transportation (pedestrian, bicycle, auto, and waterborne).
- Promoting energy efficient design in new developments, including the use of solar and wind energy, and landscaping for thermal control.
- Promoting greater energy generating efficiency through upgrades of existing public facilities.
- Retrofitting existing equipment (e.g. street and parking lot lighting) that is inefficient and wastes energy.

Policy 13.2: Promote alternative energy sources that are self-sustaining, including solar and wind powered energy generationExplanation of Policy:

The siting of wind energy facilities has the potential to conflict with Clayton's waterfront vision. In reviewing proposed wind energy projects, adverse impacts on adjacent land use, natural resources, avian and bat populations, community character, historic districts, important scenic views, and gateway views should be considered. Wind turbines should not substantially detract from or block important scenic views identified in the Town and Village of Clayton LWRP Section 2.9 and Figure X; St. Lawrence River views from, the four village-owned properties along Riverside Drive, Mary Street docks, and NYS Route 12E bridge; and identified gateway areas. Appropriate setbacks from residences/other buildings, property lines and roads should also be considered.

Guidelines for achieving this policy include the following:

- In siting such facilities, avoid interference with waterfront resources, including migratory birds, and coastal processes.

Application to the Village and Town of Clayton:

The Village and Town of Clayton should encourage energy conservation by:

- Use of renewable and non-polluting energy sources, e.g., passive solar, solar storage units, wind power, fuel cells, and electric cars, should be encouraged in municipal buildings, private homes, commercial buildings, public spaces, and industry.
- Researching alternative energy saving devices for use in a Village and Town pilot program.
- Educating residents about State and federal subsidy programs for alternative energy sources in homes and cars.

Some residents of Clayton have concerns about the proposed wind turbines at Horse Creek Wind Farm in southern Clayton. The impact of the wind turbines on waterfront and gateway character should be considered as described in the *Explanation of Policy*.

Policy 13.3: Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities.Explanation of Policy:

Guidelines for achieving this policy include the following:

- Site major energy generating facilities in a waterfront location where a clear public benefit is established.
- Site major energy generating facilities close to load centers to achieve maximum transmission efficiency.

- Site and construct new energy generating and transmission facilities so they do not adversely affect natural and economic waterfront resources.

Application to the Village and Town of Clayton:

The Village and Town Waterfront Areas are not identified currently in the State Energy Master Plan. However, regarding the siting of major energy transport and generating facilities, the Village and Town of Clayton, assisted by the NYS Department of State Division of Coastal Resources, will work to enforce the public safety and environmental protection policies of the Federal Coastal Zone Management Act, the State Coastal Management Program, and the Clayton LWRP.

Policy 13.4: Minimize adverse impacts from fuel storage facilities

Explanation of Policy:

Regional petroleum reserve facilities are inappropriate in the waterfront area. The production, storage, or retention of petroleum products in earthen reservoirs is prohibited. Protect natural resources by preparing and complying with an approved oil spill contingency plan.

Application to the Village and Town of Clayton:

To be completed.

Policy 13.5: Minimize adverse impacts associated with mineral extraction

Explanation of Policy:

Commercial sand and aggregate mining is generally presumed to be an inappropriate use in the waterfront area. Preserve topsoil and overburden using appropriate site preparation techniques and subsequent site reclamation plans.

Application to the Village and Town of Clayton:

Several gravel quarries are located on Crystal Springs Road (County Route 4). One quarry is a private operation that sells gravel to the general public, while the others provide gravel for the municipal purposes of the Towns of Clayton, Cape Vincent and Lyme. In addition to quarries, Frontenac Crystal Springs water-bottling plant is located on Crystal Springs Road (County Route 4) and provides bottled spring water to the public and to private organizations. These extractive operations are within the WRA, but far enough away from the water's edge to have minimal impact on water quality and scenic views.
(True?)

4.0 Proposed Land and Water Uses and Projects

The land and water use plan outlined in the following section is designed to translate the policies of the local waterfront revitalization program into actions and projects that will effectively draw upon or positively modify existing waterfront and land side resources to stimulate revitalization as well as facilitate local and regional tourism and environmental preservation and enhancement goals. The land and water use projects outlined here are based on an analysis of opportunities and constraints related to development, public input, and the wide range of existing and ongoing projects articulated in other recently completed plans and grant applications. For the ease of the user, the projects and programs are grouped in the following categories:

- Public Access and Recreational Enhancement
- Infrastructure and Redevelopment Projects and Programs
- Heritage Protection Projects and Programs
- Economic Opportunities
- Zoning Improvement Projects and Programs

4.1 Proposed Land Use

The Town and Village of Clayton will build on their already established position as the cultural center of the Thousand Islands. With museums, performing arts, and visual arts, Clayton is located in a spectacular naturally beautiful setting with easily accessed recreational activities. This small community has a distinct village commercial core surrounded by a traditional village residential structure, and rural open space and residential waterfront development outside of the village. Clayton's diverse waterfront areas offer space for picnics and open-air summer concerts, areas for informal fishing, small-scale boat building and island-shipping operations, recreational boat docking, and outdoor commercial and dining opportunities. The land uses found along the river are varied, particularly in the peninsula area of the Village. For the future, the most important aspect of these diverse uses is to achieve a balance that continues to add character and vitality to the community. To achieve that balance, a number of proposed projects have been identified that represent a cohesive physical plan for the community. The proposed projects include enhancements to public access and recreation, infrastructure improvements, redevelopment efforts, heritage protection initiatives, economic programs, and zoning updates.

4.2 Proposed Water Use

Within the Town and Village of Clayton, various water-dependent uses and their associated infrastructure are proposed to continue within the jurisdictional waters of the Village and Town. These uses include recreational boating, intra-island barge traffic and workboats, water-based entertainment (such as visiting cruise ships, and visiting naval vessels), local tour boat operations, boathouses, and boatyards. Water-dependent activities that will continue to occur in the waters of Clayton are water skiing, recreational boating, operating personal watercraft, sailing, paddling, fishing, swimming, and scuba diving. Winter activities that occur on the ice include ice fishing, cross-country skiing, hiking, kite skiing, snowmobiling,

and previously horse racing. An international shipping corridor runs between Clayton's islands and the mainland. Shipwreck diving sites, as well as locations for anchoring and mooring, are also found throughout the St. Lawrence River. Projects listed in the following section that addresses water use consider the need for transportation improvements, recreational amenities, and increased access to water-based facilities.

4.3 Public Access and Recreational Enhancement Projects and Programs

4.3.1 The RiverWalk (PRIORITY PROJECT)

The RiverWalk is intended to be *the* unifying element along the Village's waterfront. It will be the centerpiece of Clayton and a catalyst for Clayton's business development goals. In order to be effective, the Clayton community must develop a long-term incremental approach to implementing the RiverWalk that capitalizes on existing assets and builds momentum for successive projects--- the Frink-segment of the RiverWalk being an excellent first step. Likewise, building strong relationships between the public and private sectors will be crucial to success. As new initiatives are planned, it will be important to make the quality of the experience a defining component of the initiative. It will also be important that the Clayton community celebrate these initiatives, no matter how big or small. Frequent reminders of RiverWalk development efforts will bring the RiverWalk to the front of peoples minds and help to gradually change negative perceptions and build a unified front.

The RiverWalk will also evolve as an important waterside gateway for the community. In order for Clayton to effectively draw boaters from the St. Lawrence River it will be important to effectively display to boaters that Clayton is an energetic community that offers unique dining and entertainment opportunities. Treatment of the waterfront as a gateway is important because it forms not only first impressions for visitors already determined to come to Clayton, but also to boaters on their way to other destinations. Unique treatments like banners, lighting, and trees along the St. Lawrence River side for the RiverWalk may inspire those "passing through" to stop in Clayton. Additionally, the treatment of the buildings and landscape within the view of the water should be given special care and attention. Nodes of activity should be encouraged in an effort to stimulate interest and draw visitors in. Developing the Handler and Grasso River Walk (see Figure__) is an important way for Clayton to not only improve the outside world's perception of Clayton, but also a way to encourage building owners to improve the "backside" of their buildings and create improved connections along the waterfront.

4.3.2 Recreational trail opportunities

Clayton has many beautiful opportunities for walking, hiking, jogging, biking, paddling, cross-country skiing, and fishing, as well as viewing nature, particularly birds, native flora and fauna, and historic features. Recreational trails promote a healthy lifestyle and provide opportunities for small businesses: bicycle repair, outdoor equipment, ice cream or other food-related shops. Where appropriate, small

businesses such as these can be associated with rest areas and trailheads. Specific recreational trail opportunities include:

- **Routes 12 and 12E trail (PRIORITY PROJECT).** Both roads are scenic, but traffic moves quickly. Improving bicycle and pedestrian access along these main corridors would improve the opportunities for transportation and safe recreation throughout the community and the local region. See Map 11.
- **Reuse of the existing railroad bed for a multi-use trail.** The railroad played an important part of Clayton emerging as a vacation destination. Today, the railroad that once contributed so greatly to the emergence of Clayton has been abandoned, but has created an opportunity to develop a trail connection to a broader trail network. Connecting this linear corridor to a broader trail network not only creates an opportunity to attract touring cyclists, but also creates an additional amenity (including interesting views of the St. Lawrence River) that can be offered to visitors and residents. Those who want to snowmobile, bicycle, take a walk through the countryside, or birdwatch, could all use the trail. The Village and Town should create a committee to develop the rail line into a trail. The committee should organize themselves around the principles and structure outlined by the Rails-to-Trails Conservancy. Land ownership issues would likely need to be addressed during the planning efforts.
- **French Creek trail.** A hiking trail along French Creek, possibly with access for biking, and educational elements related to current SUNY-ESF and NYSDEC efforts would enhance access to this significant natural resource, and would help local families and students better understand their environment. A link to the proposed Route 12E trail is also proposed.
- **Grindstone Island trail.** A designated trail on or adjacent town roads would allow further enjoyment of the island's scenic resources.
- **Paddling trail.** A designated paddling trail along French Creek and out to an island, such as Round Island would encourage additional visitor interest in the area and promote increased access to the community's water resources.
- **Zenda Farm trail.** A cross-country skiing trail at Zenda Farm would enhance winter activities in the area.
- **Dedicated bike lanes in the Village.** Bike lanes provide enhanced transportation options and safety for visitors and residents. Appropriate roads for bike lanes include James Street and Riverside Drive.

4.3.3 Mainland Public Swimming Access

A pool is located at the Recreation Park, but few opportunities exist for the public to swim in the river on the mainland. To address Clayton's lack of public access to swimming beaches, the Clayton community should continue to investigate opportunities for development of a public swimming facility. Two options are: 1) developing a swimming platform and deck at Centennial Park, and 2) redeveloping the sewage treatment plant site with a beach for swimming access. See Figure ___.

4.3.4 Coordinate Clayton's diving opportunities with the NYSDOS Underwater Blueway Trail

The NYS Department of State has initiated development of an underwater trail at specific locations throughout the state. Trail development includes marking shipwrecks and rock formations with buoys, guiding lines and signage. Association with the trail will make Clayton more attractive to divers, and provide additional publicity for the existing dive sites in Clayton.

4.3.5 Enlarge Grindstone Island public dock

Facilitate greater public access to this beautiful island and the public roadways and lands on it.

4.3.6 Develop a skateboard park

A skateboard park has been identified as a viable recreational amenity that would serve the need for recreational opportunities for young adults, both visitors and residents.

4.3.7 Develop a shuffleboard or court game area

The community indicated there is a desire for additional recreational opportunities. New recreational features can be developed in some of the existing parks within the Village of Clayton.

4.3.8 Provide places for dogs to swim

Dog owners would like to find locations for dogs to swim. Possible locations include streets that extend to the river, such as Bain Street and Union Street. Bain Street is adjacent to Centennial Park, and both are appropriate locations. In addition, Canoe Point and Picnic Point State Park on Grindstone Island both provide opportunities for dog owners to allow their pets to swim.

FOR COMMITTEE COMMENT

4.4 Infrastructure and Redevelopment Projects and Programs

4.4.1 Frink America property redevelopment (PRIORITY PROJECT)

Redevelopment of the Frink America property is the single-most important opportunity that will influence reinvestment in the Village of Clayton for the foreseeable future. This site will attract new business and residential development ventures in Clayton as well as attract new residents and retain existing residents. Redevelopment of the Frink America property will facilitate an economically integrated commercial core and waterfront.

Key components to redevelopment:

- Proactively attract developers committed to the Village's vision. Do not release the property to a developer that may be interested in the property but does not embrace the principles illustrated on the Concept Master Plan (see Figure __).
- Leverage public investment to attract private development complementary to the Village's commercial core (i.e. grant-funded projects such as the RiverWalk, partnerships with the NYSDOS, or other matching grant opportunities).
- Continue to stabilize the shoreline area and expand RiverWalk amenities such as benches, picnic tables, and interpretive signage (with references to the railroad, snow plow, and lumber industries and St. Lawrence Seaway history).
- Provide public access for multiple users: residents, tourists, boaters, and pedestrians.
- Provide connections to the broader trail network along the abandoned railroad right-of-way.
- Provide a Welcome Center for boaters coming off the St. Lawrence Seaway with toilet and shower facilities.
- Make clear connections to the commercial core via a Riverside Drive extension and provide seamless connections to the adjoining neighborhoods.

4.4.2 Boat docking and services at the Frink America property (PRIORITY PROJECT)

In recent years there has been increasing competition for both short-term and extended stay dockage. In addition, as Clayton continues to attract new residents, many of which are coming to the community with both cars and boats, the increased competition for boat dockage will continue to rise. As a result, residents and waterfront personnel have noted the need to enhance boating services and facilities in Clayton. Boaters that regularly transit Alexandria Bay, Gananoque and Kingston are unable to find dock space in Clayton. The municipal marina at Mary Street has good facilities but can accommodate only fifteen boats for overnight docking. Commercial marinas also have a limited number of overnight spaces.

The Frink America property redevelopment project provides a very practical solution to the docking shortage. A floating dock system could be constructed extending from the RiverWalk on the north east point of the Village peninsula toward Washington Island. This would require about 250 to 300 feet of waterfront. The remainder of the property could be a private docking system for individual owners of the

adjacent condominiums or guests in the hotel. A breakwater would facilitate docking and would protect the boats in all weather conditions. The transient dock facility would have electricity and water hook-ups and an adjacent toilet/shower facility. This would give the Village a first class transient docking system in the heart of the commercial core within walking distance of almost all the major attractions in the Village. There would be no seasonal docking. All services, fuel, repairs, pumpouts, etc., would be provided by local marinas.

4.4.3 Sewage Treatment Plant Redevelopment (PRIORITY PROJECT)

The Village sewage treatment plant occupies an attractive piece of waterfront property, and creates an offensive odor to nearby residents. The services provided by the sewage treatment plant should be provided by another facility, and the site redeveloped. The property could be developed under a number of different scenarios. Based on community input, the property would be best served by a mix of public and private improvements related to improved access to the water. The design in this report proposes the following new public facilities: a boat launch, a Harbor Master/Bait Shop, a park, parking areas, a new public street, and trail connections to the RiverWalk. Proposed new private amenities include housing, and a water-related commercial facility.

4.4.4 French Creek Bridge Reconstruction (PRIORITY PROJECT)

A causeway currently blocks most of the channel connecting French Creek to French Creek Bay. A reconstructed bridge would improve navigability, address ecological issues, and serve as an aesthetically pleasing landmark structure. Plus, the view from this location is one of the most spectacular scenic vistas in the Village of Clayton. A new bridge is envisioned to have pedestrian walkways, a public fishing/observation platform, and a designated bike lane. Lighting for the bridge should be carefully designed to illuminate the vehicular, pedestrian, and bicycle routes. When the causeway is removed, the silt and solid fill should be removed from the creek and the natural creek edge vegetation restored. The historic trestle bridge that was removed in the 1930's would be an appropriate design inspiration for the new structure. See Figure ___.

4.4.5 Frink Park improvements

Frink Park is an important open space area located within the commercial Village core providing wide-open views and access the waterfront. Improvements should include the following:

- A site layout that accommodates public waterfront events that promote the arts, environment and education
- A design that celebrates the environmental features of the region and the exposed glacial stone at the park
- An expanded docking facility for large ships that visit the Thousand Islands Regional Dock
- Space for the farmers' market, including a shelter

4.4.6 Washington Island causeway rehabilitation

Significant silting has occurred in the bays adjacent to the causeway and the causeway itself has been damaged significantly from the wave action caused by severe storms. The causeway also restricts the natural flow of water to Goose Bay and limits fishing opportunities. If the causeway was removed and a low bridge system built, this would improve the silting problem and storm damage potential. This concept requires additional study to determine the current impacts of the existing causeway, the predicted impacts of its removal, and the feasibility of the most appropriate solution.

4.4.7 Water, sewer and stormwater management (PRIORITY PROJECT)

The Town and Village of Clayton have a variety of issues related to the water system, sewage system, and stormwater management. Combined sewer overflows (CSO) during wet weather conditions are a high priority concern. The Village worked with a consultant in 2007 and 2008 to prepare a Prioritized Project Plan to deal with multiple ongoing sewer related issues. These include collection system expansions, potential and existing new developments, combined sewer overflow/wet weather issues, customer complaints of odor at the Sewage Treatment Plant, and operational issues with respect to the Cape Vincent Correctional Facility force main and pumping system. Recommendations include the creation of a CSO Long Term Control Plan, and the relocation of the Sewage Treatment Plant.

Rather than revisit these issues, the LWRP supports the recommendations of the Prioritized Project Plan. In addition, the LWRP recommends that the Town of Clayton work collaboratively with the Village of Clayton on these prioritized projects, and that both the Town and Village of Clayton consider green infrastructure options for implementation of the priorities.

Additionally, in order to improve ground water and river water quality, properties within the WRA (waterfront revitalization area), especially areas with moderate housing density (i.e. under one dwelling per acre) should be connected to a municipal sewer system. For instance, a sewer hookup should be required if a sewer main is installed between Clayton and Collins Landing.

4.4.8 Village parking strategy

Unfortunately, there is no rule of thumb to dictate how many parking spaces are required for specific uses in downtown areas, including boat trailer parking. While such standards can be applied to shopping centers, traditional village downtowns are more complex in terms of land and space uses, the nature of parkers (shoppers vs. workers), seasonality, density, walk-in traffic, mixed uses, and mixed hours of operation among other factors. Typically, the traditional village downtown retail segment needs a lower ratio of parking spaces per square feet of leaseable area than shopping centers. A balance must be achieved to prevent direct business losses where too few parking spaces are available.

Preliminary inventory of the parking facilities available in Clayton suggests that sufficient parking exists for today's visitors; however, they are difficult to locate. Consequently, improved way finding signage

should be developed to draw the visitor to points of interest within Clayton. Further, existing parking lots should be made more inviting and visually appealing with plantings that flower in the summer months. Permeable paving should be considered to reduce stormwater runoff.

Based on the current perception that there is not adequate parking, it will be necessary to develop a parking strategy that recognizes that this LWRP recommends continued investment in downtown housing opportunities above retail establishments. Consequently, residents living downtown and visitors will become increasingly challenged to find parking. As the Village continues to grow in terms of residential population as well as new retail and professional establishments, parking will need to be addressed. Potential parking opportunities include:

- Expanded summertime visitor parking at the elementary school with a shuttle service to the Village downtown
- A parking garage strategically located and preferably sited behind buildings and/or in a rear yard area

4.4.9 Gateway enhancements

Gateways play an important role in forming first impressions and welcoming visitors and residents alike. Both the form and the character of a gateway can influence the overall experience of a particular area. Enhancements at key intersections can also help to lead visitors to the waterfront and important community destinations. Generally, the goal should be to create signature gateways that give an enlivened feeling and a sense of arrival into Clayton and clear direction to main destinations like the Antique Boat Museum and the Village's commercial core. Existing signage should be enhanced with additional landscaping to make a more pronounced statement about the pride that Clayton residents have in their community. Special consideration should be taken at the following intersections:

- Route 12 and James Street
- Route 12 and Webb Street
- Mary Street and James Street
- Route 12 at McCarn Hill
- Route 12E at the Town boundaries

4.4.10 Coordinated way finding signage

The object of an effectively communicated way finding system is to get visitors out of their initial mode of transportation (i.e. cars, buses, motorcycles, boats, bicycles, etc.) and become pedestrians who immerse themselves into the communities that they are passing through. To do this, however, it is important to develop a coordinated communication network that starts with the automobile or boat traveler and gradually, and conveniently, moves the visitor into and around the community. For example, the community noted a need to draw visitors from the Antique Boat Museum to James Street. Consequently, it is recommended that a hierarchical communication network be developed. The strength of this hierarchy of signs is that it clearly connects the traveler's transition from an automobile or boat, to a walking environment, and a visitor experience.

4.4.11 Encourage alternative transportation opportunities

When people visit Clayton, they can enjoy the community in a variety of different ways. Access to new locations could be provided, and sightseeing can be more fun if you have a new method of getting around.

Some possible ideas include:

- A local trolley
- Small ferries or water taxis to get to the islands and historic sites
- Golf carts, scooters, bikes, or Segways for rent

FOR COMMITTEE COMMENT

4.5 Heritage Protection Projects and Programs

4.5.1 *Continue to improve Village streetscapes*

The streetscape plan should establish standards and direction for improvements to the public right of way that create a pedestrian-friendly environment and enhance the identity of the area, as well as connections to the waterfront. It is important for the Clayton community to develop a coordinated streetscape enhancement plan not only for the streets themselves, but also for the proposed RiverWalk. Such an effort will be foundational to coordinating improvements that will build over time to express the heritage and identity of Clayton. The principle objective of the streetscape plan should be to promote a long-term, coordinated program of public and private investment in the pedestrian environment that will enhance the area's role as the focus of community activity. Further, the streetscape plan should establish a strategy for the area's public right-of-way, which includes sidewalks and streets. Design considerations include streetscape elements such as landscape, street lighting, public art, street furniture, infrastructure, bicycle racks, and signage elements.

The Clayton community has discussed the following improvements:

- **Repair and maintain sidewalks linking residential areas to the downtown.** In a pedestrian-oriented community like Clayton, it is important that sidewalks are maintained in areas that link to the downtown. The Village should establish a priority schedule for maintaining sidewalks in higher traffic areas such as James, Webb, and Mary Streets.
- **Improve crosswalks.** The easier a street is to cross, the more inviting and safe it will be for pedestrians. While stop signs and traffic signals are helpful, their goal is usually to stop automobiles rather than to guide the pedestrian safely across the road. In response, a highly visible crosswalk standard should be designed which can be applied throughout the Village. It is recommended that the Village investigate the possibility of using unit pavers at key (i.e., heavily traveled) intersections to differentiate crosswalks from road asphalt pavement. Bulb-outs should also be considered, particularly for the western end of Riverside Drive at James Street.
- **Provide pedestrian amenities** In addition to safe crosswalks and continuous sidewalks, it is important that the Village continue to invest in amenities that make walking more interesting and enjoyable. Benches offer pedestrians a place to rest, talk, and people watch, and should be distributed widely. Attractive human-scale lighting enhances the aesthetic, and engenders a sense of personal security. Lights should be lower to light walkways, not wash buildings. Trees, planters, hanging flower baskets, banners, way finding signage, and attractive pavement also help enhance the pedestrian environment. Street amenities such as wide sidewalks, benches, pedestrian scaled decorative light fixtures and posts, street trees, clocks, planters, and trash receptacles should be located in the areas generally with high pedestrian activity. These amenities should also draw visitors to the water's edge at places like Centennial Park and Frink Park.

- **Landscape edges and nodes.** Where parking lots abut the sidewalk, a distinct border should exist between the two. Ideally, this border would be landscaped, creating a continuous edge to the sidewalk and enhancing the aesthetic value. Such a border could take the form of a low hedgerow, a wooden or wrought iron fence, or a planting strip of shrubbery. This border would serve not only to improve the aesthetics, but also to create a physical barrier to separate pedestrians from parked vehicles. Places where these treatments should be considered a priority include the parking lots along James Street, a primary gateway into the Village's commercial core for both pedestrians and vehicles. Other specific locations should be identified in the Village core, and interested parties should spearhead the design, installation and maintenance of edges and nodes, in coordination with the Village.
- **Eliminate visual clutter.** Many community residents identified overhead utilities as a concern. As the Village continues to negotiate ownership of Riverside Drive with the NYS Department of Transportation, it is strongly recommended that every effort be made to bury existing power lines as away to help soften the visual character of the commercial core. When a related project is scheduled, such as road re-surfacing or utility maintenance, the Town and Village of Clayton should consider burying the utility lines in key locations, such as Riverside Drive. The Village should also consider removing the dated parking meters, and replacing them with consolidated parking stations.
- **Develop a Riverside Drive median.** One of the ideas from the community includes the construction of a curbed median large enough to accommodate the tree and shrub plantings. This idea is reminiscent of the median that existed in the early to mid 20th century on Riverside Drive. A median, whether permanent or seasonal (i.e., moveable large pots filled with small trees or flowers along the centerline of the street) would improve pedestrian crossing safety and reduce the large expanse of asphalt that exists today on Riverside Drive.

4.5.2 Town Comprehensive Historic Preservation Strategy

The Town should preserve properties and places that provide historic or cultural character, open space or important views. The following should be considered:

- **Preserve agricultural landscapes.** One possible property is the Bechaz Farm. The Thousand Islands Land Trust or the Town of Clayton could consider purchasing the development rights, or coordinating a conservation easement, to maintain the character of local agricultural lands.
- **Preserve historic properties.** Historic properties impart a sense of place, and remind residents, as well as visitors, of the story associated with the community. These properties can be restored and reused for any number of uses. Properties with historic significance in the Town of Clayton include: Fairview Manor and the Grindstone Island cheese factory.

- **Protect and preserve open space and important views.** The Clayton community is situated in a spectacular naturally beautiful setting. Open space resources that deserve protection include natural areas, such as French Creek, as well as developed open space areas, such as golf courses. Another area of concern identified by the community was the Palisades, which consists of a relatively natural shoreline, cliffs, and beautiful views to and from the water. There are no public roads, bicycle routes, or walking paths to the Palisades, nor any publicly owned properties or parks. The Thousand Islands Land Trust (TILT) is a possible partner for the Town to consider in seeking preservation of the land and access for the public. The Town should also consider incentives to reward landowners who keep their shorelines natural in appearance.
- **Public access to open space resources.** The Town and Village of Clayton should build upon their existing relationship with TILT to provide more opportunities for public use of Zenda Farms and other TILT properties, and educate people on the opportunities that are already available to the public.

4.5.3 Village Comprehensive Historic Preservation Strategy

Preserving historic buildings, traditional urban development patterns, and park space like Lion's Field helps connect a community to its origins. This can, in turn, establish the community's contemporary identity and help set a direction for future revitalization efforts. Like many small urban communities of the 1960s, the Village of Clayton knew that it had a number of special buildings that were being destroyed by Urban Renewal projects. In response, the Village designated two historic districts, one in 1985 and another in 1997, which still continue to provide important protections for these buildings.

Both the Federal and State governments encourage historic preservation through various means. A number of not-for-profit organizations have also established programs that support local historic preservation efforts. Many progressive economic development practitioners are using historic preservation as a central component to long-term economic development.

The Village should develop a strategy that clearly defines design review and incentive programs for historic preservation efforts. Further, a comprehensive single volume Historic Preservation Plan should be developed in coordination with the proposed design standards (see Section 4.7). This plan can comprehensively revise existing policies and accurately reflect current goals. This plan should include the definition (or redefinition) of the Historic District boundaries, standards for building renovation and reconstruction within the district, protection of important views (such as those to the river on axis with village streets), and financial and technical assistance programs (including local, state and federal programs). National and State Historic districts have the potential to gain tax credits for various projects. Consequently, a Historic District Grant and Low Interest Loan Program should be developed that includes

grants and low-interest loans for storefront renovation, adding residential spaces above businesses, signage, elevator installations, painting, and roofing which directly benefits the Historic District.

Taking advantage of the National Trust's Main Street Program can be one approach used to market and manage an expanded Clayton Historic Preservation program. Clearly, other partners and funding sources will need to be identified. Some of these partners may include the National Park Service, National Trust for Historic Preservation, Preservation League of New York State, New York State Office of Parks, Recreation and Historic Preservation, New York State Department of Transportation, New York State Council on the Arts, and New York Landmarks Conservancy.

4.5.4 Farmer's Market Shelter

Farmer's markets are an important mechanism for small- and medium scale farming operations to connect directly with consumers and retain a greater portion of their profits. The Clayton community should promote a vibrant farmers' market as a way to bring community residents together, attract other regional residents, and help support the agricultural industry that is integral to Clayton's history. Upon developing a consistent critical mass of vendors (see section 4.6.4), Clayton should consider constructing a permanent structure that provides shelter, electrical outlets and water for a farmers' market. One idea is to design the structure as a representation of the old railroad station. The structure should also include signage advertising the market and when it will be open. In response to the burgeoning interest in farmers' markets, more and more federal and state government agencies and private foundations are providing grants and technical assistance to assist with the creation and promotion of farmers' markets.

FOR COMMITTEE COMMENT

4.6 Economic Opportunities

The Town and Village of Clayton should work to develop a viable year-round economy that provides opportunities for residents to live, work and play, as well as reasons for tourists to visit.

4.6.1 *Diversify retail and service offerings*

Understanding who is coming to Clayton and what type of amenities and services they expect is the foundation for continued success. By fostering the development of and by nurturing more specific goods and a service-based niche, Clayton has enormous potential to draw a resident and visitor base that can extend the season on both ends. For Clayton, this should include niches that build around restaurants and culture. Clayton's village commercial area also provides unique cultural experiences including the Antique Boat Museum, Opera House, Thousand Islands Museum and Handweaving Museum & Arts Center. Cultural attractions, in particular, have become an increasingly powerful tool for attracting tourists. Studies have found that large numbers of travelers are more interested in a museum or music festival than in a theme park. Clayton can couple its unique, walkable environment with its cultural opportunities and waterfront to attract a broad group of visitors to the community. Nearby populations, such as military families at Fort Drum, should be considered as possible visitors.

The following niches should be considered for Clayton:

- **Retirees.** Communities with an attractive range of resources and interesting commercial cores have become increasingly important to those who are considering where to retire or have a second home. Additionally, communities that can offer opportunities for residents to live within a community and walk to their boats area also very attractive. Clayton has a unique opportunity to provide housing within walking distance to a viable commercial district as well as boat docking areas. In addition, more and more retirees and second homeowners are moving to Clayton. With 20 million Americans projected to retire in the coming decade, the attractiveness of this niche for Clayton can only be expected to grow. What's more, this same demographic has the ability to contribute significantly to downtown merchant revenues. Many of these retirees spend their money locally on services and many like to eat out often.
- **Tourists.** In addition to a growing retiree niche for Clayton, it cannot be ignored that the community has a history of being a visitor destination. Like the retirees living in the community, tourists eat out at local restaurants. In addition, heritage, cultural and eco-tourism are becoming increasingly important travel industry niches. The National Trust for Historic Preservation defines heritage tourism as "traveling to experience the places, artifacts and activities that authentically represent the stories and people of the past and present." According to a recent study by the Travel Industry Association of America, people who engage in historic and cultural activities spend more, do more, and stay longer than other types of U.S. travelers. Baby boomers in particular wish to experience history through travel, visiting the authentic places where significant events occurred or made relevant contributions to the development of America.

Likewise, international visitors to the U.S. desire a deeper understanding of America's heritage. Heritage tourism's popularity, though, also stems from the opportunity to educate. The American heritage traveler is older, better educated, and more affluent than other tourists, much like the retiree population moving into Clayton. Clayton, with its historic intact commercial core and surrounding environmental features has great potential to be successful focusing on these heritage and eco-tourism niches. Clayton already has establishments such as the St. Lawrence Gallery and Winged Bull Studio in addition to boat builders and photographers. Clayton is also known as the home of the St. Lawrence Skiff. Clayton should take advantage of these resources and seek to build a marketing strategy that targets these types of establishments. Clayton also has the potential to promote craftsmen-produced items that should not be underestimated.

An informal survey completed by the committee responsible for developing 2007 draft Village LWRP found that the top three businesses that are needed in downtown are, in order of priority, restaurants, a bakery, and a hotel open year round. The Committee responsible for developing this LWRP was very interested in supporting year-round employment opportunities that are not necessarily dependent on tourism.

4.6.2 Encourage waterfront and housing opportunities in the Village core

A strong residential component is recognized as being essential for a thriving village core. Downtown residents create and expand the market for downtown businesses by demanding a diverse mix of products and services including retail, restaurants, and entertainment facilities. Downtown residents also ensure that the vitality of the downtown is maintained, especially after business hours. Other benefits of downtown housing include more efficient use of existing infrastructure, more sustainable lifestyle choices for Clayton residents, and an enhanced image of the village for residents and visitors.

Although the downtown has experienced a good deal positive redevelopment in recent years, residential development has been limited. In order to ensure the continued revitalization of the downtown to the benefit of the village as a whole, further action to stimulate more housing downtown is needed. Recent studies and trends across the United States indicated a strong interest among young professionals and the retirement community for downtown housing. With Fort Drum nearby, Clayton might be attractive for military personnel looking for waterfront urban living.

For many, the major appeal of living downtown is being close to the shopping and services offered downtown. In Clayton, many of the buildings offer not only this accessibility but also the ability to walk to private boat slips and some very unique views along the St. Lawrence River. However, among the key issues affecting the development of housing in the downtown are the cost of converting existing buildings, obstacles to new construction, parking, financing, and incentives. Opportunities exist to convert the upper floors of commercial buildings to residential use while retaining commercial uses on the main floor. These opportunities should be sought and strategies, such as local incentives, should be developed to provide increased residential development above commercial establishments.

Other than converting existing buildings, another way to gain more residential units downtown is to build new multi-unit mixed-use buildings. Building new avoids many of the costs associated with conversions but has its own set of challenges. Among these are the high cost of downtown property and the high costs of construction. Finding suitable locations for new development in the downtown can also be an impediment. Assembling property for a new housing development by focusing on land with derelict buildings is an option but the costs of demolition can be a significant factor in the financial viability of this type of project. Most importantly, if new construction is proposed within the downtown commercial core, then mixed-use buildings ought to be required with commercial space on the ground floor and architectural detailing must be reflective of downtown's historic character. This mixed-use concept has been promoted in the Frink America property concept master plan.

Residential developments in the downtown can be eligible for incentives and funding assistance under programs available through the New York State Housing Finance Agency and the New York State Division of Housing and Community Renewal. The CLDC should facilitate the conversion and rehabilitation of downtown buildings for residential uses on upper floors. The CLDC should identify the buildings in the downtown that are the best candidates for full conversion or partial conversion (upper floors only) to residential and examine costs associated with building conversion.

4.6.3 Encourage and organize winter activities

The Clayton community should take advantage of opportunities for winter activities such as cross country skiing, snowmobiling, ice-skating, and shopping. Cross-country skiing could occur at Zenda Farms, on municipal golf courses, and on various trails. Ice-skating could occur at the rink at Lion's Field and on French Creek.

4.6.4 Expand the Farmer's Market

Expanding the Farmer's Market by enhancing local offerings of locally grown and created products provides an opportunity to preserve agricultural land and farming activity. The Farmer's Market should continue to be located at Frink Park or at some other location in the heart of the Village to ensure spinoff business opportunities for other village merchants. Establishing a market with a critical mass of vendors and consumers is a higher priority than constructing a market building that might not be financially viable. The market should be open on weekends to attract boaters as part of the critical mass.

4.6.5 Expand entertainment venues

The Clayton community already has a tremendous resource in the Clayton Opera House. However, community residents suggested that a different type of venue is needed to bring in events and shows. Events and shows would be a welcome amenity for residents, and a tourist attraction for overnight, year-round visitors. Possible venues include a bandstand in Frink Park, more athletic playing fields, and a hotel with an indoor water slide or spa.

4.6.6 *Continue to market Clayton's assets*

Clayton derives a great deal of economic gain from tourism, but the Town and Village of Clayton need to *carefully* market Clayton. The community needs to continue to promote Clayton as year-round destination.

- **Develop and support eco-tourism and recreational opportunities.** The natural and scenic qualities of Clayton lend themselves to ecological tourism, which generally involves travel to places where flora, fauna, and cultural heritage are the primary attractions. Possible eco-tourism opportunities in Clayton include birding along the waterfront, paddling French Creek, and enjoying open space on Grindstone Island. In addition, Clayton has a number of recreational amenities for biking, hiking and paddling, among other things, that need to be better promoted.
- **Promote local history.** The Town and Village of Clayton should also encourage heritage tourism. Heritage tourism promotion might include installing historic signage or markers at locations such as French Creek and McCarn Hill, walking tours, or interpretive signage at diving sites. Local history could be promoted through the establishment of a Clayton Historical Society or the Thousand Islands Museum.
- **Highlight distinctive features.** The Clayton community has a number of distinctive features that could be emphasized in order for visitors to find and enjoy them. An example is lighting unique features along the riverfront, or developing signage or a scenic overlook at McCarn Hill.
- **Encourage the development of a Convention Center.** A convention center would increase business tourism, and bring in predictable amounts of visitors that would support the restaurants, lodging, and other businesses year round.
- **Encourage walking.** The Town and Village of Clayton need to provide reasons for people to get out of their cars and walk around. Ways to do this would be to improve wayfinding signage, provide interesting scenic overlooks with historic photos, develop attractive storefronts for window-shopping, light the storefronts at night, and promote walking tours and hiking routes. Walking tours can be led by a tour guide or docent, as well as self-guided, using a brochure or audio recording.
- **Develop a map of all public trails and fishing access points.** A map of public trails and fishing access locations would be useful to residents, as well as visitors, as they try to enjoy all that Clayton has to offer. When new trails are developed, a trail map will be a logical extension. Other highlights, such as the pool and walking trail at Recreation Park should also be listed. Maps could be distributed at local businesses and at the Chamber of Commerce.

- **Communicate the shipping schedule for public enjoyment.** Provide information regarding vessels traveling along the International Shipping Channel. Other river communities have seaway shipping monitoring stations that are interactive. These could be located anywhere along the waterfront, such as Frink Park. Interpretive signage could be maintained by the Chamber of Commerce.

4.6.7 Maintain and enhance the relationship with the Seaway Trail and the Thousand Island Council

The New York State Seaway Trail, a 454-mile scenic route paralleling Lake Erie, the Niagara River, Lake Ontario and the St. Lawrence River, is an important partner in promoting Clayton and bringing international attention to the communities that it passes through. The mission of the Seaway Trail Discovery Center is to educate and entice visitors to learn more about the historic, cultural, recreational, natural, architectural and agricultural resources by traveling to sites along one of “America’s Byways.” This mission is an appropriate fit with Clayton’s heritage tourism objectives. A good example of the advantages that an organization like the Seaway Trail can bring to Clayton is the Seaway Trail Walk currently in place. This is a guided walking tour of Clayton that is advertised as part of the Seaway Trail’s general marketing materials and brings outside visitors not only into Clayton, but gets them out of their vehicles to walk and “experience” the community, thereby making them potential patrons of local establishments. As new projects and programs are developed, the Village should be sure to keep the Seaway Trail informed and whenever possible get publicity assistance.

4.6.8 Make efforts to reclaim cruise ship visitations

Building a strong tourism infrastructure that includes unique destinations like the Handweaving Museum & Arts Center, the Thousand Island Museum, the Antique Boat Museum and the Clayton Opera House while fostering a walkable environment with points of interest will continue to make Clayton a more attractive stop for the various cruise ship companies that were once such an important part to Clayton’s economic base. To do so, it will be necessary to build the infrastructure required for the cruise ship companies to stop in Clayton, as well as get the word out that Clayton is once again a worthwhile stop. Redevelopment of the Frink America property, or adjacent Frink Park, should include amenities to provide the necessary dock space for the cruise ships. The advantage of locating here is that visitors will then be drawn along Riverside Drive as they make their way to the visitor destinations named above and the available commercial activities.

4.6.9 Continue to monitor the business environment

The following suggestions should be considered to further the understanding of the Clayton waterfront business environment:

- **Continue to update the space inventory.** This should include adding not only business addresses, names and owners, but should also include commercial space by the Census Bureau’s Standard Industrial Classification. Doing so will allow continued analysis of emerging niches that

might need to be fostered. The inventory should also include identification of commercial and retail properties that are underutilized and efforts should be made to work with these property owners to maximize the use of the space.

- **Obtain and analyze sales data.** Working with local business owners, sales data should be collected and recorded by SIC (not by business name, so as to maintain privacy).
- **Conduct a shopper intercept survey.** A survey of shoppers to the area is one of the best ways to understand why people are coming to downtown as well as the types of services and establishments that would bring them back more often. However, these surveys can be difficult and should be well thought out before actually performing. Additionally, the surveys should be short (no more than ten questions) and finding the appropriate location will be critical.
- **Conduct a trade area survey.** Coupled with the findings of a shopper intercept survey, a very holistic understanding of needs and expectations for the commercial core can be developed. Additionally, identification of emerging niches can become very evident. However, like a shopper intercept survey, a trade area survey can be improperly performed and not reveal accurate or useful findings. If properly developed, these surveys can be very useful in helping to identify the goods and services for which residents and visitors alike feel are under-served.
- **Collect zip code data.** This type of information can be very useful in helping to define the trade area for downtown Clayton as well as the types of goods and services they are purchasing when in Clayton. This information can be collected from business owners at the point of purchase and shared with the Clayton Area Chamber of Commerce (or another organizing body for downtown merchants).
- **Study other communities.** The Town and Village of Clayton need to stay up-to-date and informed about what other communities are doing, and should consider visiting local and national destination communities for inspiration. Community leaders should look to precedents in the following communities:
 - Sackets Harbor, NY (planting, lighting)
 - Skaneateles, NY (shops, walkable, compact scale)
 - Merrickville, ON (restaurants, arts - glass blowing)
 - San Antonio, TX (public-private partnerships, River Walk)
 - Lake George, NY (planting, alleys, walk along water)
 - Gananoque, ON (excellent marina for transient boaters, artisan businesses)
 - Kingston, ON (excellent marina for transient boaters, farmer's market)

4.7 Zoning Update Recommendations

4.7.1 *Encourage responsible growth and development in rural areas (PRIORITY PROJECT)*

To address the concerns about appropriate development, the Town of Clayton and Village of Clayton should work together to preserve the village's traditional urban-like patterns and the town's rural open spaces. To achieve this, the following zoning techniques are recommended for the Town:

- **Develop an open space network plan.** A interconnected open space network that integrates public open spaces and parks, private open spaces (e.g., golf clubs and protected farmlands), and significant environmental features will help maintain the Town's visual character, preserve natural and cultural resources, and provide new recreational opportunities. A comprehensive inventory of priority natural and cultural resources is the necessary first step to identify and confirm the location of these resources. The results of this inventory should be integrated in the Town and County's Geographic Information Systems (GIS) and become a key resource in zoning updates and site plan review.
- **Develop conservation subdivision regulations.** Endorsed by both environmental interests and development organizations such as the National Homebuilders Association, conservation subdivision development that accommodates development and preserves valuable open space is a "win-win" alternative to conventional subdivisions. Under this technique, houses and roadways are grouped closer together in compact development patterns to preserve valuable open space and environmental resources. Specific benefits of this approach:
 - Provides open space and recreational amenities for residents, increasing the value of the development. Studies have demonstrated that homes in conservation subdivisions typically have higher resale value than those in conventional subdivisions.
 - Provides environmental benefits such as maintenance of habitat areas and natural drainage patterns. In doing so, it can save money by necessitating considerably less extensive site grading and less costly storm water management systems.
 - Lessens the amount of streets and utilities required, reducing initial site improvement (developer) costs and long-term (taxpayer) costs for maintenance and services.
 - Improves the visual quality of new development as seen from public roads by facilitating the maintenance of "green" buffers.
 - Improves open space for the community at little expense to the taxpayer while creating enhanced value for developers. With proper planning and design, the open space can form part of an interconnected, community-wide system of parks, greenways, and trails.

Conservation subdivision development should be mandated in the areas along Routes 12 and 12E in the WRA and regulations should address the following:

- **Conservation Analysis:** The requirement of a conservation analysis at the very beginning of project planning is essential, so that the Town can ensure that the land of

greatest conservation value is protected through the development review process. A dialogue with the Planning Board should occur before development planning begins and before any SEQR documents are submitted in order to ensure all environmental, scenic, and historic resources are taken into account.

- **Density:** The starting point for determining allowable density should be the maximum number of lots that could realistically be developed on the land per the requirements of the underlying zoning district, taking into consideration environmental limitations as demonstrated through a “yield plan.” The minimum lot size and dimensional requirements specified by conventional zoning would be reduced to allow appropriate areas to be dedicated as permanent open space.
 - **Incentives:** Incentives in the form of density bonuses should be established to encourage use of this development option. The bonuses should be established on a sliding scale, increasing as the percentage of dedicated open space increases.
 - **Standards:** Standards should be established for the design, use, ownership, and maintenance of dedicated open space areas. Most commonly, a private homeowner’s association assumes ownership and maintenance responsibilities. Other options include a private land conservation trust or, in cases where the open space would provide a key linkage in the Town-wide open space network, it could be dedicated to the Town of Clayton.
- **Minimize the number of driveway curb cuts on major roads.** The development of small subdivisions (typically one to five lots) has been called “death by 1000 cuts” because of the way they fragment the landscape more quickly than larger subdivisions and result in strip residential development. This type of development is harder to control than the coordinated development of a large parcel where significant open space can be built into the design of the development. However, landowners who generally intend to stay on their land sometimes need to sell off a lot here or there, and their need to do this must be balanced against the impact it has on the Town. In this case, the Town may consider creating a voluntary and streamlined option for ‘limited’ residential development that results in the creation of four or less (an appropriate number would need to be determined) new road frontage residential lots, excluding the parent parcel from which they are subdivided. The following is example criteria for ‘limited’ residential development:
 - For parent parcels that are greater than 40 acres, four new lots would consume no more than a maximum road frontage coverage (lot size) of 20% of the parent parcel land.
 - For parcels of 40 acres or less, the four new lots would consume no more than 40% road frontage of the parent parcel land area. Under this scenario, the maximum lot frontage (on existing collector roads) would be the minimum required.
 - Any further subdivision of the parent parcel would be subject to conservation subdivisions requirements.
 - Future new residential subdivisions of two or more lots should consider shared entrances or driveways.

- **Develop design guidelines and standards.** Establishing design guidelines and standards to address community appearance and sense of place is critical to achieving the goals of the Plan. Clear guidelines and standards will help to improve the predictability of the development review and approval process, thus eliminating a source of frustration for citizens and developers alike. The level of certainty will also be increased for neighbors of proposed development projects. Specifically, design guidelines and standards in the rural areas can be developed to address the following aspects of non-residential, multi-family, and mixed-use center development:
 - **Landscaping and lighting:** The Town can create regulations that provide specific guidance to petitioners and approval authorities regarding the Town's expectations for landscaping of new developments. The Town should consider enhancing these standards to address issues such as the percentage of the site that is landscaped, screening and interior landscaping of parking areas, rear and side yard buffers and screening, and preservation of existing trees. Performance standards for outdoor lighting generated by commercial development should also be established.
 - **Screening of visually obtrusive elements:** Guidelines can be developed to provide specific guidance to petitioners and approval authorities regarding the Town's expectations for elements such as outside mechanical equipment, dumpsters, and loading and service areas and how they are screened from view from adjacent roads and properties.
 - **Placement of building and parking areas:** Depending upon the setting, how buildings and parking lots are located can have a significant impact on visual character. Major rural roads should consider deep setback requirements, screened parking standards and vegetated buffers to help preserve the existing sense of open space, and other techniques to prevent strip-like commercial development.
 - **Building design:** While it is not appropriate to impose detailed architectural design requirements, standards and guidelines could be established for certain issues to ensure rural-like characteristics. These issues include building orientation, roof pitches, and siding material.
 - **Scale:** The concept of scale can be incorporated into standards so that new development and redevelopment is in harmony with an existing area, especially in terms of size and mass in relation to the road network. Standards, such as maximum building footprint sizes, provide measures of scale to help achieve such consistency.

- **Signage:** Sign regulations should be updated to relate to rural characteristics, improve aesthetic character, and reduce “visual clutter”.

4.7.2 Village core design standards

Short of the Frink America redevelopment potential and a few other infill areas, the Village of Clayton is essentially a mature Village with little developable land available. Consequently, it is critical that when development/ redevelopment occurs, it is coordinated with the overall vision for the Village. In an effort to promote this coordination, the Village should develop design standards to maintain its traditional pattern and character of development.

Whether a place feels friendly and welcoming is partially related to the overall design of the place. Traditional urban designs connect public and private space in a way that feels comfortable to passing pedestrians. Commercial buildings that are built to the edge of the sidewalk with strong “front door” spaces let walkers make a comfortable transition from the public sidewalk to more private buildings via stoops, porches, passing by display windows, etc. In downtown Clayton, building heights are generally between two and three stories, allowing ample natural light to reach street level. Clayton is a place with a history that is still expressed in its traditional building styles and character. In an effort to protect this heritage, which is recognized as an important economic niche that attracts both visitors and residents alike, Clayton should develop design standards (including standards for the waterfront) that encourage future development/redevelopment to incorporate these principles. These standards should include the following:

- Sites should be redeveloped at high densities by minimizing lot area and maximizing building coverage.
- New buildings should be multi-story (two to three stories), building up rather than out.
- New buildings should be located close to the street and close to each other, minimizing lot frontage and setbacks.
- New development should be mixed-use, with ground floor retail and upper floors for office and residential uses.
- In order to maintain the vegetated character of the community, the Village of Clayton should require that a new tree be planted when a tree is removed.
- If it is determined that a parking garage is to be developed, the architectural style and features should be critically evaluated to make consistent with existing architectural features.

5.0 Techniques For Local Implementation

Implementation of the policies in Section 3.0, of proposed land and water uses and projects in Section 4.0, and of recommended actions contained in this section will depend upon various regulatory, administrative, and financial techniques, some of which are briefly described in the following subsections:

- 5.1 Existing Local Laws and Regulations
- 5.2 Proposed New or Reviewed Local Laws and Regulations
- 5.3 Other Public and Private Actions
- 5.4 Management Structure
- 5.5 Financial Resources

Implementation of the projects described in this section will most likely require intermunicipal cooperation as well as the formation of partnerships with the NYS Department of State, NYS Department of Transportation, NYS Office of Parks, Recreation and Historic Preservation, NYS Department of Environmental Conservation, private property owners, and others.

5.1 Existing Local Laws and Regulations

5.1.1 *Town of Clayton Zoning Ordinance*

The principal means of regulating the location and types of land uses and development impacts within the Town is the Town of Clayton Zoning Ordinance effective August 1989. The Town of Clayton Zoning Ordinance divides the town into the following zoning districts:

- R-1 Residential
- MR Marine Residential
- MD Marine Development
- AR Agricultural and Rural Residential
- H Hamlet
- B Business
- IN Industrial
- CON Conservation
Waterfront Overlay

Four of the districts, are located within the Town's waterfront area. They are MR, MD, AR and CON (see Map __). In addition, the Waterfront Overlay District is defined as the land and water area of the New York State Coastal Area Boundary (see the written description in Section I and the mapped

boundary on Plate 1). All uses in the Waterfront Overlay District, except those permitted by right in the AR, MR, MD and CON Districts, are subject to dimensional use and district requirements.

5.1.2 Town of Clayton Flood Damage Prevention Law

The Town of Clayton's Flood Damage Prevention Law provides the means to implement and support the policies that pertain to flooding as discussed in Section 3.0. The law regulates development within the flood hazard areas of the Village, as defined on the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA). The purpose of this local law is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas. In conformance with the requirements of the National Flood Insurance Program, and to qualify for participation in this program, this law outlines the standards for construction in areas of special flood hazard and restrictions on encroachments and other activities in designated floodways. The law also sets forth a process for obtaining a permit for development in the floodplain.

5.1.3 Town of Clayton Land Division Regulations

The Town's land division regulations provide a measure of support for the LWRP and zoning ordinance by allowing the Town Planning Board to review cluster development plans and divisions of land.

The Town's regulatory techniques will require minor improvement in several areas. The areas which will require improvement for regulatory means of implementation are:

- a. Promotion of water dependent and water enhanced uses;
- b. Protection, restoration and recreational use of fish and wildlife habitat;
- c. Providing access to publicly owned foreshore or waters edge;
- d. Protection, enhancement and restoration of historic and archaeological resources; and
- e. Control of non-point water pollution.

5.1.4 Town of Clayton LWRP Consistency Law

The Clayton LWRP Consistency Law will ensure that Town actions are consistent to the greatest extent practicable with the policies of the LWRP.

This local law obligates any board, officer, or agency of the Town to undertake proposed actions in the waterfront area in a manner which is consistent with the policies and purposes of the LWRP. To this end, this local law establishes procedures for:

- a. Initial review of proposed actions in a manner compatible with SEQR requirements;
- b. Advisement and assistance to applicants (if involved) and/or the boards, departments, officers, or other bodies of the Town regarding forms, procedures, etc., and
- c. LWRP compliance and SEQR review through the Town Planning Board and the local lead agency, respectively.

5.1.5 Village of Clayton Zoning Ordinance

The principal means of regulating the location and types of land uses and development impacts within the Village is the Village of Clayton Zoning Ordinance effective _____. The Village of Clayton Zoning Ordinance divides the town into the following zoning districts:

Insert districts and additional detail about Zoning Ordinance

5.1.6 Other Applicable Village Ordinances

Chapter 74 of the Village of Clayton Code, Flood Damage Prevention, provides the means to implement and support the policies that pertain to flooding as discussed in Section 3.0. The ordinance regulates development within the flood hazard areas of the Village, as defined on the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA). The purpose of this chapter of the Village Code is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas. In conformance with the requirements of the National Flood Insurance Program, and to qualify for participation in this program, this ordinance outlines the standards for construction in areas of special flood hazard and restrictions on encroachments and other activities in designated floodways. The ordinance also sets forth a process for obtaining a permit for development in the floodplain.

5.2 Proposed New or Revised Local Laws and Regulations

This section describes specific local legislative and quasi-legislative actions necessary to implement the Clayton LWRP policies and recommendations. Included in this section is the LWRP Local Consistency Law and the proposed amended zoning law. Both laws, when applied along with the Village's existing laws described earlier in this section, provide a realistic strategy to carry out proposed waterfront projects and develop programs that will further the policies and purposes of the LWRP.

5.2.1 Local LWRP Consistency Law

This local law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law). The purpose of this local law is to Provide a framework for agencies of the Clayton, under the direction of the Planning Board, to consider the policies and purposes contained in the Local Waterfront Revitalization Program (LWRP) when reviewing applications for local actions or direct agency actions; and to assure that such actions are consistent with the policies and purposes of the Clayton LWRP. Further, the Planning Board shall provide advice and assistance to the NYS Department of State (DOS) for consistency review of Federal actions in the coastal area.

5.2.2 Other Public and Private Actions

Town of Clayton

1. Adaptive Use/Redevelopment
2. Heritage Tourism/Improvements

Village of Clayton

1. Parking Study and Implementation

5.2.3 Management Structure

The Town of Clayton has identified the Town/Village Planning Board to oversee implementation of the Local Waterfront Revitalization Program. This entity will be complemented by the Local Waterfront Revitalization Program Advisory Committee, which will meet quarterly to review policies and projects of the Local Waterfront Revitalization Program. Additional support may be provided by _____.

Duties of the Management Entity will include:

1. Reviewing Proposed Actions within the Waterfront Area to Assure Their Consistency with the LWRP

The Town/Village Planning Boards will review all applications for site plan review and building permits for projects within the LWRP. Approvals, denials and modifications will be made on the basis of LWRP policies as well as the standards set forth in the Waterfront Overlay District.

2. Waterfront/LWRP Program Promotion

Other responsibilities of the LWRP Advisory Committee will include promotion of the waterfront and LWRP; assisting Town and Village staff with fundraising activities; serving as a liaison between public and private sectors; and generally prompting and encouraging compatible development in the waterfront revitalization area. To accomplish these purposes, the LWRP Committee will continue to meet periodically and coordinate its efforts closely with the planning boards.

3. Public Education and awareness Activities

The LWRP Advisory Committee and the Planning Board will work with other individuals and groups to develop and implement public education and awareness activities regarding the Town and Village waterfront.

5.2.4 Financial Resources Necessary to Implement the LWRP

The implementation of the projects set forth in this Local Waterfront Revitalization Program will require an undetermined amount of public funds, as follows:

1. Town

An obligation of Town funds may be necessary for completion of proposed improvements including the development and enhancement of parks and trails, gateway and streetscape improvements, and boating facilities.

2. Village

An obligation of Village funds may be necessary for completion of proposed improvements including development and enhancement of parks and trails, gateway and streetscape improvements, downtown revitalization, and boating facilities.

3. State

Continued funding is needed for a variety of projects designed to improve public access to waterfront areas, enhance existing waterfront amenities, and construct new facilities in key waterfront areas. Most of these improvements and enhancements have been consistently identified and recommended in local and regional planning documents for many years. They include: trail extensions, gateway and streetscape improvements; park improvements; and other projects listed above.

4. Federal

Continued funding is needed from the Federal government to assist in trails creation, park improvements, and traffic and pedestrian improvements.

5.3 Other Public and Private Actions

5.4 Management Structure

5.4.1 State Guidelines

NEW YORK STATE DEPARTMENT OF STATE COASTAL MANAGEMENT PROGRAM

Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs are in Effect

I. PURPOSES OF GUIDELINES

- A. The Waterfront Revitalization of Coastal Areas 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.
- B. 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.
- C. 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.

II. DEFINITIONS

- A. 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 that has been identified by the Secretary of State as likely to affect the policies and purposes of the LWRP.
- B. 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; and
 3. That will result in an overriding regional or statewide public benefit.
- C. 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.

III. NOTIFICATION PROCEDURE

- A. When a state agency is considering an action as described in II above, the state agency shall notify the affected local government.
- B. Notification of a proposed action by a state agency:
1. Shall fully describe the nature and location of the action;
 2. Shall be accomplished by use of either the State Clearinghouse, other existing state agency notification procedures, or through an alternative procedure agreed upon by the state agency and local government;
 3. Should be provided to the local official identified in the LWRP of the situs local government as early in the planning stages of the action 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.)

- C. 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.

IV. LOCAL GOVERNMENT REVIEW PROCEDURE

- A. 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.
- B. 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.
- C. 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.
- D. 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 V 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.

V. RESOLUTION OF CONFLICTS

- A. 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 15 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.

5.4.2 Federal Guidelines

PROCEDURAL GUIDELINES FOR COORDINATING NYS DEPARTMENT OF STATE (DOS) & LWRP CONSISTENCY REVIEW OF FEDERAL AGENCY ACTIONS

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 program coordinator (of an approved LWRP) and 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.
3. 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 local coastal 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.

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 local coastal 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 additional 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 reasons why a proposed action may be inconsistent or consistent with local coastal policies.

5. After the 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 local coastal 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" letter to the applicant.
7. A copy of DOS' "concurrence" or "objective" letter to the applicant will be forwarded to the program coordinator.

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 local coastal 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.

5.5 Financial Resources

6.0 State And Federal Actions And Programs Likely To Affect Implementation

State and Federal actions will affect and be affected by implementation of the LWRP for the Clayton. Under State law and the U.S. Coastal Zone Management Act, certain State and Federal actions within or affecting the local waterfront 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 LWRP.

The first part of this section identifies the actions and programs of State and Federal agencies that should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization of Coastal Areas 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 LWRP. Similarly, federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its Implementing regulations. 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 second part of this section is a more focused and descriptive list of State and Federal agency actions that are necessary to further implementation of the LWRP. It is recognized that a State and 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 can not be used to require a State and Federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section 4.0 and Section 5.0, which also discuss State and federal assistance needed to implement the LWRP.

6.1 State Agencies

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

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
 - 1.19 Vessel Beer and Liquor Licenses
 - 1.20 Warehouse Permit
 - 1.21 Wine Store License
 - 1.22 Winter Beer and Liquor Licenses
 - 1.23 Wholesale Beer, Wine, and Liquor Licenses

DIVISION OF ALCOHOLISM AND ALCOHOL ABUSE

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.

- 2.00 Permit and approval programs:
 - 2.01 Letter Approval for Certificate of Need
 - 2.02 Operating Certificate (Alcoholism Facility)
 - 2.03 Operating Certificate (Community Residence)
 - 2.04 Operating Certificate (Outpatient Facility)
 - 2.05 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.

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 Charter)
 - 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

DEPARTMENT OF COMMERCE

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of state tax-free bonding reserve.

DEPARTMENT OF CORRECTIONAL SERVICES

- 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 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

ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.00 Preparation and revision of the State Energy Master Plan.

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.

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
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 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 Finfishing and Shellfish Programs
- 8.00 New York Harbor Drift Removal Project
- 9.00 Permit and approval program:

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 Process 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) – Drudge or Deposit Material in a Waterway
- 9.22 Permit – Article 15, (Protection of Water) – Stream Bed or Bank Disturbance
- 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 Extermination 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 Mining Permit
- 9.31 Navigation Aid Permit
- 9.32 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.33 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.34 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.35 Permit to use Chemicals for the Control or Extermination of Undesirable Fish
- 9.36 Underground Storage Permit (Gas)
- 9.37 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Marine Resources

- 9.40 License for Non-Resident Food Fishing Vessel
- 9.44 Permit to Use Pond or Trap Net

Regulatory Affairs

- 9.48 Approval - Drainage Improvement District
- 9.49 Approval - Water (Diversions for) Power
- 9.50 Approval of Well System and Permit to Operate
- 9.51 Permit - Article 15, (Protection of Water) - Dam
- 9.52 Permit - Article 15, (Protection of Water) - Dock, Pier or Wharf
- 9.53 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.54 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 9.55 Permit - Article 15, Title 15 (Water Supply)
- 9.56 Permit - Article 24, (Freshwater Wetlands)

- 9.57 Permit - Article 25, (Tidal Wetlands)
- 9.58 River Improvement District Approvals
- 9.59 River Regulatory District Approvals
- 9.60 Well Drilling Certificate of Registration

Solid Wastes

- 9.61 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.62 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 9.63 Approval of Plans for Wastewater Disposal Systems
 - 9.64 Certificate of Approval of Realty Subdivision Plans
 - 9.65 Certificate of Compliance (Industrial Wastewater Treatment Facility)
 - 9.66 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
 - 9.67 Permit - Article 36, (Construction in Flood Hazard Areas)
 - 9.68 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
 - 9.69 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
 - 9.70 State Pollutant Discharge Elimination System (SPDES) Permit
 - 9.71 401 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.

FACILITIES DEVELOPMENT CORPORATION

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

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.

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, 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)
 - 3.04 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 Permit to Operate a Children's Overnight or Day Camp
 - 2.11 Permit to Operate a Migrant Labor Camp
 - 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
 - 2.13 Permit to Operate a Service Food Establishment
 - 2.14 Permit to Operate a Temporary Residence/Mass Gathering
 - 2.15 Permit to Operate or maintain a Swimming Pool or Public Bathing Beach
 - 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
 - 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOUSING AND COMMUNITY RENEWAL AND ITS SUBSIDIARIES AND AFFILIATES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistant/grant programs:
 - 2.01 Federal Housing Assistance Payments Program (Section 8 Programs)
 - 2.02 Housing Development Fund Programs
 - 2.03 Neighborhood Preservation Companies Program
 - 2.04 Public Housing Programs
 - 2.05 Rural Incentives 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.

HOUSING FINANCE AGENCY

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.
- 2.00 Affordable Housing Corporation.

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, 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)

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT 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

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.

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 Facility 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 Heritage Areas Program

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 SOCIAL 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 STATE

- 2.00 Coastal Management Program
- 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.

DIVISION OF 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)

THRUWAY AUTHORITY/CANAL CORPORATION/CANAL RECREATION WAY COMMISSION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land and other resources under the jurisdiction of the 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 design, construction and rehabilitation of omnibus maintenance and storage facilities
- 4.04 Approval of municipal or regional transportation authority applications for fund 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.

EMPIRE STATE DEVELOPMENT CORPORATION and its subsidiaries and affiliates

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
 - (a) Tax-Exempt Financing Program
 - (b) Lease Collateral Program
 - (c) Lease Financial Program
 - (d) Targeted Investment Program
 - (e) Industrial Buildings Recycling Program
- 3.00 Administration of special projects.
- 4.00 Administration of State-funded capital grant programs.

DIVISION OF YOUTH

- 1.00 Construction, rehabilitation, expansion, demolition, or the funding or approval of youth related facilities.

6.2 Federal Agencies**DEPARTMENT OF COMMERCE**National Marine Fisheries Services

- 1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSEArmy 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.

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.
- 2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF INTERIORFish and Wildlife Service

- 1.00 Management of National Wildlife refuges and proposed acquisitions.

Mineral Management Service

- 2.00 OCS lease sale activities including tract selection, lease sale stipulations, etc.

National Park Service

- 3.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATIONAmtrak, Council

- 1.00 Expansions, curtailments, new construction, upgrading or abandonments or railroad facilities or services, in or affecting the State's coastal area.

Coast Guard

- 2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.
- 3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).
- 4.00 Expansion, abandonment, designation or anchorages, lightening areas or shipping lanes and ice management practices and activities.

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.

FEDERAL LICENSES AND PERMITS**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 Section 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 (U.S.C. 408).
- 4.00 Approval of plans for improvements made at private expense under USACOE 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. 1344).
- 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 Section 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 installation, 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 INTERIORFish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153 (a)).

Mineral Management Service

- 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.

INTERSTATE COMMERCE COMMISSION

- 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

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plans pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

DEPARTMENT OF TRANSPORTATIONCoast 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.

FEDERAL ASSISTANCE**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
- 11.304 Economic Development – State and Local Economic Developing Planning
- 11.305 Economic Development – State and Local Economic Developing Planning
- 11.307 Special Economic Development and Adjustment Assistance Program – Long Term Economic Deterioration
- 11.308 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 of 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 Park
- 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 Area-wide 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 Comprehensive Environmental Response, Compensation and Liability (Super Fund)

6.3 State And Federal Actions And Programs Necessary To Further The LWRP**6.3.1 State Agencies****DEPARTMENT OF ECONOMIC DEVELOPMENT**

- 1) Any action or provision of funds for the development or promotion of tourism related activities or development.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1) Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.
- 2) Advance assistance under the Small Communities and Rural Wastewater Treatment Grant Program and a subsequent construction grant subsidy.
- 3) Review of actions within National Register Districts pursuant to SEQR.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

- 1) Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
- 2) Provision of funding for State and local activities from the Land and Water Conservation Fund.
- 3) Planning, development, implementation or the provision of funding for recreational services programs.
- 4) Certification of properties within the National Register Districts.
- 5) Provision of funding for State and local historic preservation activities.
- 6) Review of Type I actions within the National Historic Districts.

DEPARTMENT OF STATE

- 1) Provision of funding for the implementation of an approved LWRP.
- 2) Provision of funding under the Community Services Block Grant program.

COUNCIL ON THE ARTS

Assistance from the Architecture and Environmental Arts program for a harbor-front plan.

DEPARTMENT OF TRANSPORTATION

Assistance for street repairs through the Consolidated Highway Improvements Program.

6.3.2 Federal Agencies**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**Office of the Assistant Secretary for Community Planning and Development

- 1) Funding under the Urban Development Action Grant Program for Core area and Madison Barracks projects.
- 2) Funding under the Community Development Block Grant Program for improvements in the waterfront.

DEPARTMENT OF DEFENSEArmy Corps of Engineers

- 1) Review of any proposed action within a National Register District pursuant to NEPA.
- 2) Authorization of dredging and erosion control structures to maintain navigation and repair deteriorated bulkheads.

DEPARTMENT OF THE INTERIORNational Park Service

- 1) Provision of funding under the Land and Water Conservation Fund Program.
- 2) Review of federal actions within the National Register Districts pursuant to NEPA.

DEPARTMENT OF THE TREASURY

- 1) Continuation of Incentives for Qualified Building Rehabilitation.
- 2) Provision of appropriate tax-exempt status for non-profit agencies active in the coastal area.

ECONOMIC DEVELOPMENT ADMINISTRATION

Assistance under the Public Works and Economic Development Act for street improvements.

DEPARTMENT OF TRANSPORTATIONUnited States Coast Guard

Maintenance/rehabilitation of facilities.

7.0 Consultation With Other Affected Agencies

7.1 Local Consultation

Local consultation has involved the cooperation with other Town and Village groups whose actions or functions may be affected by the LWRP. Many of the members of the LWRP Advisory Committee also belong to other community organizations and local boards bringing a unique and complete knowledge and perspective of life in Clayton. Open communication with these local groups has been made by committee members throughout the development of the LWRP. The Town/Village intends to hold a final public hearing prior to the approval of the LWRP.

7.2 Regional Consultation

The Jefferson County Planning Department has been consulted and will participate in the review of the draft LWRP.

7.3 State Agency Consultation

7.3.1 Department of Environmental Conservation

Several contacts were made to gather data concerning wetlands and biological resources.

7.3.2 Department of State

Consultation with the Department of State (DOS) took place during the preparation of the LWRP. The DOS also provided assistance regarding methods of implementation and legal and programmatic concerns.

The LWRP is to be reviewed and declared complete by the Town and Village Boards and forwarded to the DOS. The DOS will initiate a 60-day review of the Draft LWRP pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the State Environmental Review Act. Copies of the Draft LWRP will be distributed to all potentially affected state agencies and Jefferson County. Comments received on the document will be reviewed by the Town, Village and DOS, and changes made to the LWRP.

8.0 Local Commitment & Consultation

The Town and Village of Clayton LWRP has been prepared with assistance from a LWRP Advisory Committee established in 2007 to initiate and oversee preparation of a Local Waterfront Revitalization Program. Committee membership includes representation from the Town and Village Boards, various waterfront area residents, and business owners.

The direction for Clayton's LWRP planning effort came from resident input received at a community visioning workshop conducted in June 2008 as well as three public meetings held during the planning process. The workshop showed that while people are generally satisfied with the Town and Village overall, residents want some level of change. Participants indicated that some growth would help Clayton provide a stronger tax base and opportunities for young people, but that any growth must be gradual and well-planned.

The LWRP committee met on an approximately monthly basis to review LWRP drafts, identify key projects, and develop waterfront polices. LWRP Advisory Committee members include:

Pati Bazinet	Nancy Hyde
Pete Beattie	Deborah Jepma
John Buker	Jeremy Kellogg
Bobby Cantwell III	Ken Knapp
Kelly Cantwell	Al O'Neill
Angela Cipullo	Lance Peterson
Twyla Cushman	Chris Phinney
Kathy Danielson	Phil Randazzo
Jay S. Dydyk	Chris Rhinebeck
Bill Grater	Carol Simpson
Nicole Garnsey	Augusta Withington
Amy Getman	Kristin Youngs

The LWRP Advisory Committee meetings were regularly attended by the Clayton Planning Board. In addition, the committee sought approval of the draft document and local waterfront consistency law. The municipalities will consult with additional agencies during the 60 day review process and the SEQOR process.