

City of Plattsburgh  
Local Waterfront Revitalization Program

*Preliminary Draft*

January 2016





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## **Key Definitions**

**Underutilized:** *In terms of waterfront and downtown revitalization, property is not used to its full potential. This should be considered in any long-term plans for the future.*

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

**Water-Enhanced Uses:** *A use or activity which does not require a location adjacent to a water body, but whose location on the waterfront adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail, and entertainment uses. .*

## Introduction

The City of Plattsburgh's Local Waterfront Revitalization Program (LWRP) has been prepared with four goals foremost in mind:

- Increasing public awareness of, and accessibility to, the Lake Champlain and Saranac River waterfronts;
- Capitalizing on the economic development/downtown revitalization potential of waterfront redevelopment;
- Addressing ways to accommodate increasing public demand for recreational resources;
- Explore ways to work regionally to develop and enhance linkages to the rest of the Adirondack Coast; and
- Crafting a reasonable plan for protecting and enhancing the city's waterfront, cultural and natural resources.

Like many of its neighbors in the northeastern United States, the City of Plattsburgh is a regional urban center which has struggled to balance its numerous assets with the forces of change in the twentieth century. Its once thriving downtown, and resort- and industry-based waterfront, endured a long period of decline, which has recently begun to be reversed. Over the past several decades, the viability and cohesion of the city's downtown has been seriously eroded by the construction of I-87 and numerous outlying strip shopping centers, including Plattsburgh Plaza, Ames Plaza, Pyramid Malls, North Country Plaza, and Skyway Shopping Center. While I-87 linked Plattsburgh to the U.S. Interstate system, vastly improved its accessibility to the American and Canadian markets, and made it a much more attractive place to do business, it has also made it easier for potential visitors to bypass the city altogether, has spurred development at the western edge of the city and continues to draw people away from the downtown.

In an effort to counter deterioration of the central business district and its neighboring older commercial and residential areas, the city has made successful use of numerous federal and state funding programs for community planning, housing rehabilitation and commercial revitalization, such as the U.S. Department of Housing and Urban Renewal's Community Development Block Grant (CDBG) programs and New York State programs such as Economic Development Zone designation, RESTORE, AHC and Rental Rehab programs. Revolving loan funds have also been established for the rehabilitation of downtown commercial buildings.

Since the late 1980s, the City has also undertaken a number of publicly-funded programs to improve waterfront and public park areas. Riverwalk Park, including a picnic area and pedestrian bridge, was developed on the south bank of the Saranac River, providing views of the Macdonough Monument and City Hall. In addition, a handicapped-accessible fishing dock was created at the Macdonough Monument, landscaping improvements and walkway paving were completed with substantial volunteer assistance at the Champlain Monument (opposite Riverwalk Park), the City Beach received major improvements and Heritage Trail, complete with lengthy boardwalk, biking trail, and picnic pavilion, was created with Environmental Quality Bond Act funding. Walking trails, linking the city's various historic landmarks and natural resources, have also been established.<sup>1</sup> Supported

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<sup>1</sup> For example, see "Heritage Trail - City of Plattsburgh Walking Tour of Historical and Natural Attractions" (three-fold brochure in English and French); "Discover Historic Plattsburgh;" and "Historical Sites at Plattsburgh Air Force Base."

by multiple grants from the NYS Environmental Protection Fund - Local Waterfront Revitalization Program, the Dock Street Landing area has undergone a total transformation from a former rail yard and brownfield to a park, boat launch, trail, parking, and infrastructure to support future development. These activities are all part of the city's larger vision of creating a system of walking trails and publicly-accessible areas along Lake Champlain and the Saranac River, which will be addressed in the development of this Local Waterfront Revitalization Program.

The City has also made great strides in terms of downtown revitalization, through the successful development of commercial facade improvement programs, infrastructure improvements, traffic pattern realignment, creation of additional parking facilities and aggressive programs to attract people and business to the downtown. In recognition of its efforts to improve, the City received a Main Street Revitalization Award from the Preservation League of New York State for its facade improvement and downtown revitalization efforts. In 1994 the Downtown Future Planning Commission was created to prepare a downtown development plan. The Commission generated four goals for downtown Plattsburgh, which include improving the city's appearance and atmosphere; easing movement of motorists and pedestrians; preserving, enhancing and capitalizing on historic and natural resources; and providing a capacity and environment that will stimulate economic development. The Point Historic District Committee<sup>2</sup> was also formed around this time, and provided important information for a 1996 study that explored links between the downtown and the waterfront.

A Local Waterfront Revitalization Waterfront Advisory Committee was first established in 1996 under the auspices of the Mayor and the City's Community Development Office to guide the development and implementation of a Local Waterfront Revitalization Program for the City. From 1995 to 1998, a Project Team consisting of City staff, consultants, the Downtown Future Planning Commission, the Point Historic District Commission, and the Waterfront Advisory Committee held focus group meetings and prepared a draft LWRP supported by funding from an EPF-LWRP grant. The LWRP was subsequently circulated for public review by city residents and state agencies and revisions were made in response to comments submitted.

Recognizing the need to coordinate the LWRP with the City's Comprehensive Plan, the City applied for and was awarded an EPF-LWRP grant in 2009 to re-examine the community's vision for its waterfront and update the LWRP to reflect that vision. In this most recent effort, a Project Advisory Committee (PAC) was formed to facilitate communication and cooperation among local governments, county and state agencies, interest groups, and others essential to the preparation of the LWRP. This volunteer committee was instrumental in public participation efforts, networking, sharing information, and formulating the goals and vision for the process (see

City of Plattsburgh Community Vision 2015:

*The City of Plattsburgh is a community extraordinary in its orientation to Lake Champlain and the Saranac River that possesses rich environmental, recreational, historical, cultural, artistic and economic resources. Our trails, parks, marinas, and boat launches maximize access to our waterways, creating unforgettable recreational experiences and optimizing permanent public access.*

*Our inviting and vibrant city offers strong linkages to the rest of our region making it the hub of the Adirondack Coast.*

*We promote development that fosters the area's educational, cultural, artistic, recreational, dining and retail opportunities and attracts both residents and visitors throughout the year. We are stewards of our land and water and of the rich heritage that has shaped our community. We forge lifelong connections among all who live, work, and recreate here that will endure for generations.*

<sup>2</sup> See Point Historic District Committee's draft report and related public comments dated June, 1996.

the sidebar for the 2015 Vision Statement). Additional public participation information is contained in Appendix E. This document presents the updated vision, policies to guide development and resource protection, and proposed LWRP implementation measures to reflect the community's priority projects and regional opportunities.

### ***The Local Waterfront Revitalization Program***

The New York State Department of State Local Waterfront Revitalization Program (LWRP) is a comprehensive program that refines legislatively established waterfront policies by incorporating local circumstances and objectives. Legislative authorization for the NYS LWRP is New York State Executive Law, Article 42, "Waterfront Revitalization of Coastal Areas and Inland Waterways" (adapted from Chapter 842 of the Laws of 1981 and Chapter 366 of the Laws of 1986).

These laws articulate the State's policy regarding its coastal areas and inland waterways, and are designed to encourage the following goals:

1. To achieve a balance between economic development and preservation that will permit the beneficial use of coastal and inland waterway resources while preventing the loss of living marine resources and wildlife, diminution of open space areas or public access to the waterfront, shoreline erosion, impairment of scenic beauty, or permanent adverse changes to ecological systems.
2. To encourage the development and use of existing ports and small harbors including use and maintenance of viable existing infrastructures, and to reinforce their role as valuable components within the state's transportation and industrial network.
3. To conserve, protect and where appropriate promote commercial and recreational use of fish and wildlife resources and to conserve and protect fish and wildlife habitats identified by the department of environmental conservation as critical to the maintenance or re-establishment of species of fish or wildlife. Such protection shall include mitigation of the potential impact from adjacent land use or development.
4. To encourage and facilitate public access for recreational purposes.
5. To minimize damage to natural resources and property from flooding and erosion, including proper location of new land development, protection of beaches, dunes, barrier islands, bluffs and other critical coastal and inland waterway features and use of non-structural measures, whenever possible.
6. To encourage the restoration and revitalization of natural and man-made resources.
7. To encourage the location of land development in areas where infrastructure and public services are adequate.
8. To conserve and protect agriculture lands as valued natural and ecological resources which provide for open spaces, clean air sheds and aesthetic value as well as for agricultural use.
9. To assure consistency of state actions and, where appropriate, federal actions, with policies within the coastal area and inland waterways, and with accepted waterfront revitalization programs within the area defined by such programs.



10. To cooperate and coordinate with other states, the federal government and Canada to attain a consistent policy towards coastal and inland waterway management.
11. To encourage and assist local governments in the coastal area and inland waterways to use all their powers that can be applied to achieve these objectives.

The LWRP is a voluntary, grass-roots effort which brings together local and State governments, commerce and industry, environmental interests, private organizations, and community citizens to assess current opportunities and constraints and to build a consensus on the desired future of the community's waterfront. More importantly, the LWRP provides a strategy for achieving that vision and for managing local resources. Decision makers will then be able to respond with increased knowledge and purpose to future events affecting their waterfront area and to actively pursue an agreed upon program.

One of the components of such programs is the identification of long-term uses along the waterfront, including surface water and underwater uses, and specific projects for implementation. These uses and projects, in conjunction with an established management program, can significantly increase a community's ability to attract development activities that will take best advantage of the unique cultural and natural characteristics of their waterfront. The LWRP also serves to enhance the conservation and protection of valuable natural resources. As such, the LWRP represents a balance between economic development and environmental protection that permits the beneficial use of waterfront resources, while preventing the loss of valuable resources and public access opportunities to the waterfront. Once the LWRP is approved by the NYS Secretary of State, the community has the local controls in place to guide waterfront development and—a distinct benefit of a LWRP—the legal ability to ensure that all State actions proposed for their waterfront only occur in the fashion prescribed in the LWRP. This "consistency" provision is a strong tool that assures that State and local governments work in unison, and not at cross purposes, to build a stronger economy and a healthier waterfront environment.

The City's decision to develop a LWRP was concurrent with the completion of an Economic Development Zone (EDZ) Business/Employees Housing Study, a feasibility study of the City Harbor, and the ongoing efforts of the Lake Champlain Basin Program, a heritage- and natural resource-based regional planning and development initiative involving public/private partnerships with the states of New York, Vermont and the province of Quebec. The City's decision also reflects the need to manage growth as more and more people seek to enjoy the North Country as well as the need to accommodate steadily increasing boat and other recreational traffic. Through this NYS program, the City seeks to use waterfront revitalization strategies as a means of maximizing its resources.

### ***Harbor Management Plan***

A Harbor Management Plan (HMP) is a component of an LWRP that addresses conflict, congestion, and competition for space in the use of a community's surface waters and underwater land within 1500 feet of the shoreline. Plattsburgh's Harbor Management Plan considers various uses in the nearshore areas of Lake Champlain and the Saranac River adjacent to the City's waterfront. Rather than preparing a standalone document or appendix, the components of the Harbor Management Plan have been integrated into this LWRP document. The Harbor Management Plan boundary includes the area of the major water bodies within the City municipal boundary. The area addressed by the HMP includes the portion of Lake Champlain and its bays within the City of Plattsburgh and the portion of the Saranac River within the City of Plattsburgh. Within the city, there are approximately 5 miles of lakeshore and 8.5 miles of shoreline along the Saranac River. Except for the southern area east of the Old Base, the HMP area lies within the City of Plattsburgh jurisdictional boundaries.

A specific list of the elements required in a Harbor Management Plan, and where they are located in the text, is as follows:

<b>Harbor Management Plan Element</b>	<b>Location</b>
The HMP boundary area	Section I , Map 1: "Waterfront Revitalization Area Boundary Map"
A complete inventory and analysis of existing uses in the HMP	Section II
An identification and analysis of issues of local importance	Section II-B., C., E., F.4., I., J., and K.
An identification of the utilization of public underwater lands and navigable waters	Section II-B
A discussion of water dependent uses	Section II-C.
An identification and analysis of issues of regional importance	Section II-B and Section IV-B.
A discussion of opportunities, long and short-term goals and objectives for the HMP	Section III: policies 2, 3, 4, 6 and 10.
The identification and discussion of economic, cultural and social considerations regarding underwater lands and navigable waters	Section III: policies 2.1 and 4.
A specification of policies concerning the management of underwater lands and navigable waters	Section III: policies 2.1 and 4.
A proposed water use plan	Section IV-B.
Identification of capital projects necessary to implement the HMP	Section IV.
Specification of existing and proposed techniques to implement the HMP	Section V.
Other applicable needs to describe the HMP	Throughout the LWRP document.

## **Section I. Waterfront Boundary**

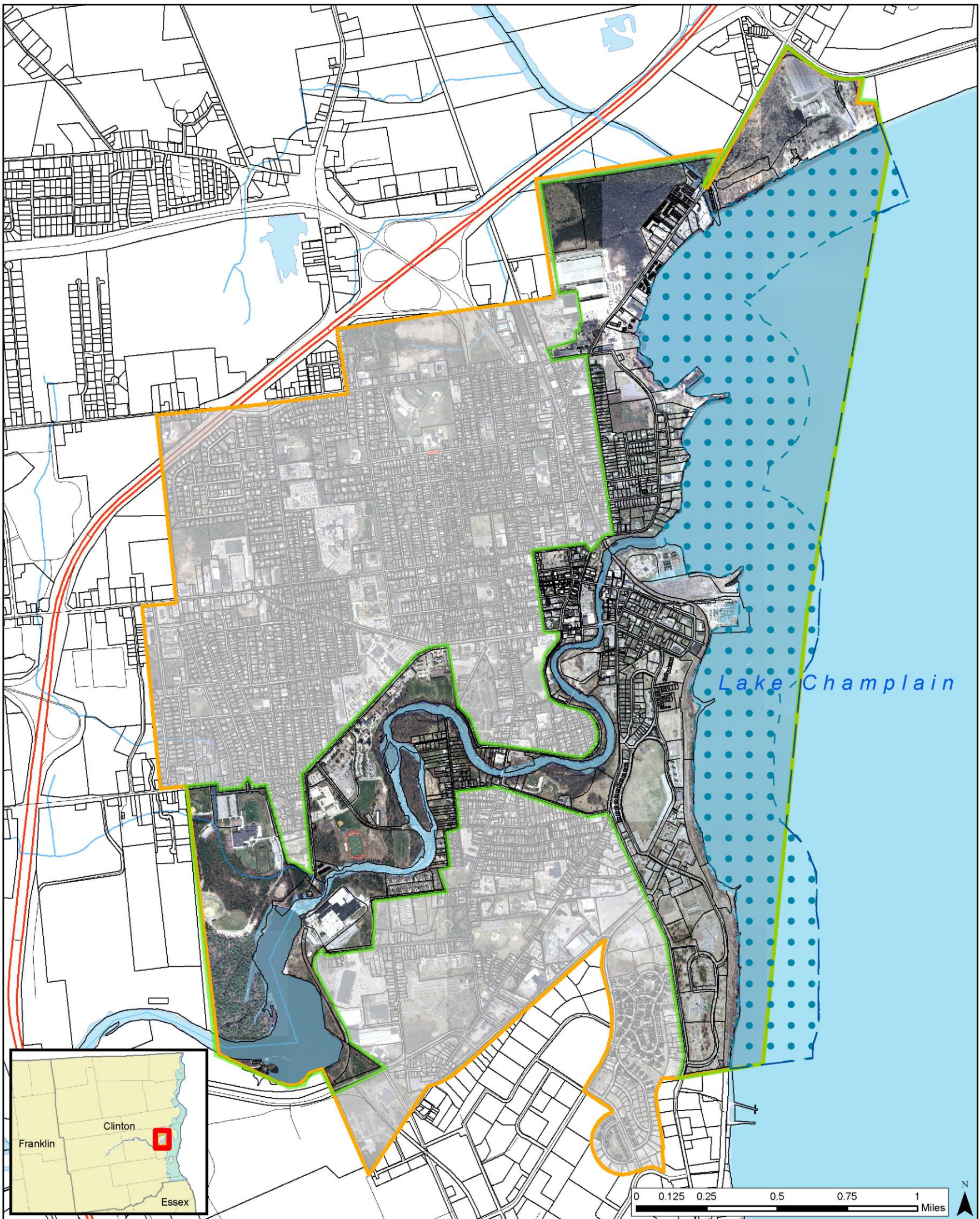
The City of Plattsburgh's Waterfront Revitalization Area (WRA) includes the Lake Champlain waterfront and that portion of the Saranac River that lies between Lake Champlain and the third vehicular bridge (South Catherine Street), as well as some lands to the north and south of the River. The boundaries encompass the Municipal Beach, Bay Marina, Point Historic District, the City's Central Business District, and the waterfront area of the former Plattsburgh Air Force Base (see Map 1). The Harbor Management Plan boundary, which extends 1500 feet from the Plattsburgh shoreline, is shown in Map 1.

The specific boundaries of the WRA are as follows:

Beginning at the intersection of the City Line and NYS Route 314, then west on NYS Route 314 to its intersection with NYS Route 9 ( N Margaret Street), then southwest along NYS Route 9 to Scotion Creek, including parcel 193.21-1-1; along Scotion Creek and westward along the City Line to its corner, and southward along the City Line until it reaches parcel 207.8-1-18.1; then following the parcel boundary to Boynton Avenue; then eastward along Boynton Avenue to its intersection with Saily Avenue; then south along Saily Avenue to its intersection with Cumberland Avenue; then west on Cumberland Avenue to its intersection with City Hall Place; then northwest on Miller Street to its intersection with Cornelia Street; then west on Cornelia Street to its intersection with Oak Street; then south on Oak Street to its intersection with Broad Street; then east along Broad Street to its intersection with Pine Street; then following Pine Street along the meanders of the Saranac River to its intersection with South Catherine Street; then following Steltzer Road to the SUNY Plattsburgh campus, following the edge of campus north to Broad Street; then west along Broad Street to Rugar Street; the southwest on Rugar Street to its intersection with Adirondack Lane, then south on Adirondack lane to the stream crossing; the west along the stream banks to the SUNY Plattsburgh road; then north along the SUNY Plattsburgh road toward Bowman Street, continuing to the western intersection of the SUNY Plattsburgh Road and Rugar Street; then West on Rugar Street to the City Line; the south along the City Line to the southern bank of the Saranac, then following the City Line to its intersection with Route 22; then east on Route 22 to Arizona Avenue; then northwest to the eastern side of the railroad tracks; then following the railroad tracks north to Main Mill Street; then east along Main Mill Street toward the intersection with Hilltop Way; then north to Underwood Avenue; then east along Underwood Avenue to the eastern edge of the River Heights Homes community; then east to connect with Riverside Avenue; then north along Riverside Avenue to North Street and continuing east on North Street to Waterhouse Street; then north on Waterhouse Street to Hartwell Street; then east on Hartwell Street to Route 22; then crossing Route 22 to follow South Platt Street to the east to its intersection with NYS Route 9 (Peru Street/U.S. Avenue); then south along Route 9 to the southern city line, then following the city line east to the waters of Lake Champlain, then northerly following the city's eastern line to the northernmost boundaries of the Municipal Beach, to the point of beginning. Map 1, "Waterfront Revitalization Area Boundary Map," depicts both the LWRP boundary and the Harbor Management boundary.

The Waterfront Revitalization Area has been divided into five subareas: Subarea 1 or the North End Subarea, Subarea 2 or the Cumberland Avenue/Wilcox Dock Subarea, Subarea 3 or the Dock Street – Durkee Street – Downtown (Marina) Subarea (including a portion of the Saranac River); Subarea 4 or the Old Base Subarea; and Subarea 5 or the Upper Saranac Subarea (see Map 2). This area has been delineated to include as many of the City's assets and potential assets as possible, with the expectation that, through the LWRP and related programs, these assets can be linked together and mutually enhanced.










# City of Plattsburgh

## Waterfront Revitalization Area Boundary Map

Map 1

January 2016

**KEY**

-  City of Plattsburgh Boundary
-  Harbor Management Plan Boundary *Min. 1500' from shoreline*
-  Mooring Law Area: 1500' from Shoreline
-  Waterfront Revitalization Area
-  Parcels

\*Note: The Harbor Management Plan Boundary is the water area within the municipal boundary or to 1500' from the shoreline, whichever is greater.

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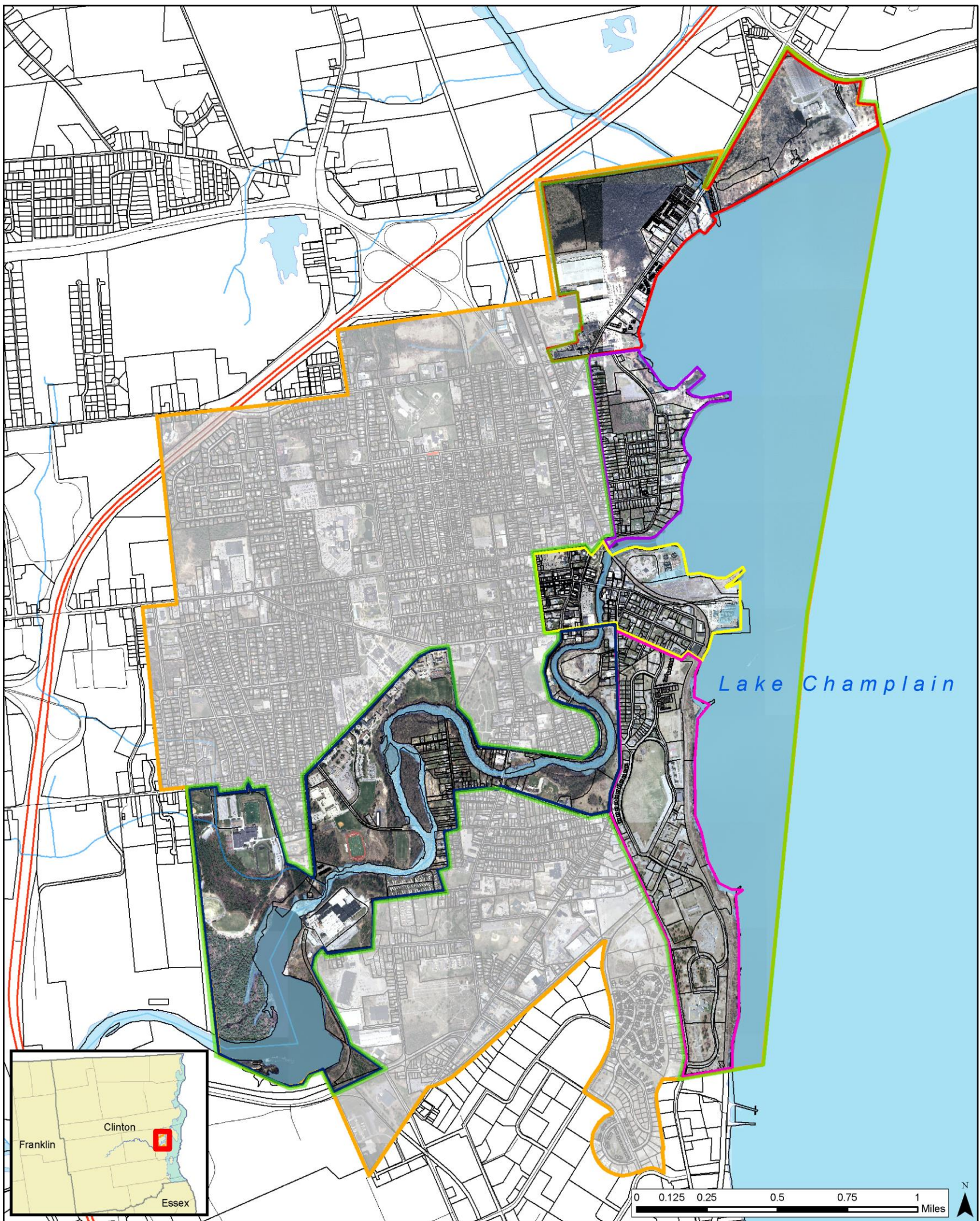
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# City of Plattsburgh

## LWRP Subarea Boundaries

Map 2  
January 2016

- KEY**
- City of Plattsburgh Boundary
  - Waterfront Revitalization Area
  - Parcels
  - Subareas
  - North End
  - Cumberland Ave/Wilcox Dock
  - Marina-Downtown
  - Old Base
  - Upper Saranac

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## **Section II. Inventory & Analysis**

This section is designed to provide an informational base for determining applicable State and Local inland coastal policies in Section 3, and designating appropriate land and water uses and necessary projects in Section 4. This section provides brief descriptions of the coastal resources, existing land and water uses and important economic activities of the City of Plattsburgh waterfront area. It is not meant to be a definitive source of information and relies on existing state, local and regional documents. Map 3 shows the Plattsburgh region.

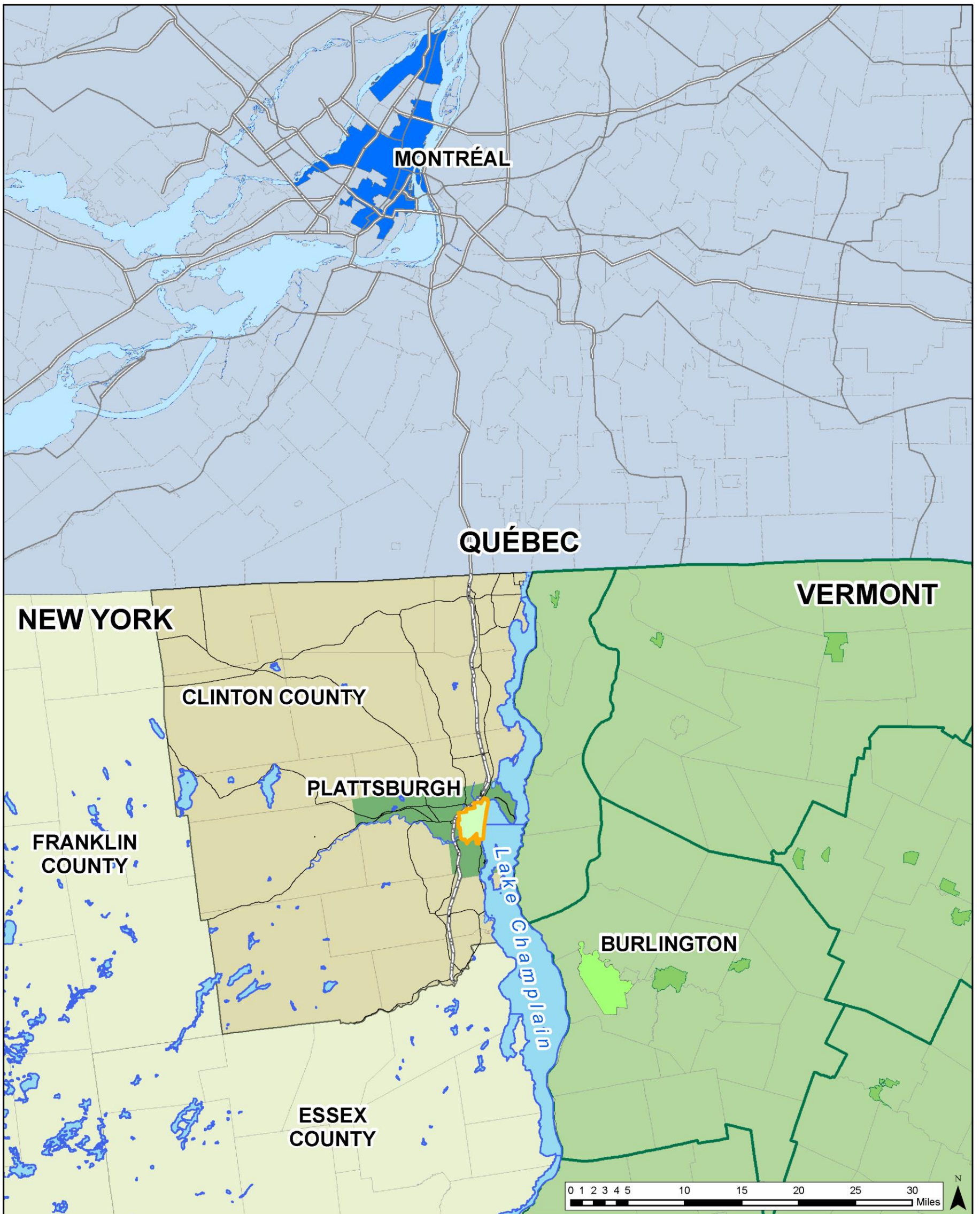
### **A. Regional Setting and Community Characteristics**

#### *History*

The City of Plattsburgh is located in Clinton County at the confluence of the Saranac River and Lake Champlain in the Adirondack region of New York State. This region is known locally as the "North Country." The city encompasses an area of approximately 5.33 square miles and has a population of 18,816 according to the 2000 Census. Plattsburgh is located approximately 160 miles north of Albany and 65 miles south of Montreal (only 25 miles south of the Canadian border). Located on the western coast of the "Broad Lake" section of Lake Champlain, the City is an easy drive from the Adirondack Mountains and Vermont, making it an ideal destination for tourist travel. Other popular and convenient destinations include Ausable Chasm, New York (20 minutes), Burlington, Vermont (1 hour), Lake Placid, New York (1 hour), Ottawa, Ontario (3.5 hours), and Quebec City, Quebec (3.5 hours).

The history of Plattsburgh is closely tied to the regional history of eastern New York State as well as the history of the nation. Within the Lake Champlain Basin, remains of paleohumans dating as far back as 8,000 years have been unearthed. In general, the Lake held great significance to native populations and the region has been inhabited for approximately 2,500 years. Algonquin people, later centered in Canada, lived here first; the area was visited frequently by Mohawk Iroquois. The Mohawk dominated the region by the 1600s and vied with the Algonquin for access to French traders. The French were the first Caucasians in the region (Samuel de Champlain in 1609), followed by the British. When the Dutch traders appeared in Mohawk territory from the south, competition with the Algonquin diminished as Dutch replaced French trade goods. The Mohawk controlled the flow of Dutch manufactured wampum and other goods, causing continued struggling to dominate the Lake Champlain and St. Lawrence basins. By 1622, the Mohawk had agreed to a truce with the Algonquin and finalized a peace treaty in 1624. Native populations were subsequently decimated by a smallpox epidemic in 1634; for example, Mohawk populations declined from about 7,700 in 1630 to less than 700 by 1770.

Following the defeat of the French during the French and Indian wars, the first known settler in the Plattsburgh area was Count Charles de Fredenburg, who first traveled to the region during his service in the British army under Governor Moore and General Carleton. After receiving a grant of 30,000 acres in 1768, Fredenburg built a home at the mouth of the Saranac River (south side) and established a sawmill three miles upriver at the point now called Fredenburg Falls. Fredenburg, a loyalist, removed to Montreal during the Revolutionary War. During 1776, the area figured in the naval battle fought near Valcour Island. In 1784, Zephaniah Platt and 31 others pooled military "Class Rights" in order to purchase the land formerly owned by Fredenburg and known as the Plattsburgh Old Patent. Plattsburgh became the Clinton County seat in 1788. Between 1788 and 1812, Plattsburgh grew quickly and was the sight of the Battle of Plattsburgh, which was fought against the British under the direction of General Macdonough on land and water in 1814.



## City of Plattsburgh

Plattsburgh Regional Setting  
Map 3  
January 2016

### KEY

- Water Areas
- City of Plattsburgh
- Town of Plattsburgh
- Clinton County
- Expressway
- Primary Highway
- Montreal
- Canadian Municipalities

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This map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



Following the War of 1812, a lasting peace was established and Plattsburgh continued to grow. The city became the Port of Entry for the district of Champlain and a major collection and distribution point for John Jacob Astor's fur trading business. Plattsburgh's excellent rail and steamboat connections and an extensive street railway system made it a thriving regional center and resort location. This was particularly true after the unspoiled wilderness of the Adirondack Mountains was opened up by the Chateaugay Railroad, with stops at Chazy Lake, Chateaugay Lake, Loon Lake, and Saranac Lake. Although Lake Placid was not on the railroad line, the Chateaugay Railroad could bring visitors conveniently within ten miles of that destination. As a result of its location and excellent transportation facilities, Plattsburgh had a thriving hotel industry; examples include the Hotel Champlain at Bluff Point, Witherill Hotel (Margaret Street and Custom House Square), Fouquet House (Bridge Street opposite D&H Station), Cumberland Hotel (Margaret and Court Streets), American House (River Street) and Commercial Hotel (River Street). The Hotel Champlain was particularly large and well-appointed, featuring a 450-acre park-like setting with shaded walks and benches, tennis courts, golf course, equestrian outings, archery course and day trips by boat or rail.

In the mid-1800s, Plattsburgh also became a major industrial area, supporting such large manufacturing concerns as Chateaugay Ore & Iron Company, developer of the Chateaugay Railroad which opened up the Adirondacks; Fredenburg Falls Pulp Company which supplied wood pulp to paper mills in Glens Falls, Fort Edward, Sandy Hill, Ballston, and Troy; Baker Brothers Lumber Dealers, specializing in ceilings, shingles, siding, lath, and quarter-sawn oak; Williams Manufacturing which produced sewing machines in Montreal and Plattsburgh; Plattsburgh Shirt Company, branch office of C.F. Crosby & Company of Troy; A.D. Boomhower Creamery/Grocery; S.S. Whittlesey Foundry; Plattsburgh Light, Heat, & Power Company; Allen & Sherman Pulp Mill, supplying wood pulp to paper bag manufacturers in Ballston; Fayette, Mendelsohn, and Company, brewers and cigar makers; Lozier Motors, producer of luxury automobiles; and Mountain Lumber, supplying logs to the pulp mills. Several of these industries, including those related to paper and wood products, still thrive in the City with firms such as Imperial Wallpaper and Georgia Pacific.

The City's history is also closely linked to that of the U.S. Armed Forces. The Plattsburgh Air Force Base (AFB) was America's second oldest military post. As a military installation,<sup>3</sup> Plattsburgh was involved with major campaigns, battles and wars, including the War of 1812, the Seminole Wars, the Mexican War, the Civil War, the Spanish-American War, the Philippine Insurrection, World War I, World War II, the Korean War, the Cold War, the Vietnam War and the Gulf War. The first military structure in Plattsburgh was the State magazine, or arsenal, built in 1809. The arsenal was designed to store rifles, pistols, artillery pieces, and ammunition. Plattsburgh was a staging area for American armies and naval forces in the War of 1812. Land on which forts, blockhouses, and barracks had been built was purchased by the United States and named Plattsburgh Army Post. This was the official beginning of the military establishment. During the Civil War, the post was the gathering point for troops and volunteers from the area.

Between 1893 and 1897, major building construction occurred on the post. In 1915, the Plattsburgh Post began the concept of the Reserve Officer Training Corps. When the United States entered World War II,

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<sup>3</sup> Most of the material in this section is adapted from the Environmental Impact Statement Disposal and Reuse of Plattsburgh Air Force Base, New York, pp. 3-4; and National Register of Historic Places Inventory-Nomination Forms on file at the New York Office of Parks, Recreation and Historic Preservation.



Plattsburgh's 26th Infantry Regiment began a long campaign through North Africa and Italy. In 1944, the post was transferred to the U.S. Navy and renamed Camp Macdonough. At the end of the war, the U.S. Army regained control of the property. It was used as a convalescent hospital until 1946, when it was acquired by the State of New York for use as Champlain College.

Plattsburgh AFB was established in December 1953 with the transfer of property from Champlain College to the U.S. Air Force. Construction of a 3,178-acre air base west of U.S. Highway 9 (U.S. 9) started in 1954. This part of the base is referred to as the new base and the original property east of U.S. 9 is referred to as the old base. In 1956, the Strategic Air Command stationed the 380th Bombardment Group at Plattsburgh AFB. The Group consisted of B-47 Strato-Jet bombers and K-97 aerial refuelers. In 1960, Atlas Intercontinental Ballistic Missiles were installed in silos in areas surrounding the base. In October 1962, Plattsburgh's missiles were alerted in response to the Cuban Missile Crisis. The missiles were removed in 1965, and the silos were closed.

In 1966, B-52 Stratofortresses replaced the B-47s. The mission of Plattsburgh AFB remained the same with the addition of the 530th Combat Training Squadron and the 528th and 529th Bomb Squadrons. Tanker crews and aircraft from Plattsburgh AFB supported the mission in Southeast Asia. In 1971, the FB-111 Medium Bomber replaced the B-52 as the bomber at Plattsburgh AFB. In 1991, with the formation of 380th Air Refueling Wing, the mission of the base became refueling. After the Cold War, the KC-135 Stratotanker became the primary operational aircraft of the base and in July 1991, the last of the FB-111s left Plattsburgh AFB. In 1991, Plattsburgh AFB's Stratotankers were involved in the air campaign during Desert Storm. With the June 1992 reorganization of the major Air Force commands, Plattsburgh AFB became part of the Air Mobility Command.

In 1996, the Plattsburgh Air Base began declassification. Its closure represented a loss of jobs and infrastructure while presenting a challenge for redevelopment efforts. A task force was charged with planning the future uses of the base. The Plattsburgh Air Base Redevelopment Corporation (PARC) implemented a mixed-use community that has become intertwined with the City of Plattsburgh. The redevelopment of the base, which currently has a 98% occupancy rate, was a significant economic and community development accomplishment for Plattsburgh, enabling it to fare better than other military communities.

Subsequent references to the former Air Base in the LWRP will be as the Old Base site. The current and proposed uses are a mix of residential, recreational, commercial and light industrial.

### *Recent Community Development Efforts*

In past decades, several significant construction projects have had a severe impact on the Central Business District and have changed the character of the entire city. The construction of I-87 linked Plattsburgh to the U.S. interstate system, vastly improved its accessibility to the American and Canadian markets as well as the entire regional transportation network, and made it much more attractive to relocating businesses. However, it has also made it easier for potential visitors to bypass the city, has spurred development at the western edge of the city and draws people away from the Central Business District.

Other projects, including the construction of the Plattsburgh Plaza Shopping Center, Ames Plaza, the Pyramid Malls, North Country Shopping Center and Skyway Shopping Center, have also drawn business away from the downtown and contributed to the development of the city's extremities, spurred by the safety, convenience and tidiness absent in the deteriorating and congested downtown. As is true in most American cities, many buildings were old and had fallen into serious disrepair. Faced with the high cost of renovating their outdated facilities, the

lack of adequate parking and public infrastructure, and the fear that potential customers might be passing them by, many business owners opted to relocate to the highway corridor.

In response to these problems, the City initiated a tradition of long range planning aimed at revitalizing and repositioning the local economy. The City's Master Plan was completed in 1962, with minor updates carried out in 1969. These documents were augmented by the Neighborhood Analysis (1964), Comprehensive Park and Recreation Plan (1971), a study entitled Economic Considerations - Central Business District of Plattsburgh, New York (1973) and the Development Concept Plan (1982). These documents continued to guide and support the implementation of the City's broad-based objectives of providing adequate housing, upgrading public infrastructure and facilities, developing a properly functioning business district, and encouraging industrial expansion and diversification of the local economic base.

A Comprehensive Plan for the City was completed in 1999, and adopted by the Common Council the same year. This plan laid the groundwork for the City's current revitalization efforts and resulted in an update of the City's zoning ordinance.

These documents provided a general guide while the City actively pursued federal and state funding assistance to accomplish a variety of community and economic development activities. These efforts were designed to eliminate major problems associated with housing deterioration, public facility deficiencies and general economic decline.

In recent decades the City has been able to capitalize on a variety of state and federal funding to help address the problems contributing to its economic decline. With \$3.3 million in CDBG Hold-Harmless Entitlement funding (1975-1978), the City completed major improvements to basic public facilities (streets, water and sewer, flood and drainage, malls and walkways, and recreation) as well as some rehabilitation. From the late 1970s through 1980s, the City was highly successful in securing Small Cities Community Development funds through the Department of Housing and Urban Development. This resource, amounting to \$1,950,000 (1978, 1979, 1980), directly funded housing rehabilitation and public facility improvements in low to moderate income (low/mod) neighborhoods.

According to the Economic Development Zone (EDZ) annual reports, the City also made effective use of RESTORE, Rental Rehab, AHC, and CDBG funding to improve housing within the EDZ. The 1989 RESTORE program resulted in the rehab of four low/mod units. Between 1989 and 1993 (reporting formats changed in 1994 and 1995, resulting in slightly different types of information), the Rental Rehab program used approximately \$586,160 in federal, state and private funds to rehabilitate 100 structures, 71 of which were low/mod households. During 1986-1992, \$1,014,944 in CDBG funds (1986-1992) was expended to rehabilitate 102 structures (107 low/mod households) and construct 24 new units (14 low/mod households). In 1992, the City of Plattsburgh also began a revolving loan fund for commercial building rehabilitation, and has successfully rehabilitated numerous commercial building facades as part of the Facade I & II projects.

The City of Plattsburgh was successful in receiving HUD Comprehensive Grants in the 1990s, providing over \$11M in federal and state funding. These programs substantially improved the City's quality of housing (both owner-occupied and investor-owned) and sought to address its most critical housing and economic development needs. A 1992 grant focused on the Miller and Margaret Street areas and resulted in the rehabilitation of 85 units of housing, public improvements consisting mainly of street repaving, curb replacement and utility relocation, improvement of handicap accessibility at the YMCA, and the creation of a grant fund to improve accessibility of residences occupied by the disabled.

Since the late 1980s, the City has undertaken a number of publicly-funded programs to improve waterfront and public park areas. Riverwalk Park, including a picnic area and pedestrian bridge was developed on the south bank of the Saranac River, providing views of the Macdonough Monument and City Hall. In addition, a handicapped-accessible fishing dock was created at the Macdonough Monument, landscaping improvements and walkway paving were completed with substantial volunteer assistance at the Champlain Monument, the City Beach received major improvements and Heritage Trail was created with EQBA funding. A walking trail, linking the city's various historic landmarks and natural resources was also established. At Wilcox Dock, site improvements were made and an eco-dock was installed. The local chapter of the American Lung Association developed the Healthy Lung Trail, a walking and exercise trail through the Wilcox Dock area. The Saranac River Trail is a recent development which provides a non-motorized, recreational multi-use path along the Saranac River, connecting the waterfront with the downtown business district, educational campuses, and the arts corridor, among other locations. These activities are all part of the City's larger vision of creating a system of walking trails and publicly-accessible areas along Lake Champlain and the Saranac River, which will be addressed as part of the Local Waterfront Revitalization Program.

The City has made great strides in terms of downtown revitalization, through the successful development of commercial facade improvement programs, infrastructure improvements, traffic pattern realignment, creation of additional parking facilities and aggressive programs to attract people and businesses to the downtown including the successful farmers' market. Most recently, the City of Plattsburgh was awarded funding through the New York State Consolidated Funding Application process. In 2014, the City received two Empire State Development awards to perform Phase II Environmental Analysis of the Durkee Street area and the City Beach/Crete Center. In 2015, it received an award for renovation of the North Country Co-Op, a downtown anchor, and a 2015 award from NYSP which provided funding for the Saranac Bridge.

The City of Plattsburgh was selected as one of twelve pilot Quality Communities in New York State in 2002. Downtown revitalization is one of the desired outcomes from the Quality Community (QC) pilot project and the QC initiative assists in advancing the downtown revitalization component which provides a vital link to the waterfront revitalization area. The Downtown Partnership, a committee of business and community leaders, meet to advance downtown community revitalization efforts. The primary focus of the QC initiative was the redesign of the Seven Point Hub, a convergence of streets in the center of downtown and with a direct connection to the waterfront, Dock Street Landing, and Clinton Street, one of the downtown streets leading into the "Hub."

Additional committees, such as the Local Waterfront Revitalization Waterfront Advisory Committee and the Downtown Partnership, were also established under the auspices of the Mayor and the City's Community Development Office.

Since 2000, the City has issued or commissioned a number of planning and development related reports and studies. In 2001, *Plattsburgh Waterfront Horizons* was issued, providing an inventory of potential waterfront development projects, including brownfield restoration, development of a maritime museum, an aquarium, and a science and nature interpretive center.

In 2003, Hyett Palma conducted a study and developed an *Economic Enhancement Strategy Report* for the Plattsburgh Downtown and Waterfront. Also at this time, a feasibility study was undertaken to study the viability of developing at Waterfront Hotel at Dock Street. Additionally, a *Durkee Street Redevelopment Conceptual Design Report* was completed by Freeman, French, Freeman for development in and around the downtown.

In 2006, a feasibility study was completed for the development of the Saranac River Trail. Phase I has since been implemented and Phase II of the waterfront trail is expected to begin construction in 2016.

In 2009, a *Streetscape and Design Guidelines Cultural Arts Corridor and Durkee Street Redevelopment Concept Design Report for the Downtown Area* was completed by Fred Keil, focusing on the downtown area, but incorporating designs for the Durkee Street farmer's market area.

In 2010, a Brownfield Opportunity Area Step 1 Report, a Pre-Nomination Study, was completed for the City. In 2011, the *Wastewater Treatment Facility Mitigation Final Feasibility Study* for Phase VI of the Waterfront Rediscovery Program was completed. Most recently, in 2014, the City worked with Vision2Action, with a focus on the Lake Champlain and Saranac River waterfronts, to support public involvement in planning and development efforts. Concurrent with this LWRP update process, the city has undertaken efforts to conduct a "Plattsburgh City Beach and Crete Center Redevelopment Feasibility Study."

Plattsburgh Airbase Reuse Corporation: Since 1993, the City has worked to mitigate the impact of the Plattsburgh Air Force Base closure, which was completed in September 1995 and resulted in the phased relocation of approximately 4,000 military personnel. To mitigate the effects of the base closure on the city and plan for its long-term reuse, the Plattsburgh Intermunicipal Development Council (PIDC) was established in 1993. Made up of representatives from the Town of Plattsburgh, City of Plattsburgh, Clinton County, State Assembly, State Senate, and U.S. House, this council oversaw completion of a base reuse study and draft environmental impact statement, and resulted in the creation of the Plattsburgh Airbase Reuse Corporation (PARC). PARC was structured to become the marketing, development and real estate management arm on behalf of the City, Town and County for base reuse.

PAFB reuse documents emphasize the importance of developing a balanced multi-sector redevelopment strategy, with parallel development actions in aviation marketing, tourism and resort development, former family housing, base transportation assets, as well as marketing base industrial sites. The former PAFB is organized as a Planned Development District.

The PARC site (now referred to as the Old Base) has been recreated to become a vibrant, mixed-use community of townhomes, apartments and condominiums. There are four museums, a chapel, commercial enterprises, and not-for-profit agencies located on or near the U.S. Oval, including a City-run community recreation complex.

Recent development efforts in the Old Base subarea include the following:

- Valcour Brewery
- Oval Craft Brewing
- Champlain Valley Transportation Museum
- Kids' Station, a division of the Champlain Valley Transportation Museum
- Daycare
- City Court Building
- ROTC Building (Apartments)

- Lake Forest Senior Living Community
- Pine Harbour Assisted Living Development
- HarborView Estates Condominiums
- Use of green space for soccer and community events

On a regional scale, the City of Plattsburgh has been a part of the 2010 *Opportunities for Action* report issued by the Lake Champlain Basin Program. The City was also incorporated into the December 2010 *Essex and Clinton Counties Waterfront Plan*. In 2011, a Clinton County *Destination Master Plan* was issued (with revised goals issued in 2012, and 2013). This plan featured possible development concepts centered on Crete Center and the City Beach. Finally, Plattsburgh has also part of the 2011 *North Country Regional Economic Development Council Strategic Plan* and subsequent Progress Reports (2012, 2013, 2014).

### *Demographic Analysis*

Over the past several decades, the City of Plattsburgh has experienced a gradual increase in overall population, although this growth has been sporadic. From 1950 to 1980, the City's population increased 15.8%, rising from 17,738 to 21,057. The City grew 12.1% during the 1950s, but experienced a 7.8% population decline in the 1960s. The population grew more than 11% during the 1970s, but growth was a negligible 0.9% between 1980 and 1990, reflecting relative demographic stability. The net population growth can be attributed to the growth of SUNY Plattsburgh and the Plattsburgh Air Force Base, which closed in September, 1995. Household population during that period increased 3.9%. The 2000 Census shows population declined to 18,816, an 11% decrease attributable to the base closure. In 2010, however, the City's population rose to 19,989.

In some respects, demographic trends in the City of Plattsburgh have mirrored national statistics. The City's median household size has been decreasing steadily, reflecting the trend toward smaller families and the increasing prevalence of single parent households. The median household size has decreased in 1990 to 2.31 per household, and according to the 2000 Census another 0.91% to 2.10, and to 2.06 in the 2010 Census. Renter households comprise over 61.6% of Plattsburgh's housing, which reflects national trends.

The predominant housing type is single family homes, with remaining housing pretty much evenly distributed between multiple-unit structures ranging from 2 to 5+ bedrooms. In the past decade, the majority of new housing has been single family attached units, which have been built primarily in the northeastern section of the City adjacent to Lake Champlain on both sides of Margaret Street (NYS Route 9). The Old Base site has brought about the largest increase in available housing units encompassing townhomes, apartments, and condominiums.

The cost of housing in the City of Plattsburgh has been escalating at a higher rate than household income. Median household income reflected in the 2000 Census was \$28,846, indicating an increase of 27.1% in the since 1990, which continued to rise 30.4% to \$37,638 in the 2010 American Community Survey.<sup>4</sup> The

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<sup>4</sup> Many changes were made between the 2000 and 2010 Census. The 2010 Census no longer collected income or housing data. As a result, the American Community Survey provides the best available data for these topics, though it is based on a sample of a given area's population.

comparative figures for median rent and median housing values show increases of 38.3% and 34% respectively over the 1990-2000 period. From 2000 to 2010, median housing values increased dramatically from \$97,400 to \$142,000, an increase of 31.4%, while median monthly mortgage payments rose from \$974 to \$1,384 (42.1%) and median monthly rent increased from \$459 to \$624 (35.9%). Based on this general data, the relative cost of housing ownership in the City has increased at a higher rate than income, presumably placing portions of the City's housing out of reach of some of the population, particularly first time homebuyers.

The number of low and moderate income families in Plattsburgh has increased since 1990, comprising almost half of the city's population (approximately 47% of families in 2010, versus 40% in 2000 and 36.2% in 1990). However the statistics for the very low segment of the population, those families at or below 50% of median income, show a disturbing trend. In 1980, less than one in ten of Plattsburgh's families were very low income (9.4%). By 1990 that number had doubled to 20.4%. In 2000, it rose to close to 30%, and in 2010 one third (33%) of Plattsburgh's families earned less than 50% of the City's median family income.

The extent of poverty in the City has also increased since 1990. In 1990, 18.4% of the population was determined to be at or below the poverty level. 2000 Census statistics indicated that 23.1% of all City residents were living in poverty. In 2010, this figure declined slightly to 21% of individuals.

Racial minorities, with significant population gains during recent decades, now make up 10.1% of the City's population, according to the 2010 Census. In 1990, non-whites comprised approximately 5.1% of Plattsburgh's population and in 2000 that figure had risen to 6.6%. Furthermore, the elderly population increased during these decade and now represents 14.3% of the total population. These statistics tend to reflect national trend forecasts (Center for Urban Policy Research) which show the elderly population in the country growing significantly only after the year 2020. A growing elderly population will generally require additional subsidized housing, nursing care and other supportive services.

Plattsburgh is the seat of Clinton County government, with close connections to Canada, and is therefore a natural regional center for banking, law, finance, arts, culture, and entertainment. In general, the City of Plattsburgh experienced a fairly healthy net gain in population during the 1980s, increasing by 18.7%. The majority of employment growth during this period was due to the expansion in total services and transportation industry growth. Fairly strong growth in these areas more than compensated for contractions in manufacturing, communications and utilities, and wholesale trade. Since the 1993 announcement concerning the projected closing of Plattsburgh Air Force Base (completed in September, 1995), the city has lost numerous military and civilian base-related jobs, resulting in a contraction of the local economy. While steps have been taken to minimize associated employment losses through careful phasing, the base closing had a significant psychological impact on the city as businesses and residents became extremely cautious regarding discretionary financial transactions.

The City's largest employers are the CVPH Medical Center, Georgia Pacific, Bombardier, SUNY Plattsburgh, Mold-Rite Plastics, and several other plastics, wood products, and back office operations firms. The largest employment sectors in the City of Plattsburgh are educational services, health care, and social assistance (33.1%); retail trade (13.6%); manufacturing (10.9%), and arts, entertainment, and recreation and accommodation and food services (10.4%).

According to the North Country Chamber of Commerce, the three largest employers in Clinton County are Champlain Valley Physicians' Hospital Medical center, Clinton Correctional Facility, and State University of New York – Plattsburgh.<sup>5</sup> The three major employers in Clinton County are Champlain Centers North and South (two shopping malls), Clinton County Correctional Facility, and Champlain Valley Physicians' Hospital Medical Center.<sup>6</sup> The largest employment sectors in Clinton County are educational services, health care, and social assistance (27.1%), retail trade (12.7%), manufacturing (12.1%), and public administration (9%).

### *Lake Champlain Basin Program Data*

Since Plattsburgh is part of the Lake Champlain Basin (watershed area) and continues to be involved in the Lake Champlain Basin Program<sup>7</sup> regional planning effort, it is important to include data from this wider area. According to Lake Champlain Basin Program studies, one of the major components of the Lake Champlain Basin economy is the large influx of seasonal residents. While about 40% of the year-round population resides in shoreland towns, seasonal residents are more evenly distributed throughout the Basin. According to 1990 Census data, there were 38,530 seasonal homes in the Basin, which is 14.6% of all Basin housing units, and approximately 9,120 of the seasonal homes are in Lake Champlain shoreland areas.

The role of Lake Champlain in the economic well-being of the region is a subject of study by the Lake Champlain Basin Program. The economy of the Lake Champlain Basin was traditionally resource-based. In addition to agriculture, both renewable natural resources (such as timber, tannin, fish, game, ice, maple syrup) and non-renewable resources (such as iron ore, marble, gravel, slate, wollastonite) have played a central role in the region's economy. While agriculture and other natural resource based activities continue to make significant contributions to local economies, the Basin economy has diversified into such areas as education, health care, tourism services, prisons and manufacturing. According to research done in the 1990s, the largest employment sectors in the Lake Champlain Basin are services (35%), wholesale and retail trade (22.3%), and manufacturing (14.9%). However, it is already known that tourism connected to the Lake is a significant economic factor in the region.

## **B. Lake Champlain/Saranac River**

### *Water Resources and Recreation*

The City of Plattsburgh is located on the western bank of Lake Champlain in the widest section of the lake known as "Broad Lake" (LCBP Management District #20). Lake Champlain is the sixth largest unregulated fresh water lake in the United States and is bounded in the west by the Adirondack Mountains of New York and in the east by the Green Mountains of Vermont. The lake is 120 miles long from its southernmost point in Whitehall, New York to its northernmost point at the Richelieu River in Quebec, and 12 miles in breadth at its widest crossing near Burlington, Vermont. Unlike most water courses, Lake Champlain flows northward, discharging into the Richelieu

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<sup>5</sup> <http://www.northcountrychamber.com/Business-Development/Demographics>

<sup>6</sup> Draft Environmental Impact Study - Disposal and Reuse of Plattsburgh Air Force Base, New York, pp. 3-5, 6.

<sup>7</sup> This section was condensed and excerpted from "Chapter Six: Economics in the Lake Champlain Basin" in *Opportunities for Action: An Evolving Plan for the Future of the Lake Champlain Basin*, (Lake Champlain Basin Program, April 2003). The Lake Champlain Basin Program is described under the description of Lake Champlain/Saranac River below.



River in Quebec, which empties into the St. Lawrence River, and hence the Atlantic Ocean. This is a direct navigable connection to the St. Lawrence Seaway, which provides access from the eastern seaboard to the midwestern part of the continent. Furthermore, the lake has 435 square miles of surface, more than 70 islands, 587 miles of shoreline, and a depth reaching 400 feet (mean depth for the lake is 64 feet).<sup>8</sup> Lake Champlain is also part of the New York State Barge Canal System, which has been the focus of renewal efforts. Following the canal system, boats can travel up the Hudson River into the Champlain Canal at Waterford, New York, then travel 60 miles through 12 locks to Lake Champlain at Whitehall. The New York State Barge Canal System, which is largely used for pleasure boating, also connects to Buffalo, New York and the Finger Lakes region through Central New York.

While the City of Plattsburgh itself is no longer part of the NYS Barge Canal System, it received grant funding and loan guarantees under the U.S. Department of Housing & Urban Development's Canal Corridor Initiative of 1997.

In 1990, the United States Congress passed the Lake Champlain Special Designation Act of 1990, mandating the states of Vermont and New York to develop a pollution prevention, control and restoration plan for Lake Champlain. As a result of this Act, the Lake Champlain Basin Program was established. An important part of the Act is to address recreational issues in the Lake Champlain basin. Accordingly, the New York Office of Parks, Recreation and Historic Preservation and the Vermont Department of Forests, Parks and Recreation entered into a cooperative agreement to develop a comprehensive recreation plan for Lake Champlain. Through this joint effort the two states aim to manage Lake Champlain, its shorelines and its tributaries for a diversity of recreational uses while protecting its natural and cultural resources.

The Lake Champlain Basin Program studies, including boat counts carried out through aerial photography, user surveys, and public meetings, have provided strong evidence that recreational use of Lake Champlain has increased dramatically in recent years. This has resulted in certain facilities and bays becoming overcrowded by recreationists and boaters, increased competition for access to the lake through public and private facilities, increased user conflicts and the loss of surface water acreage for certain recreational activities due to increases in the number and location of boat mooring and anchorage areas. While lake users include motorboaters, sailboaters, other boaters (canoes, rowboats, paddleboats) and personal watercraft (personal water craft sailboards) users; motorboats and sailboats predominate, representing 62.0% and 25.4% of watercraft on the lake respectively. The boat count found that the vast majority of boats were not actually in use on a weekend day in high summer, that the Vermont side of the lake is much more developed and boater-friendly than the New York side (which needs additional tourist facilities, restaurants, and accommodations), there is a need for sustainable tourism, and there is a general perception that 70-80% of boat traffic is Canadian.

As identified in the Lake Champlain Basin Program public meetings, major recreational use issues involving those living on or visiting Lake Champlain include the lack of public access, an increase in the number and types of recreation user conflicts, safety concerns, continuing deterioration of natural, cultural and historic resources, and the lack of coordinated promotion and marketing for low-impact tourism. In addition to a generally insufficient supply, the studies found that many existing boat launch sites around the Lake were in a state of

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<sup>8</sup> Lake Champlain Basin Program Documents.



disrepair and need to be upgraded and/or expanded. Among other findings, the studies noted that New York was much less developed, with fewer facilities, than Vermont. Two of the most popular boat anchorages identified were Valcour Island and Point Au Roche, New York (both are State Parks near Plattsburgh).

### *Historical Context*

Besides good boating and outstanding sailing, the Plattsburgh area has the potential to draw tourists interested in American history. The Cumberland Bay area of Lake Champlain (historically known as Plattsburgh Bay) has occupied an important place in American history, figuring prominently in both the Revolutionary War and the War of 1812 as the British sought to seize control and exert influence as far south of Canada as possible. Although it had been widely noted that little effort has been made to study, definitively identify or interpret resources of these wars, the Valcour Bay Research Project in partnership with the Lake Champlain Maritime Museum has retrieved artifacts from Valcour Bay bottom and annotated their locations and those of ships sunk in battle. Plattsburgh is located in one of the widest areas of Lake Champlain, and is strategically located between the Adirondack Mountains to the west and the Green Mountains of Vermont, across the lake to the east.

Valcour Bay, located between Valcour Island and the western shore of Lake Champlain, is four miles south of Plattsburgh. The bay was the site of a naval engagement on October 11, 1776, which marked the beginning of General Sir Guy Carleton's invasion of New York during the Revolutionary War. The campaign, which followed the successful repulsion of the Americans' invasion of Canada in the winter of 1775, was designed to establish British control of the Lake Champlain-Hudson River waterways. Carleton's northern army and Howe's southern army planned to meet in Albany and thereby sever the New England colonies from the middle Atlantic. Although the battle could not be termed a victory for the Americans, it did significantly delay British operations until the next year.

A second momentous naval battle occurred in Plattsburgh Bay during the War of 1812. The Plattsburgh Bay Historic Landmark consists of three sites: 1) the Bay itself, including Crab Island, where the naval battle and its aftermath took place; 2) the Macdonough Memorial; and 3) the site of Fort Brown near Route 9, which was related to the repulse of the British land advance southward. The three discrete sites commemorate the Battle of Plattsburgh Bay and the related land engagement, which together drove the British from the Champlain Valley near the close of the War of 1812. The simultaneous double victory resulted in the immediate retreat of the British army towards Canada. Two other redoubts, Fort Scott and Fort Moreau, were also located in this area, but have long since been built over and are now commemorated only by historic markers or plaques.

According to the National Register of Historic Places Nomination, the Plattsburgh Bay National Historic Landmark has the potential to yield useful archaeological information relating to the events of the Battle of Plattsburgh Bay in a number of ways. The bay itself may contain underwater archaeological data connected with the battle. Although no ships were sunk during the engagement, there is a strong chance that cannon balls and other debris from the battle may lay on the lake bed. Crab Island may contain archaeological evidence in the form of graves of sailors killed in the battle and the remains of the hospital that was established to tend the wounded. While not part of the City itself, Crab Island and Valcour are part of a larger regional effort to promote historic tourism. By far the most significant archaeological resource within the landmark is Fort Brown, the one well-preserved site connected with the events of 1814 that survives in any substantial form. The structural remains of the defenses and buildings within the redoubt may provide detailed information on the layout and workings of small, specialized fortifications of the early 19th century. Although the exact date of abandonment is not known, occupation of the fort was evidently short-lived. Sealed archaeological deposits should exist on the

site and be fairly indicative of its military usage both during and immediately after the Battle of Plattsburgh Bay. Artifacts on the site should be representative of the level of material culture on early American military installations in this area. It has also been suggested that objects of British manufacture may be recovered and that these may throw light on the purported "illicit" trade networks that American and British military personnel participated in at the time of the Battle of Plattsburgh Bay.<sup>9</sup>

During the 1990s, a series of interpretive markers were put in place at the picnic area on the south end of the municipal beach along the Heritage Trail. Other recent efforts to capitalize on the Lake Champlain waterfront have included the development of a bike trail around the Lake using existing roads.

Many of the city's earliest industries were also initially located on the banks of the Saranac River, where they could capitalize on the river's swift flowing waters. Due to its historic and present-day importance to the City, the Upper Saranac River is included as a separate subarea within the waterfront revitalization area. Redevelopment and provision of formalized public access points should be addressed in the long-term.

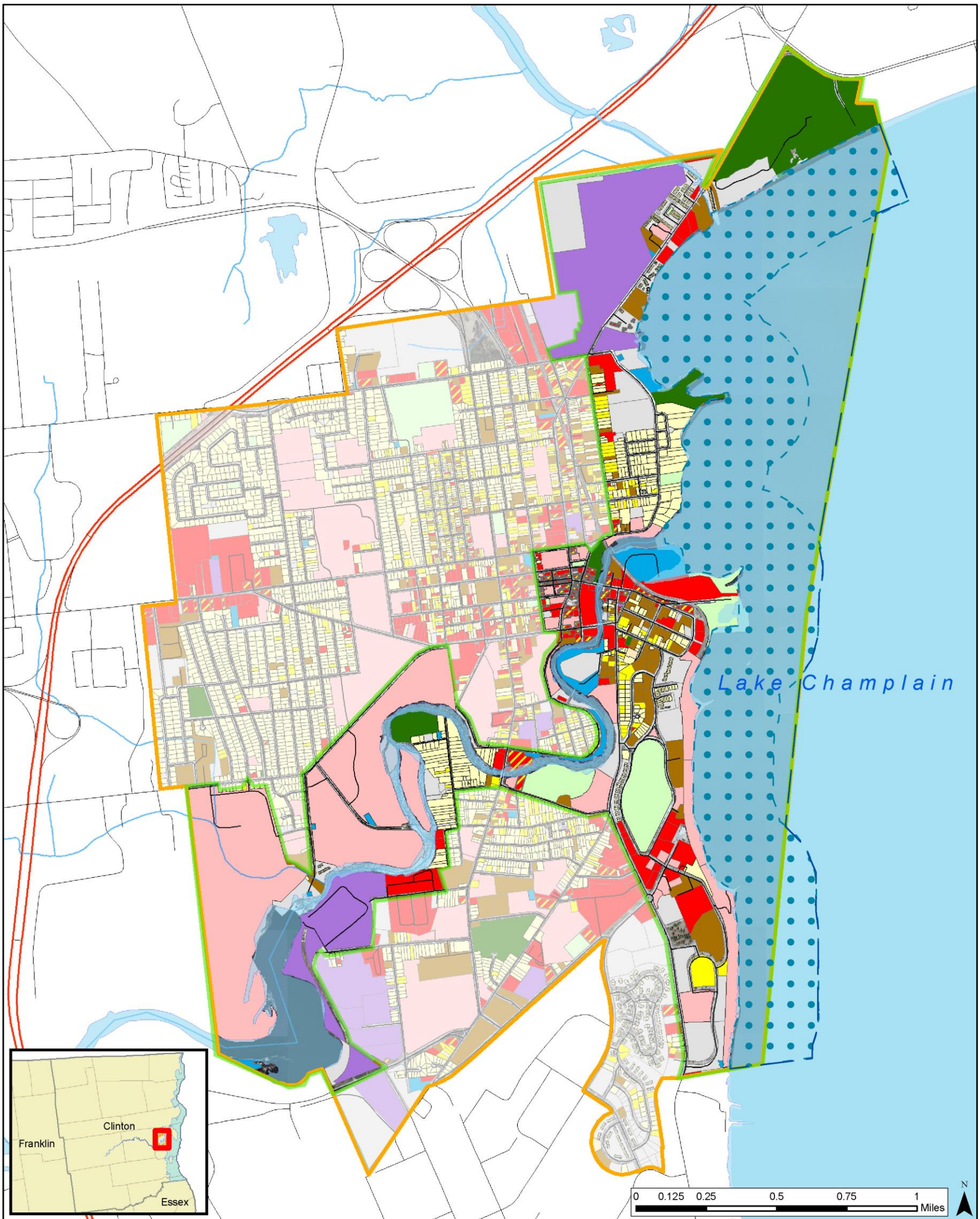
### ***C. Existing Land Use and Analysis of Opportunities and Constraints***

The existing land uses in the waterfront area are presented for five distinct subareas, including the North End Subarea, Cumberland Avenue/Wilcox Dock Subarea, Dock Street - Durkee Street - Downtown Subarea, Old Base Subarea, and Upper Saranac River Subarea. Primary attention is given to uses immediately adjacent to the water. Each of these subareas exhibit unique land use patterns which are addressed below. Boundary descriptions and a preliminary analysis of opportunities and constraints affecting future development in the near- and long-term are included for each subarea. Additional information regarding land and water use, and proposed projects can be found in Section 4. Reference should be made to Maps 4A-4F for a graphic display of land use.

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<sup>9</sup> See National Register of Historic Places Inventory-Nomination Forms for Plattsburgh Bay (90NR0172) and Valcour Bay on file at the New York State Office of Parks, Recreation and Historic Preservation.





**City of Plattsburgh**  
 Existing Land and Water Uses  
 City-wide  
 Map 4A  
 January 2016

- KEY**
- City of Plattsburgh Boundary
  - Harbor Management Plan Boundary *Min. 1500' from shoreline*
  - Mooring Law Area: 1500' from Shoreline
  - Waterfront Revitalization Area
  - 1 Family Residence
  - 2 Family Residence
  - 3 Family Residence
  - Apartments
  - Commercial
  - Commercial Multi-use/Multi-purpose
  - Community Services
  - Industrial
  - Public Services
  - Recreation and Entertainment
  - Wild, Forested, Conservation Lands and Public Parks
  - Vacant Land

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File Location: BAGIS\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_04\_LandWaterUse.mxd

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### *North End Subarea*

The North End subarea includes that portion of the City along N.Y.S. Route 9 (Margaret Street) between the City Line and Lake Champlain, from the northern city line to the intersection of Boynton and Cumberland Avenues. This subarea contains several different land use patterns (see Map 4B). From the northern city line to Scotion Creek, the waterfront land is owned by the City of Plattsburgh and used as the Municipal Beach. The Municipal Beach, located immediately south of the Cumberland Bay State Park campground, includes a life-guard patrol, groomed swimming beach, the Crete Memorial Civic Center (which is used for indoor soccer and as an auditorium with a seating capacity of 3,500-4,000), the Heritage Trail and boardwalk, the Scotion Creek wetlands, a picnic pavilion and interpretive area, snack bar, and an extensive parking area. The Beach facilities also include restrooms, which were damaged in the 2011 flooding and have been closed since.

The North End subarea is located adjacent to Cumberland Corners, the thoroughfare to the ferry, and the on-ramp to 87. Between Scotion Creek and the Boynton/Cumberland intersection, industrial, residential and commercial development are present. There is a motel, a McDonald's restaurant, various townhome and apartment developments, and offices. Much of the waterfront area between the southern edge of the Municipal Beach and Georgia Pacific is composed of thriving wetlands. Behind the residences along Margaret Street and along the waterfront nearest the intersection of Boynton and Cumberland, the land is occupied by the Georgia Pacific paper mill.

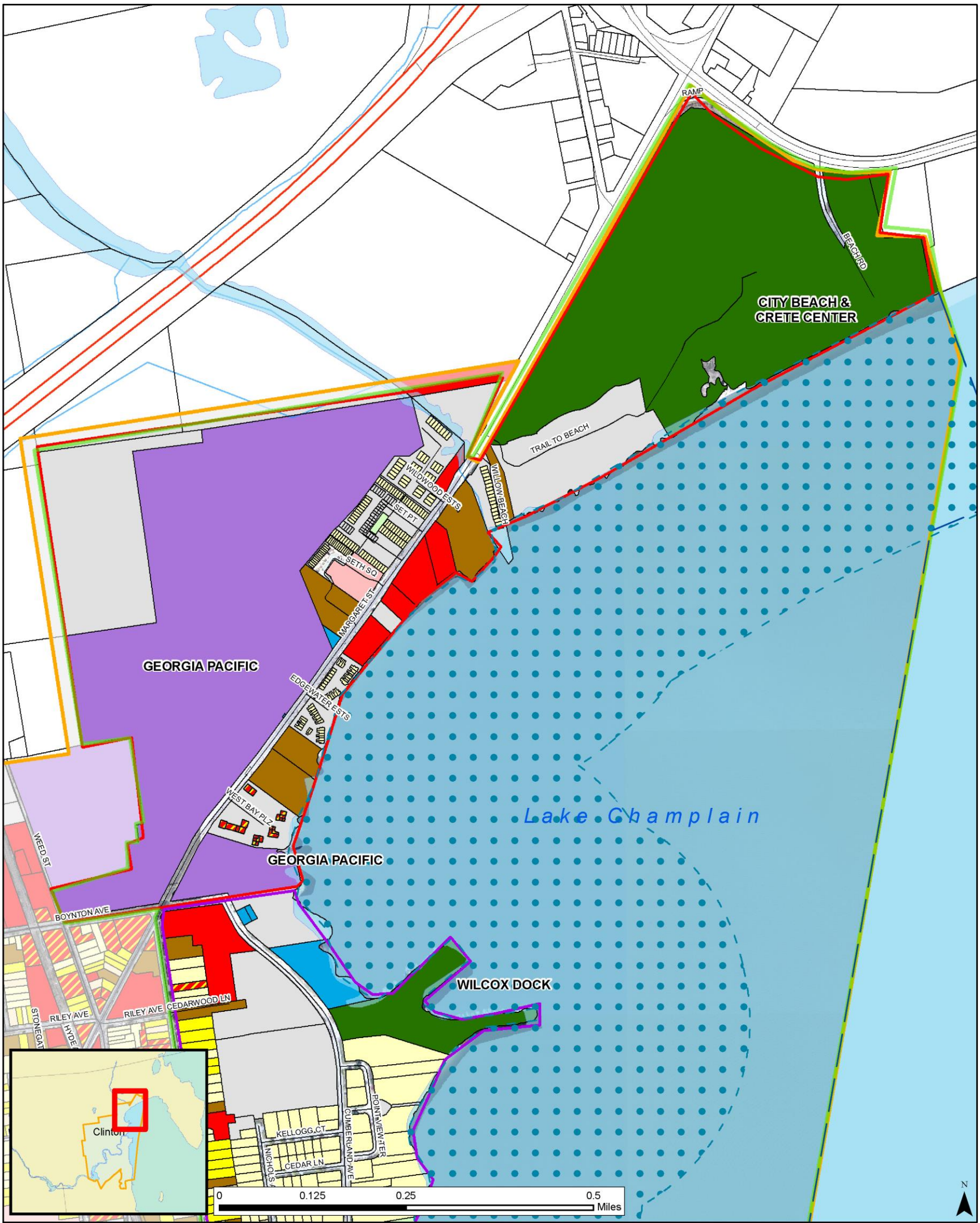
Residential development consists of recently constructed, upscale condominiums and townhomes in nicely landscaped neighborhoods. Office development is similar. Georgia Pacific's railroad spur and settling basin are also located near the Boynton/Cumberland intersection.

### **Opportunities:**

- Working with property owners to rehabilitate apartment complexes would have a positive impact on surrounding housing.
- Improved interpretation of the Heritage Trail/Scotion Creek Wetlands/Dunes cultural and natural resources would further enhance the beach area.
- Close proximity of Municipal Beach, Cumberland Bay State Park, Point Au Roche State Park, and other nature areas, such as Woodruff Pond, present a concentration of attractions and amenities that could be linked, improved, and better marketed. The City could work with the NYS Office of Parks, Recreation and Historic Preservation, the Town of Plattsburgh, Clinton County, and others to develop long-term recreation plans to maximize and enhance mutual resources.
- The Municipal Beach area already attracts considerable tourism activity from Canada. Stronger linkages could be developed between the beach and downtown, as well as other waterfront and downtown amenities. Marketing and promotion efforts could then build on established linkages.

The Municipal Beach could be a catalyst for recreational development. Though the reuse, rehabilitation, or relocation of the Crete Center is under evaluation, the property could include a space for hosting concerts or other outdoor entertainment, other forms of recreation, a restaurant, a pier, interpretive opportunities, or recreational rentals.





### City of Plattsburgh

Existing Land and Water Uses  
North End

Map 4B

January 2016

**KEY**

- |                                |  |
|--------------------------------|--|
| City of Plattsburgh Boundary   | 1 Family Residence                               |
| Harbor Mgmt. Plan Boundary     | 2 Family Residence                               |
| Mooring Law Area               | 3 Family Residence                               |
| Waterfront Revitalization Area | Apartments                                       |
| Parcels                        | Commercial                                       |
| <b>Subareas</b>                | Commercial Multi-use/Multi-purpose               |
| North End                      | Community Services                               |
| Cumberland Ave/Wilcox Dock     | Industrial                                       |
| Marina-Downtown                | Public Services                                  |
| Old Base                       | Recreation and Entertainment                     |
| Upper Saranac                  | Wild, Forested, Conservation Land & Public Parks |
|                                | Vacant Land                                      |

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**Constraints:**

- Prior PCB contamination of soil, surface water, and fish populations has decreased dramatically following successful remediation<sup>10</sup> at the Georgia Pacific site and the DEC has stated that there is no longer an exposure concern, but the potential presence of other toxic paper manufacturing related by-products remains, posing potential health threats in the cove adjacent to the Georgia Pacific lands (at southern end of subarea and northern edge of Wilcox Dock subarea). The Georgia Pacific mill is considered a minor source of emissions for by-products including carbon monoxide, volatile organic compounds (VOCs), lead, and hazardous air pollutants.<sup>11</sup>
- The Municipal Beach may not be fully handicapped accessible.
- As noted during a series of public meetings, ongoing beach erosion and debris deposit poses a continuing maintenance problem in this entire subarea. This could prevent, or considerably add to the expense of, any future attempt to establish a waterfront trail.
- Private ownership (and erosion) of waterfront land south of the city beach prevents extension of the Heritage Trail and represents potential sources of conflict among owners and users.
- The Municipal Beach area has no strong link with Central Business District and is quite remote from city (see opportunities above).

*Cumberland Avenue/Wilcox Dock Subarea*

The Cumberland Avenue/Wilcox Dock subarea includes that portion of the waterfront land located east of Cumberland Avenue between the Cumberland/Boynton intersection and the Samuel de Champlain Monument park area.

The northern portion of this area (north side of Cumberland) is occupied by the Georgia Pacific paper mill facilities. While areas along Saily Avenue (to the west of Cumberland) are primarily commercial with some residential areas, the areas to the east are predominantly single-family residential in good to prime condition, particularly around Point View Terrace (see Map 4C). The state-owned Wilcox Dock, formerly the NYS Barge Terminal, consists of a partially forested, grassy area adjacent to a cast-in-place concrete and corrugated steel bulkhead. Although state-owned, the City has use permit rights. Recent improvements to Wilcox Dock include a motorized boat launch and docks; eco-docks and a launch for non-motorized watercraft; a picnic pavilion; and the Healthy Lung Fitness Trail, including a parking area on Cumberland Avenue. Access to Wilcox Dock is fairly unrestricted and infrastructure and lighting has been upgraded. An informal area for mooring sailboats is located south of the bulkhead in the small cove between Wilcox Dock and private residential land. The area offers excellent views of the Municipal Beach area and has considerable public-access development potential.

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<sup>10</sup> <http://www.dec.ny.gov/cfm/external/derexternal/haz/details.cfm>

<sup>11</sup> <http://www.dec.ny.gov/daradata/boss/afs/permits/509130000400029.pdf>



A cove located in the Point View Terrace residential area immediately south of Wilcox Dock forms a privately owned, inaccessible beach. At this point, the waterfront topography becomes much more rugged, with high bluffs and long slopes to the shoreline. Between Wilcox Dock and the Champlain Monument, the land is occupied primarily by private, upscale residential housing and is probably inaccessible for public use except in the long-term. The stable residential neighborhood is an asset to the City in general. Land and water uses are therefore expected to remain the same in the foreseeable future.

**Opportunities:**

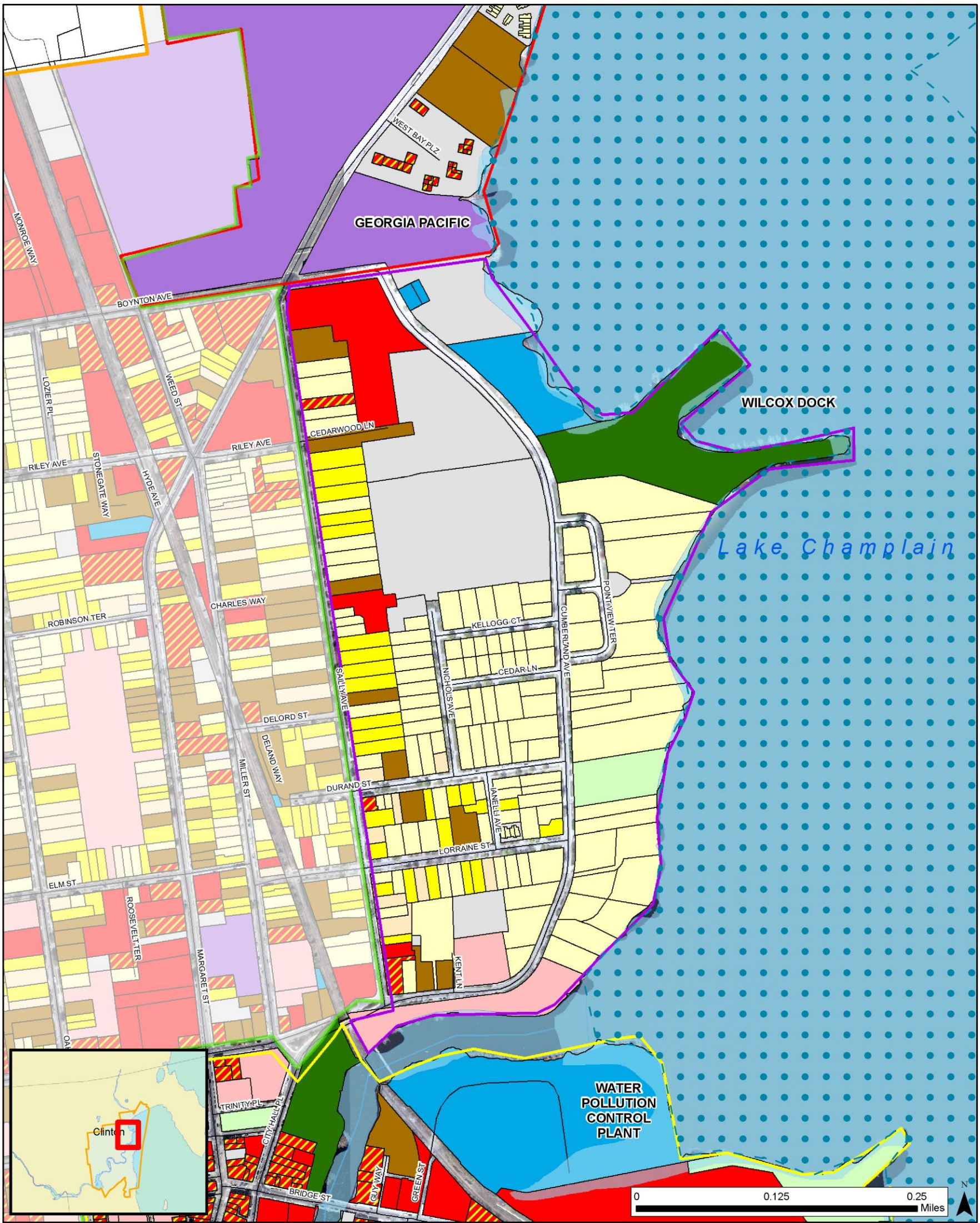
- The Wilcox Dock area has some existing recreational development that could be enhanced through incremental improvements. Redevelopment of this underutilized area is a relatively low-cost project.
- A privately-owned vacant lot exists on the west side of Cumberland Avenue, across from Wilcox Dock, which could potentially be redeveloped to complement water-related or water-enhanced uses.
- The local chapter of the American Lung Association has developed the Healthy Lung Trail, a walking and exercise trail through the Wilcox Dock area.
- The "Cumberland Bay Interpretive Trail" in this area could become a northern extension of the existing Riverwalk Trail. The north trailhead is existing and has been developed to provide access to the pedestrian bridge over the Saranac River.
- The low-lying land around Cumberland Bay provides an excellent opportunity for visual and physical access to the lake. While the presence of wetlands poses a constraint to development, they represent the opportunity for nature viewing and interpretation through controlled trail access.
- Existing water uses include informal fishing and boat mooring and launching. These activities could be formalized and strengthened over time without major expenditure of resources. Between 2000 and 2010 a boat launch was installed and NYS DOS funded installation of an Eco-dock at this location.

**Constraints:**

- Private property along the lakeshore presents a constraint to public access. Negotiations to obtain waterfront trail easements are unlikely to succeed. This means that the "trail" in some parts of this subarea would have to follow public sidewalks and bicycle lanes along existing residential streets.
- The proximity of the Georgia Pacific wood pulp processing plant poses constraints for health and aesthetics. As mentioned previously, while PCB exposure is no longer a concern, the Georgia Pacific mill is considered a minor source of emissions for by-products including carbon monoxide, volatile organic compounds (VOCs), lead, and hazardous air pollutants. However, this property could provide an opportunity for access development because the land is owned by a corporation that has a self-image of public beneficence.

Permits to build an interpretive trail in or adjacent to the wetland portions of this subarea may be difficult to obtain because the wetland habitat would be disturbed during construction and permanently impacted afterward.





### City of Plattsburgh

Existing Land and Water Uses  
Cumberland Ave/Wilcox Dock

Map 4C  
January 2016

**KEY**



City of Plattsburgh Boundary	1 Family Residence
Harbor Mgmt. Plan Boundary	2 Family Residence
Mooring Law Area	3 Family Residence
Waterfront Revitalization Area	Apartments
Parcels	Commercial
<b>Subareas</b>	Commercial Multi-use/Multi-purpose
North End	Community Services
Cumberland Ave/Wilcox Dock	Industrial
Marina-Downtown	Public Services
Old Base	Recreation and Entertainment
Upper Saranac	Wild, Forested, Conservation Land & Public Parks
	Vacant Land

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### *Dock Street – Durkee Street - Downtown Subarea*

The Dock Street – Durkee Street – Downtown Subarea includes that portion of the waterfront area from Lake Champlain at the southern bank of the mouth of the Saranac River, along the Lakeshore to Hamilton Street, and crossing the Saranac River, westward between Broad Street and Cornelia Street, to Oak Street (see Map 4D). This area includes a National Register Historic District, the Point Historic District, which is roughly bounded by Pike, Bridge, Jay and Hamilton Streets and consists of 38 structures constructed between 1815 and 1880 (See Maps 6A-D). Situated between Lake Champlain and a bend of the Saranac River to the west and east, as well as the former CP Rail yard and Plattsburgh AFB to the north and south, the Point Historic District is somewhat isolated from the Central Business District. Businesses with long-standing success in downtown, despite the challenges noted below, include the North Country Food Co-op on Bridge Street, Ashley Furniture at Durkee and Bridge Streets, Arnie’s Restaurant on Margaret Street, and nearby employment sites such as the Department of Social Services on Durkee Street, the Gateway Building at Durkee and Broad Streets, and the Clinton County Court House.

This subarea also contains the most important component of the City’s waterfront: Dock Street Landing. This area is at the foot of the Point Historic District, adjacent to the U.S. Oval Historic District, and protected by the breakwater. In an effort to redevelop its waterfront, the City purchased the approximately 14 acre former rail yard from CP Rail. This site, renamed Dock Street Landing, is poised to become a regionally significant destination on Lake Champlain and the centerpiece of the City’s waterfront. Located just across the Saranac River from areas currently being redeveloped by the City, including the Plattsburgh Hub and Clinton Street, the area currently includes a municipal parking area, 3-acre waterfront park, handicapped-accessible trail and boat launch.

The privately-owned Plattsburgh Boat Basin previously was one of the City’s only accessible boating areas. In recent years, access has been improved through the development of the new City Marina at the foot of Dock Street, Peace Point Park - the NYS DEC/City boat launch, and the new eco-docks and boat launch. Completed in Spring 2015, the Plattsburgh City Marina includes 34 dock slips and 25 moorings, with transient slips and moorings also available. It is well located on the lake, with good wind protection from a substantial breakwater which was reconstructed by the US Army Corps of Engineers in 2010. With its shoreside accommodations for seasonal and visiting boaters, the marina is centrally located – steps away from downtown Plattsburgh. The marina also provides water, electricity, pump-out service, showers, restrooms, laundry, wi-fi, and a picnic area. The facility is within walking distance of many local businesses of interest to boaters, such as restaurants, bars, shops, nature trails, parks, golf courses, museums, and nationally recognized historical sites, as well as bike, kayak, and stand-up paddleboard rentals.

There is also infrastructure present at Dock Street Landing to support mixed-use development currently being explored by the City. The incremental redevelopment of Dock Street Landing has been advanced through a series of Department of State Environmental Protection Fund grants assisting the City in the redevelopment of this important waterfront site. These include:

#### *The City of Plattsburgh EPF Year 2000 (\$75,000)*

- Enabled the City to complete a feasibility study to determine the cost associated with relocating the Canadian Pacific rail yard from prime waterfront land to another site.
- Enabled the City to undergo site investigations regarding potential contamination and archeological significance.

*The City of Plattsburgh EPF Year 2001 (\$250,000)*

- Advanced the engineering assessment of the site for the proposed uses, infrastructure needs and phase II remediation;
- Completed an economic and marketing feasibility study as to the size and type of hotel, restaurant, and retail shops including preparing an RFP to attract potential developers;
- Architectural services to complete a site analysis profile including alternative schematics of the proposed use;
- Pre-construction and site improvements for the Lake Champlain Shoreline Cruises site (part of Dock Street Landing)

*The City of Plattsburgh EPF 2002 (\$350,000)*

- Provided for the design and engineering of the site's necessary infrastructure for the entire redevelopment site, including final construction drawings for an approximately three acre public park at Dock Street Landing.

*The City of Plattsburgh Quality Communities Demonstration Project 2003 (\$148,770)*

- Advanced downtown revitalization efforts including preparation of a downtown marketing brochure; schematic designs for the Bridge and Dock Street Area; construction documents for the 6-point gateway area; a streetscape plan and construction documents for Clinton Street, and conceptual plans and construction documents for the walkway park.

*The City of Plattsburgh EPF 2004 (\$500,000)*

- Provided for the design and construction of the 350-space parking facility and infrastructure for mixed-use development.

*The City of Plattsburgh EPF 2005 (\$500,000)*

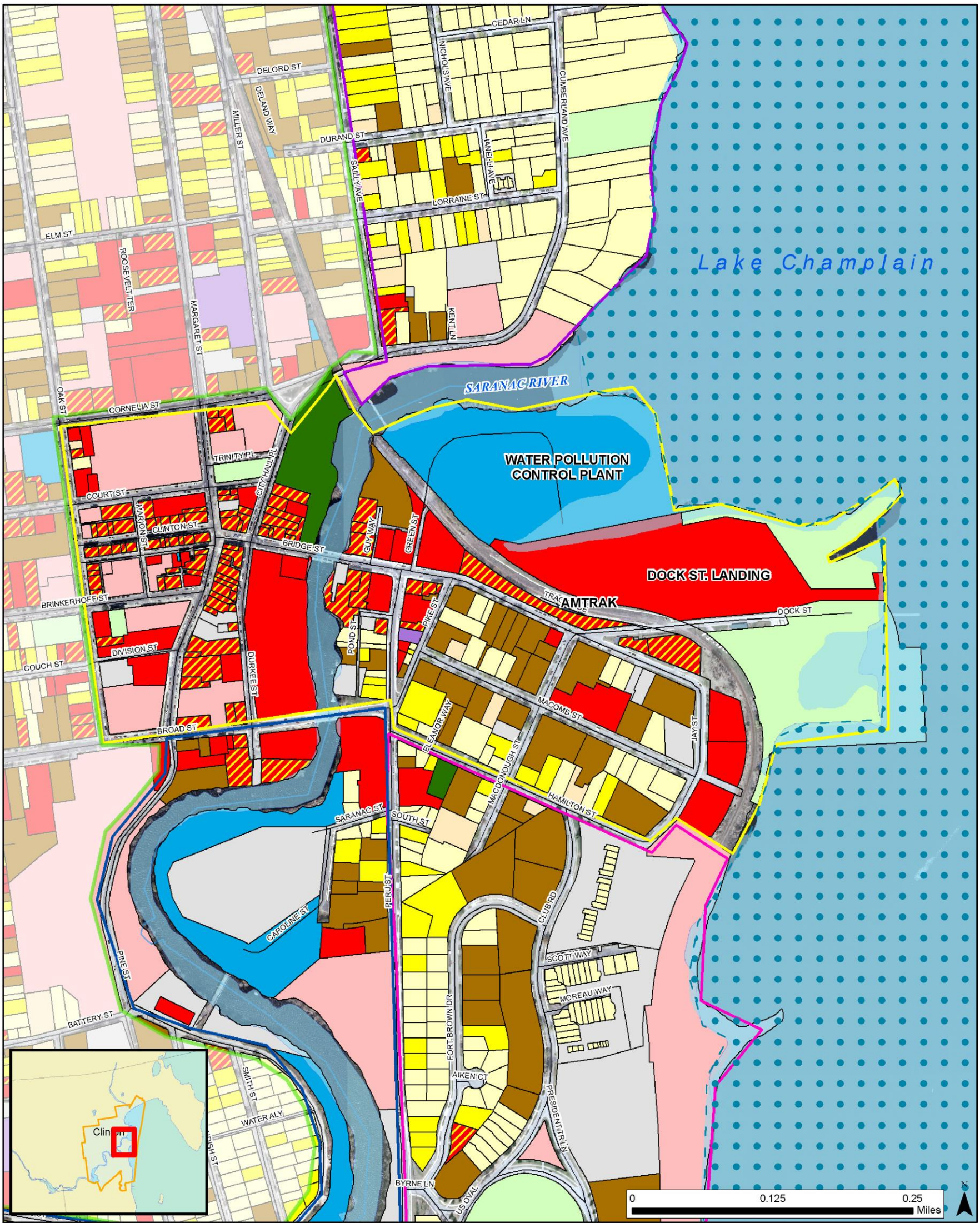
- Allowed the City to undertake construction of a 3-acre park, including walkways, landscaping, lighting and site furnishings. Concepts were also developed for a new boathouse, dock and piers, boat storage facility, and restrooms on the City-owned parcels.

*The City of Plattsburgh EPF 2007 (\$110,000)*

- Provided for a feasibility study to explore mitigation options for the City's Wastewater Treatment Plant located at the mouth of the Saranac River on Lake Champlain, adjacent to the new park and proposed development site at Dock Street Landing.

In addition, the Department of Environmental Conservation has collaborated with the City to introduce a boat launch in the new waterfront park, as well as connect a waterfront trail to the Saranac River. This public/private collaboration has enabled Dock Street Landing to be the heart of the urban waterfront, if not the entirety of downtown Plattsburgh.





### City of Plattsburgh

Existing Land and Water Uses  
Dock St- Durkee St- Downtown

Map 4D  
January 2016

**KEY**

City of Plattsburgh Boundary	1 Family Residence
Harbor Mgmt. Plan Boundary	2 Family Residence
Mooring Law Area	3 Family Residence
Waterfront Revitalization Area	Apartments
Parcels	Commercial
<b>Subareas</b>	Commercial Multi-use/Multi-purpose
North End	Community Services
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	Vacant Land

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**Opportunities:**

- The City Marina’s success demonstrates an opportunity for expansion and development which could include a restaurant and other amenities, such as bicycle rentals.
- Dock Street Landing offers great potential for redevelopment in this subarea and could incorporate mixed-use development to complement the waterfront park/boat launch and create a regionally significant destination on Lake Champlain and a gateway into Plattsburgh's downtown.
- The low-lying waterfront lands in this subarea provide an excellent opportunity for visual and physical access to Lake Champlain and the Saranac River.
- Explore locations for “blueway” and whitewater park developments along the Saranac River. Portions of the Saranac River Trail can also serve as a water trail, with improved canoe, kayak, tubing, and fishing access along the river.
- Underutilized parcels in this subarea offer potential redevelopment opportunities in the longer term, especially given the redevelopment activities at Dock Street Landing. The City could work closely with all subarea property owners and residents to establish a plan that will create a clear identity and use for the Point – redevelopment and enhancements in this area have the greatest long-term potential for downtown and waterfront revitalization.
- The Municipal Lighting Department storage yards could be relocated, since no power generation takes place on the property, opening the space to redevelopment.
- Proximity and concentration of the U.S. Oval Historic District, Point Historic District, and National Register-listed D & H Railroad complex offer significant opportunities to link interpretive areas and recreational amenities. Given the extraordinary wealth of resources concentrated in this relatively small subarea, an ideal long-term goal could be to develop innovative interpretive programs addressing early industrial, railroad, architectural, military, infra structural and cultural history.
- The Point represents a midpoint between the central business district and the Lake Champlain and Saranac River waterfront via Dock, Bridge and Green Streets. This location could be capitalized on through the development of stronger linkages between the downtown and waterfront, former railyard, and other significant features.
- The Saranac River Trail runs right through the Downtown area and connects the City north-south.
- The Plattsburgh Boat Basin represents existing development that can be improved and enhanced over time in a series of small upgrades.
- The current parking lot area on Durkee Street has the potential to serve as a gateway to the downtown and a focal area in linking the downtown to the waterfront at Dock Street. This site has undergone environmental remediation and is a prime location for a new city center with mixed-use development, parking, and river access. The connection to Dock Street is vital in bringing boaters up from the marina into the center of the city. In the public participation sessions and with the PAC there was a strong commitment to the existing Farmers’ Market, and in considering its future as development is explored.

### **Constraints:**

- The City Water Pollution Control Plant at the confluence of the Saranac River and Lake Champlain is a major impediment to public access in a key location. Efforts should be made to screen this use and to provide public access along the water to as great an extent possible.
- The area is presently somewhat cut off from the central business district and there is limited pedestrian movement along the corridor defined by Dock, Bridge, and Green Streets. The City has installed pedestrian lighting as a partial mitigation of this issue. Promoting free and easy pedestrian movement will become more important as all of the components of Dock Street Landing are implemented.
- Development of the Dock Street area may require revised auto access, as both crossings could be blocked by a single small train, creating a challenge for emergency egress.
- The Dock Street-Durkee Street-Downtown subarea includes the Point Historic District and any redevelopment, enhancement or improvement in this area will require the City to work closely with property owners and other residents to make optimal use of its existing potential.

### *Old Base Subarea*

This section of the city, located immediately south of the Point Historic District and east of NYS Route 9 (see Map 4E), is known as the "old base" and consists mainly of residential structures at the U.S. and Nevada Ovals. The U.S. Oval is a National Register Historic District (see Map 6D) consisting of large brick buildings constructed in the mid- to late-1890s as officer's family housing, dormitories for enlisted men, a hospital, chapel, gym and theater, skating rink, tennis courts, officer's beach, airmen's beach and the officer's club, with additional housing, utility sheds and support buildings to the south separating the U.S. Oval from the Nevada Oval. The residential buildings have been renovated and sold to the private sector. There is a City-run community recreational complex, four museums, and some commercial uses. Two new breweries have opened within historic buildings. The Nevada Oval homes were razed and new residential facilities constructed for senior retirees and assisted living. The old base marina, which is maintained by the city, was "adopted" by the Adirondack Builders Association and Rotary PM who constructed a pavilion for picnic tables. Overall, the Base now has a 98% occupancy rate. The green space within the US Oval is used for soccer and special events.

Sailor's beach, at the north end of the subarea, is accessible from the pedestrian and bicycle trail. The City of Plattsburgh utilized ISTEAF funds to develop a 10' wide waterfront pedestrian and bicycle trail west of the CP Rail right-of-way along Lake Champlain. The residential and recreational areas are separated from the Lake Champlain waterfront by chain-link fencing and the Delaware & Hudson/Amtrak railroad tracks (approximately two passenger and six freight trains daily). Access to Sailor's Beach is provided by a pedestrian bridge over the railroad tracks, which is not handicapped accessible. In most areas the forested land slopes steeply downward to the water, with much of the residential areas having nice, but partially obscured views of Lake Champlain. This subarea represents numerous opportunities for the City of Plattsburgh.

### **Opportunities:**

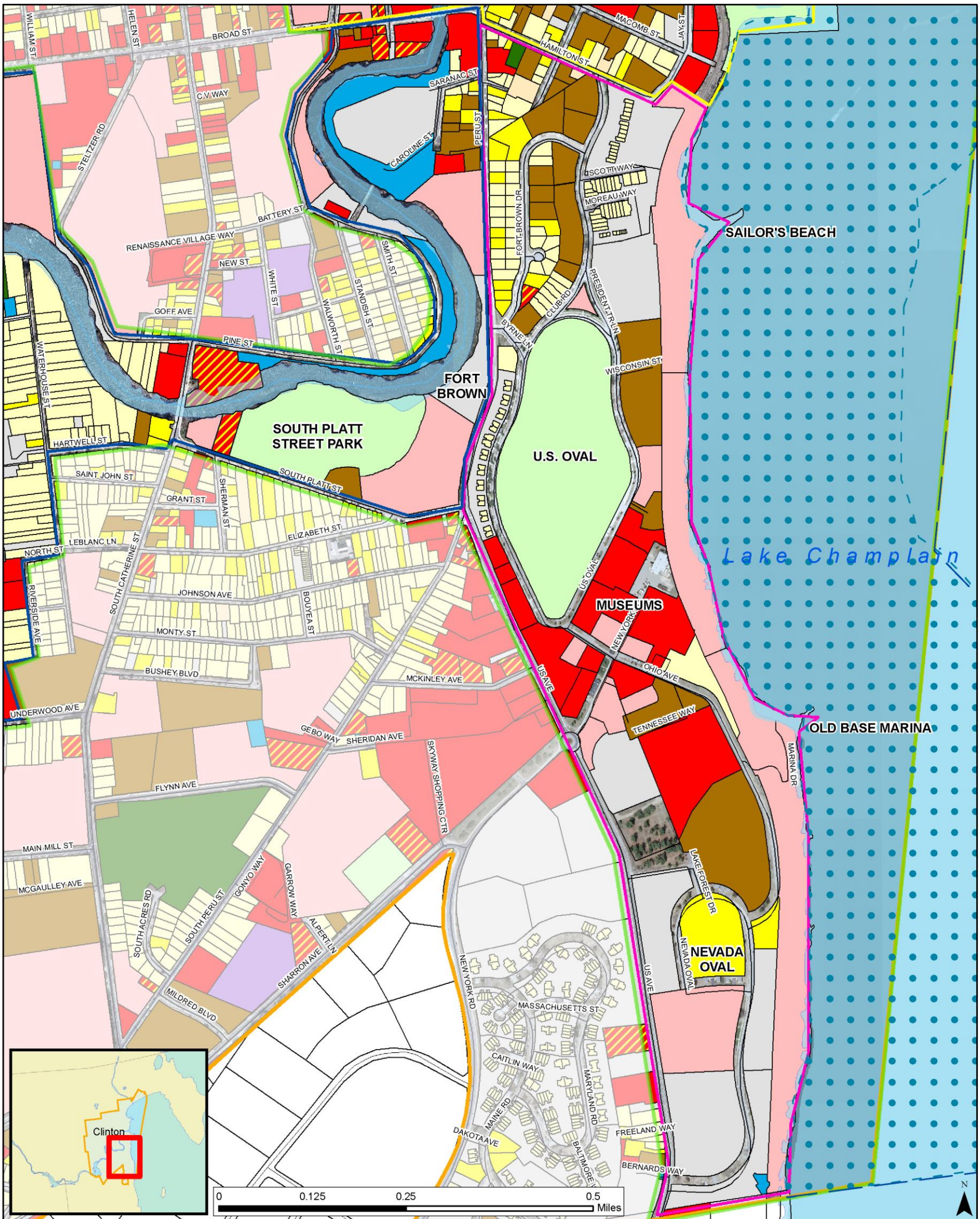
- All waterfront development alternatives identified in base reuse documents recommend development of recreational uses such as pedestrian trails or walkways. Connections could be provided to the Recreational Trail and the Saranac River Trail, allowing the area to serve as a hub for alternative modes of transportation and recreation.

- Existing recreational facilities throughout the subarea can be linked to expanded waterfront development with incremental improvements over time.
- The existing open space and soccer field could be enhanced to provide opportunities for athletic competition and potential revenue.
- The Old Base subarea offers numerous interpretive opportunities which should be explored and could be developed in phased over the long-term.
- A coordinated museum campus concept with joint marketing, programming efforts, and long-range planning has the potential to enhance the tourism market.
- The dock and docking facilities located at the base of the old base marina should be reconstructed and use expanded.
- The Officers' Club Building is the jewel of the base and is yet to be occupied, providing an opportunity for a business which could serve as an anchor for the Old Base. The Alamo is also a city owned building that holds great potential for development.

**Constraints:**

- The existence of some slope and erosion hazards present physical barriers to waterfront access.
- The CP Rail right-of-way is private property and represents an obstacle to waterfront access.





### City of Plattsburgh

Existing Land and Water Uses  
Old Base

Map 4E

January 2016

**KEY**

- |                                |  |
|--------------------------------|--|
| City of Plattsburgh Boundary   | 1 Family Residence                               |
| Harbor Mgmt. Plan Boundary     | 2 Family Residence                               |
| Mooring Law Area               | 3 Family Residence                               |
| Waterfront Revitalization Area | Apartments                                       |
| Parcels                        | Commercial                                       |
| <b>Subareas</b>                | Commercial Multi-use/Multi-purpose               |
| North End                      | Community Services                               |
| Cumberland Ave/Wilcox Dock     | Industrial                                       |
| Marina-Downtown                | Public Services                                  |
| Old Base                       | Recreation and Entertainment                     |
| Upper Saranac                  | Wild, Forested, Conservation Land & Public Parks |
|                                | Vacant Land                                      |

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File Location: BAGIS\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_04E\_OldBase.mxd

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### *Upper Saranac Subarea*

This subarea stretches along both banks of the Saranac River, from the edge of the Old Base subarea to the City line (see Map 4F). The area includes portions of the SUNY Plattsburgh campus, residential uses, and an industrial area. The Upper Saranac Subarea also includes a portion of the recently-implemented the Saranac River Trail, a shared-used transportation and recreational path that follows the river. Future phases of the Trail are under development, and a larger regional Greenway concept is also being explored.

#### **Opportunities:**

- Connect with SUNY Plattsburgh's existing recreational assets and provide enhanced connections to the Saranac River Trail along the campus.
- Fort Brown, in this area, is a potentially important addition to the city's heritage tourism.
- Expand upon the opportunity created by the development of the Saranac River Trail. Phase I of the Trail has already been completed, designed to connect the Lake Champlain Waterfront redevelopment area, downtown Plattsburgh, and the SUNY Campus, and Phase II is currently in design, planned to extend the Trail to connect with both the existing Gordon Bike Trail and the Fleury Bike Trail, and the "Blue" and "Red" single track trails west of the Imperial Dam.
- Explore locations for "blueway" and whitewater park developments along the Saranac River. Portions of the Saranac River Trail can also serve as a water trail, with improved canoe, kayak, tubing, and fishing access along the river.
- Connect with the Saranac River Trail Greenway, a 26-mile regional network of a variety of trails planned to connect Lake Champlain and the City of Plattsburgh to the Adirondack Park via the communities of Schuyler Falls, the Town of Plattsburgh, Morrisionville, Cadyville, Woods Mills, Saranac, Moffitville and Redford.<sup>12</sup>
- City-owned riverfront property on both the north and south banks of the Saranac.

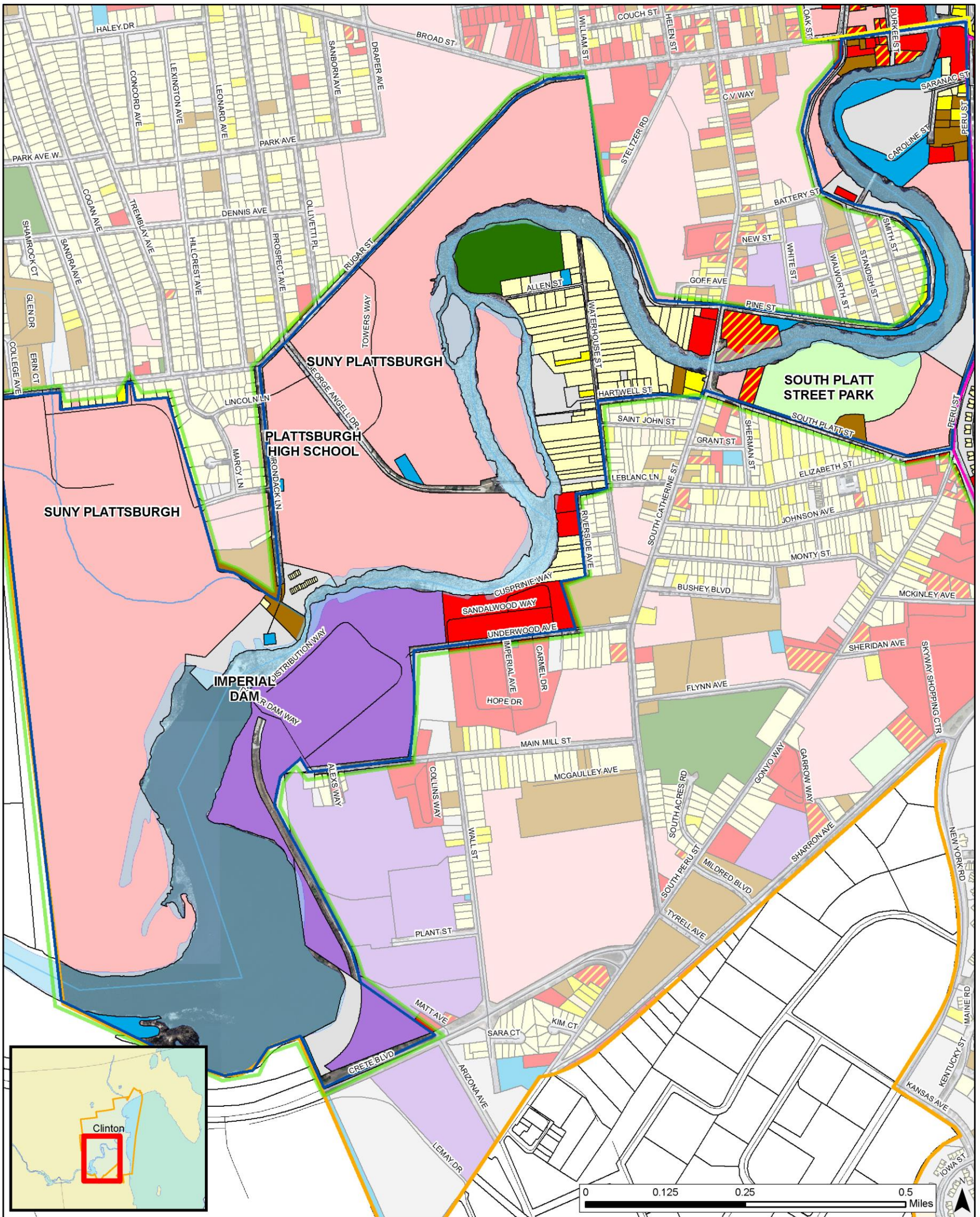
#### **Constraints:**

- The Imperial Dam is located midway along the portion of the Saranac that flows through this subarea.
- Southwest of the dam, industrial development, containing multiple railroad tracks, may present an impediment to waterfront access along the south bank of the Saranac River.
- Limited public rights-of-way along the south side of the river.
- Sensitive historic resources at Fort Brown, between Rt. 9 and the south bank of the river.

---

<sup>12</sup>  
[http://www.saranacrivertrail.org/sites/default/files/Saranac%20River%20Trail%20Greenway\\_Draft%20Plan\\_151005\\_v2.pdf](http://www.saranacrivertrail.org/sites/default/files/Saranac%20River%20Trail%20Greenway_Draft%20Plan_151005_v2.pdf)





### City of Plattsburgh

Existing Land and Water Uses  
Upper Saranac

Map 4F

January 2016

**KEY**

- |                                |  |
|--------------------------------|--|
| City of Plattsburgh Boundary   | 1 Family Residence                               |
| Waterfront Revitalization Area | 2 Family Residence                               |
| Parcels                        | 3 Family Residence                               |
| <b>Subareas</b>                | Apartments                                       |
| North End                      | Commercial                                       |
| Cumberland Ave/Wilcox Dock     | Commercial Multi-use/Multi-purpose               |
| Marina-Downtown                | Community Services                               |
| Old Base                       | Industrial                                       |
| Upper Saranac                  | Public Services                                  |
|                                | Recreation and Entertainment                     |
|                                | Wild, Forested, Conservation Land & Public Parks |
|                                | Vacant Land                                      |

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## **D. Land Ownership**

This section focuses primarily on parcels located directly on the waterfront. Land ownership patterns are shown on Maps 5A-5F.

### *North End Subarea*

Approximately one third of the land in this subarea is city-owned, accompanied by smaller streetside and waterfront parcels under private ownership and consisting of motels, condominiums, and commercial development. Major property owners in this subarea include the City of Plattsburgh (municipal beach) and Georgia Pacific, which occupies the remaining third of the land.

### *Cumberland Avenue/Wilcox Dock Subarea*

Land ownership in this subarea is primarily private, with Georgia Pacific owning a riverfront parcel in the northern section, New York State owning the adjacent waterfront parcel (Wilcox Dock), and the remaining lakefront owned privately. The City then owns the waterfront parcel along the mouth of the Saranac River, while private owners fill the landside of the subarea.

### *Dock Street – Durkee Street – Downtown Subarea*

Most of the land in this subarea is privately owned; however much of the waterfront is owned by the City, including the Durkee Street lot, the water pollution control plant, Dock Street Landing, and large riverfront parcels. Other major parcels are owned by the City, Plattsburgh Boat Basin, Plattsburgh Grocery Inc., and Lakeside Container Corp.

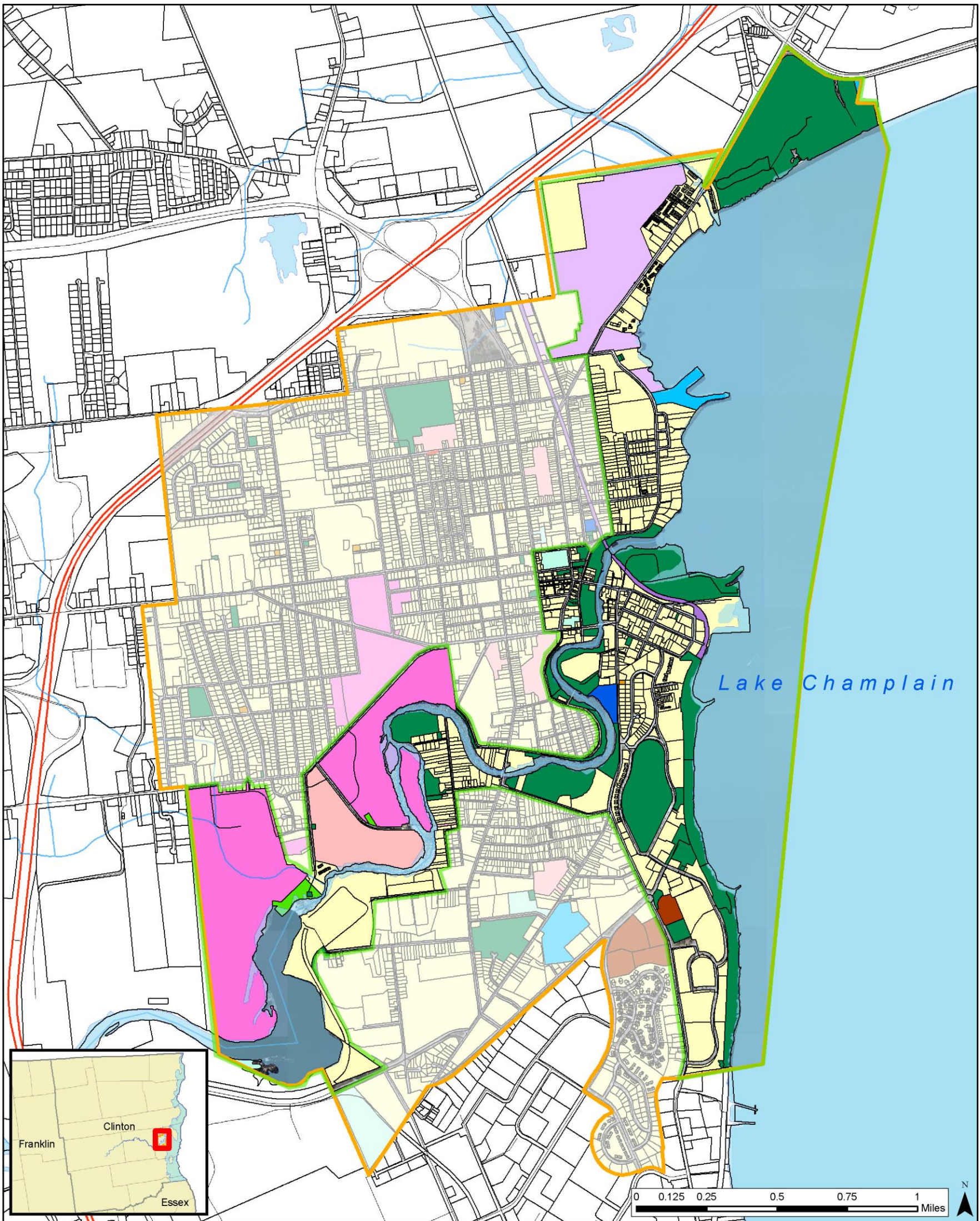
### *Old Base Subarea*

The presence of considerable publicly-owned land within the Old Base subarea is a great asset to the City and one that should be protected and thoughtfully developed. The city-owned Alamo building and the Officers' Club building present great opportunities for development. There are also many opportunities here for increasing and improving public waterfront access without depending on the actions and good will of private property owners.

### *Upper Saranac Subarea*

The largest landowner in the Saranac River Subarea is SUNY Plattsburgh, with large parcels along the northern bank of the river. The City of Plattsburgh School District also owns a sizeable parcel on the northern bank. Much of the southern waterfront in the subarea, much of which is residential, is owned privately. There are a number of City-owned waterfront properties in the eastern portion of the Upper Saranac subarea. There is one parcel, the U.S. Army Reserve Center, at the far eastern edge of the subarea that is Federally owned.





# City of Plattsburgh

Existing Ownership  
City-wide  
Map 5A  
January 2016

- KEY**
- City of Plattsburgh Boundary
  - Waterfront Revitalization Area
  - Parcels
  - MRS of Clinton County Inc
  - PARC
  - D&H Railway Corp.
  - Ownership\_GP
  - SUNY Plattsburgh
  - City of Plattsburgh School District
  - People of the State of NY
  - City of Plattsburgh
  - Clinton County
  - State of New York
  - Federal
  - Private

\*Note: The Harbor Management Plan Boundary is consistent with the Waterfront Revitalization Area Boundary.

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File Location: B:\GIS\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_05A\_Ownership.mxd

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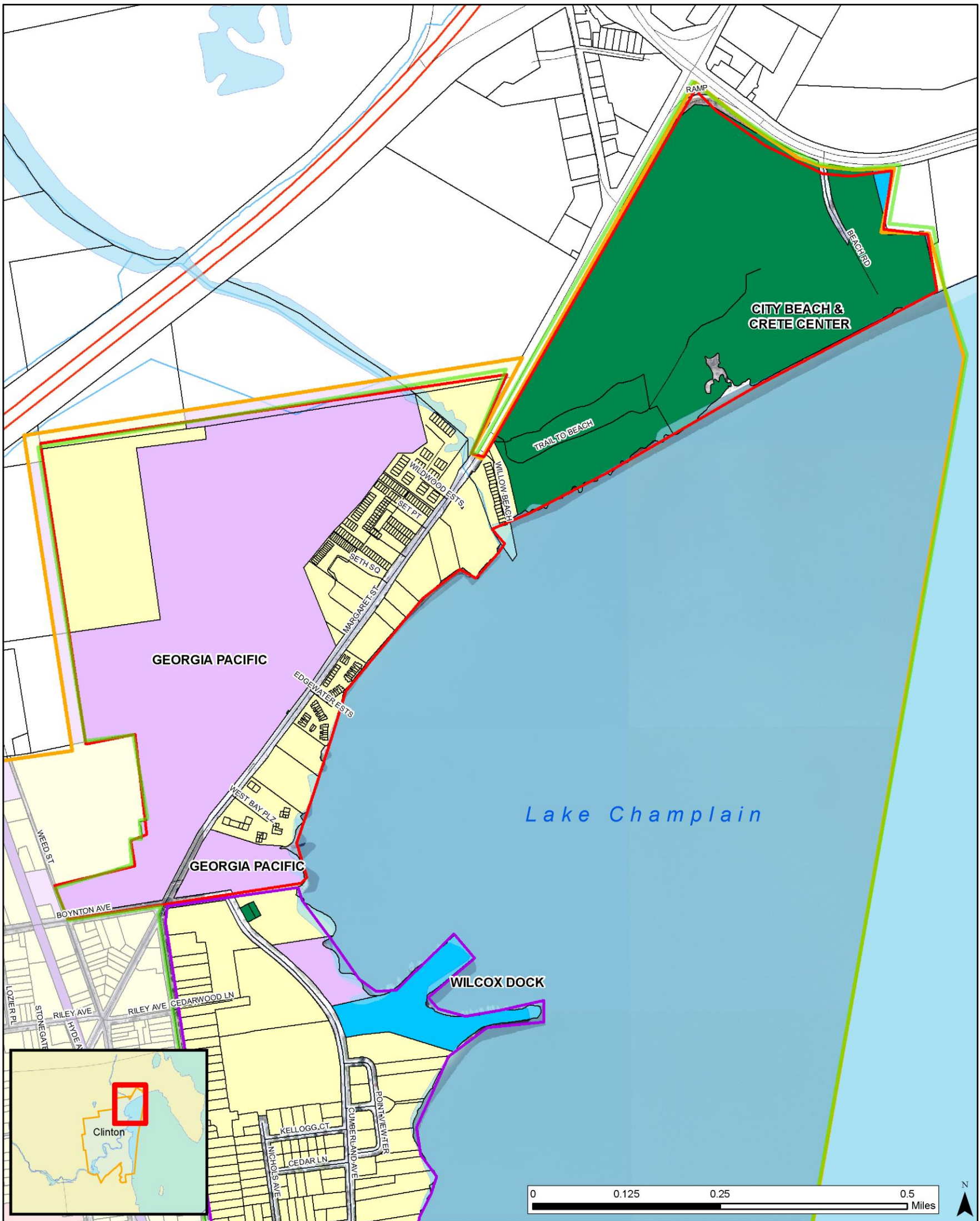
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## City of Plattsburgh

Existing Ownership  
North End  
Map 5B  
January 2016

### KEY

City of Plattsburgh Boundary	Land Ownership
Waterfront Revitalization Area	MRS of Clinton County
Parcels	PARC
Subareas	D&H Railway Corp.
North End	Georgia-Pacific
Cumberland Ave/Wilcox Dock	SUNY Plattsburgh
Marina-Downtown	City of Plattsburgh School District
Old Base	People of the State of NY
Upper Saranac	City of Plattsburgh
	Clinton County
	State of New York
	Federal
	Private

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File Location: B:\GIS\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_05B\_NorthEnd.mxd

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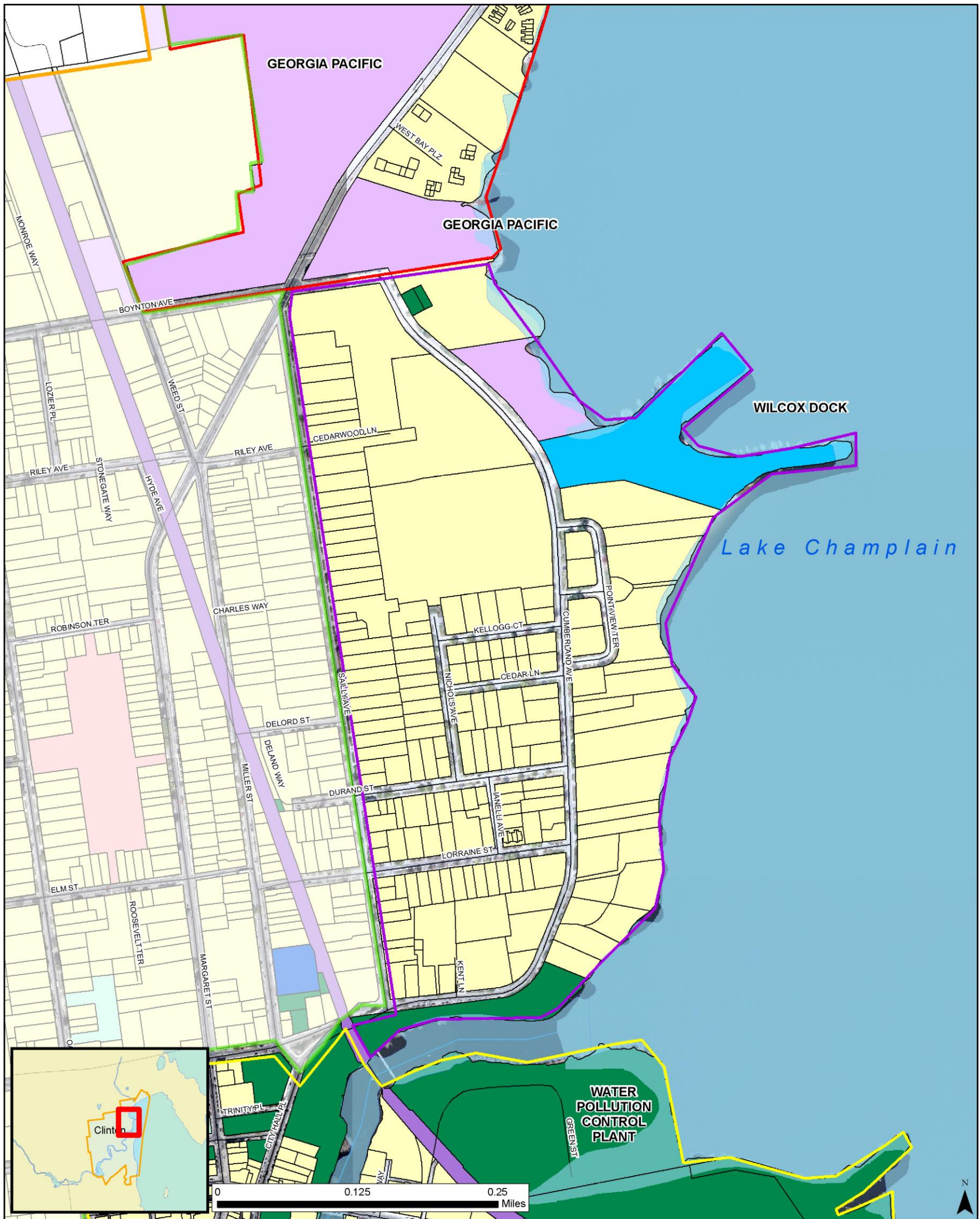
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### City of Plattsburgh

Existing Ownership  
Cumberland Ave/Wilcox Dock  
Map 5C  
January 2016

**KEY**

- |                                |                                     |
|--------------------------------|-------------------------------------|
| City of Plattsburgh Boundary   | Land Ownership                      |
| Waterfront Revitalization Area | MRS of Clinton County               |
| Parcels                        | PARC                                |
| Subareas                       | D&H Railway Corp.                   |
| North End                      | Georgia-Pacific                     |
| Cumberland Ave/Wilcox Dock     | SUNY Plattsburgh                    |
| Marina-Downtown                | City of Plattsburgh School District |
| Old Base                       | People of the State of NY           |
| Upper Saranac                  | City of Plattsburgh                 |
|                                | Clinton County                      |
|                                | State of New York                   |
|                                | Federal                             |
|                                | Private                             |

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File Location: B:\GIS\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_05C\_CumbWilcox.mxd

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## City of Plattsburgh

Existing Ownership  
 Dock St- Durkee St- Downtown  
 Map 5D  
 January 2016

### KEY

- |                              |                                |                                     |
|------------------------------|--------------------------------|-------------------------------------|
| City of Plattsburgh Boundary | Waterfront Revitalization Area | Land Ownership                      |
| Parcels                      | North End                      | MRS of Clinton County               |
| Subareas                     | Cumberland Ave/Wilcox Dock     | PARC                                |
| North End                    | Marina-Downtown                | D&H Railway Corp.                   |
| Cumberland Ave/Wilcox Dock   | Old Base                       | Georgia-Pacific                     |
| Marina-Downtown              | Upper Saranac                  | SUNY Plattsburgh                    |
| Old Base                     |                                | City of Plattsburgh School District |
| Upper Saranac                |                                | People of the State of NY           |
|                              |                                | City of Plattsburgh                 |
|                              |                                | Clinton County                      |
|                              |                                | State of New York                   |
|                              |                                | Federal                             |
|                              |                                | Private                             |

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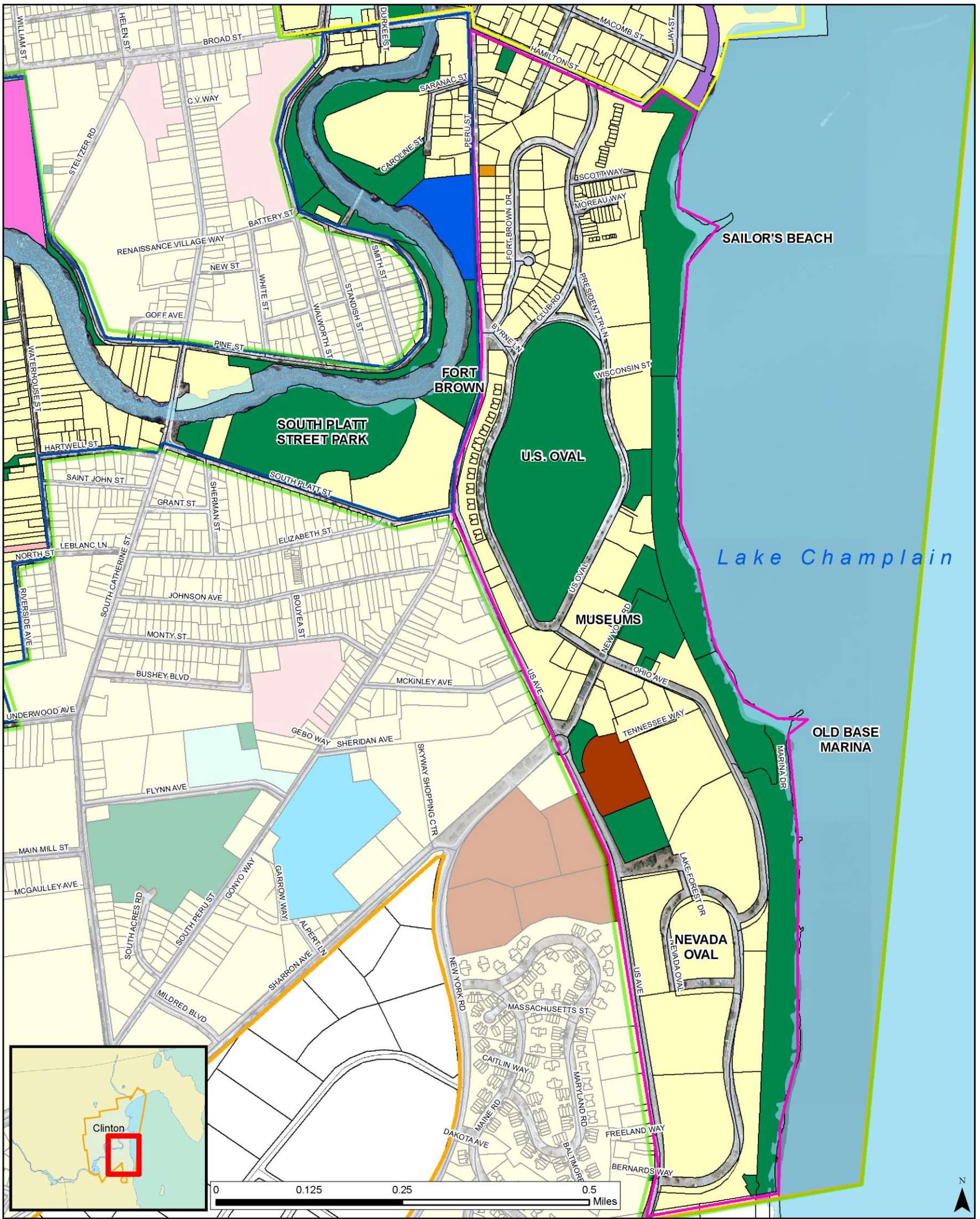
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### City of Plattsburgh

Existing Ownership  
Old Base  
Map 5E  
January 2016

**KEY**

- |                                |                                     |
|--------------------------------|-------------------------------------|
| City of Plattsburgh Boundary   | Land Ownership                      |
| Waterfront Revitalization Area | MRS of Clinton County               |
| Parcels                        | PARC                                |
| Subareas                       | D&H Railway Corp.                   |
| North End                      | Georgia-Pacific                     |
| Cumberland Ave/Wilcox Dock     | SUNY Plattsburgh                    |
| Marina-Downtown                | City of Plattsburgh School District |
| Old Base                       | People of the State of NY           |
| Upper Saranac                  | City of Plattsburgh                 |
|                                | Clinton County                      |
|                                | State of New York                   |
|                                | Federal                             |
|                                | Private                             |

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File Location: B:\GIS\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_05E\_OldBase.mxd

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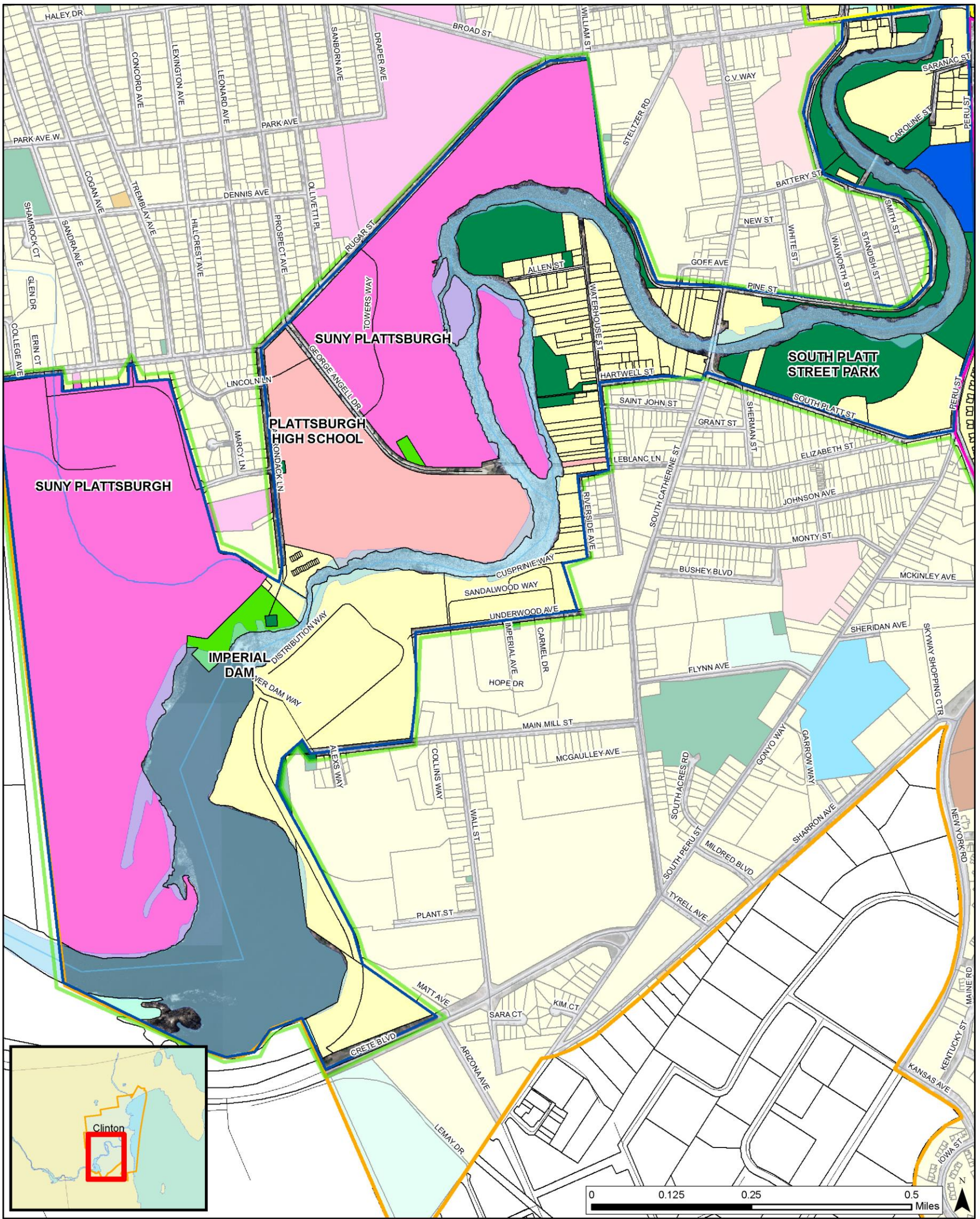
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# City of Plattsburgh

Existing Ownership  
Upper Saranac  
Map 5F  
January 2016

**KEY**

- |                                |                                     |
|--------------------------------|-------------------------------------|
| City of Plattsburgh Boundary   | Land Ownership                      |
| Waterfront Revitalization Area | MRS of Clinton County               |
| Parcels                        | PARC                                |
| Subareas                       | D&H Railway Corp.                   |
| North End                      | Georgia-Pacific                     |
| Cumberland Ave./Wilcox Dock    | SUNY Plattsburgh                    |
| Marina-Downtown                | City of Plattsburgh School District |
| Old Base                       | People of the State of NY           |
| Upper Saranac                  | City of Plattsburgh                 |
|                                | Clinton County                      |
|                                | State of New York                   |
|                                | Federal                             |
|                                | Private                             |

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### **E. Public Access and Recreation**

Formal public access to the Lake Champlain and Saranac River waterfronts presently exists at the following locations within the city:

- Plattsburgh Municipal Beach
- Wilcox Dock (somewhat restricted)
- The City Marina
- Peace Point launch at the Water Pollution Control Plant
- The Macdonough Monument/Verdantique Park
- Samuel de Champlain Monument Park
- The Saranac River Trail along Pine Street
- The Max Moore Treehouse
- Riverview Park
- South Platt Park
- SUNY play fields
- Sailor's Beach
- The Old Base Marina

Within the Old Base subarea, there are several other public access points, including the aforementioned Rotary PM and Adirondack Builders Association pavilion at the Old Base marina, several play areas, and a recreational trail. Cumberland Bay, Port Au Roche and Valcour Island State Parks also provide access to Lake Champlain immediately north and south of Plattsburgh. Analysis of the Lake Champlain Basin Program documents confirms that the Plattsburgh area is one of the more heavily used boating areas of the Lake, making waterfront revitalization of considerable importance to Plattsburgh's future.

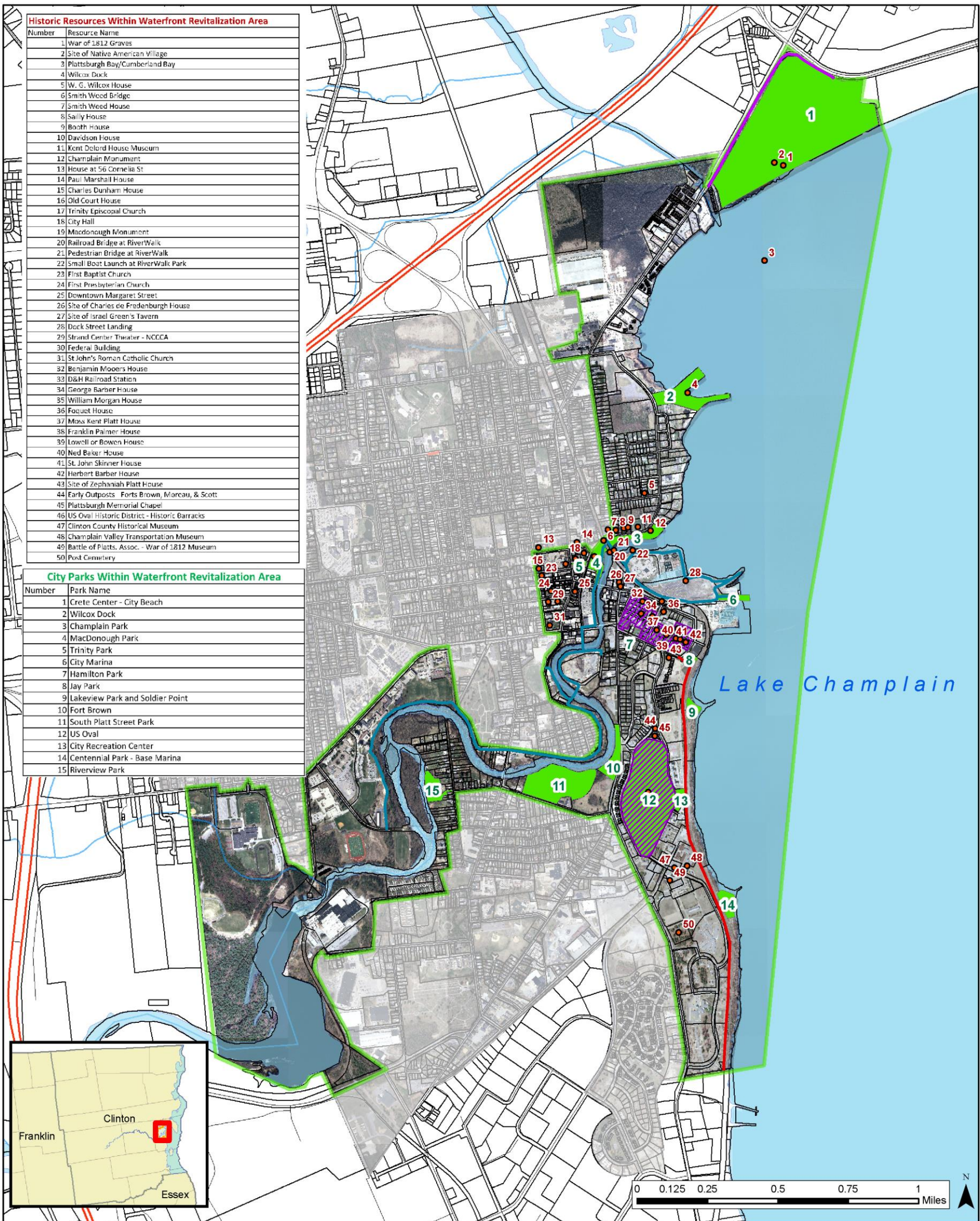
The Plattsburgh Municipal Beach has been described in the North End Subarea description above. The NYS-owned Wilcox Dock is accessible to the public after being restricted for a number of years, with the exception of the southern portion of the parcel, which is leased privately through a use permit. Pedestrian and vehicular access to Wilcox Dock is essentially unrestricted, including public access along the waterfront surrounding the Water Pollution Control Plant. The area, once an aging barge canal dock and partially forested open land with excellent views of Cumberland Bay and the City Beach, now has improved docking and the Healthy Lung Trail, a walking and exercise trail. The Plattsburgh Boat Basin is a commercial marina at the foot of Dock Street which consists of approximately 11.86 acres. It includes six docks with 185 boat slips, travel lift, administrative offices, restroom facilities, pumped facilities and limited winter storage capacity. A popular seasonal restaurant is also located at the marina with spectacular views of the Lake and the Green Mountains. The City of Plattsburgh recently developed a City marina along the lakefront as well. Completed in Spring 2015, the new



marina includes 34 dock slips and 25 moorings, with transient slips and moorings also available. The marina also provides water, electricity, pump-out service, showers, restrooms, laundry, wifi and a picnic area. Macdonough Monument and the Riverwalk Park includes a pedestrian bridge and a handicapped fishing pier and boat launching site developed as a demonstration project by the City and the Lake Champlain Basin Program. Champlain Monument Park features a bandstand, landscaping, walkways, and planting beds, most of which were developed with substantial volunteer labor.

Maps 6A-D depict historic resources, city trails, and city parks within the Waterfront Revitalization Area.





# City of Plattsburgh

## Historic Resources and Public Access within WRA

Map 6A

January 2016

- KEY**
- 24 Historic Resources
  - Trails**
  - Karen Fleury Bike Path
  - Saranac River Trail
  - Terry Gordon Bike Path
  - National Register Historic Districts
  - Waterfront Revitalization Area
  - City Parks
  - Parcels

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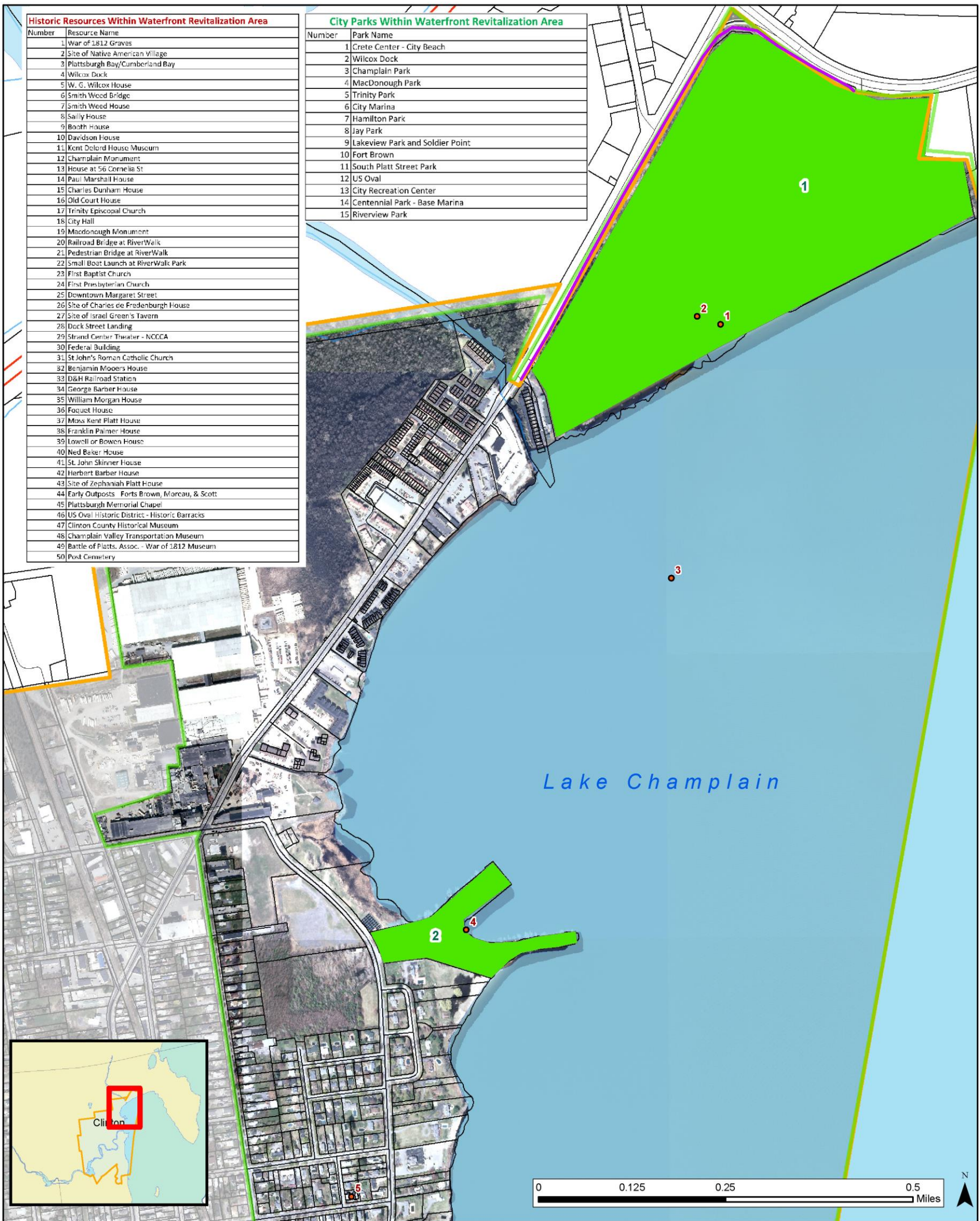
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Historic Resources Within Waterfront Revitalization Area	
Number	Resource Name
1	War of 1812 Graves
2	Site of Native American Village
3	Plattsburgh Bay/Cumberland Bay
4	Wilcox Dock
5	W. G. Wilcox House
6	Smith Weed Bridge
7	Smith Weed House
8	Sally House
9	Booth House
10	Davidson House
11	Kent Dolord House Museum
12	Champlain Monument
13	House at 56 Cornelia St
14	Paul Marshall House
15	Charles Dunham House
16	Old Court House
17	Trinity Episcopal Church
18	City Hall
19	Macdonough Monument
20	Railroad Bridge at RiverWalk
21	Pedestrian Bridge at RiverWalk
22	Small Boat Launch at RiverWalk Park
23	First Baptist Church
24	First Presbyterian Church
25	Downtown Margaret Street
26	Site of Charles de Fredenburgh House
27	Site of Israel Green's Tavern
28	Dock Street Landing
29	Strand Center Theater - NCCCA
30	Federal Building
31	St John's Roman Catholic Church
32	Benjamin Mooers House
33	D&H Railroad Station
34	George Barber House
35	William Morgan House
36	Foquet House
37	Moss Kent Platt House
38	Franklin Palmer House
39	Lowell or Bowen House
40	Ned Baker House
41	St. John Skinner House
42	Herbert Barber House
43	Site of Zephaniah Platt House
44	Early Outposts - Forts Brown, Morcau, & Scott
45	Plattsburgh Memorial Chapel
46	US Oval Historic District - Historic Barracks
47	Clinton County Historical Museum
48	Champlain Valley Transportation Museum
49	Battle of Platts. Assoc. - War of 1812 Museum
50	Post Cemetery

City Parks Within Waterfront Revitalization Area	
Number	Park Name
1	Crete Center - City Beach
2	Wilcox Dock
3	Champlain Park
4	MacDonough Park
5	Trinity Park
6	City Marina
7	Hamilton Park
8	Jay Park
9	Lakeview Park and Soldier Point
10	Fort Brown
11	South Platt Street Park
12	US Oval
13	City Recreation Center
14	Centennial Park - Base Marina
15	Riverview Park



## City of Plattsburgh

Historic Resources and Public Access within WRA North Plattsburgh

Map 6B

January 2016

- KEY**
- 24 Historic Resources
  - Trails
    - Karen Fleury Bike Path
    - Saranac River Trail
    - Terry Gordon Bike Path
    - ▨ National Register Historic Districts
  - 3 Waterfront Revitalization Area
  - City of Plattsburgh Boundary
  - City Parks
  - Parcels

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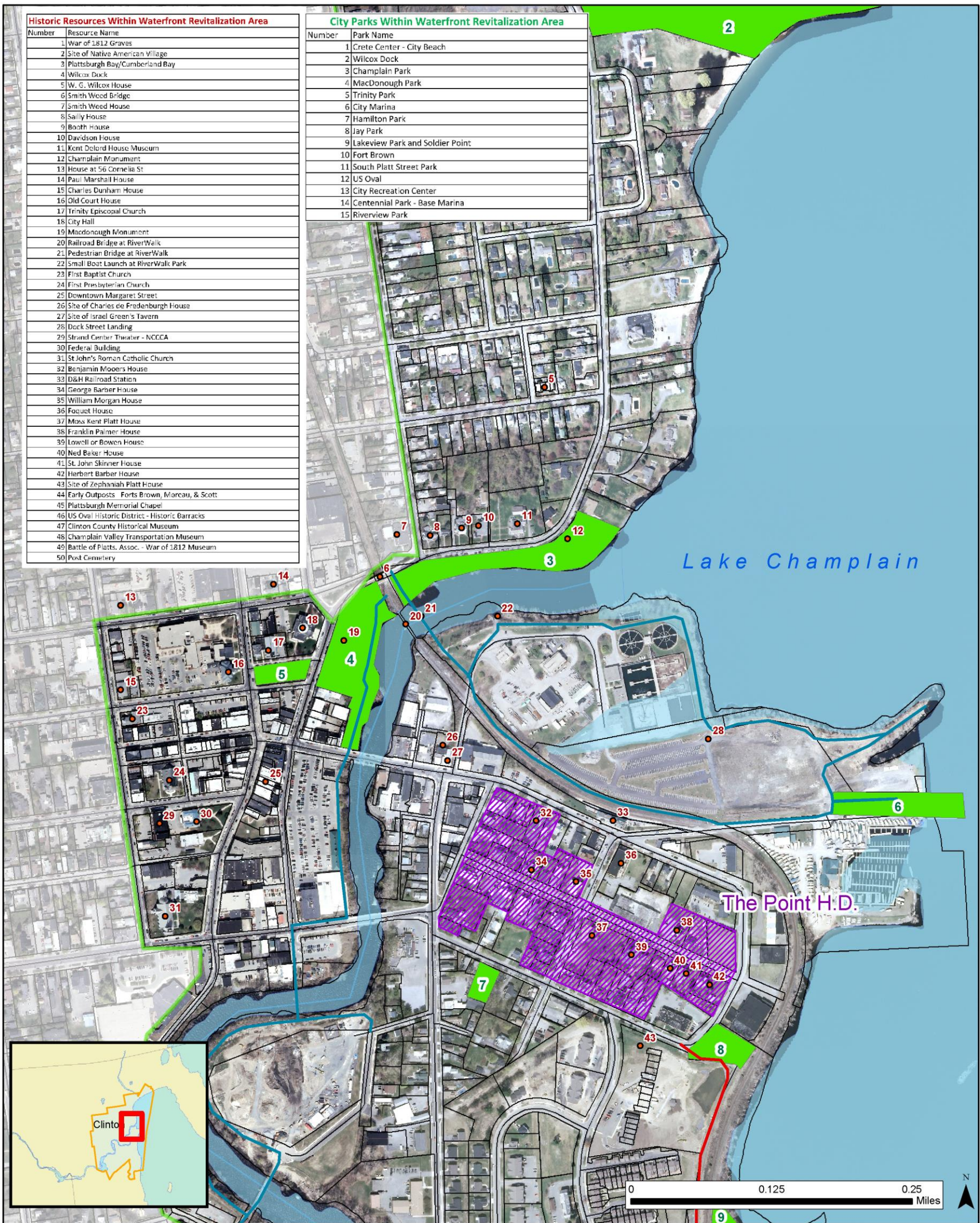
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**City of Plattsburgh**  
 Historic Resources and  
 Public Access within WRA  
 Downtown Plattsburgh  
 Map 6C  
 January 2016

- KEY**
- 24 Historic Resources
  - Trails
    - Karen Fleury Bike Path
    - Saranac River Trail
    - Terry Gordon Bike Path
  - National Register Historic Districts
  - Waterfront Revitalization Area
  - City of Plattsburgh Boundary
  - City Parks
  - Parcels

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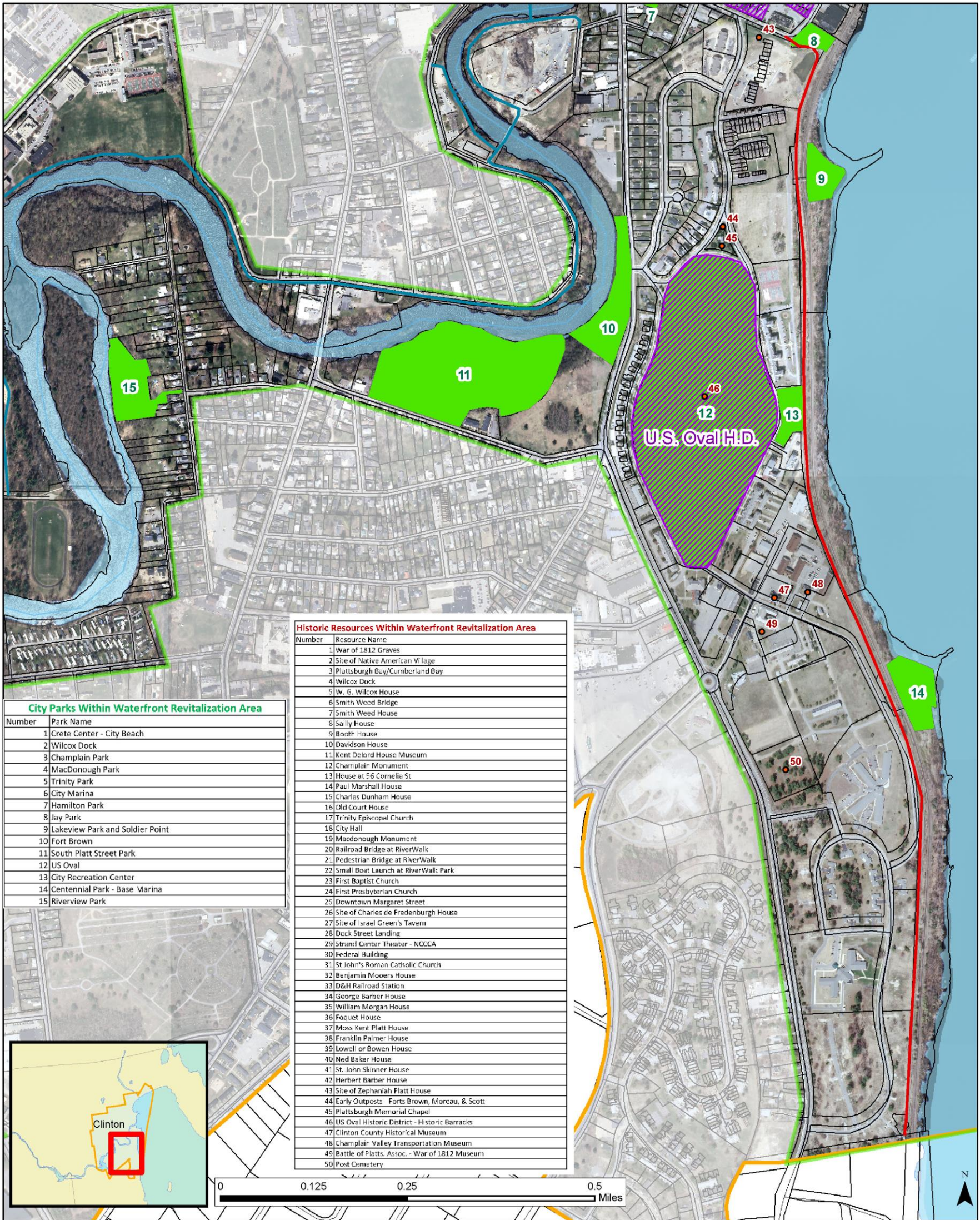
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Historic Resources Within Waterfront Revitalization Area	
Number	Resource Name
1	War of 1812 Graves
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10	Davidson House
11	Kent Delord House Museum
12	Champlain Monument
13	House at 56 Cornelia St
14	Paul Marshall House
15	Charles Dunham House
16	Old Court House
17	Trinity Episcopal Church
18	City Hall
19	Maddonough Monument
20	Railroad Bridge at RiverWalk
21	Pedestrian Bridge at RiverWalk
22	Small Boat Launch at RiverWalk Park
23	First Baptist Church
24	First Presbyterian Church
25	Downtown Margaret Street
26	Site of Charles de Fradenburgh House
27	Site of Israel Green's Tavern
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29	Strand Center Theater - NCCCA
30	Federal Building
31	St John's Roman Catholic Church
32	Benjamin Mooers House
33	D&H Railroad Station
34	George Barber House
35	William Morgan House
36	Foquet House
37	Moss Kent Platt House
38	Franklin Palmer House
39	Lowell or Bowen House
40	Ned Baker House
41	St. John Skinner House
42	Herbert Barber House
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45	Plattsburgh Memorial Chapel
46	US Oval Historic District - Historic Barracks
47	Clinton County Historical Museum
48	Champlain Valley Transportation Museum
49	Battle of Platts. Assoc. - War of 1812 Museum
50	Post Cemetery

City Parks Within Waterfront Revitalization Area	
Number	Park Name
1	Crete Center - City Beach
2	Wilcox Dock
3	Champlain Park
4	MacDonough Park
5	Trinity Park
6	City Marina
7	Hamilton Park
8	Jay Park
9	Lakeview Park and Soldier Point
10	Fort Brown
11	South Platt Street Park
12	US Oval
13	City Recreation Center
14	Centennial Park - Base Marina
15	Riverview Park



## City of Plattsburgh

Historic Resources and Public Access within WRA Southern Plattsburgh

Map 6D

January 2016

- KEY**
- 24 Historic Resources
  - Trails
    - Karen Fleury Bike Path
    - Saranac River Trail
    - Terry Gordon Bike Path
    - ▨ National Register Historic Districts
  - Waterfront Revitalization Area
  - City of Plattsburgh Boundary
  - City Parks
  - Parcels

PROJECT # 2014 - 029  
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File Location: B:\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_06D\_HistoricAccess.mxd

**SARATOGA ASSOCIATES**

Landscape Architects, Architects, Engineers, and Planners, P.C.

New York City > Saratoga Springs > Syracuse



This map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



## **F. Infrastructure**

The City of Plattsburgh is serviced by the full range of utilities and support systems typical to urban areas. This section therefore includes descriptions of various key components, including the water supply, sewage disposal, solid waste disposal, and transportation systems. While most components are City-wide, the Old Base site has some separate facilities.

### *Electricity*

It should be noted that a major asset is the municipal electric system, which brings electricity in from the New York State Power Authority, and has capacity for future growth. The majority of the City of Plattsburgh's energy is hydroelectricity that comes from Niagara Falls as part of the Niagara Power Project. The New York Power Authority has allotted Plattsburgh 104.5 of the 2,525 megawatts produced at any given time by the Niagara Power Plant. The city typically uses 50 to 102 megawatts and only tends to use up or surpass the limit during the cold winter months. Rates have not changed since 2010; Plattsburgh residents and businesses pay between 2.5 and 4 cents per kilowatt hour, depending on their customer services classification (residential, small commercial, large commercial, or industrial), – lower than the national average of 15 cents.<sup>13</sup>

### *Water Supply*

The Plattsburgh City Water Department supplies water to the City and Town of Plattsburgh as well as the Old Base site.<sup>14</sup> The City of Plattsburgh utilizes three upland gravity surface water sources (Mead Reservoir, West Brook Reservoirs and the Saranac River).<sup>15</sup> Water is pumped from city-owned surface reservoirs constructed on West Brook and Mead Brook (tributaries of the Saranac River) located approximately 5 miles west of the city on NYS Route 3, in the Town of Plattsburgh. The reservoirs are fed by runoff and natural springs from a 1,200 acre watershed. West Brook #1 has a storage capacity of 109 MG, West Brook #2 has a storage capacity of 20 MG, and Mead Brook has a storage capacity of 400 MG. Water can also be withdrawn from the Saranac River located on Kent Falls Road in Cadyville and piped into the West Brook Reservoir.<sup>15</sup>

A water filtration plant is located approximately two miles west of the city in the Town of Plattsburgh. At the plant, which has a capacity of 9 million gallons per day,<sup>16</sup> the water undergoes chlorination, sedimentation,

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<sup>13</sup> Chapman, Cara. "City of Plattsburgh Electricity Mostly Hydropower." *Local News: City of Plattsburgh Electricity Mostly Hydropower*. Press-Republican, 1 Dec. 2015. [http://www.pressrepublican.com/news/local\\_news/city-of-plattsburgh-electricity-mostly-hydropower/article\\_6b2af2d7-8d62-515b-8bb1-33874af7aafb.html](http://www.pressrepublican.com/news/local_news/city-of-plattsburgh-electricity-mostly-hydropower/article_6b2af2d7-8d62-515b-8bb1-33874af7aafb.html). 14 Dec. 2015.

<sup>14</sup> Information on the City of Plattsburgh water supply system was taken primarily from the EDZ Program Final Application (February 26, 1988), p. 2-23; the Draft Environmental Statement - Disposal and Reuse of Plattsburgh Air Force Base, New York, pp. 3-40 and 3-87. Additional sources include the Comprehensive Water Supply Study, Clinton County, NY, June 1970; Mead Dam Phase II Stability Study, 1984; and Mead Reservoir Safe Yield Study, 1985.

<sup>15</sup> City of Plattsburgh Water System. *Annual Drinking Water Quality Report for 2014*. 29 Apr 2015. [http://www.cityofplattsburgh-ny.gov/publicfiles/files/Plattsburgh%20City%202014%20AWQR\\_Final%204-29-15\(1\).pdf](http://www.cityofplattsburgh-ny.gov/publicfiles/files/Plattsburgh%20City%202014%20AWQR_Final%204-29-15(1).pdf). 14 Dec 2015.

<sup>16</sup> City of Plattsburgh. *Water Filtration Plant*. nd. <http://www.cityofplattsburgh-ny.gov/Departments/WaterFiltrationPlant>. 14 Dec 2015.



filtration, and fluoridation treatments and is stored in a new ground storage tank. Treatment consists of filtration using anthracite filter media followed by chlorination for disinfection and the addition of fluorine to the treated water. The treated water is then stored for distribution to 26,046 individuals (19,989 population in 2000 census plus 6,057 SUNY enrollment) through 5,357 water meters.<sup>16</sup> The City's water distribution system is comprised of 126 miles of pipeline which include transmission mains, distribution mains, and service lines, dating from 1867 to the present. Also included is the maintenance of 527 fire hydrants and 5443 water meters.<sup>17</sup> The total amount of water delivered to customers was recorded at 610,628,000 gallons. This leaves an unaccounted total 104,155,000 gallons, likely due to the water used to flush hydrants, backwash filters, firefighting, and leakage (water main breaks). The daily average of water treated and sent into the distribution system in 2014 was 1,985,000 gallons per day.<sup>15</sup> In comparison, the total water supplied to the city was 4.5 MGD in 1991, 6.0 MGD in 1992, and 4.0 MGD in 1993. With the departure of the Plattsburgh Air Force Base, the closure of the Imperial Paper Company Mill, and major users using less water, this amount of water supplied to the city has decreased significantly. The water supply is sufficient for considerable future growth.

### *Sewage Disposal System*

The City of Plattsburgh Department of Water and Sewage provides wastewater treatment to the City of Plattsburgh, portions of the Town, the Old Base site and the paper mills.<sup>18</sup> Wastewater is treated at the water pollution control plant (WPCP) which was constructed in 1973 and is located at the mouth of the Saranac River near Lake Champlain. Treated water is discharged into the Saranac River and flows into the Cumberland Bay portion of Lake Champlain.

The original design capacity of the waste treatment plant is 16.0 MGD, but with the departure of the Plattsburgh Air Force Base, the closure of the Imperial Paper Company Mill, and major users using less water and reducing the amount of solids entering the waste stream, the plant now averages a flow of only around 4 MGD, with less solid waste.<sup>19</sup> The demands are low enough that only half of the plant needs to be utilized to provide clean effluent and meet DEC and EPA's requirements.

The City's sanitary sewer system is composed of 58 miles of pipeline, including 1648 sanitary manholes. The age of sewer mains ranges from 1894 to present. The pipe system includes 11 combined sewer overflow points (cso). The citywide storm sewer collection system is made up of 36 miles of pipeline, including 525 manholes and 2087 catch basins.<sup>17</sup>

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<sup>17</sup> "Public Works." *Department of Public Works*. City of Plattsburgh, n.d. <http://www.cityofplattsburgh-ny.gov/Departments/PublicWorks>. 14 Dec. 2015.

<sup>18</sup> Sources for this section included the EDZ Program Final Application (February 26, 1988), 2-25, 26, and the Draft Environmental Impact Statement -Disposal and Reuse of Plattsburgh Air Force Base, New York. For additional information, consult: Comprehensive Sewage Study, Plattsburgh and Environs (R.N. Laberge Engineers, 1967); City of Plattsburgh Water Pollution Control Plant, Sewage System Improvements (O'Brien and Gere, 1967); City of Plattsburgh Wastewater Facilities Study (Metcalf & Eddy Engineers, 1981); City of Plattsburgh, Industrial Pre-Treatment Program Application to NYSDEC (Metcalf & Eddy Engineers, 1983); and City of Plattsburgh Water Pollution Control Plant Operations Evaluation (Eder Associates Engineers, 1985).

<sup>19</sup> Gushlaw, Kris. *City of Plattsburgh Water Pollution Control Plant*. City of Plattsburgh. 18 June 2015. <http://www.cityofplattsburgh.com/publicfiles/files/Water%20Pollution.pdf>. 14 Dec 2015.

In addition, the City issued a wastewater discharge permit to the Old Base site to discharge industrial wastewater to the City sewer system. Wastewater leaves the base at four submains: two along U.S. 9, one at U.S. 9 and New York Road, and one northeast of the former Officer's Club. Three sewer outfalls service the northern Capehart housing and U.S. Oval housing, as well as administrative and industrial buildings at the former Plattsburgh Barracks. The sewer outfall at U.S. 9 and New York Road connects to the 21-inch main sewer line that runs along New York Road and serves the Old Base and the southern Capehart housing on Plattsburgh Barracks.

The Old Base is serviced by a 21-inch diameter line which is predominantly transite with a cast iron connection. Interconnected 10-inch and 8-inch lines service the base housing, community, and industrial areas. These pipelines are exclusively transite on the main base and predominantly transite, with some cast iron, on Plattsburgh Barracks. The Old Base is served by an 8-inch transite force main. No sanitary sewer system exists west of the flightline and apron area. The scattered facilities in this area are serviced by septic sewer systems. Three sanitary septic systems (golf course clubhouse, munitions storage area, and small arms range discharge via absorption fields. Some of the systems service a number of facilities and are interconnected by a combination of vitrified clay and transite pipelines. The City now has ownership of the sewer and water infrastructure and has updated these services.

### *Solid Waste Disposal*

Solid waste is collected by the City of Plattsburgh Department of Sanitation and a private contractor, and disposed of at the Clinton County Solid Waste Department Landfill, which is located in the Town of Schuyler Falls (west of the City of Plattsburgh). The landfill was opened in 1995 and has a 20-year capacity. The City provides refuse service – both garbage and recycling – to 2200 customers, which includes weekly and bi-weekly collections.<sup>17</sup> The Clinton County Sanitary Landfill covers almost 70 acres and receives approximately 175,000 metric tons of waste each year. To reduce the greenhouse gas pollution from this waste, New England Waste Services of New York (NEWS), the landfill operators, voluntarily built a landfill methane gas collection and destruction system. In 2008, NEWS constructed a 4.8 MW landfill gas-to-energy power plant that combusts all of the gas in reciprocating engines to generate power for the local community.<sup>20</sup>

### *Transportation Systems*

The City of Plattsburgh is served by an extensive transportation network that includes local, county and state roads, as well as rail, air, bus and ferry transportation. The New York State Northway (I-87) links Plattsburgh to Canada, Albany and New York City. Other major highways include NY Routes 3, 9 and 22. Route 3 (Cornelia Street) is a highly developed, east-west thoroughfare connecting downtown Plattsburgh with SUNY, I-87 and the shopping malls known as Champlain Centre North and Champlain Centre South as well as the Clinton County Airport. Route 9 (Margaret Street), the predecessor of I-87, links Plattsburgh to Inghram, Chazy and Rouse's Point to the north and Laphams Mills and Ausable Chasm to the south. Route 22 (Catherine Street) runs north-south from I-87 (Exit 38) connecting the city to Beekmantown and West Chazy to the north and Peru to the south. The city is divided in half by the meandering Saranac River. City streets allowing access to Lake

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<sup>20</sup> Carbon Projects: Clinton County Landfill." Clinton County Landfill. 2015. Web. 14 Dec. 2015.



Champlain include Nevada Oval, Ohio Avenue, Virginia Road, Jay Street and Cumberland Avenue. The City's roadway system is made up of 60 miles of streets and 65 miles of sidewalk including 4,000 street signs which are maintained.<sup>18</sup>

Plattsburgh is served by the Delaware & Hudson Railroad, which provides both passenger and freight service. Passenger service is provided via Amtrak's Adirondack Train, which runs between New York City and Montreal on a twice daily basis, with stops at major towns; connections to other U.S. and Canadian destinations are made in New York City and Montreal. The AMTRAK station is located at the old D & H station at Bridge and Dock Streets, at the edge of the Point Historic District between the city's central business district and the waterfront. Annual station ridership in 2015 was reported at 13,989 passengers.<sup>21</sup> Freight service is provided by D & H as well as Canadian Pacific Railway, and is extensively used by Plattsburgh manufacturers. In 2002, New York State authorized \$2.75 million in funding to help relocate the Plattsburgh Rail Yard from the D&H yard in front of the station to the former Plattsburgh Air Force Base. The D&H tracks separate much of the base from Lake Champlain.

Plattsburgh residents use the air transportation services (charter flights, commercial airlines, package-and-freight delivery) of county-owned Plattsburgh International Airport, now located at the former airbase, which has much more extensive facilities and capacities; Burlington International Airport in Vermont; and Dorval Airport in Quebec, all of which are fully certified and licensed by the FAA. Facilities at Plattsburgh International Airport include a terminal building and a 11,750' runway. Airport operations include service to various cities in Florida and Myrtle Beach, South Carolina with Allegiant Air and Spirit Airlines, a monthly charter service to Atlantic City, New Jersey through Caesars Entertainment, and service to Boston with PenAir. Burlington International Airport in Vermont maintains a 7,800 foot runway and adequate air traffic communication to be designated as a Class C airport to navigation. Operations at Burlington International include FAA tower, FAA FSS, Pratt & Whitney, Daystar Avionics, Aviatron, Innotech Aviation, Valley Air Services, U.S. Customs, and a passenger terminal complex. The airport also accommodates the Army and Air National Guard units. Scheduled flights are available on international, regional and commuter carriers (Delta, American Airlines, United, JetBlue, Allegiant Air, US Airways, and Porter). The airport at Dorval, Quebec, serving the entire Montreal metropolitan area, also serves many residents of Clinton County.

In addition, Greyhound Bus Lines offers extensive and frequent bus service in Clinton County. Round trips are made daily between New York City and Montreal, including stops in Plattsburgh and Syracuse. The Clinton County Public Transportation provides public transportation to all areas of the county and to areas within the City of Plattsburgh.

The Lake Champlain Transportation Company operates a 24-hour ferry service between Cumberland Head (north of Plattsburgh) and Grand Isle, Vermont. Trips are made year-round every 20 minutes during the day. The same company provides seasonal service from Port Kent, NY to Burlington, VT and from Essex, NY to Charlotte, VT. The ferries are extensively used by commuters and carry passenger cars as well as trucks moving bulk cargo and petroleum products across Lake Champlain. Navigation on Lake Champlain is mostly recreational.

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<sup>21</sup> "Plattsburgh, NY." *Great American Stations*. Amtrak, 2013-2015. <http://www.greatamericanstations.com/Stations/PLB>. 14 Dec 2015.

## **G. Historic Resources**

The City of Plattsburgh is extremely rich in historic and cultural resources, including four National Register Historic Districts, two of which are within the Waterfront Revitalization Area, and numerous individually listed properties (see Maps 6A-D). These resources bear witness to the City's military and civilian past and collectively represent a great asset. The City has sought to link these resources by establishing a Heritage Trail adjacent to Lake Champlain which connects major landmarks, multiple museums, and points of interest such as the Farmer's Market, City Hall, Macdonough Monument, Library, Smith Weed House, Walk Bridge, Saranac River Promontory, Plattsburgh Harbor, Kent Delord House, Riverwalk, Champlain Park and Monument, Site of First Block House, Wilcox Dock, Lozier Auto Works Site, First Air Strip, Site of British Battery, Scotion Creek, Karen Fleury Bike Path, Heritage Trail Pavilion, Native American Site, War of 1812 Veteran Grave Site, City Beach, State Campground and Crete Civic Center. The well-known architects John Russell Pope, Marcus F. Cummings, Albert W. Fuller, and William E. Haugaard are all represented by buildings in Plattsburgh.

Many of these sites, along with two National Register Historic Districts, are within the LWRP Waterfront Revitalization Area boundary, though few have been formally interpreted. They, and the city's numerous other cultural resources, represent key assets to waterfront revitalization. As a result, every effort has been made to establish a full listing based on existing inventories and reports. The City's Downtown Future Planning Commission also noted and emphasized the importance of capitalizing on the city's historic and cultural resources. It is, therefore, anticipated that these resources will be an important part of any local waterfront revitalization program.

### *Historic Districts*

**The Point Historic District:** This district, located within the LWRP waterfront revitalization area, is adjacent to the PAFB U.S. Oval Historic District, includes some of Plattsburgh's earliest buildings, and is roughly bounded by Jay, Hamilton, Peru and Bridge streets. The district includes 38 residential buildings built predominantly between 1815 and 1880 by the City's lumber and shipping magnates. As noted on National Register forms, this area figured prominently in the battle of Plattsburgh during the War of 1812. The house at 3 Peru Street served as the headquarters of General Alexander Macomb. A British cannonball remains lodged in the south wall of the house. This house, and the adjacent houses at 7 Peru Street and 17 Macomb Streets, form the earliest concentrated grouping of structures extant in Plattsburgh and reflect the Federal period design characteristics of the region.

**United States Oval Historic District:** (Located within the LWRP waterfront revitalization area). A 53-acre district with 26 late 19th- and early 20th-century Queen Anne and Colonial Revival barracks, officers' quarters, and associated buildings surrounding large parade ground; built 1893-1934 as a component of Plattsburgh Barracks, United States Army Reservation.



*Historic Structures*

The Historic Resources depicted in Maps 6A-D are described in the table below.<sup>22</sup>

<b>Historic Resources within the Waterfront Revitalization Area</b>			
#	Resource Name	Address	Description
1	War of 1812 Graves	Near Municipal Beach	Monument in memory of 13 unknown American soldiers who died of cholera in 1812
2	Site of Native American Village	Near Municipal Beach - Heritage Trail	It is likely that Native Americans lived along Lake Champlain, as stone and clay pottery artifacts have been found nearby.
3	Plattsburgh Bay/Cumberland Bay	North End	National Historic Landmark. Three sites related to naval and land engagement of September 11, 1814, between American forces under command of General Alexander Macomb and Lieutenant Thomas Macdonough, and British Forces, under command of General George Prevost, which drove the British from Champlain Valley near end of War of 1812. Sites include Plattsburgh Bay, Fort Brown Site (individually listed), and Macdonough Monument (1926, John Russell Pope)
4	Wilcox Dock	Wilcox Dock	Built by Willard Wilcox in 1897; used by NYS for canal purposes in 1914; now a recreational site.
5	W. G. Wilcox House	51 Lorraine Street	Large Eastlake frame multiple dwelling built c. 1888 by owner of local coal and wood business.
6	Smith Weed Bridge	City Hall Place at Cumberland Ave	Built for easy road access to "the Point." Original bridge removed in 1974 to allow rail cars to pass; existing bridge completed 1978.
7	Smith Weed House	1 Cumberland Ave	Built 1860 by a lumber merchant. Later owner Smith Weed was a state politician and wealthy businessman.
8	Sailly House	3 Cumberland Ave	Built 1795 by Peter Sailly, a Plattsburgh pioneer and the first customs agent.

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<sup>22</sup> The resource listing provided has been synthesized from the sites listed in the "Discover Historic Plattsburgh Walking Tour" as well those contained in the "Guide to the Lake City. Lake Champlain Walkways: An Interpretive Guide."

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9	Booth House	7 Cumberland Ave	Colonial Revival home built 1985 by elected Surrogate Judge John H. Booth.
10	Davidson House	9 Cumberland Ave	Built in 1800 and occupied by Dr. Oliver Davidson and his two famous poetess daughters, Lucretia and Margaret.
11	Kent Delord House Museum	17 Cumberland Ave	Now home to the museum, this Federal period frame residence was built by Nathan Averill in 1797 for William Bailey, an early settler. It was later owned by the wife of James Kent, Justice of the Supreme Court of New York, and Henry Delord, a leading citizen of Plattsburgh.
12	Champlain Monument	RiverWalk Park	A gift from France in 1909, celebrating the 300 year anniversary of Samuel de Champlain's discovery of Lake Champlain.
13	House at 56 Cornelia St	56 Cornelia Street	Greek Revival residence built circa 1850.
14	Paul Marshall House	24-26 Cornelia Street	Federal stone and brick residence built circa 1828.
15	Charles Dunham House	48 Court Street	Built circa 1805, Pamela Dunham, wife of original owner Charles Dunham, conducted a private school here before the War of 1812. The basement was used by the British as a hospital in 1814.
16	Old Court House	Margaret Street and Court Street	Designed by Marcus F. Cummings and built in 1889, this Monumental Richardson Romanesque brick and stone complex includes a square central tower, a heavy arched doorway and rusticated stonework in various colors. The adjacent Italianate brick Chamber of Commerce was built in 1885.
17	Trinity Episcopal Church	18 Trinity Place	Erected in 1830 and 1831, this is Plattsburgh's oldest public building and exemplifies the early period of American Gothic Revival architecture. The parish installed the stained glass windows in 1866.
18	City Hall	41 City Hall Place	City Hall was built in 1917 in the Classical design of John Russell Pope, who also designed the Jefferson Memorial in Washington, DC. It is a two-story Neoclassical limestone-clad building with pedimented portico and copper-clad dome.



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19	Macdonough Monument	42 City Hall Place	A memorial to the American naval victory at Plattsburgh in 1814, the monument, built of the same Indiana Limestone present in City Hall, rises 135 feet above the park and is topped with a bronze eagle.
20	Railroad Bridge at RiverWalk	RiverWalk Park	The first train crossed here in 1856.
21	Pedestrian Bridge at RiverWalk	RiverWalk Park	Built in the late 1930s, this bridge now leads to a picnic area, fishing access, and paths.
22	Small Boat Launch at RiverWalk Park (Peace Point)	Green Street, RiverWalk Park	Originally a popular salmon-fishing spot, this is still a favorite place for spring fishing, as Lake Champlain has over 56 species of fish.
23	First Baptist Church	38 Oak Street	Organized in 1878, the original structure was built in 1881, but burned in 1931. This structure was dedicated in 1932.
24	First Presbyterian Church	34 Brinkerhoff Street	The oldest church organization in Clinton County (1790), the original structure was completed in 1816, after being used as barracks during the Battle of Plattsburgh in 1814. It burned in 1867 and was rebuilt as a Monumental Victorian Gothic limestone church, 1868-1873, designed by Frederick W. Brown.
25	Downtown Margaret Street	50-86 Margaret Street	This neighborhood is experiencing a resurgence of energy due to an artistic renaissance in the city. There were substantial fires in 1848 and 1867, so most buildings in the area were built after 1867.
26	Site of Charles de Fredenburgh House	Bridge Street at Green Street	Site of the first settlement in Plattsburgh, prior to 1769, a dwelling was erected on the south bank of the river, as well as a sawmill at the rapids known as Fredenburgh Falls.
27	Site of Israel Green's Tavern	Bridge Street at Green Street	John Clark built a tavern on the site of the old Fredenburgh house, later owned by Israel Green.
28	Dock Street Landing	Lower Dock Street	Formerly the D&H Rail Yard for over 100 years, the site is now a public park with waterfront access and trails.
29	Strand Center Theater - NCCCA	25 Brinkerhoff Street	The NCCCA building (1859) first served as a Post Office, then Customs House, and later a US Courthouse. It now houses a gallery. The Strand served as the premier theater of Plattsburgh.
30	Federal Building	23 Brinkerhoff Street	This was originally built to serve as the US Post Office, which moved to Miller Street.

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31	St John's Roman Catholic Church	18 Broad Street	Organized in 1827, the first church site was where City Hall is located. In 1842, it was dedicated as the "Irish Church." The current structure was built between 1868 and 1873, a Gothic revival stone church with multi-spired tower and buttresses; designed by Victor Borgeau of Montreal. The adjacent rectory with French-Canadian "Quebecquois" decorative elements was built 1909-10.
32	Benjamin Mooers House	100 Bridge Street	A lieutenant in the Revolution, sheriff, assemblyman, and senator, Mooers was a Major General of Colunteers in the War of 1812. He purchased the house in 1814 and lived here until his death in 1838. The home served as General Macomb's headquarters during the Battle of Plattsburgh.
33	D&H Railroad Station	Lower Bridge Street	Queen Anne/eclectic brick railroad passenger station with elaborate decoration; designed by Albert W. Fuller; built 1886 by David Van Schaick. Also includes repair shop and switching building built 1893 by James Ackroyd.
34	George Barber House	11 Macomb Street	Built by George Barber circa 1875, partner with his brother in R.O. Barber & Sons Dry Goods and Carpeting, located at 48 Margaret Street. Their father lived at 28 Macomb Street.
35	William Morgan House	17 Macomb Street	Owned by merchant William Morgan in 1869, this circa 1820 house, with its linked chimneys, is the only surviving Federal Style structure in this area, and one of the few in the city.
36	Foquet House	130 Bridge Street	The original Fouquet Stage House which occupied this property burned in 1864. Fouquet & Son rebuilt this structure with luxurious gardens the following year.
37	Moss Kent Platt House	18 Macomb Street	This house was built circa 1865 by Moss Kent Platt, a merchant and iron manufacturer, State Senator, and descendant of Judge Zephaniah Platt, the city's namesake.
38	Franklin Palmer House	27 Macomb Street	Built circa 1880 by Colonel Franklin Palmer, co-owner of Palmer & Company, a flour, grain, and feed store and mill on Bridge Street.



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39	Lowell or Bowen House	22 Macomb House	This house was built circa 1815 in the French Second Empire Style by Samuel Lowell. In 1886, Shepard Bowen rebuilt the house as it is today.
40	Ned Baker House	26 Macomb Street	The best representation of Stick Style architecture in the area, this home was built circa 1885 by Ned Baker, a co-owner of Baker Brothers lumber business on lower Bridge Street.
41	St. John Skinner House	28 Macomb Street	An example of late Greek Revival influence on rural, upstate NY architecture, built circa 1832 by St. John B. L. Skinner, a member of Aiken's Volunteers during the Battle of Plattsburgh, lawyer, surrogate judge, county clerk, and assistant postmaster general under Presidents Lincoln and Grant.
42	Herbert Barber House	30 Macomb Street	This house, first owned by Herbert Barber, brother of George (11 Macomb Street), was built circa 1885 in a vernacular style with Gothic Revival elements added at a later date.
43	Site of Zephaniah Platt House	Hamilton Street	Zephaniah Platt, founder of Plattsburgh, built his home at this site in 1799.
44	Early Outposts - Forts Brown, Moreau, & Scott	US Oval - North End	Fort Brown, Fort Moreau, and Fort Scott, built during the War of 1812, once occupied the grounds surrounding the Plattsburgh Memorial Chapel.
45	Plattsburgh Memorial Chapel	US Oval - North End	Dedicated in 1933, the Chapel was erected in memory of those station at Plattsburgh who gave their lives in World War I.
46	US Oval Historic District - Historic Barracks	US Oval	The former Plattsburgh Barracks was in active use from 1815-1995, and its historic structures and picturesque grounds are now open to the public. Of the quadrangle of barracks started in 1838, only the south barracks still remain. The brick barracks and officers' quarters surrounding the oval were constructed during an expansion in the 1890s. The regimental headquarters facing the parade ground was built in 1893, and the Colonial Revival style two-family homes lining the west side of the Oval were built between 1893 and 1897.

47	Clinton County Historical Museum	98 Ohio Avenue	The museum's exhibits interpret the area's history from the earliest recorded times (1600) to the present through paintings, maps, furniture, decorative arts, and rotating exhibits.
48	Champlain Valley Transportation Museum	12 Museum Way	Originally established as a museum featuring Plattsburgh's Lozier Automobile Company, the Museum has grown to interpret all forms of transportation.
49	Battle of Platts. Assoc. - War of 1812 Museum	13 Washington Road	The Battle of Plattsburgh Association operates the Interpretive Center and Museum, dedicated to collecting, preserving, and maintaining artifacts and publicizing the significance of the Battle in our nation's history.
50	Old Post Cemetery	Corner Lake Forest Drive and NY-9	Archeologists uncovered the remains of 136 unknown soldiers while excavating on and around the Barracks and reburied them here. The cemetery has a monument to the unknown dead of the War of 1812, and is also the resting place of 163 unknown soldiers and 105 children or wives of soldiers.

**H. Topography and Geology**

The City of Plattsburgh is located on a relatively flat plain which extends from Lake Champlain to the foothills of the Adirondack Mountains (See Map 7). The terrain slopes gently toward the lake and is quite swampy in the northern end of the city. At the southern end of the city, the terrain is very steep with sheer bluffs plunging to the Lake. Glacial till and clay soils, underlain by sedimentary rocks, predominate in Clinton County; heavy clay soil prevails within the city proper. The Plattsburgh LWRP study area has a varied topography including both lakeshore and riverbank slopes. The Plattsburgh LWRP boundary includes the Saranac River corridor in the north central area and the Dead (Scomotion) Creek outlet in the north area.

A broad plain exists along the central meander of the Saranac River called "the Flats." In this area, the riverbank is a wide and very gently sloping floodplain that eventually slopes steeply up to the city's upland elevation. The defining contour for the upland area is at about 120' AMSL. High points in the city occur outside of the Plattsburgh LWRP area in the north and west parts of the City at about 270' AMSL. The north side of the river mouth is a steep embankment and plateau. In contrast, low lying shore exists south of the point where the Saranac River empties into Lake Champlain. This striking land feature is separated from the upland plateau by a distinct slope and is called "the Point."

Scoured during the latest period of glaciation several thousand years ago, the Lake Champlain shoreline varies from a steep escarpment in the south portion of the LWRP study area to a gently sloping beach in the north portion of the LWRP study area. Besides the frequently-flooded beach area and narrow band of wetlands that



define the north and west shoreline of Cumberland Bay, there are two other low lying areas. These are projections of land contiguous with and terminating the low north shore of Cumberland Bay. The spits of land are called the "Wilcox Dock" area. In general, all lake, river, and creek shorelines include a steep embankment ranging from approximately 10% to 45% slopes. The maximum total change of elevation is approximately 40 vertical feet in some notable lakeshore areas south of Jay Street. This steep escarpment is oriented to offer dramatic southeasterly and easterly views. It is unstable, subject to erosion, and buffeted by unrelenting strong winds.

The soil types vary throughout the study area from sandy north shore, urban land and Udorthents fill in the central shore and along most of the Saranac River, alluvial deposits in the Saranac flood plain, and gravelly excessively well-drained soil with boulders in the south. Correspondingly, the shoreline character based on those soils varies from north to south. This character includes variations from north to south: natural dunes and wetlands; to disturbed beach, to hardened, stabilized, and filled edges; to unstable, landslide-collapsed escarpment.

There is one offshore feature, a rip-rap breakwater with navigation lights at each end. The breakwater is located about fifteen hundred feet from land and oriented southeast, and intended to protect the marina at "the Point". However, it is easily breached during high water seasons and annual storms.

### ***I. Water Quality***

The Saranac River is classified C(T) by the New York State Department of Environmental Conservation. The water quality "C" classification means that this water is suitable for fishing and fish propagation. The "T" suffix indicates that the river supports trout.

Lake Champlain in the study area has a B classification from the New York State Department of Environmental Conservation. "Class B" waters are suitable for primary and secondary contact recreation and fishing, as well as for fish, shellfish and wildlife propagation and survival. A water quality rating of C has been established for Dead (Scotion) Creek. Dead Creek flows through a large wetland habitat just north of the City boundary. This wetland helps to slow movement of sediment and water-borne nutrients from rural runoff, acting as a natural filter that helps to mitigate negative impacts on Lake Champlain water quality.

The City Sewage Treatment Plant (Water Pollution Control Plant) is located in the study area on the south shore at the juncture of the Saranac River with Lake Champlain. The industrial uses located on the Saranac River do not appear to significantly impact the water quality downstream. One other major point source for treated discharge is the Georgia Pacific Paper Company located on the west side of Cumberland Bay north of Wilcox Dock in the Cumberland Avenue-Wilcox Dock subarea. Pollution from the paper mills is handled by the Water Pollution Control Plant. Treated effluent is discharged directly into Lake Champlain and dissipated by current from the Saranac River.

The primary impacts on water quality may be assumed to result from stormwater runoff. This takes the form of non-point source urban runoff and rural runoff from upstream locations. In some years this has impacted water quality at the City Beach. In general, water quality for the Saranac River and Lake Champlain within the LWRP study area is good and is not expected to pose constraints on future waterfront development.

### **J. Environmentally Sensitive Features**

This section describes land and water resources within the waterfront area which either represent a hazard to future development or are sensitive to developmental activities. These features include steep slopes, wetlands, and flood prone areas and are displayed on Maps 7A-C. Wetland areas exist in the waterfront area east of West Bay Plaza, at the Georgia Pacific properties, and adjacent to the Nevada Oval housing on the former Plattsburgh AFB (Federally Regulated Wetland).

The escarpment in the south portion of the LWRP lake coast area is environmentally sensitive because it is unstable. The steep drop from the upland area to the lake surface is prone to erosion, slumping, and even collapse. The bluff area is undevelopable. Upland areas east of the existing railroad tracks and adjacent to the escarpment may require stabilization or reinforcement before development can occur.

The wetlands in the north lake coastal portion of the LWRP study area are environmentally sensitive because they are relatively fragile. The low lying, frequently wet soils are located in the North End and Wilcox Dock subzones in the cove-like area between the West Bay Plaza commercial area and the Georgia Pacific lands adjacent to Wilcox Dock; a federally-regulated wetland area is located in the coastal area adjacent to the Nevada Oval housing of the former PAFB.<sup>23</sup> These areas are inappropriate for development and should be protected. Any attempts to alter the softness of the soils by filling, draining, or other disturbance is illegal. The wetlands are subject to federal and state regulations including review and permitting of any proposed actions. Development can occur only with applicable U.S. Army Corps of Engineers and NYSDEC approvals and permits.

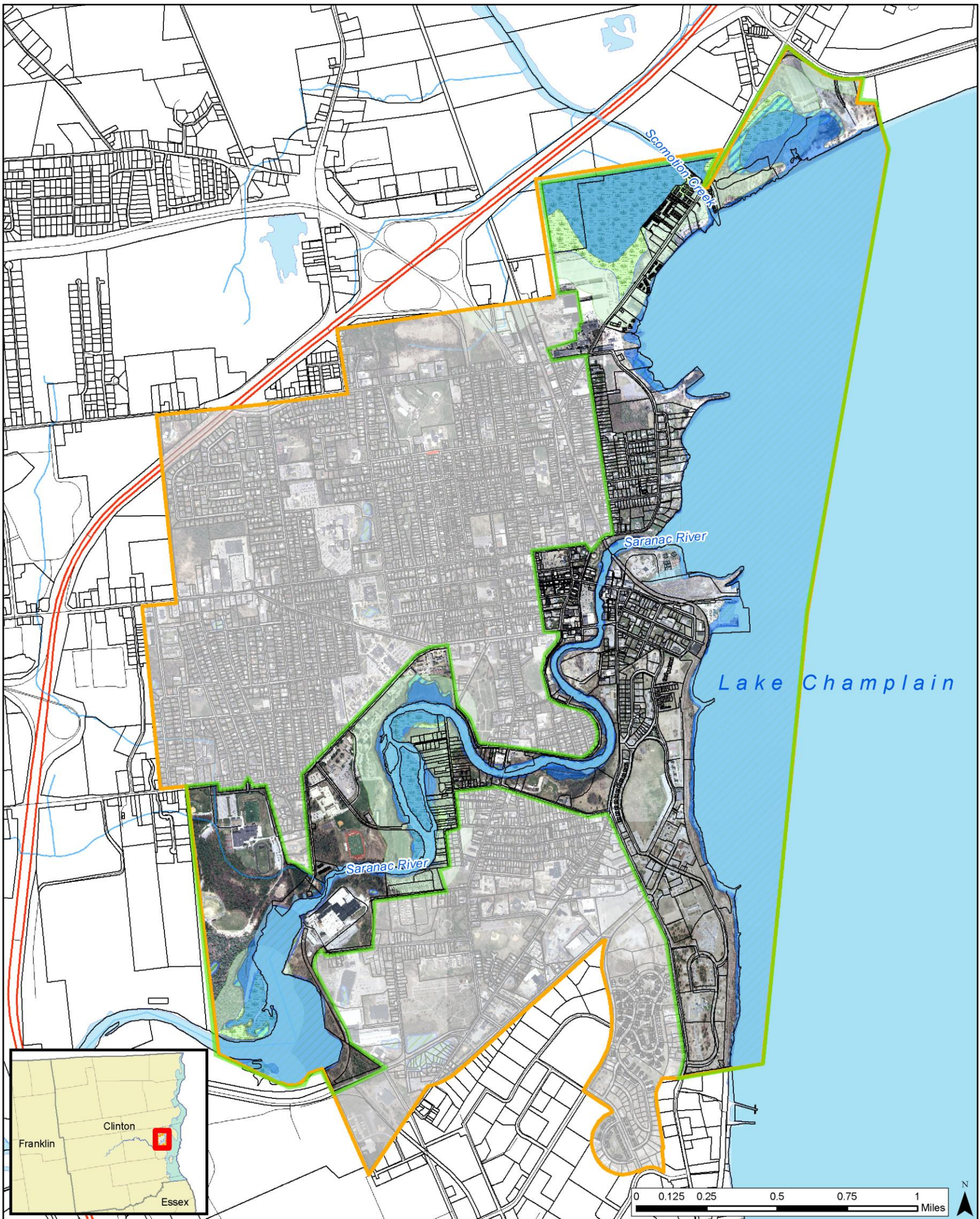
The study area contains habitat, perhaps within the wetland areas, that may support one or more of the rare plants that occur in the vicinity. These species include the Houghton Umbrella Sedge and are protected by state law from disturbance. Areas for proposed action must be surveyed for endangered or threatened plants before undertaking development. Presence of rare or endangered plants precludes development where they occur.

The Saranac River floodplain is environmentally sensitive and is unstable. Development within the floodplain is not recommended due to flood hazard. The 100-year floodplain for the Saranac River has been designated by the Federal Emergency Management Agency and represents a significant but calculated development constraint, i.e. a flood will occur once in 100 years. The immediate river shoreline is flood prone but the floodway does not extend beyond the 150' contour line, or less than 500 feet from the river.

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<sup>23</sup> Disposal and Reuse of Plattsburgh Air Force Base, New York, Draft Environmental Impact Statement, July, 1995; p. 3-119.





## City of Plattsburgh

### Environmental Features Wetlands and Flood Zones

Map 7A

January 2016

#### KEY

- Waterfront Revitalization Area
- City of Plattsburgh Boundary
- Parcels
- FEMA Flood Zones
  - AE: 100-Year Flood Zone
  - 500 Year Flood Zone
- NYS DEC Wetlands
- DEC Wetland Checkzones
- Federal Wetland

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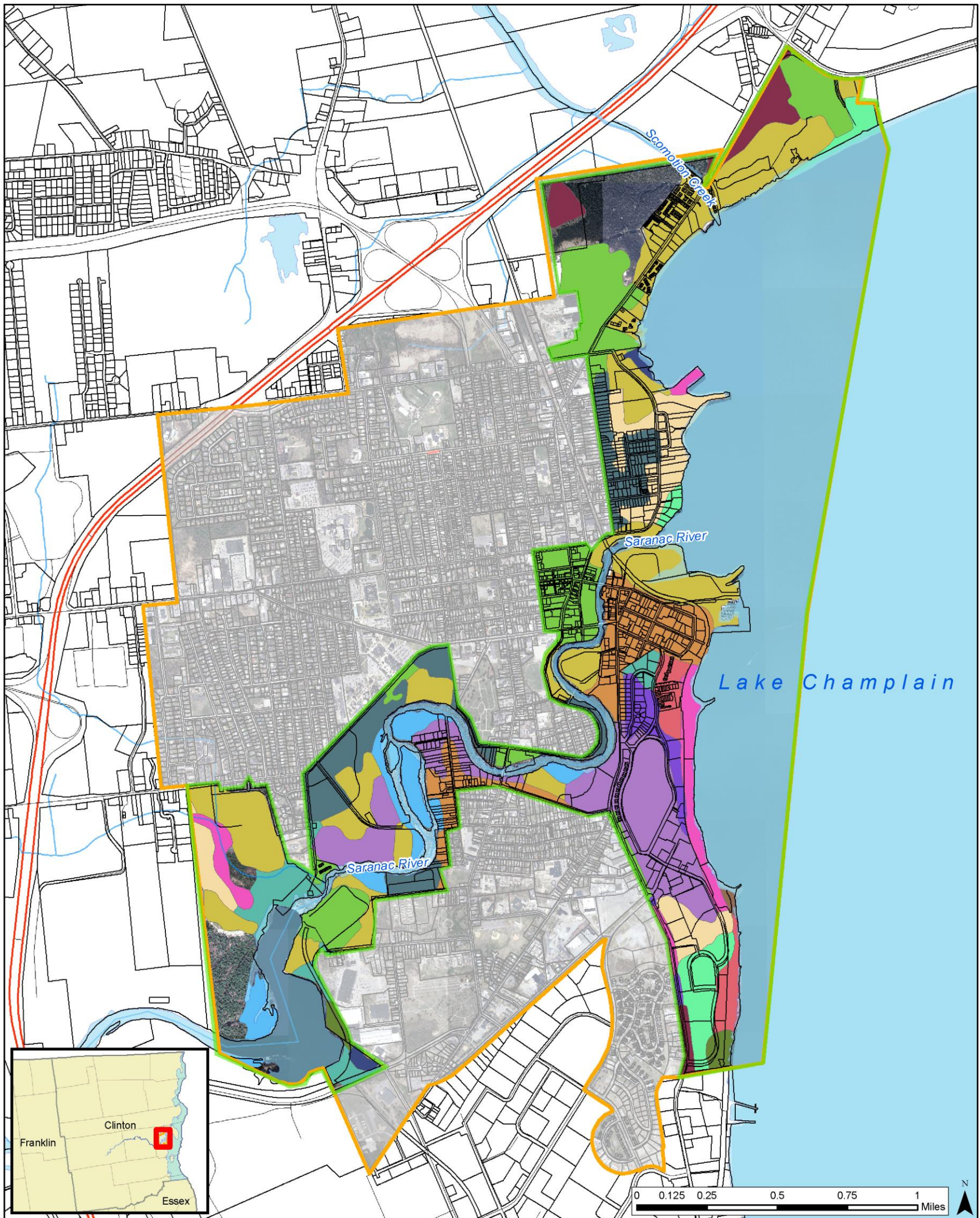
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# City of Plattsburgh

Environmental Features  
Soil Classification  
Map 7B  
January 2016

**KEY**

- Waterfront Revitalization Area
- City of Plattsburgh Boundary
- Parcels

**USDA Soil Classifications in WRA**

- Covert loamy sand
- Deerfield fine sand, 0-3% slope
- Deerfield fine sand, 3-8% slope
- Fluvaquents-Udfluvents complex
- Gougeville mucky loamy fine sand
- Grattan loamy sand, 0-3% slope
- Grattan loamy sand, 3-8% slope
- Junius fine sand
- Plainfield loamy sand, 0-3% slope
- Plainfield loamy sand, 3-8% slope
- Plainfield and Grattan soils, very steep
- Udorthents, smoothed
- Udorthents, wet substratum
- Urban Land
- Urban land-Plainfield complex
- Urban land-Plainfield complex, gently sloping

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# City of Plattsburgh

Environmental Features  
Slope, Wind, Scenic Views

Map 7C  
January 2016

- KEY**
- Waterfront Revitalization Area
  - City of Plattsburgh Boundary
  - Parcels
  - Slope**
  - 0-5% (No Fill)
  - 5-10%
  - 10-15%
  - 15-25%
  - 25-50%
  - 50-75%
  - 75% +
  - Wind/Storm Exposure
  - Scenic Views

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Lake Champlain is environmentally sensitive because it is shallow within the city boundary. The depth to the bottom rarely exceeds eighteen feet and is less than ten feet deep for most of the study area when the water surface is calm. These depths vary considerably with regional rainfall cycles (e.g., the 1995 drought left both river and lake water levels unusually low). Water depth also varies with wave action, especially in combination with high wind speeds. Moisture-laden high winds from the southeast are not unusual, but light westerly winds are the norm. Semi-annual severe storms pose a significant development constraint along exposed southeast-oriented shore areas. As a result of Hurricane Irene and Tropical Storm Lee, which came through the area in summer 2011, Lake Champlain reached the highest levels ever seen. The storms resulted in flood damage at numerous locations, including at the Municipal Beach, where the restroom facilities were damaged and have been closed since. A federal disaster was declared, and FEMA funding assistance was provided for flood damage repairs.

The shallow water within the study area may be especially sensitive to water borne pollutants, siltation, weed growth, or infestation during population blooms (e.g., freshwater snails). The shallow water may require attentive maintenance such as regular systematic weed harvesting, shoreline grooming, or removal of storm debris for some water uses. Zebra mussels have impacted the shallow water building up on submerged rocks and docks.

The shallow lake areas freeze to a thickness in excess of six inches during the winter months. The seasonal freeze/thaw cycles pose a significant development constraint for all immediate shore areas on both waterside and landside. Large sections of ice and frozen snowpack from the lake surface may pose a hazard in combination with occasional severe spring storms. In addition, the shallow lake and river waters are considered Waters of the United States and are classified as navigable waterways. Development in the water is subject to U.S. Army Corps of Engineers permitting and approval process for any proposed actions in navigable waterways, including temporary installations such as coffer dams.

### **K. Fish Resources**

The entire Lake Champlain Basin supports abundant and diverse warm water fish populations. A fisheries survey conducted by the New York State Department of Environmental Conservation during the mid-1980s identified approximately 58 fish species within the Lake. The most popular species in the Cumberland Bay area are Lake Trout, Steelhead Trout, Landlocked (Atlantic) Salmon, Smelt, Walleye, Largemouth Bass, Smallmouth Bass, Northern Pike, Chain Pickerel, Muskellunge, and Yellow Perch. The fish population is expected to thrive in the foreseeable future owing to control of the Sea Lamprey population. Lake Champlain is the sixth largest freshwater lake in the continental U.S. and is one of its most popular fishing destinations. State-owned boat launches exist at Peru, Port Au Roche and the Great Chazy River within Clinton County. In the City of Plattsburgh, boat launches exist at the Plattsburgh Boat Basin, at the City Marina, at the mouth of the Saranac River at Dock Street Landing, and at Wilcox Dock, and a fishing dock (handicapped accessible) is located just below the Macdonough Monument on the Saranac River. Shoreline and ice fishing are also popular in season.



## **L. Scenic Views**

According to a 1987 survey undertaken by the President's Commission on Americans, scenic beauty is ranked as the most important criterion Americans use in choosing parks and recreation areas. Support for this finding can easily be found in the high automobile counts on scenic highways such as the Skyline Drive and Blue Ridge Parkway in Virginia and North Carolina.<sup>24</sup>

Given its location on Lake Champlain between the Adirondack Mountains of New York State and the Green Mountains of Vermont, Plattsburgh has an abundance of scenic views which should be identified and protected. Beautiful views of Lake Champlain can be seen from points all along the waterfront, but particularly from the City Beach, Wilcox Dock, from the area at the foot of Point Historic District, the marina, and Sailor's Beach at the Old Base (See Map 7C). The City Beach also provides excellent views back to the city.

## **M. Zoning**

### *Zoning District Classifications and Analysis by Subarea*

The City of Plattsburgh Zoning Ordinance has been in effect since 1981, with revisions in 1983, 1988 and 2001 (see Map 8A). The zoning ordinance was updated as part of the development of a new Master Plan for the City, by The Saratoga Associates. Zoning changes in the waterfront revitalization area were adopted by the Common Council and are described further in Section VI, Local Techniques for Implementation.

For the most part, the existing zoning establishes districts which support fairly stable existing uses, but some refinements and enhancements may be needed to accommodate planned future waterfront development and ensure the protection of existing resources. Such development can be expected to take place in all of the LWRP subareas and adequate protection for the waterfront and related resources should be adopted in anticipation of such development.

Along the waterfront, most land is zoned residential, reflecting current land use patterns. The general purpose of the zoning ordinance is "promoting the health, safety, morals, convenience, order, prosperity and general welfare of the community." The City of Plattsburgh Zoning Ordinance consists of ten classification districts (R-1, R-2, B-1, B-2, C, I, RC-1, RC-2, RC-3, RH) and three overlay districts (OL-W, OL-P-1, and OL-P-2). The LWRP Waterfront Revitalization Area currently contains the following zoning districts:

- *R-1- Low Density Residential:* Principal permitted uses include single family residences, churches or other houses of worship, elementary and high schools, public parks and recreation facilities. Accessory uses include home uses as permitted and other uses customarily accessory to residential uses, as well as agricultural uses. Uses requiring special permits include cemeteries, essential public utility facilities, country clubs, private clubs, and nursing and rest homes.

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<sup>24</sup> Stokes, Samuel N. and A. Elizabeth Watson, Genevieve P. Keller, and J. Timothy Keller, *Saving America's Countryside* (Baltimore and London: The Johns Hopkins University Press, 1989) 42.

- *R-2 - General Residential:* Permitted uses in R-2 districts include: single family residences, two family residences, three family residences, multi-family residences, townhouse residences, churches or other houses of worship, elementary and high schools, and public parks and recreation facilities. Accessory uses include home uses as permitted and other uses customarily accessory to residential uses, as well as agricultural uses. Uses requiring special permits include: universities or colleges, neighborhood and convenience-type commercial facilities, cemeteries, hospitals and medical and dental clinics, essential public utility facilities, private clubs, nursing and rest homes, funeral homes, residential planned unit developments, nursery schools and day-care facilities, and professional offices.
- *B-1 - General Business:* Permitted uses include retail businesses and commercial uses commonly associated with neighborhood and community shopping areas, such as: grocery stores, food specialty shops, and supermarkets; drug stores; hardware stores; apparel stores; general department stores; appliance, home decorating and furniture stores; book and stationery stores; photographic studios and art galleries; similar uses; personal and business service establishments such as: banks, professional and administrative offices; medical and dental clinics; barber and beauty shops, laundry establishments, repair shops for shoes, watches, clocks, appliances and similar uses; eating establishments not serving alcoholic beverages; hotels and motels; churches and other houses of worship; schools, excluding daycare and nursery facilities; government, semi-public and/or public institutional uses; private clubs; funeral homes; nurseries and suppliers of flowers and/or plants; and newspaper publishing facilities. Accessory uses include parking and loading areas and other uses customarily accessory to permitted uses. Uses requiring special permits include: automobile service stations and repair shops, eating and/or drinking establishments where alcoholic beverages are served; liquor stores; essential public utility facilities; automobile agencies; tractor, trailer, and boat sales establishments; building supply stores; television and radio broadcast facilities; hospitals; shopping centers; warehouses and storage facilities; drive-in businesses; dry-cleaning businesses; amusements and recreational facilities; residential uses in B-1 districts only.
- *B-2 - Highway Business:* same as B-1.
- *C - Central Business:* Permitted uses include retail businesses and commercial uses commonly associated with neighborhood and community shopping areas such as: grocery stores, food specialty shops and supermarkets; drug stores; hardware stores; apparel stores; general department stores; appliance, home decorating and furniture stores; book and stationery stores; photographic studios and art galleries; similar uses; personal and business service establishments such as: banks, professional and administrative offices; medical and dental clinics; barber and beauty shops, laundry establishments, repair shops for shoes, watches, clocks, appliances and similar uses; eating establishments not serving alcoholic beverages; hotels and motels; churches and other houses of worship; schools, excluding daycare and nursery facilities; government, semi-public and/or public institutional uses; private clubs; funeral homes and efficiency and one-bedroom residential uses above the first floor level. Accessory uses include parking and loading areas and other uses customarily accessory to permitted uses. Uses requiring special permits include: automobile service stations and repair shops, eating and/or drinking establishments where alcoholic beverages are served; liquor stores; essential public utility facilities; automobile agencies; tractor, trailer, and boat sales establishments; building supply stores; television and radio broadcast facilities; hospitals; shopping centers; warehouses and storage facilities; drive-in businesses; dry-cleaning businesses; amusements and recreational facilities; and central business district planned unit developments.



- *I – Industrial:* Permitted uses include manufacturing, assemblage, processing and storage operations that are not offensive by reason of the emission of odor, fumes, dust, smoke, noise and/or vibration or that would have a negative impact on the environment or living conditions within the city; research laboratories; warehouses and wholesale and retail distribution centers, including offices and showrooms; trucking terminals; food processing, packing, and storage operations; bottling plants; and public facilities. Accessory uses include: parking and loading areas; sale and service of products manufactured or assembled as a principal use; other customarily accessory uses; administrative offices and office buildings; and outdoor storage areas. Uses requiring special permits include other industrial uses but not including: junkyards and automobile salvage yards, cement manufacturing operations, petroleum storage facilities; eating establishments serving the area and not serving alcoholic beverages; energy production, solid waste and resource recovery facilities.
- *RC (RC-1, RC-2, RC-3) - Recreation and Related Uses:* The RC classification includes a variety of permitted uses including multi-family residences, townhouse residences, hotels and motels, eating and drinking establishments, indoor and outdoor commercial recreation, public recreation and related facilities, retail businesses and commercial uses commonly associated with recreation-related and tourist areas, and personal and business services establishments. Accessory uses include parking and loading areas, pedestrian walkways, beach and related facilities, retail sales and services incidental to a permitted use, and customarily accessory uses to the principal uses permitted. Uses requiring special permits in this area include amusement parks, facilities and concessions, essential public utilities, eating and drinking establishments serving alcoholic beverages, drive-in businesses, and recreation vehicle campgrounds.
- *RH – Residential Historic:* The Residential Historic classification includes single family residences and home occupations as permitted uses. Accessory uses include a public park or recreation facility, as well as other uses customarily accessory to permit principal uses. Uses requiring special permits within RH zoning include nursing or rest homes; the conversion of an existing structure creating one accessory apartment (requires a three-year renewable special permit); professional offices; photographic studios or art galleries; bed and breakfast establishments; medical or dental clinics; churches or other houses of worship; elementary or high schools; colleges or universities; and fire stations.
- *Parking Overlay Districts:* Two parking overlay districts are described in Section 270-25.B. of the Zoning Law. These were established to provide parking for lots within the districts that are of insufficient size to provide on-site parking. The first applies to areas within Downtown, while the other applies to areas in the Old Base subarea (Local Law No. 9 – 2003) which were deemed to benefit from the public parking facilities provided by the City.
- *Waterfront Overlay District:* The Waterfront Overlay District overlays the underlying zoning district. The zoning regulation of the underlying zoning district applies to all land within the Waterfront District, except as modified, or permitted to be modified, by the Waterfront District zoning regulations.

All new construction and additions require Planning Board approval of a site plan. In connection with such site plan approval, the Planning Board is granted the authority to vary the area requirements for lots within the Waterfront Overlay District in accordance with guidelines to be developed by the County Planning Office for county-wide and city use. The purpose of the guidelines is to encourage the establishment of Public Viewshed areas to provide an unobstructed view from a public street or other public lands to Lake Champlain.

The following is a description of the Waterfront Overlay District, whose boundaries are coterminous with the Waterfront Revitalization Area and can be seen in Maps 8A-F:

Beginning at the intersection of the City Line and NYS Route 314, then west on NYS Route 314 to its intersection with NYS Route 9 ( N Margaret Street), then southwest along NYS Route 9 to Scotion Creek, including parcel 193.21-1-1; along Scotion Creek and westward along the City Line to its corner, and southward along the City Line until it reaches parcel 207.8-1-18.1; then following the parcel boundary to Boynton Avenue; then eastward along Boynton Avenue to its intersection with Saily Avenue; then south along Saily Avenue to its intersection with Cumberland Avenue; then west on Cumberland Avenue to its intersection with City Hall Place; then northwest on Miller Street to its intersection with Cornelia Street; then west on Cornelia Street to its intersection with Oak Street; then south on Oak Street to its intersection with Broad Street; then east along Broad Street to its intersection with Pine Street; then following Pine Street along the meanders of the Saranac River to its intersection with South Catherine Street; then following Steltzer Road to the SUNY Plattsburgh campus, following the edge of campus north to Broad Street; then west along Broad Street to Rugar Street; then southwest on Rugar Street to its intersection with Adirondack Lane, then south on Adirondack lane to the stream crossing; then west along the stream banks to the SUNY Plattsburgh road; then north along the SUNY Plattsburgh road toward Bowman Street, continuing to the western intersection of the SUNY Plattsburgh Road and Rugar Street; then West on Rugar Street to the City Line; then south along the City Line to the southern bank of the Saranac, then following the City Line to its intersection with Route 22; then east on Route 22 to Arizona Avenue; then northwest to the eastern side of the railroad tracks; then following the railroad tracks north to Main Mill Street; then east along Main Mill Street toward the intersection with Hilltop Way; then north to Underwood Avenue; then east along Underwood Avenue to the eastern edge of the River Heights Homes community; then east to connect with Riverside Avenue; then north along Riverside Avenue to North Street and continuing east on North Street to Waterhouse Street; then north on Waterhouse Street to Hartwell Street; then east on Hartwell Street to Route 22; then crossing Route 22 to follow South Platt Street to the east to its intersection with NYS Route 9 (Peru Street/U.S. Avenue); then south along Route 9 to the southern city line, then following the city line east to the waters of Lake Champlain, then northerly following the city's eastern line to the northernmost boundaries of the Municipal Beach, to the point of beginning.

All districts except B-2 (Highway Business) are located within the Waterfront Revitalization Area. A description of the existing zoning within the LWRP subareas is as follows:

#### *North End Subarea*

The entire North End subarea is zoned Recreation and Related Uses (RC) except for the large parcels owned by Georgia Pacific, which are zoned Industrial (I). Other uses in this zone consist of the primarily recreational Municipal Beach, Crete Memorial Civic Center and Heritage Trail areas north of Scotion Creek, and low-density private residential and commercial development at Plattsburgh Eye Associates and West Bay Plaza.

#### *Cumberland Avenue/Wilcox Dock Subarea*

The northern half of this subarea, as well as the area along much of Saily Avenue, is zoned R-2 (general residential), including Wilcox Dock and the adjacent Georgia Pacific Lands. There is a small amount of land zoned General Business (B-1) along Saily Avenue near Margaret Street. The southern half of this subarea is



zoned R-1 (low-density residential), reflecting the fact that more than half of the land in this area is occupied by prime housing on large lots. It should be noted that the extreme southern end of this subarea, which includes the banks of the Saranac River, is zoned R-2 (north bank of river).

#### *Dock Street – Durkee Street – Downtown Subarea*

This subarea is occupied by the water pollution control plant, Dock Street Landing, Plattsburgh Boat Basin, Point Historic District, and the Central Business District. The Central Business District (C) is on the western bank of the Saranac while the eastern bank is zoned General Business (B-1). The northernmost area along the banks of the Saranac River is occupied by the water pollution control plant and is currently zoned industrial (I). The area formerly occupied by the former CP Railyards is zoned RC, recreation and related uses. The Point Historic District area is zoned R-2 (General Residential), while the Dock Street area is zoned RC-1 (Recreation).

#### *Old Base Subarea*

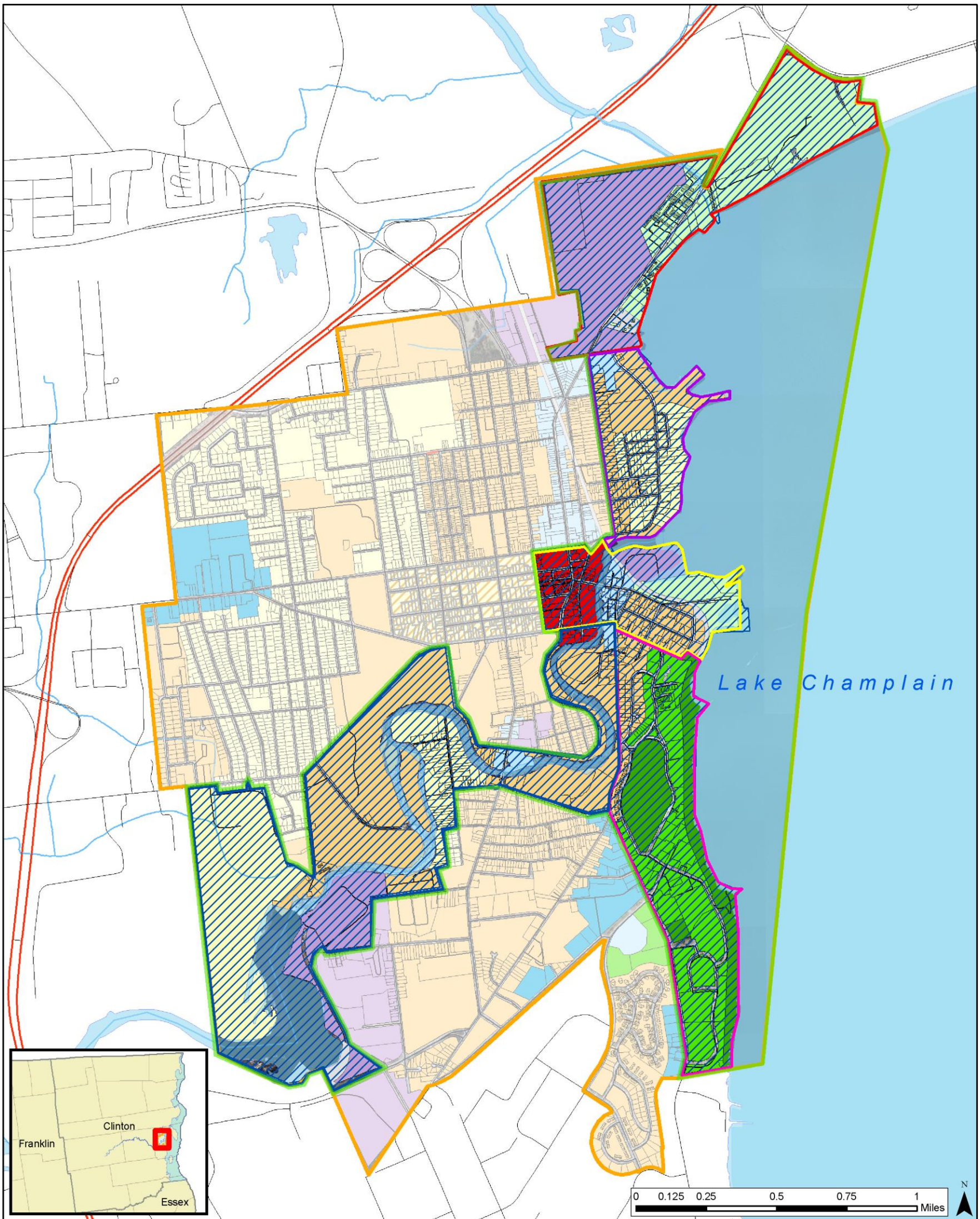
The majority of the land within the Old Base subarea was not zoned until the Planning Commission's adoption of a new zoning ordinance in 2001. The majority of the subarea is currently zoned for recreation; under the new zoning ordinance, the area is zoned RC-3 along the waterfront and RC-2 in all other areas. There is General Residential (R-2) to the west of the recreational areas, surrounding Peru Street and Fort Brown Drive. This subarea also contains a Parking Overlay District. Land uses in the portion of the former base that lies within the LWRP boundaries remain essentially the same. The Old Base portion of the former Plattsburgh Air Force Base, which is the area adjacent to Lake Champlain, has been redeveloped and is now 98% occupied. The re-use of the area includes the following:

- Residential – Over 300 dwelling units are occupied or have been constructed. The southern portion of the subarea has been redeveloped to include progressive care facilities for the aging population. Lake Forest Senior Living Community was developed at the northern edge of the Nevada Oval, between Tennessee Road and Ohio Avenue. Tall Pines Estates apartments, a 56-unit complex for residents age 55 and older, is underway at the southern end of the Nevada Oval, just south of the existing Pine Harbour Assisted Living facility.
- Professional offices that provide legal, educational, personnel, real estate and employment services, as well as Plattsburgh City Court.
- Plattsburgh Recreation Department, home to the Plattsburgh Winter Farmers Market.
- Museum Complex
  - Clinton County Historical Association and Museum
  - Champlain Valley Transportation Museum
  - Kids' Station children's museum
  - Battle of Plattsburgh Association's "War of 1812 Museum"
- Two brewing companies have recently opened within historic buildings in this subarea. The Old Stone Barracks at 49 Ohio Avenue recently became home to the Valcour Brewing Company, while the old Rescue Hose 5 fire station at 111 Ohio Road recently became home to Oval Craft Brewing.

*Upper Saranac Subarea*

The Upper Saranac Subarea is about 75% residentially zoned, with R-1 zoning in the central oxbow area and R-2 along the rest of the riverbanks below the Imperial Dam, including the SUNY Plattsburgh properties. There is a small pocket of General Business (B-1) where Catherine Street meets the bridge on the northern bank of the river. Upstream of the Dam, the northern bank is zoned R-1 residential, while the southern bank, along the railroad tracks, is zoned Industrial.





## City of Plattsburgh

Existing Zoning  
City-wide

Map 8A

January 2016

### KEY

- City of Plattsburgh Boundary
- Waterfront Revitalization Area
- Waterfront Overlay District
- Subareas**
- North End
- Cumberland Ave/Wilcox Dock
- Marina-Downtown
- Old Base
- Upper Saranac

### City Zoning - 2014

- No Classification
- B1 General Business
- B2 Highway Business
- C Central Business
- I Industrial
- R1 Low-Density Residential
- R2 General Residential
- RC-1 Recreation 1
- RC-2 Recreation 1
- RC-3 Recreation 1
- RH Residential Historic

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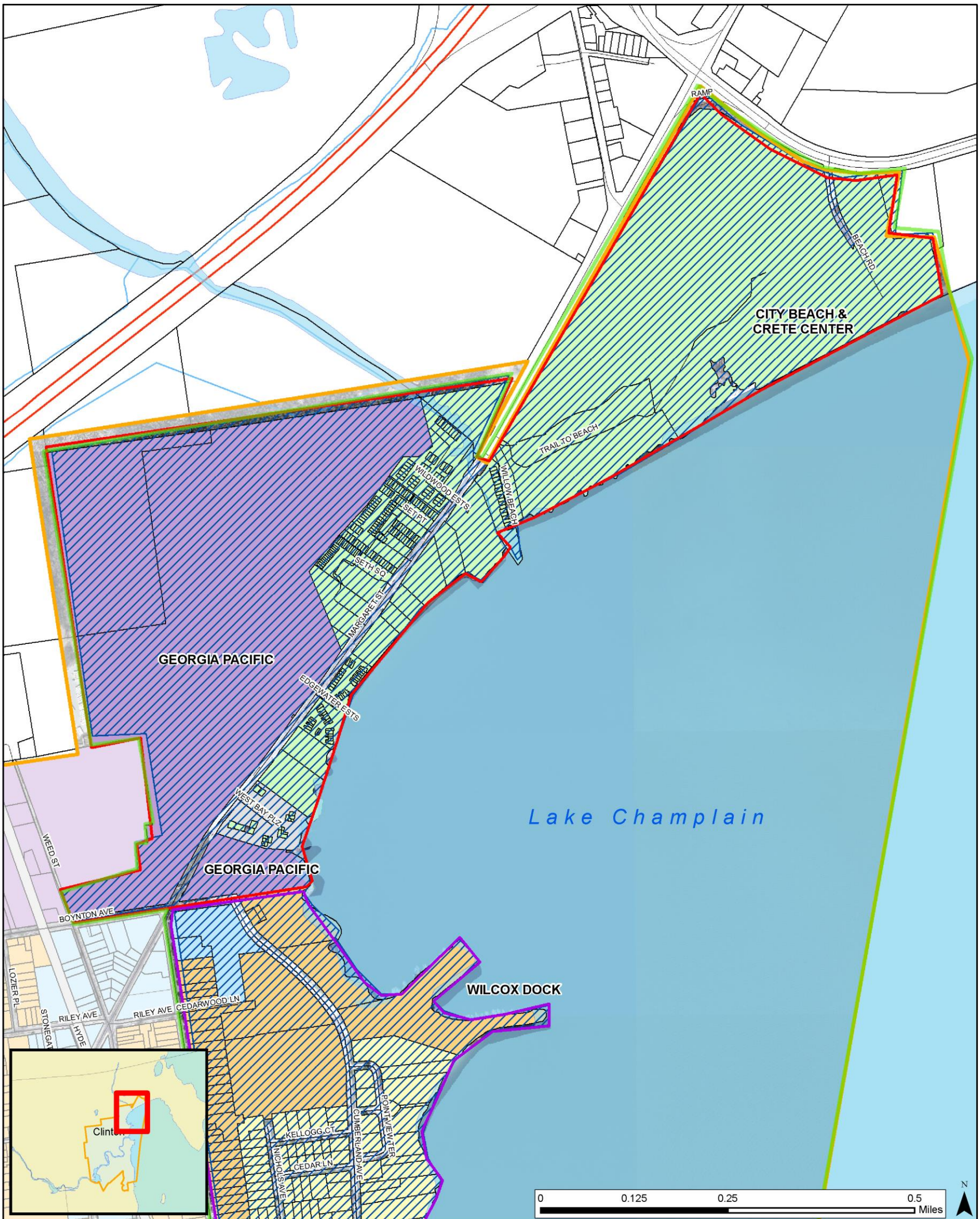
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## City of Plattsburgh

Existing Zoning  
North End  
Map 8B  
January 2016

### KEY

- |                                |                            |
|--------------------------------|----------------------------|
| City of Plattsburgh Boundary   | City Zoning - 2014         |
| Waterfront Revitalization Area | No Classification          |
| Waterfront Overlay District    | B1 General Business        |
| Parcels                        | B2 Highway Business        |
| Subareas                       | C Central Business         |
| North End                      | I Industrial               |
| Cumberland Ave/Wilcox Dock     | R1 Low-Density Residential |
| Marina-Downtown                | R2 General Residential     |
| Old Base                       | RC-1 Recreation 1          |
| Upper Saranac                  | RC-2 Recreation 1          |
|                                | RC-3 Recreation 1          |
|                                | RH Residential Historic    |

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File Location: B:\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_08B\_NorthEnd.mxd

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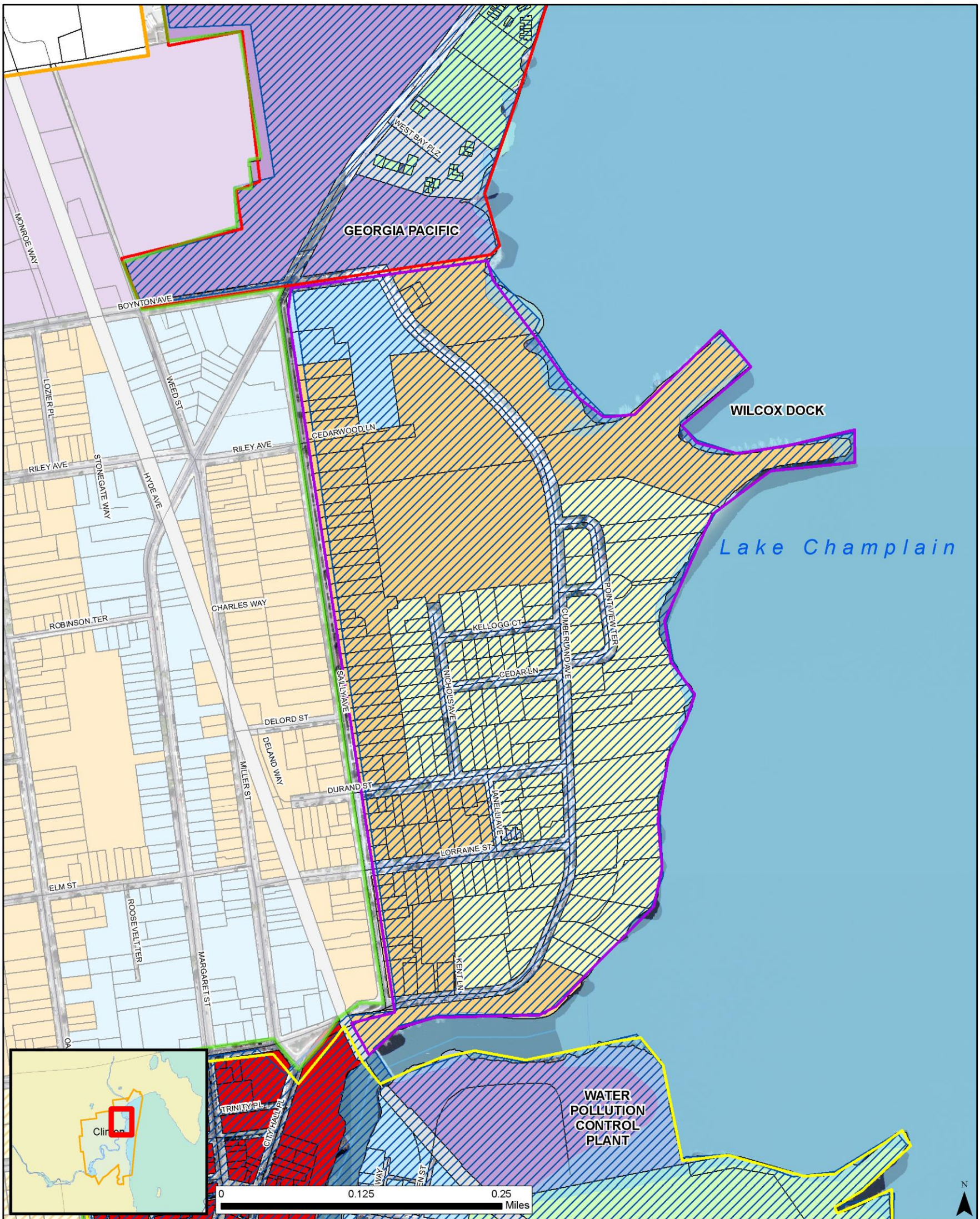
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# City of Plattsburgh

Existing Zoning  
Cumberland Ave/Wilcox Dock  
Map 8C  
January 2016

## KEY

- |                                |                            |
|--------------------------------|----------------------------|
| City of Plattsburgh Boundary   | City Zoning - 2014         |
| Waterfront Revitalization Area | No Classification          |
| Waterfront Overlay District    | B1 General Business        |
| Parcels                        | B2 Highway Business        |
| Subareas                       | C Central Business         |
| North End                      | I Industrial               |
| Cumberland Ave/Wilcox Dock     | R1 Low-Density Residential |
| Marina-Downtown                | R2 General Residential     |
| Old Base                       | RC-1 Recreation 1          |
| Upper Saranac                  | RC-2 Recreation 1          |
|                                | RC-3 Recreation 1          |
|                                | RH Residential Historic    |

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File Location: B:\2014\14029 Plattsburgh\Maps\14029 Plattsburgh 08C\_CumbWilcox.mxd

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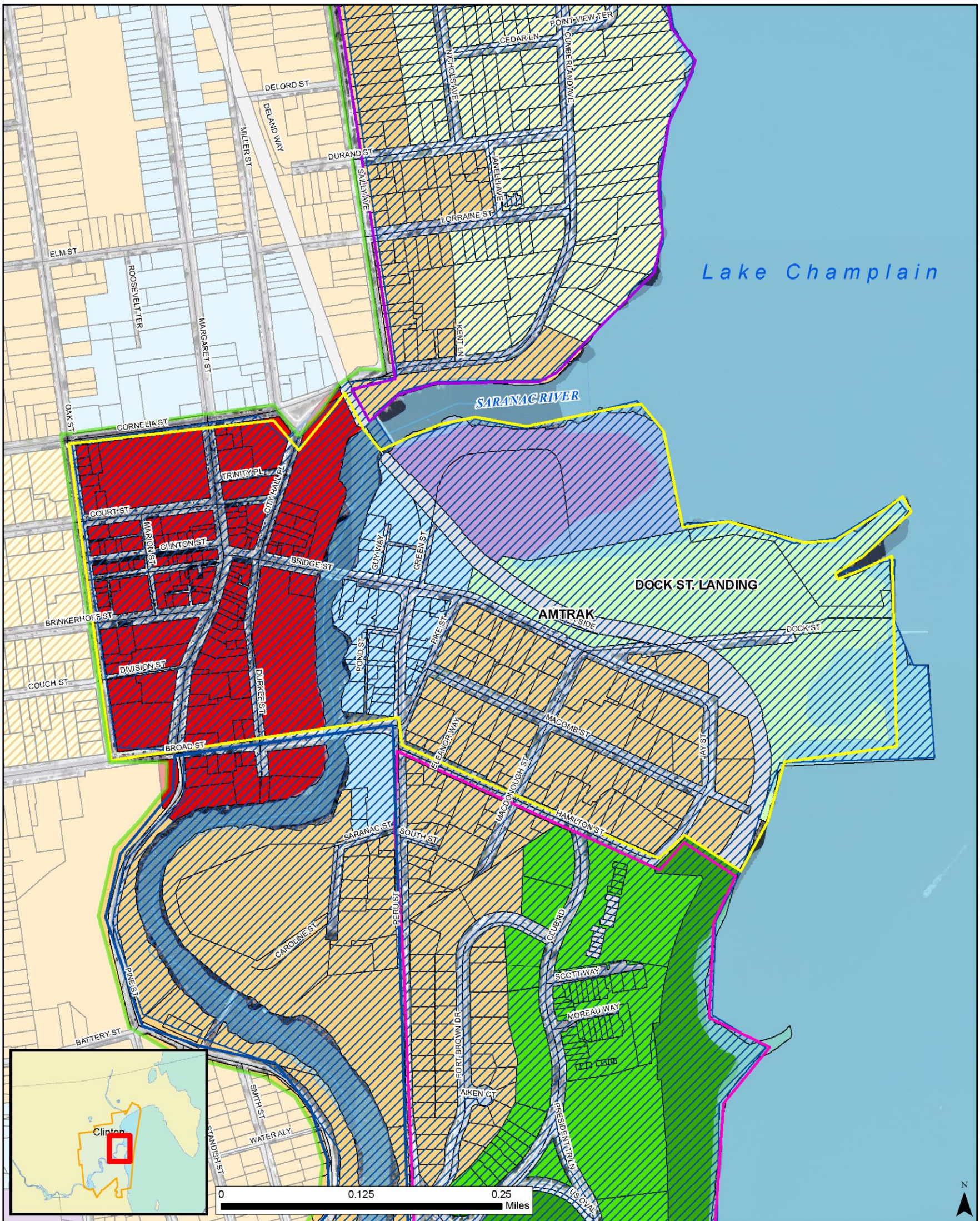
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# City of Plattsburgh

Existing Zoning  
 Dock St- Durkee St- Downtown  
 Map 8D  
 January 2016

KEY	
	City of Plattsburgh Boundary
	Waterfront Revitalization Area
	Waterfront Overlay District
	Parcels
	Subareas
	North End
	Cumberland Ave/Wilcox Dock
	Marina-Downtown
	Old Base
	Upper Saranac
	No Classification
	B1 General Business
	B2 Highway Business
	C Central Business
	I Industrial
	R1 Low-Density Residential
	R2 General Residential
	RC-1 Recreation 1
	RC-2 Recreation 1
	RC-3 Recreation 1
	RH Residential Historic

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File Location: B:\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_08D\_Downtown.mxd

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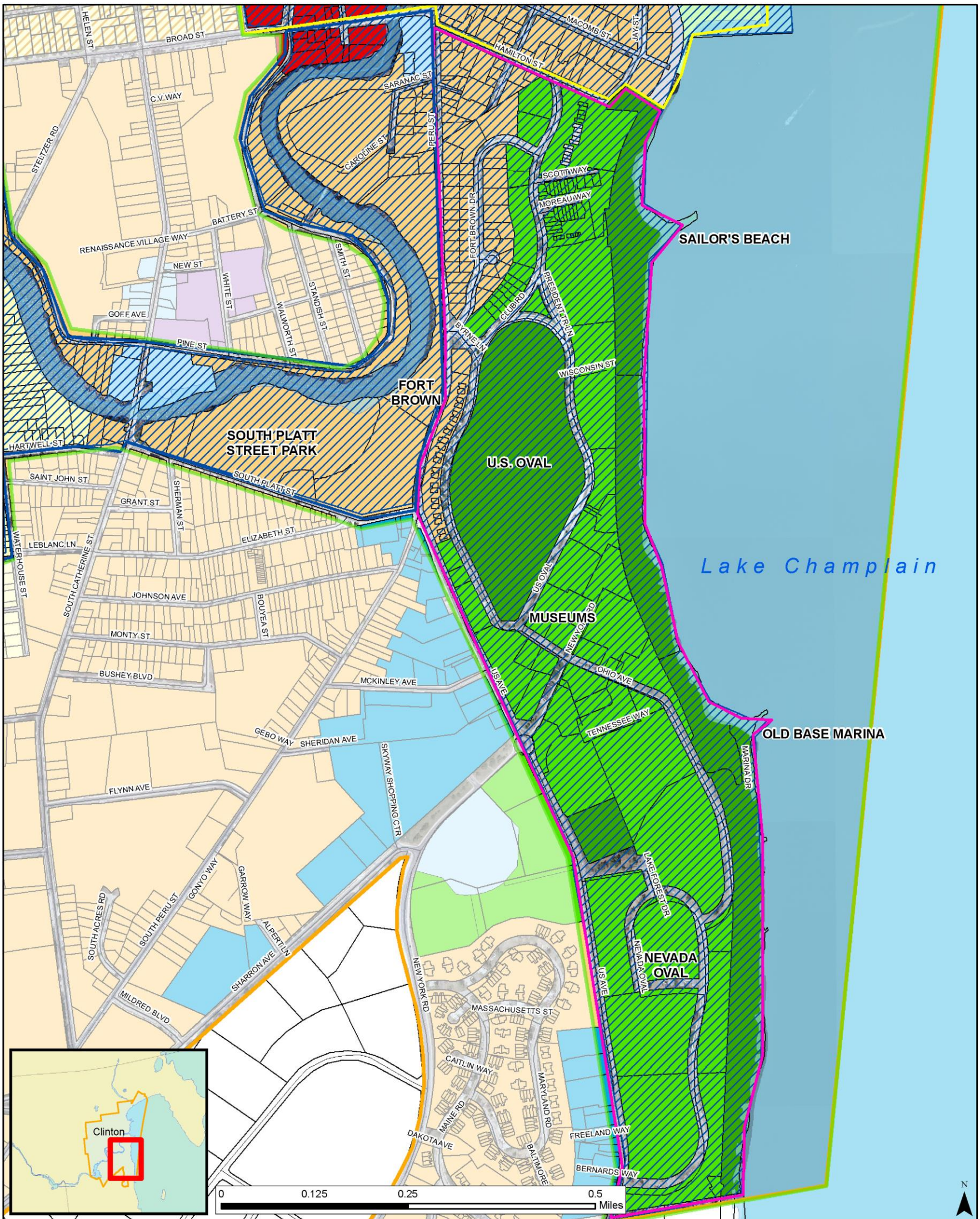
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### City of Plattsburgh

Existing Zoning  
Old Base  
Map 8E  
January 2016

**KEY**



<span style="border: 1px solid orange; display: inline-block; width: 15px; height: 10px;"></span> City of Plattsburgh Boundary	City Zoning - 2014
<span style="border: 1px solid green; display: inline-block; width: 15px; height: 10px;"></span> Waterfront Revitalization Area	<span style="background-color: #cccccc; display: inline-block; width: 15px; height: 10px;"></span> No Classification
<span style="border: 1px solid blue; display: inline-block; width: 15px; height: 10px;"></span> Waterfront Overlay District	<span style="background-color: #add8e6; display: inline-block; width: 15px; height: 10px;"></span> B1 General Business
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Parcels	<span style="background-color: #00b0f0; display: inline-block; width: 15px; height: 10px;"></span> B2 Highway Business
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Subareas	<span style="background-color: #ff0000; display: inline-block; width: 15px; height: 10px;"></span> C Central Business
<span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px;"></span> North End	<span style="background-color: #800080; display: inline-block; width: 15px; height: 10px;"></span> I Industrial
<span style="border: 1px solid purple; display: inline-block; width: 15px; height: 10px;"></span> Cumberland Ave/Wilcox Dock	<span style="background-color: #ffff00; display: inline-block; width: 15px; height: 10px;"></span> R1 Low-Density Residential
<span style="border: 1px solid yellow; display: inline-block; width: 15px; height: 10px;"></span> Marina-Downtown	<span style="background-color: #ffcc00; display: inline-block; width: 15px; height: 10px;"></span> R2 General Residential
<span style="border: 1px solid magenta; display: inline-block; width: 15px; height: 10px;"></span> Old Base	<span style="background-color: #c1e1c1; display: inline-block; width: 15px; height: 10px;"></span> RC-1 Recreation 1
<span style="border: 1px solid blue; display: inline-block; width: 15px; height: 10px;"></span> Upper Saranac	<span style="background-color: #00ff00; display: inline-block; width: 15px; height: 10px;"></span> RC-2 Recreation 1
	<span style="background-color: #008000; display: inline-block; width: 15px; height: 10px;"></span> RC-3 Recreation 1
	<span style="background-color: #ffcc00; display: inline-block; width: 15px; height: 10px;"></span> RH Residential Historic

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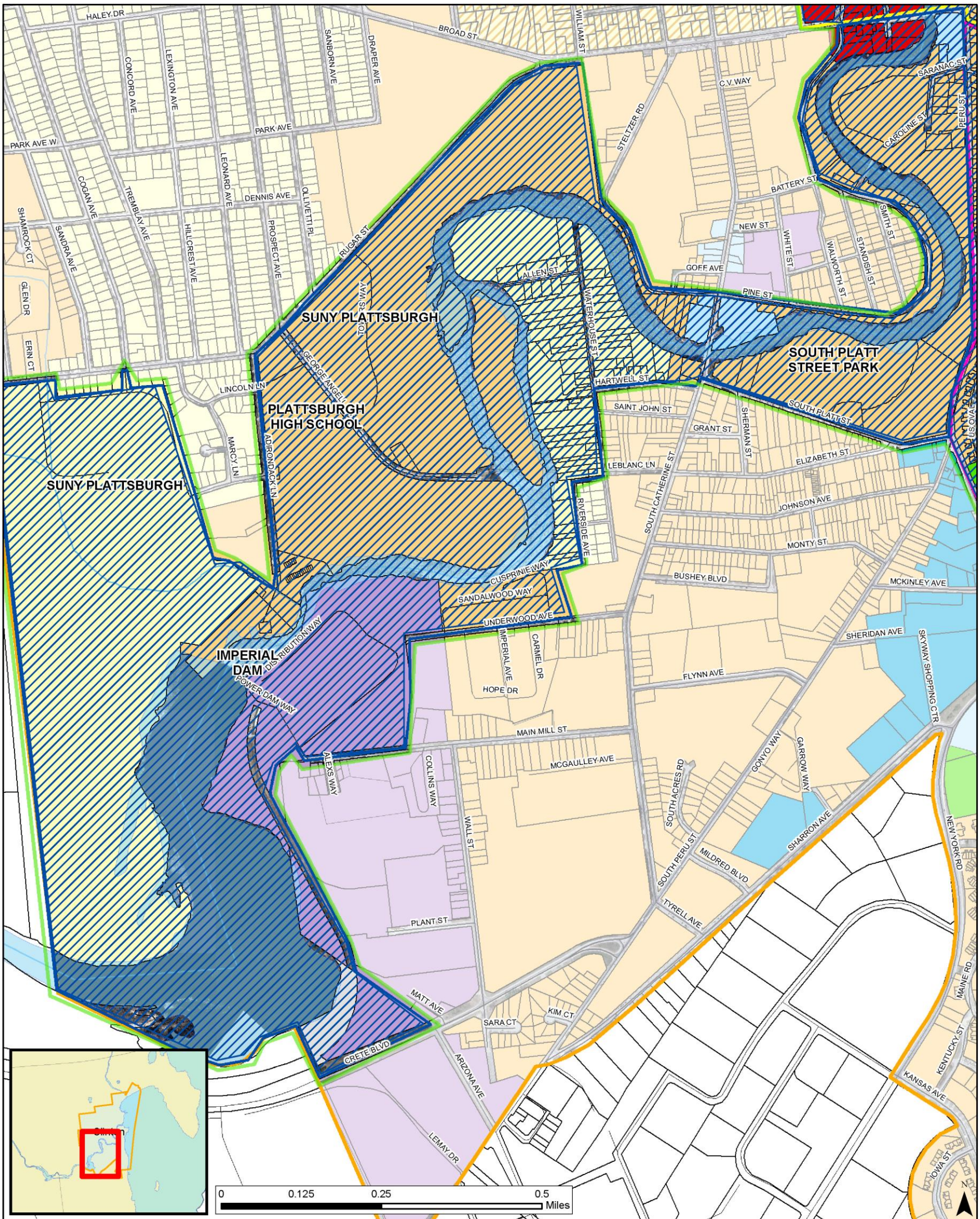
File Location: B:\2014\14029 Plattsburgh\Maps\14029 Plattsburgh 08E\_OldBase.mxd

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# City of Plattsburgh

Existing Zoning  
Upper Saranac

Map 8F

January 2016

**KEY**

- |                                |                            |
|--------------------------------|----------------------------|
| City of Plattsburgh Boundary   | City Zoning - 2014         |
| Waterfront Revitalization Area | No Classification          |
| Waterfront Overlay District    | B1 General Business        |
| Parcels                        | B2 Highway Business        |
| Subareas                       | C Central Business         |
| North End                      | I Industrial               |
| Cumberland Ave/Wilcox Dock     | R1 Low-Density Residential |
| Marina-Downtown                | R2 General Residential     |
| Old Base                       | RC-1 Recreation 1          |
| Upper Saranac                  | RC-2 Recreation 1          |
|                                | RC-3 Recreation 1          |
|                                | RH Residential Historic    |

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File Location: B:\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_08F UpperSaranac.mxd

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## **N. Summary of Key Waterfront Issues**

Based on the existing conditions assessments carried out as part of the Inventory and Analysis section, key waterfront issues include:

1. Decreasing wetland area endangerment and improving conservation efforts, while at the same time, recognizing these areas as true natural resources and maximizing sensitive beach development opportunities;
2. Implementing erosion control measures to save shoreline areas and improve safety in the North End subarea and Old Base subarea;
3. Improving public access by enhancing existing areas and creating new access points and walkways, particularly at City Beach and Scotion Creek, the Point, and the Old Base site, which have been identified as priority areas for revitalization;
4. Continue mitigation of environmental remediation areas in partnership with various City industries, applicable New York State agencies, and others;
5. Strengthening linkages between the waterfront and downtown, focusing on the Dock/Bridge Street corridor, but also seeking to connect the subareas to one another through signage, interpretation, trail connections, public transit, and other efforts;
6. Raising public awareness of both the City's and Lake Champlain's cultural and natural resources;
7. Protecting existing resources, such as the Saranac River, historic resources, and the magnificent resources of Lake Champlain.
8. Capitalizing on opportunities to enhance potential development along waterfront parcels, such as at Dock Street Landing, where potential exists for mixed-use or hotel development; at Durkee Street, which could serve as a destination point along a corridor connecting the downtown to the waterfront; at the City Marina, which could expand; and at the City Beach.

In general, it is anticipated that waterfront revitalization could act as a catalyst to the revitalization of the entire city. In pursuing its redevelopment options, the City will need to balance the needs of local residents with the best interests of the City. Recent studies undertaken by both the City and the Lake Champlain Basin Program indicate a need for careful planning to address continuing population growth, increasing use of Lake Champlain, increasing user conflicts, and the predicted effects of growth on the entire Lake Champlain basin. The Lake Champlain Basin Program also recognizes that fostering more opportunities to access and enjoy the Lake will encourage more people to value it and support water quality protection, ultimately increasing the number of people engaged in Lake stewardship.<sup>25</sup> The City has also recognized the need to work closely with private

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<sup>25</sup>Lake Champlain Basin Program, April 2003. *Opportunities for Action: An Evolving Plan for the Future of the Lake Champlain Basin*. "Chapter 4: Recreation and Cultural Resources." <http://www.lcbp.org/wp-content/uploads/2013/03/FinalApril03.pdf>

property owners and to develop partnerships and establish connections between various community resources and groups.

Perhaps the greatest issue is the City's growing need to use its unrivaled location and substantial Lake Champlain waterfront area. Plattsburgh needs to convert its numerous underutilized waterfront areas to vibrant, publicly accessible destinations for the economic benefit and enjoyment of its residents and visitors while protecting Lake Champlain for future generations



### **Section III. Waterfront Management Policies**

The City of Plattsburgh Waterfront Policies presented in this chapter considers the economic, environmental, and cultural characteristics of the City of Plattsburgh's waterfront area. The policies are comprehensive, and reflect existing state laws and authorities. As noted in NYS Department of State guidelines, they represent a balance between economic development and preservation that will permit beneficial use of and prevent adverse effects on Lake Champlain and the Saranac River waterfront resources.

The policies are the basis for consistency determinations made by state and federal reviewers for actions affecting the City of Plattsburgh waterfront and Lake Champlain Basin and as a guide for development of new Local Waterfront Revitalization Programs and revisions to approved Local Waterfront Revitalization Programs.

The waterfront policies pertain to regional character, economic development, recreation and culture, natural resources, and environmental health and energy. The following is a summary list of the City of Plattsburgh Waterfront Management Policies:

#### **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 in 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 in the waterfront area.

Policy 6 Protect and restore the quality and function of the waterfront area 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 Policies**

Policy 9 Provide for public access to, and recreational use of, waterfront waters, 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 in the waterfront area.

Policy 12 Protect agricultural lands in the waterfront area.

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

### **A. 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 1.1. Concentrate development and redevelopment in order to revitalize deteriorated and underutilized waterfronts and strengthen the traditional waterfront focus of a community.**

**Policy 1.2. Ensure that development or uses make beneficial use of their waterfront location.**

**Policy 1.3. Protect stable residential areas.**

#### Explanation of Policy 1:

Much of the Plattsburgh waterfront area is characterized by deteriorated structures, underutilized open space lands adjacent to Lake Champlain and the Saranac River and physical barriers such as railroad right-of-ways. Since the waterfront is located immediately adjacent to Plattsburgh's central business district, and represents the dominant feature of the city, it is expected that carefully planned waterfront revitalization in this location can stimulate and support additional economic development initiatives. The potential stimulus of waterfront revitalization becomes even more significant given the implications of the redevelopment of the Old Base site and Dock St. Landing.

#### Explanation of Policy 1.1:

Areas with excellent potential for waterfront revitalization projects include the Dock/Bridge street area including Durkee Street and Dock Street Landing, the mouth of the Saranac River, and the Wilcox Dock area.

- A. The following planning principles should be used to guide investment and preparation of development strategies and plans:
1. Scale development to be appropriate to the setting.
  2. Design development to highlight existing resources, such as local history and important natural and man-made features to reinforce community identity. Design features as a focus for activity that draws people to the waterfront and use site design that links the waterfront to upland portions of the community.
  3. Meet community and regional needs and market demands when making development choices.



4. Recognize environmental constraints as limiting development.

5. Restore environmental quality to degraded areas.

B. All development or uses should recognize the unique qualities of a waterfront location by:

1. Using building and site design to make beneficial use of a waterfront location and associated waterfront resources

2. Minimizing consumption of waterfront lands and potential adverse impacts on natural resources

3. Limiting shoreline alteration and surface water coverage.

4. Incorporating recreational activities, public access, open space, or amenities, as appropriate to the use, to enhance the site and the surrounding community, and to increase visual and physical access to the waterfront.

5. Attracting people to the waterfront, as appropriate to the use.

6. Ensuring that design and siting of uses and structures complements the surrounding community and landscape.

7. Use indigenous plants as components of landscape design to improve habitat and water quality, and to lessen water demand.

8. Reinforcing community identity by highlighting local history and important natural and man-made features.

#### Explanation of Policy 1.2:

Water-dependent uses: The water-dependent uses in Plattsburgh include the municipal beach, the fishing dock at the Macdonough Monument, the marinas at the foot of Dock Street, Riverview Park along the Saranac, Sailor's Beach, and the Old Base Marina. These uses are further described in the Inventory and Analysis.

A. Water-dependent uses should be promoted where appropriate and given precedent over other types of development at suitable waterfront sites. Existing water dependent uses should be protected.

B. Development which is not dependent on a waterfront location, or which cannot make beneficial use of a waterfront location should be avoided.

Water-enhanced uses: Water-enhanced uses are generally of a recreational, cultural, commercial, or retail nature. The water-enhanced uses in Plattsburgh are the waterfront trails and walks, the restaurant at the private marina and various waterfront parks. These uses are further described in the Inventory and Analysis section of this LWRP.

A. Water-enhanced uses may be encouraged where they are compatible with surrounding development and are designed to make beneficial use of their location on Lake Champlain or the Saranac River. To ensure that water-enhanced uses make beneficial use of their waterfront location, they should be sited and designed to:

1. Attract people to or near the waterfront and provide opportunities for access that is oriented to the water.
2. Provide public views to or from the water.
3. Minimize consumption of waterfront land.
4. Do not interfere with the operation of water-dependent uses.
5. Not cause significant adverse impacts to community character and surrounding land and water resources.

B. Uses should be avoided which would:

1. Result in unnecessary and avoidable loss of waterfront resources
2. Ignore their waterfront setting as indicated by design or orientation, and
3. Do not, by their nature, derive economic benefit from a waterfront location

Explanation of Policy 1.3:

The provision of this policy is applicable pertaining particularly to the Point residential area and Cumberland Avenue.

- A. New uses in a stable residential area should be avoided when the use, its size and scale will significantly impair neighborhood character. New construction, redevelopment, and screening, such as fences and landscaping, should not reduce or eliminate vistas that connect people to the water.

**POLICY 2    PRESERVE HISTORIC RESOURCES OF THE WATERFRONT AREA.**

**Policy 2.1    Maximize preservation and retention of historic resources.**

**Policy 2.2    Protect and preserve archaeological resources in Plattsburgh's waterfront area.**

**Policy 2.3    Protect and enhance resources that are significant to the culture of Plattsburgh and Cumberland Bay.**

Explanation of Policy 2: The City of Plattsburgh and Lake Champlain abound with historic and cultural resources, both on land and underwater. These resources represent many themes, including Native American resources; early settlement; the Revolutionary War and War of 1812; transportation, commerce, military and maritime history, agriculture, industries, community development and culture, government, tourism and recreation. In addition, the City is home to numerous buildings designed by notable American and New York State architects, including the City Hall built by John Russell Pope (architect of the National Gallery of Art and Jefferson Memorial in Washington, D.C.), Marcus Cummings, Albert W. Fuller, and Charles W. Platt. These irreplaceable and nonrenewable resources should be recognized and treated as assets, since they form the basis of the community's unique sense of place. Helping a community discover its history can be a key to reestablishing a



feeling of pride among residents. This, in turn, leads to investment of hard-earned dollars in local real estate and business.

In addition, it should be noted that since the passage of the National Historic Preservation Act of 1966 (as amended in 1992) and the NYS Heritage Areas Act (1994, and NYS Urban Cultural Parks legislation, 1982), historic preservation, arts and culture are increasingly identified as strong weapons in the economic development arsenal. Data compiled by the Field Services Bureau of the New York State Office of Parks, Recreation and Historic Preservation indicates that preservation related programs and funding are strong economic catalysts, generating \$55 million of private investment in 1994 and nearly \$2 billion since such programs began in 1976. However, in Plattsburgh and throughout the Lake Champlain basin, historic and cultural resources are degraded, undervalued, and frequently overlooked.

By recognizing the value of historic and cultural resources and preserving their character, the community is effectively protecting its unique sense of place; consequently, the protection of these resources must include not only specific sites, but areas of significance and the area around specific sites. In recognition of this fact, the provisions of this policy are intended to apply to the Point Historic District, the U.S. Oval Historic District, and numerous other structures and sites listed (or eligible for listing) on the state and national registers of historic places, and zones of archaeological sensitivity located throughout the waterfront area, including underwater maritime remains. See Section II-G "Historic Resources" of the Inventory and Analysis for a detailed description of historic and cultural resources.

With respect to its historic and cultural resources, and their collective potential to stimulate waterfront and community revitalization, the City will continue to promote good stewardship and preservation. In particular, the rehabilitation and adaptive reuse of vacant and/or underutilized industrial structures represents a key component in the revitalization of the waterfront.

To further both this goal and waterfront revitalization efforts, the City will seek to establish or strengthen incentives for the protection, preservation, or rehabilitation of its resources, and to eliminate mechanisms which encourage demolition and degradation of historic and cultural resources. The rehabilitation of Plattsburgh's historic structures and sites shall be encouraged, and shall be undertaken in a manner which preserves historic elements and character. New construction shall be generally compatible in terms of design and materials with the historic character of the area to the maximum extent practicable; the City shall look to the U.S. Secretary of Interior's Standards for guidance (in compliance with the City of Plattsburgh Zoning Code Section 270-31, see Appendix D). In regard to activities which involve excavation of land within zones of archaeological sensitivity, public agencies will contact the New York Office of Parks, Recreation and Historic Preservation and/or the Preservation League of New York State to determine appropriate protective measures for archaeological resources.

#### Explanation of Policy 2.1:

The provisions of this policy are applicable and further described in the above policy explanation and the Inventory and Analysis. These standards are derived from and explain the U.S. Secretary of the Interior's Standards for Identification, Restoration, and Rehabilitation of historic resources. Historic resources are those structures, landscapes, districts, areas or sites, or underwater structures or artifacts which are listed or designated as follows:

- any historic resource in a federal or state park established, solely or in part, in order to protect and preserve the resource

- any resource on, nominated to be on, or determined eligible to be on the National or State Register of Historic Places
- any cultural resource managed by the New York State Nature and Historic Preserve Trust or the New York State Natural Heritage Trust
- any archaeological resource which is on the inventories of archaeological sites maintained by the New York State Department of Education or the Office of Parks, Recreation, and Historic Preservation
- any locally designated historic or archaeological resources protected by a local law or ordinance

A. Identify those elements important in defining the character and value of a historic resource.

1. Use designation information, available documentation, and original research to identify important character-defining elements of the historic resource in terms of its: time, place, and use; materials, features, spaces, and spatial relationships; setting within its physical surroundings and the community; and association with historic events, people, or groups. Determine the value of the historic resource as indicated by:
  - a. Its membership within a group of related resources which would be adversely impacted by the loss of any one of the group of resources
  - b. The rarity of the resource in terms of the quality of its historic elements or in the significance of it as an example, or
  - c. The significance of events, people, or groups associated with the resource

B. Preserve and retain the historic character-defining elements of the resource. Use the following standards to achieve the least degree of intervention.

1. Protect and maintain historic materials and features according to the following approach:
  - a. Evaluate the physical condition of important materials and features.
  - b. Stabilize materials and features to prevent further deterioration.
  - c. Protect important materials and features from inadvertent or deliberate removal or damage.
  - d. Ensure the protection of historic elements through a program of nonintrusive maintenance of important materials and features.
  - e. Repair historic materials and features according to recognized preservation methods when their physical condition warrants.
  - f. When a historic feature is missing or the level of deterioration or damage precludes maintenance or repair:
    - i. Limit the replacement of extensively deteriorated features or missing parts to the minimum degree necessary to maintain the historic character of the resource.



- ii. Maintain historic character where a deteriorated or damaged feature is replaced in its entirety. In replacing features, the historic character of the resource can be best maintained by replacing parts with the same kind of material. Substitute materials may be suitable if replacement in kind is not technically or economically feasible and the form, design, and material convey the visual appearance of the remaining parts of the feature.
  - iii. When re-establishing a missing feature, ensure that the new feature is consistent with the historic elements of the resource. If adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced, use available documentation to design and construct a new feature. If adequate documentation does not exist, design and construct a new feature that is compatible with the remaining features of the resource. The new design should be based on research, pictorial, and other evidence so that a true historical appearance is created.
2. Provide for efficient, compatible use of the historic resource.
3. Foster uses that maximize retention of the historic character of the resource:
  - a. Maximum retention of historic character is best achieved by using the resource as it was historically used.
  - b. If the resource cannot be used as it was historically used, adapt a use to the historic resource that maximizes retention of character-defining materials and features.
4. Minimize alterations to the resource to preserve and retain its historic character.
5. Minimize potential negative impacts on the resource's historic character due to necessary updates in systems to meet health and safety code requirements or to conserve energy.
6. Make alterations to the resource only as needed to ensure its continued use and provided that adverse impact on the resource is minimized. Alterations should not obscure, destroy, or radically change character-defining spaces, materials, features, or finishes in order to minimize adverse impact on the resource. Alterations may include selective removal of features that are not historic elements of the resource and its setting and that detract from the overall historic character of the resource.
7. Construct new additions only after it is determined that an exterior addition is the only viable means of assuring continued use of the resource.
8. In constructing new additions, use appropriate design and construction to minimize adverse impact on the resource's historic character. Adverse impact can be minimized in new additions by: clearly differentiating from historic materials and features; using design compatible with the historic materials, forms and details, size, scale and proportion, and massing of the resource to protect the integrity of the resource and its setting. In addition, new additions should be designed such that, if removed in the future, the essential form and integrity of the historic resource and its setting would not be impaired.
9. Minimize loss of historic resources or the historic character of the resources of the Waterfront Area when it is not possible to completely preserve and retain the resource.

10. Relocate an historic resource when it cannot be preserved in place and the resource is imperiled: directly by a proposed activity which has no viable alternative which would result in adverse effects on the resource, or indirectly by surrounding conditions which are likely to result in degradation or inadequate maintenance of the resource. The following conditions should be present before relocation is considered:
  - a. the resource cannot be adapted for use on the existing site which would result in preservation of the resource.
  - b. a suitable site for relocation is available, and it is technically and economically feasible to move the resource.
11. Allow for demolition of the resource only when: it is not feasible to protect the resource through relocation, and the resource has been officially certified as being imminently dangerous to life or public health, or the resource cannot be adapted for any use on the existing site or on any new site.
12. Document in detail the character-defining elements of the historic resource in its original context prior to relocation or demolition of the resource.

C. Avoid potential adverse impacts of development on adjacent or nearby historic resources.

1. Protect historic resources by ensuring that development is compatible with the historic character of the affected resource.
2. Design development to a size, scale, proportion, mass, and with a spatial relationship compatible with the historic resource.
3. Design development using materials, features, forms, details, textures, and colors compatible with similar features of the historic resource.

D. Limit adverse cumulative impacts on historic resources.

1. Minimize the potential adverse cumulative impact on a historic resource which is a member of a group of related resources that may be adversely impacted by the loss or diminution of any one of the members of the group.
2. Minimize the potential cumulative impacts of a series of otherwise minor interventions on a historic resource.
3. Minimize potential cumulative impacts from development adjacent to the historic resource.

Explanation of Policy 2.2:

The provisions of this policy are applicable and further described in the Inventory and Analysis.

- A. Conduct a cultural resource investigation when an action is proposed 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.



1. Conduct a site survey to determine the presence or absence of cultural resources in the project's potential impact area.
  2. If cultural resources are discovered as a result of the initial survey, conduct a detailed evaluation of the cultural resource to provide adequate data to allow a determination of the resource's archaeological significance.
- B. If impacts are anticipated on a significant archaeological resource, minimize potential adverse impacts by redesigning the project, reducing direct impacts on the resource, and recovering data prior to construction
- C. Avoid disturbance or adverse effects on any object of archaeological or paleontological interest situated on or under lands owned by the State of New York. These resources may not be appropriated for private use.

Explanation of Policy 2.3:

- A. Protect historic shipwrecks and shipwrecks to which the state holds title. Numerous colonial era to modern-day shipwrecks lie in the waters of Lake Champlain. While the location of many of these ships is well documented, more research remains to be done to identify and protect these historic and recreational resources as significant components of the culture of the state. Historic shipwrecks are those wrecks which, by reason of their antiquity or their historic, architectural, archaeological, or cultural value, have state or national importance and are eligible for inclusion on the State or National Register of Historic Places. The state holds title to all shipwrecks determined to be abandoned under the Abandoned Shipwrecks Act of 1987.
1. Provide for the long-term protection of historic shipwrecks through the least degree of intervention. The least degree of intervention can be achieved by preserving historic shipwrecks in place. When preservation is not feasible, record and recover shipwrecks or their artifacts.
  2. Manage shipwrecks to provide for public appreciation, use, and benefit.
  3. Avoid disturbance to shipwrecks unless the shipwreck: poses a navigation hazard; or, would impede efforts to restore natural resource values.
  4. Prevent unauthorized collection of shipwreck artifacts and associated direct or cumulative impacts.
  5. Maintain the natural resource values that are associated with shipwreck sites which may be sensitive to disturbance.

**POLICY 3    ENHANCE VISUAL QUALITY AND PROTECT SCENIC RESOURCES IN THE WATERFRONT AREA.**

**Policy 3.1.    Protect and improve visual quality throughout Plattsburgh's waterfront area.**

Explanation of Policies 3 and 3.1:

The provisions of this policy are applicable and further described in the Inventory and Analysis. Plattsburgh's waterfront is characterized by smaller-scale urban development, transportation arteries, and underutilized open

space shoreline tracts; many waterfront parcels are current or former industrial parcels with potential for redevelopment. The most important visual concern is the view of Lake Champlain from the City and views of the city from various waterfront points. Elements impacting these views include deteriorated and abandoned structures, unkempt parcels, and unplanned (or poorly planned) siting.

When considering a proposed action, care shall be given to protecting and enhancing the overall scenic quality of the waterfront. Any commercial or industrial use to be located along the shoreline, for example, shall be provided with appropriate fencing, screening and/or landscaping sufficient to mitigate any negative visual impacts. In addition, junkyards, outdoor storage lots, and parking lots which front on the public right-of-ways or residential districts shall be screened in an appropriate manner. The City should also work to improve interpretive access at key viewpoints, providing appropriate signage and information such as descriptions of Revolutionary War and War of 1812 naval battles, explanations of wetlands, other microclimates and geological features, and the City's commercial and industrial development.

Scenic values associated with natural resources such as the views of the Green Mountains and the abundant wetlands and related open space, and shorelines in natural conditions all contribute to scenic quality.

A. The following measures are useful in protecting natural scenic values:

1. Maintain or restore original landforms except where altered landforms provide useful screening or contribute to scenic quality.
2. Avoid structures or activities which introduce visual interruptions to natural landscapes including: introduction of intrusive artificial light sources, fragmentation of and structural intrusion into open space areas, and changes to the continuity and configuration of natural shorelines and associated vegetation.



## **B. Natural Waterfront Policies**

### **POLICY 4 MINIMIZE LOSS OF LIFE, STRUCTURES, AND NATURAL RESOURCES FROM FLOODING AND EROSION.**

#### Explanation of Policy 4:

Although erosion is not a significant problem in Plattsburgh, floodways and flood hazard areas have been designated along the shoreline. In order to minimize property damage resulting from flooding, development will be discouraged from locating within such areas or appropriately flood-proofed. Shoreline erosion is currently an ongoing problem in the North End subarea, as well as in localized portions of the steeper waterfront areas of the Old Base site lands. In these areas, every effort will be made to control erosion through the use of strategic sequential planting involving grasses and ground covers, low shrubs, higher shrubs, and trees, or other form of erosion control. It should also be noted that increased boating along Lake Champlain and the Saranac River may result in localized erosion from waves generated by boat wake.

Within floodways, as identified by the Federal Emergency Management Act (FEMA), only open space uses will be allowed. Within flood hazard areas, development will be undertaken in accordance with the following guidelines:

- A. All structures shall be designed and anchored to prevent flotation, collapse or lateral movement due to flood water related forces.
- B. All construction materials and utility equipment used shall be resistant to flood damage.
- C. Construction practices and methods shall be employed which minimize potential flood damage.
- D. All public utilities and facilities shall be located and constructed to minimize or eliminate potential flood damage.
- E. Adequate drainage shall be provided to reduce exposure to flood hazards.
- F. All water supply and sewage disposal systems shall be designed to minimize or eliminate flood water infiltration or discharges into the flood waters.
- G. All new residential construction or substantial improvements to residential structures shall have the lowest floor (including basement) elevated to at least two (2) feet above the base flood elevation of the one hundred (100) year flood.
- H. All new non-residential construction or substantial improvements to such non-residential structures shall have the lowest floor (including basement) elevated to at least two (2) feet above the water level of the one hundred (100) year flood or, as an alternative, be flood-proofed up to that same water level, including attendant utility and sanitary facilities.
- I. No use shall be permitted, including fill, dredging or excavation activity, unless the applicant has demonstrated that the proposed use, in combination with all other existing or anticipated uses, will not raise the water level of the one hundred (100) year flood more than one (1) foot at any point.

J. Comply with the provisions of any municipal erosion management plan, consistent with the provisions of this policy.

**POLICY 5     PROTECT AND IMPROVE WATER QUALITY AND SUPPLY IN THE WATERFRONT AREA.**

**Policy 5.1     Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards and targets.**

**Policy 5.2     Protect and enhance water quality of waters.**

**Policy 5.3     Limit the potential for cumulative and secondary impact of watershed development and other activities on water quality and quantity.**

Explanation of Policy 5:

Pursuant to the federal Clean Water Act, the State has classified waterways in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewed at least every three years for possible revision or amendment.

Water quality ratings of "C(T)" have been established by the New York State Department of Environmental Conservation for Lake Champlain, the Saranac River, and Dead Creek. A "C" rating indicates that the water is suitable for fishing and fish propagation; the "T" suffix indicates that the water bodies support trout. The present water quality classification for Lake Champlain and the Saranac River is consistent with the proposed land and water uses described in this Local Waterfront Revitalization Program. Conversely, the uses proposed for the waterfront area are consistent with the provisions of these water quality ratings. The provisions of this policy are applicable and further described in the Inventory and Analysis.

Explanation of Policy 5.1:

A. Prevent point source discharges into coastal waters and manage or avoid land and water uses which would:

1. Exceed applicable effluent limitations, or
2. Cause or contribute to contravention of water quality classification and use standards, or
3. Materially adversely affect receiving water quality, or
4. Violate a vessel no-discharge zone

B. Ensure effective treatment of sanitary sewage and industrial discharges by:

1. Maintaining efficient operation of sewage and industrial treatment facilities
2. Providing, at a minimum, effective secondary treatment of sanitary sewage
3. Modifying existing sewage treatment facilities to provide improved phosphorus removal capacity if needed



4. Incorporating treatment beyond secondary, as feasible, particularly focusing on phosphorus removal, as part of new wastewater treatment plant design. (Note: The City is not planning to build an entirely new plant at this time, but this could apply to a redesign of the existing facility.)
5. Reduce infiltration of excess water in collection and transport systems
6. Eliminate unauthorized collection system hookups
7. Pretreat industrial wastes
8. Limit discharge volumes and pollutant loadings to or below authorized levels
9. Install low-flow water conservation fixtures in all new development, and when replacing fixtures in existing development
10. Reducing the loadings of toxic materials into coastal waters by including limits on toxic metals as part of wastewater treatment plant (WWTP) effluent permits
11. Reducing or eliminating combined sewer overflows

Explanation of Policy 5.2:

- A. Protect water quality based on an evaluation of physical factors (pH, dissolved oxygen, dissolved solids, nutrients, odor, color and turbidity), health factors (pathogens, chemical contaminants, and toxicity), and aesthetic factors (oils, floatables, refuse, and suspended solids).
- B. Minimize disturbance of streams including their bed and banks in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and level of water.
- C. Protect water quality of waters, and wetlands that are adjacent to and contiguous at any point to navigable waters from adverse impacts associated with excavation.
- D. Limit potential adverse impacts on water quality due to excavation or placement of fill using avoidance and minimization methods including reduction in scope of work and use of clean fill.

Explanation of Policy 5.3:

- A. 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.
- B. Limit the individual impacts associated with development to prevent cumulative water quality impacts which would lead to a failure to meet water quality standards.

**POLICY 6    PROTECT AND RESTORE THE QUALITY AND FUNCTION OF THE WATERFRONT AREA ECOSYSTEM.**

**Policy 6.1 Ensure the long-term maintenance and health of living aquatic resources in Lake Champlain and the Saranac River.**

**Policy 6.2 Provide for recreational use of aquatic fisheries in Lake Champlain and the Saranac River.**

**Policy 6.3 Protect and restore freshwater wetlands.**

Explanation of Policy 6:

Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. In order to protect and preserve a habitat, activities and development which would destroy or significantly impair the viability of a habitat will not be undertaken. Habitat destruction is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area, or through the indirect effects of these actions on a designated area. Significant impairment is defined as a reduction in vital resources (e.g. food, shelter, living space) or change in environmental conditions (e.g. temperature, substrate, salinity) beyond the tolerance range of an organism.

Activities should not be undertaken which adversely impact fish populations. Such activities include, but are not limited to, the following:

- Those which increase sedimentation or erosion.
- The point and non-point discharge of toxic substances.
- The disturbance of wetlands, which serve as important nursery and feeding areas for fish and wildlife.

As part of this overall conservation effort, the City will endeavor to include natural resource and habitat interpretation in all trail developments.

Explanation of Policy 6.1:

The provisions of this policy are applicable and further described in the Inventory and Analysis.

A. Ensure that recreational use of living aquatic resources is managed in a manner that:

1. Places primary importance on maintaining the long-term health and abundance of fisheries
2. Results in sustained useable abundance and diversity of the resource
3. Does not interfere with population and habitat maintenance and restoration efforts
4. Uses best available scientific information in managing the resources, and minimizes waste and reduces discard mortality of fishery resources

B. Ensure that the management of the state's trans-boundary and migratory species is consistent with interstate, state-federal, and inter-jurisdictional management plans.

C. Protect and manage native stocks and restore sustainable populations of indigenous fish and wildlife species and other marine living resources.



Explanation of Policy 6.2:

- A. Maximize the benefits of resources to provide: valuable recreational resource experience, and viable business opportunities for recreational fisheries.
- B. Where fishery conservation and management require actions that would result in resource allocation impacts, ensure equitable distribution of impact among user groups, giving priority to existing fisheries in the state.
- C. Provide adequate infrastructure to meet recreational needs including appropriate fishing piers, dockage, parking, and livery services.

Explanation of Policy 6.3:

The provisions of this policy are applicable and further described in the Inventory and Analysis.

Wetlands provide numerous benefits, including, but not limited to, the following:

- habitat for fish and wildlife;
- erosion and flood control;
- natural pollution treatment;
- groundwater protection;
- aesthetic open space.

The following measures can further the protection or restoration of wetlands:

- A. Compliance with the statutory and regulatory requirements of the Freshwater Wetlands Act and the Stream Protection Act.
- B. Prevention of the net loss of wetlands by:
  - 1. Avoiding placement of fill or excavation of wetlands
  - 2. Minimizing adverse impacts resulting from unavoidable fill, excavation or other activities
  - 3. Providing compensatory mitigation for adverse impacts which may result from unavoidable fill, excavation or other activities remaining after all appropriate and practicable minimization has been accomplished
  - 4. Providing and maintaining adequate buffers between wetlands and adjacent or nearby uses and activities in order to ensure protection of the wetlands character, quality, values and functions.

**POLICY 7     PROTECT AND IMPROVE AIR QUALITY IN THE WATERFRONT AREA.**

**Policy 7.1     Control or abate existing and prevent new air pollution.**

Explanation of Policy

This policy provides for protection of the Plattsburgh waterfront from air pollution, either generated within the waterfront or from outside, which adversely affects air quality. While air quality in the City of Plattsburgh is generally good, there are still issues relating to odor which impact the waterfront. This policy provides for protection of the waterfront area from air pollution generated within the waterfront area that adversely affects air quality.

Explanation of Policy 7.1

- A. Limit pollution resulting from new or existing stationary air contamination sources consistent with applicable standards, plans, and requirements.
- B. Reduce the impact of odors from the wastewater treatment plant on the full use and enjoyment of the waterfront.

**POLICY 8 MINIMIZE ENVIRONMENTAL DEGRADATION IN THE WATERFRONT AREA FROM SOLID WASTE AND HAZARDOUS SUBSTANCES AND WASTES.**

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

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

**Policy 8.3 Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment.**

**Policy 8.4 Prevent and remediate discharge of petroleum products.**

**Policy 8.5 Transport solid waste and hazardous substances and waste using routes and methods which protect the safety, well-being, and general welfare of the public and the environmental resources of the state; and protect continued use of all transportation corridors and highways and transportation facilities.**

Explanation of Policy 8:

Toxic substances include elements, chemicals or chemical compounds that can poison living plants and animals, including humans. While some toxic substances come from natural sources, the increasing use of chemicals in manufacturing processes for agriculture and in our daily lives may be threatening the quality of Lake Champlain waters. According to the Lake Champlain Basin Program, most toxic substances found in the Lake occur at levels that do not pose a known threat to human health. However, the program's "Sediment Toxics Assessment Program" identified Cumberland Bay as a "site of concern" regarding levels of toxicity within the Lake. Toxic substances found within the Bay included PCBs, PAHs, Copper and Zinc. The City should therefore encourage



and support all efforts to reduce the introduction of toxic materials into Lake Champlain from local industries, the sewage treatment plant, and the former Air Base lands.<sup>26</sup>

The discharge of sewage, garbage, and other wastes from boats at Plattsburgh Boat Basin Marina, the City Marina, and moorings and launch sites throughout Cumberland Bay can adversely affect water quality and is regulated by State law. In order to minimize such discharges, marinas shall be required to provide sewage pump-out facilities. As a general guide, at least one pumpout station and dump station should be provided for every 300 to 600 boats over 16 feet in length overall; it is suggested that marinas with 50 slips or more that are capable of mooring 26 feet + boats have access to at least one pumpout station, and marinas with 50 slips or more that are capable of mooring 16-26 feet boats have access to at least one dump station. Dump stations should be sited in conjunction with pumpout stations, but should also be located where there are no pumpout stations but where boats with portable toilets congregate or are used, such as launching ramps.<sup>27</sup>

Pumpout and dump station facilities shall be available to all boaters, regardless of whether they are patrons of the marina. In addition, marinas shall also provide rest rooms to further discourage the overboard discharge of sewage from boats. As noted by the Lake Champlain Basin Program, this is of particular concern in the northernmost areas of Lake Champlain, owing to less regulation in Canada and a greater population of Canadian vessels in these areas. Refer also to Policy 2.

#### Explanation of Policy 8.1:

Solid wastes are those materials defined under ECL §27-0701 and 6 NYCRR Part 360-1.2.

- A. Plan for proper and effective solid waste disposal prior to undertaking major development or activities generating solid wastes.
- B. Manage solid waste in accordance with the following solid waste management priorities: reduce the amount of solid waste generated, reuse material for the purpose for which it was originally intended or recycle material that cannot be reused, and use land burial or other approved methods to dispose of solid waste that is not being reused or recycled.
- C. Create and support a market for maximum resource recovery by using materials and products manufactured with recovered materials, and recovering materials as a source of supply for manufacturing materials and products.
- D. Prevent the discharge of solid wastes into the environment by using proper handling, management, and transportation practices.
- E. Operate solid waste management facilities to prevent or reduce water pollution, air pollution, noise pollution, obnoxious odors, litter, pest infestation, and other conditions harmful to the public health.

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<sup>26</sup> For additional guidance, see Opportunities for Action, An Evolving Plan for the Future of the Lake Champlain Basin, Draft, October, 1994, Toxics, pp. 1-13.

<sup>27</sup> Additional guidance concerning dump station and pumpout facilities can be found in the Federal Register, Vol. 59, No. 47, Thursday, March 10, 1994 "Notices" p. 11297.

Explanation of Policy 8.2:

Hazardous wastes are those materials defined under ECL §27-0901 and 6 NYCRR Part 371.

F. Manage hazardous waste in accordance with the following priorities:

1. Eliminate or reduce generation of hazardous wastes to the maximum extent practical.
2. Recover, reuse, or recycle remaining hazardous wastes to the maximum extent practical.
3. Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes which cannot be reduced, recovered, reused, or recycled.
4. Phase out land disposal of industrial hazardous wastes.

G. Ensure the maximum safety of the public from hazards associated with hazardous wastes through the proper management and handling of industrial hazardous waste treatment, storage, and disposal.

H. Remediate inactive hazardous waste disposal sites.

1. Expedite remediation of substances hazardous in developed centers to permit redevelopment of the sites.
2. Select a remediation remedy at a particular site to ensure that the public health and the environment will be protected. The future use of a site may determine the selected cleanup levels.

Explanation of Policy 8.3:

Substances hazardous to the environment are defined under ECL §37-0101. Toxic pollutants are defined under ECL §17-0105.

A. Prevent release of toxic pollutants or substances hazardous to the environment which would have a deleterious effect on fish and wildlife resources.

B. Prevent environmental degradation due to persistent toxic pollutants:

1. Limit discharges of bioaccumulative substances.
2. Avoid resuspension of toxic pollutants and hazardous substances and wastes and re-entry of bioaccumulative substances into the food chain from existing environmental sources.

C. Prevent and control environmental pollution due to release of radioactive materials as defined under 6 NYCRR Part 380.

D. Protect public health, public and private property, and fish and wildlife from inappropriate use of pesticides.

1. Pesticides are those substances defined under ECL §33-0101 and 6 NYCRR Part 325.
2. Limit use of pesticides to effectively target actual pest populations as indicated through integrated pest management methods.
3. Prevent direct or indirect entry of pesticides into waterways.



- 4. Minimize exposure of people, fish, and wildlife to pesticides.
- E. Report, respond to, and take action to correct all unregulated releases of substances hazardous to the environment.

Explanation of Policy 8.4:

- A. Minimize adverse impacts from potential oil spills by appropriate siting of petroleum off-loading facilities.
- B. Demonstrate that an adequate plan for prevention and control of petroleum discharges is in place at any major petroleum-related facility.
- C. Prevent discharges of petroleum products by following methods approved for handling and storage of petroleum products and using approved design and maintenance principles for storage facilities.
- D. Clean up and remove any petroleum discharge.
- E. Give first priority to minimizing environmental damage:
  - 1. Respond quickly to contain petroleum spills.
  - 2. Contain discharges immediately after discovery.
  - 3. Recover and recycle petroleum discharges using the best available practices.

### **C. Public Waterfront Policies**

#### **POLICY 9 PROVIDE FOR PUBLIC ACCESS TO, AND RECREATIONAL USE OF, WATERFRONT WATERS, PUBLIC LANDS AND PUBLIC RESOURCES OF THE WATERFRONT AREA.**

**Policy 9.1 Promote appropriate physical public access to Lake Champlain and the Saranac River and their shorelines, and promote recreation throughout Plattsburgh's waterfront area. Policy 9.2 Provide public visual access to waterfront lands and waters or open space at all sites where physically practical.**

**Policy 9.3 Provide access and recreation which is compatible with natural resource values.**

#### Explanation of Policy 9:

Along many stretches of the waterfront, physical and visual access is limited for the general public. Limitations on reaching or viewing the waterfront are further heightened by a general lack of diverse forms of recreation at those sites that do provide access. In many cases, access and recreational opportunities are limited to local residents. In addition to loss of opportunities for physical access, visual access has also been diminished due to blocked views or the elimination of vantage points. Given the lack of adequate public access and recreation, this policy incorporates measures needed to provide public access throughout the waterfront area. The need to maintain and improve existing public access and facilities is the first of these measures, and is necessary to ensure that use of existing access sites and facilities is optimized in order to accommodate existing demand. The second measure is to capitalize on all available opportunities to provide additional visual and physical public access along with appropriate opportunities for recreation. Recreational facilities, such as parks and trails, are acceptable uses for virtually any portion of the City's waterfront. However, direct shoreline access within the Point View Terrace neighborhood is precluded due to existing residential development, and other areas are subject to continuing beach erosion. The third measure addresses the need to protect and preserve natural resources in the development of recreation facilities.

The City should work with local developers, property and business owners, and homeowners to maximize public access and waterfront redevelopment opportunities, recognizing that waterfront redevelopment is generally a major catalyst for economic revitalization.

Although there are currently several ways to access the waterfront area in Plattsburgh, as described in the Inventory and Analysis, the access provided in these sites is uncoordinated and does not represent the most effective means of providing diverse public recreation opportunities along the waterfront. The guidelines in this policy are intended to shape the enhancement of existing access sites, as well as the development of new areas.

The level of public access and type of recreational use should take into account the following factors:

- Proximity to downtown and neighborhoods
- Public demand for access and recreational use
- Type and sensitivity of natural resources affected



- Purpose of public institutions which may exist on the site
  - Accessibility to the public access site or facility
  - The needs of special groups such as the elderly and persons with disabilities
  - The potential for adverse impacts on adjacent land uses
- A. Provide new opportunities for convenient, well-defined physical public access to and along Plattsburgh's waterfront for water-related recreation, such as Wilcox Dock, Sailor's Beach, the Old Base Marina, or trail linkages.
- B. Protect and maintain existing public access and water-related recreation facilities.
1. Prevent physical deterioration of facilities due to lack of maintenance or overuse.
  2. Prevent any on-site or adjacent development project or activity from directly or indirectly impairing physical public access and recreation or adversely affecting its quality.
  3. Protect and maintain established access and recreation facilities, especially at the marina, City Beach, and Dock St. Landing.
  4. Protect and maintain the infrastructure supporting public access and recreational facilities.
- C. Provide additional physical public access and recreation facilities throughout the coastal area.
1. Promote acquisition of additional public park lands to meet existing public access and recreation needs, such as near Wilcox Dock, when land becomes available.
  2. Provide for public access and recreation facilities on non-park public waterfront lands as a secondary use, such as waterfront pedestrian trails, when land becomes available.
  3. Provide for public access at streets terminating at the shoreline, such as Cumberland Avenue and Dock Street, when land becomes available.
  4. Provide access and recreation facilities to all members of the public whenever access or recreation is directly or indirectly supported through federal or state projects or funding.
  5. Retain a public interest which will be adequate to preserve public access and recreation opportunities in publicly owned lands immediately adjacent to the shore in any transfer of public lands.

Explanation of Policy 9.2:

In addition to physical access, maintaining and expanding visual access to the waterfront is an important policy of this LWRP. Views of the waterfront not only enhance the character of Plattsburgh, but increase property values for properties near, but not on, the waterfront, thereby encouraging economic growth. The intent of the following guidelines is two-fold:

- Provide design guidance for those projects directly designed and developed by the City

- Provide a framework for regulatory standards, such as a waterfront overlay district, which will shape the development of private properties in the future.

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

A. Avoid loss of existing visual access:

1. Limit physical blockage of existing visual access by development or activities due to the scale, design, location, or type structures.
2. Protect view corridors provided by streets and other public areas leading to the coast.
3. Protect visual access to open space areas associated with natural resources.

B. Minimize adverse impact on visual access:

1. Provide for view corridors to the coast in those locations where new structures would block views of the coast from inland public vantage points.
2. Use structural design and building siting techniques to preserve or retain visual access and minimize obstruction of views.
3. Visual access requirements may be reduced where site conditions, including vegetative cover or natural protective features, block potential views.
4. Vegetative or structural screening of an industrial or commercial waterfront site is allowed if the resulting overall visual quality outweighs the loss of visual access.

C. Provide compensatory mitigation for loss of visual access:

1. Provide public visual access from vantage points on the site where development of the site blocks visual access from inland public vantage points.
2. Provide for additional and comparable visual access at nearby locations if physical access cannot be provided on-site.

D. Increase visual access to the waterfront whenever practical:

1. Provide pull-offs along public roads at appropriate locations to enhance opportunities for visual access to waterfront lands and waters.
2. Provide interpretative exhibits at appropriate locations for visual access to enhance public understanding and enjoyment of views of waterfront lands and waters and its associated water-dependent uses.
3. Provide visual access to areas of high visual quality including community waterfronts, water-dependent uses, natural resources, and panoramas of the Lake.



Explanation of Policy 9.3:

As stated in the Inventory and Analysis, there are several areas of high natural resource value in the LWRP boundary. These include the wetlands near Scotion Creek, the floodplain associated with the Saranac River, the Saranac River itself, and Lake Champlain. It is important that any recreational or general access projects proposed in these areas are designed to be compatible with the ecological considerations on the site. The following guidelines are intended to be considered in the identification and design of such recreation facilities.

- A. Provide appropriate access and associated recreational activity that will avoid potential adverse impacts on natural resources. Use the following factors in determining the potential for adverse environmental effects:
  - 1. Intensity of the associated recreational, scientific, or educational activity
  - 2. Level of likely disturbance associated with the proposed activity. The following types of access or associated activities are listed in decreasing order of potential for disturbance: motorized activities; active, non-motorized activities, including water-dependent and water-related uses; passive activities; and avoidance of the area.
  - 3. Sensitivity of the natural resources involved and the extent of the ecological benefits associated with avoidance of the area.
- B. Limit public access and recreational activities where uncontrolled public use would lead to impairment of natural resources.
  - 1. Establish appropriate seasonal limitations on access and recreation in order to minimize adverse impacts on fish and wildlife species.
  - 2. Provide stewardship which is capable of controlling anticipated adverse impacts before providing public access.
  - 3. Physically limit or avoid provision of public access to natural resource areas whose principal values are based on the lack of human disturbance, such as the escarpment in the south portion of the LWRP lake coast area.
  - 4. Provide educational, interpretive, research, and passive uses of natural resources through appropriate design and control of public access and recreation.
- C. Provide public access for fish and wildlife resource related activities, including fishing, provided that the level of access would not result in a loss of resources necessary to continue supporting these uses.
- D. Provide access using methods and structures which maintain and protect open space areas associated with natural resources. Determine the extent of visual and physical impairment by structures extending through these open space areas based on:
  - 1. The value of the open space as indicated by continuous size or mass of the wetland or other natural resources, distance to navigable water, and wetland value, and
  - 2. The size, length, and design of proposed structures.

## **D. Working Waterfront Policies**

### **POLICY 10 PROTECT WATER-DEPENDENT USES AND PROMOTE SITING OF NEW WATER-DEPENDENT USES IN SUITABLE LOCATIONS.**

**Policy 10.1. Protect water-dependent uses.**

**Policy 10.2. Promote the siting of new water-dependent uses at suitable locations and provide for their safe operation.**

**Policy 10.3. Improve the economic viability of water-dependent uses.**

**Policy 10.4. Allow water-enhanced uses which complement or improve the viability of water-dependent uses.**

**Policy 10.5. Promote the efficient management of surface waters and underwater lands and support efficient harbor operation.**

#### Explanation of Policy 10:

Throughout the nation, greenways, rails-to-trail initiatives, bikeways, and walkways are linking waterfronts with surrounding communities and bringing citizens back to lakes, rivers, and seashores. Increasing interest in boating and fishing, as well as all recreational pursuits, has resulted in shortages in boat slips across the country in the past decade. Increasing interest in boating, shore fishing, fly fishing, and ice fishing was consistently demonstrated in public meetings and anecdotal information furnished to the Project Team, as well as in Lake Champlain Basin Program documents.

Given this interest locally and among potential tourists to the area, Plattsburgh's waterfront revitalization and redevelopment should be carefully planned to maximize existing resources, using them as a base for creating new amenities and attractions. Telephone interviews carried out as part of both the LWRP and the city's housing and economic development needs study, have indicated that realtors, bankers, business owners and residents recognize that Lake Champlain represents a significant but underutilized resource. The studies also reported that there is a recognized shortage of boating facilities on Lake Champlain, particularly on the New York side, and the most popular marinas were located immediately north and south of the city, at Point Au Roche State Park and Valcour Island.

Within Plattsburgh, the water-dependent uses to be encouraged may include recreational boating facilities such as docks and marinas, and pedestrian recreational/interpretive trails. In addition, complimentary uses, such as boat repair, supply, and lodging activities should also be encouraged in areas where they would not conflict with existing residential development. Presently, little, if any, demand exists for water-dependent industry.

It can be reasonably expected that the demand for waterfront space will intensify in the long-term. The traditional method of land allocation, the real estate market, with or without local land use controls, offers little assurance that uses which require a waterfront site will, in fact, have access to such locations.

Furthermore, in implementing the LWRP, the City will use a variety of tools and techniques to develop the lakefront as a sustainable community resource. Strategic tools include land use controls (such as zoning and



design standards) and development incentives which can assist in implementing community goals and acquiring property through arrangements which provide community control over development approaches and projects. The City of Plattsburgh adopted a Mooring Law in 2013, contained in Chapter 200 of the City Code (see Appendix K). This law regulates the placement, construction, and use of moorings in the waters of Lake Champlain to 1500 feet from the City of Plattsburgh shoreline.

### **Recreational Boating**

With regard to the siting of boating facilities, marina locations should be developed and/or maintained and enhanced at Wilcox Dock and Dock St. Landing, as well as at the new City Marina and at the Plattsburgh Boat Basin. The City should continue to work closely with the developer to improve and enhance existing facilities to make this a more popular destination. Additional marina facilities should be developed at Wilcox Dock and at the Old Base marina. Such facilities must be developed where vehicular access is provided for and where strong linkages can be made between the waterfront and other city amenities. Provisions should also be made for rental boats, guest slips, etc. New residential development could include boat slips. Such development should be sited in such a way as to minimize conflicting uses.

- A. Existing uses, such as the municipal beach, Dock St. Landing, Plattsburgh Boat Basin, City Marina, boat launch at Peace Point, the new eco-docks at Wilcox Dock and Dock Street Landing, and the beaches at the Old Base site, should be encouraged and enhanced.

#### Explanation of Policy 10.2:

Adverse impacts of new and expanding water-dependent uses should be minimized. The provisions of this policy are applicable and further described in the explanation of policy.

- B. Marinas shall be located in areas where minimal maintenance dredging will be required (not more than once every five years):
  - 1. Waterside and landside access, as well as upland space for parking and other facilities, is adequate.
  - 2. The necessary infrastructure exists or is easily accessible, including adequate shoreline stabilization structures, roads, water supply and sewage disposal facilities, and vessel waste pump-out and waste disposal facilities.
  - 3. Water quality classifications are compatible
- C. Ensure that new or expanding marinas:
  - 1. Incorporate marine services and boat repair, as feasible, to meet a range of boating needs
  - 2. Do not displace or impair the operation of water-dependent transportation, industry, or commerce
  - 3. Do not encroach upon navigation channels or channel buffer areas
  - 4. Incorporate public access to the shore through provisions, such as including access from the upland, boat ramps, and transient boat mooring
- D. Adequate sewage pump-out facilities shall be provided. The number and type of such facilities shall be determined by the size of the marina and the type of boats served by it.

- E. Marinas shall not be located in areas where they would harm aquatic life or would degrade identified wetlands
- F. Adequate restroom facilities shall be provided to discourage overboard discharge of sewage from boats and to protect water quality
- G. Ample signage shall be provided to identify the location of restrooms and pump-out facilities. Signs must also fully explain the procedures and rules governing the use of pump-out facilities. Pump-out facilities shall be available to all boaters, regardless of whether they are patrons of the marina.

Explanation of Policy 10.3:

- A. Non-water-dependent accessory or mixed use developments may be allowed, provided:
  - 1. Accessory uses are subordinate and functionally related to the principal water-dependent use and contribute to sustaining the water-dependent use
  - 2. Mixed uses subsidize the water-dependent use and are accompanied by a demonstrable commitment to continue operation of the water-dependent use
  - 3. Uses are sited and operated so as not to interfere with the principal operation of the site for a water-dependent use, and
  - 4. Uses do not preclude future expansion of a water-dependent use.
- B. Locations that exhibit important natural resource values, such as wetlands and fish and wildlife habitats, should be avoided. Other uses may be incorporated in the waterfront, particularly water enhanced and marine support services, provided that these uses:
  - 1. Improve the working waterfront and its character
  - 2. Do not interfere with the efficient operation of another water-dependent use
  - 3. Make beneficial use of a waterfront location through siting and design to increase public enjoyment of the waterfront.

Explanation of Policy 10.4:

When determining if a water-enhanced use is appropriate for siting along a waterfront, the following factors should be considered:

- A. The use would provide an economic incentive to prevent the loss of a water-dependent use.
- B. The use would be sited and operated so as not to interfere with water-dependent uses.
- C. The use would be sited in a manner which does not preclude future expansion of a water-dependent use.
- D. The activity makes beneficial use of a shoreline location through siting and design to increase public enjoyment of the waterfront and enhance community character.



- E. Dedicated parking spaces shall be provided at a minimum of 0.6 spaces per slip plus additional spaces for employees and for separate retail activities on the premises.

Explanation of Policy 10.5:

Waterways throughout the State have experienced a significant growth in recreational boating in recent years. The increase in boat traffic has resulted in a corresponding demand for marinas, docks, storage areas, service shops, and launch facilities. Although communities have been preparing comprehensive land use plans for years, equivalent attention has not been given to the water surface and harbor areas. As a result, problems have arisen related to boating congestion, public safety, dredging and dredge spoil disposal, public access to the waterfront, water quality, and competition of land uses along the waterfront.

The City also has advantageous proximity to Rouse's Point in Clinton County, New York - the point of entry for Canadians entering the waters of the United States. It is anticipated that expanded recreational boating facilities, such as a marina, will be sited along Lake Champlain, probably in the vicinity of the Marina subarea. In order to assure that such facilities will be constructed and sited in a manner which does not degrade natural resources or adversely impact boat traffic, the following guidelines shall apply:

- A. To promote effective water use management, traditional land use planning techniques can be applied to the water surface in the following manner:
  - 1. To assure safety, bathing, water skiing, and other recreational uses should be located away from marinas or commercial boating facilities.
  - 2. Marinas, in-water structures, and surface water uses should not encroach upon navigation channels.
  - 3. Uses which are not water-dependent (i.e. decks and platforms) should not be allowed on or over surface waters.
  - 4. The establishment of future water use zones and the siting of in-water structures should be done in a manner which minimizes potential impacts on sensitive resources such as wetlands and fish and wildlife habitats.

**POLICY 11 PROMOTE SUSTAINABLE USE OF LIVING MARINE RESOURCES IN THE WATERFRONT AREA.**

**Policy 11.1 Best management practices will be used to ensure the control of stormwater runoff, combined sewer overflows, and the non-point discharge of excess nutrients, organics, and eroded soils into Lake Champlain and the Saranac River.**

**Policy 11.2 Dredging, dredge spoil disposal and excavation will be undertaken in a manner which protects fish and wildlife habitats, scenic resources, and wetlands, and does not cause an increase in the erosion of such land.**

Explanation of Policies 11 and 11.1:

Non-point source pollution is pollution that enters the water from dispersed sources on the land and in the air. The four major categories of nonpoint source pollutants in the Lake Champlain Basin are nutrients, toxic substances, sediment and pathogens.<sup>28</sup> Non-point source pollution often comes from a wide variety of human activities and is also caused by rainfall or snowmelt which carries pollutants into waterways from a number of ground sources, such as streets, parking lots, and agricultural fields. Best management practices to be utilized to minimize non-point source pollution should reflect State erosion and sediment control regulations and best management practices, and include the following:

- A. Retain as much of the natural vegetation as possible and avoid mass clearing of sites to be developed.
- B. Utilize grading methods which impede vertical runoff and provide maximum runoff infiltration capacity.
- C. Locate large graded areas on the most level portion of the site and avoid the development of steep vegetated slopes.
- D. Conduct grading and clearance activities outside floodplains.
- E. Utilize porous pavements in the construction of parking areas.
- F. Protect inlets to storm sewers by installing suitable filtering devices during construction.
- G. Runoff from parking lots, fueling areas, and large building sites should be collected and detained in sediment basins, oil and grease filtering catch basins, or retention areas to trap pollutants which would otherwise be transported from the site.
- H. Fuel spill prevention emergency response plans shall be prepared and the provision of automatic fuel cut-offs for hoses is mandatory.
- I. Stormwater runoff from parking lots, maintenance, fueling, and wash-down areas must be treated in a manner that prevents oils, grease and detergents from reaching adjacent waters and wetlands. Accepted treatment methods include oil and grease filtering catch basins, retention areas and exfiltration systems.
- J. Trash receptacles shall be plentiful and convenient to encourage the proper disposal of trash and waste.

In addition to these practices, the City will evaluate the effectiveness of its storm sewer system and make improvements, where possible, aimed at collecting and detaining sediments in filtering catch basins, retention areas, etc.

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<sup>28</sup> For additional guidance, see Opportunities for Action, An Evolving Plan for the Future of the Lake Champlain Basin, Draft, October 1994, Nonpoint Source, pp. 1-30.



Explanation of Policy 11.2:

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal, and meeting other coastal management needs. Such dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands and other important resources. Often, these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging permits will be granted if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to the Environmental Conservation Law (Articles 15, 24, 25 and 34).

The future siting and/or expansion of marina facilities within the City may also necessitate dredging. In this regard, such facilities shall be located in areas where minimal maintenance dredging will be necessary. In addition, dredging which would impact identified wetlands should be avoided so as not to degrade these sensitive environmental resources.

**POLICY 12 PROTECT AGRICULTURAL LANDS IN THE WATERFRONT AREA.**

This State policy is not applicable in the City of Plattsburgh. There are no NYS Agricultural Districts within the Waterfront Revitalization Area.

**POLICY 13 PROMOTE APPROPRIATE USE AND DEVELOPMENT OF ENERGY AND MINERAL RESOURCES.**

This State policy is not applicable in the City of Plattsburgh.

## **Section IV. Proposed Land and Water Uses & Projects**

A key component of Plattsburgh's Waterfront Revitalization Program consists of the specific land and water uses, development projects and revitalization programs - both public and private - proposed for the coastal area. The Inventory and Analysis of waterfront conditions and the applicable state and local policies provide the basis for this component. Corresponding changes in the City's zoning ordinance will be described in Section 5. The proposed uses and projects were selected after input and approval from the city planning and engineering staff, the local Waterfront Commission, and the City Council. Additional public meetings were held with various subarea groups and residents. Feedback received during the planning process is contained in Appendices F, G, and H.

The City has identified land and water uses and proposed projects in recognition of the fact that the cornerstone of successful waterfront revitalization is attractive, safe, and inviting public access, and that without public access, the water's edge will remain cut off, private, and lacking in the single ingredient absolutely necessary for revitalization: people. Additionally, without a comprehensive plan for the whole waterfront, access that is gained is likely to be haphazard, unconnected and underutilized.

The best access has these characteristics:

1. It invites public use by virtue of its unambiguously public character.
2. It permits the public to walk, jog and bike along the water's edge, while minimizing conflicts among types of users.
3. It allows boaters access to and from the water and a secure place to temporarily leave their boats.
4. It connects the downtown to the waterfront at points where the Central Business District and other City neighborhoods front the Lake and River.
5. It establishes or preserves visual connections to the waterfront from upland sites and streets.
6. It provides a variety of pedestrian experiences by using changes in width, elevation, orientation, plantings and surface treatment.
7. It respects people's basic needs by providing comfortable street furniture; clean, safe restrooms; and shelter from rain.
8. It sparks visitors' curiosity through interpretive markers and signs explaining the waterfront's role in history, its contemporary industries, natural environment and wildlife, and other intrinsically interesting stories.
9. By its design, it guards the privacy and security of adjacent residences and protects people from hazardous waterfront industrial sites.



10. It respects the needs of children, the elderly, and the disabled.<sup>29</sup>

Revitalizing the waterfront depends on identifying and conserving existing assets and amenities and recognizing, contemplating and developing opportunities for the creation of additional amenities; the intent of recommending future land and water uses and zoning revisions is to encourage and support a wide range of additional activities and to conserve existing resources. The revitalized Plattsburgh waterfront should be pleasant and welcoming to all ages and ability levels of people, offer a wide variety of activities, and be varied in use and activity concentration. There should be welcoming and secure areas for senior citizens, young parents and children to sit in the sun, feed the birds and rest; playground equipment to play on; nearby playing fields and scenic overlooks; nature walks; fountains; pathways surfaced for walking, bicycling, rollerblading, and skateboarding. However, land and water uses are not expected to depart drastically from existing patterns; proposed uses and projects are predominantly refinements of existing patterns.

Land and water uses, as well as projects should be considered carefully. The Plattsburgh waterfront presents come constraints but also opportunities, as it contains industrial and other properties which could be redeveloped. An opportunity therefore exists for the City and private property owners to work together to create a waterfront area that will be attractive and appealing to residents and visitors alike. With this in mind, the City should be respectful of and sensitive to the rights and concerns of private property owners. All groups should be mindful of the need to work together to realize the economic and community development potential of waterfront revitalization.

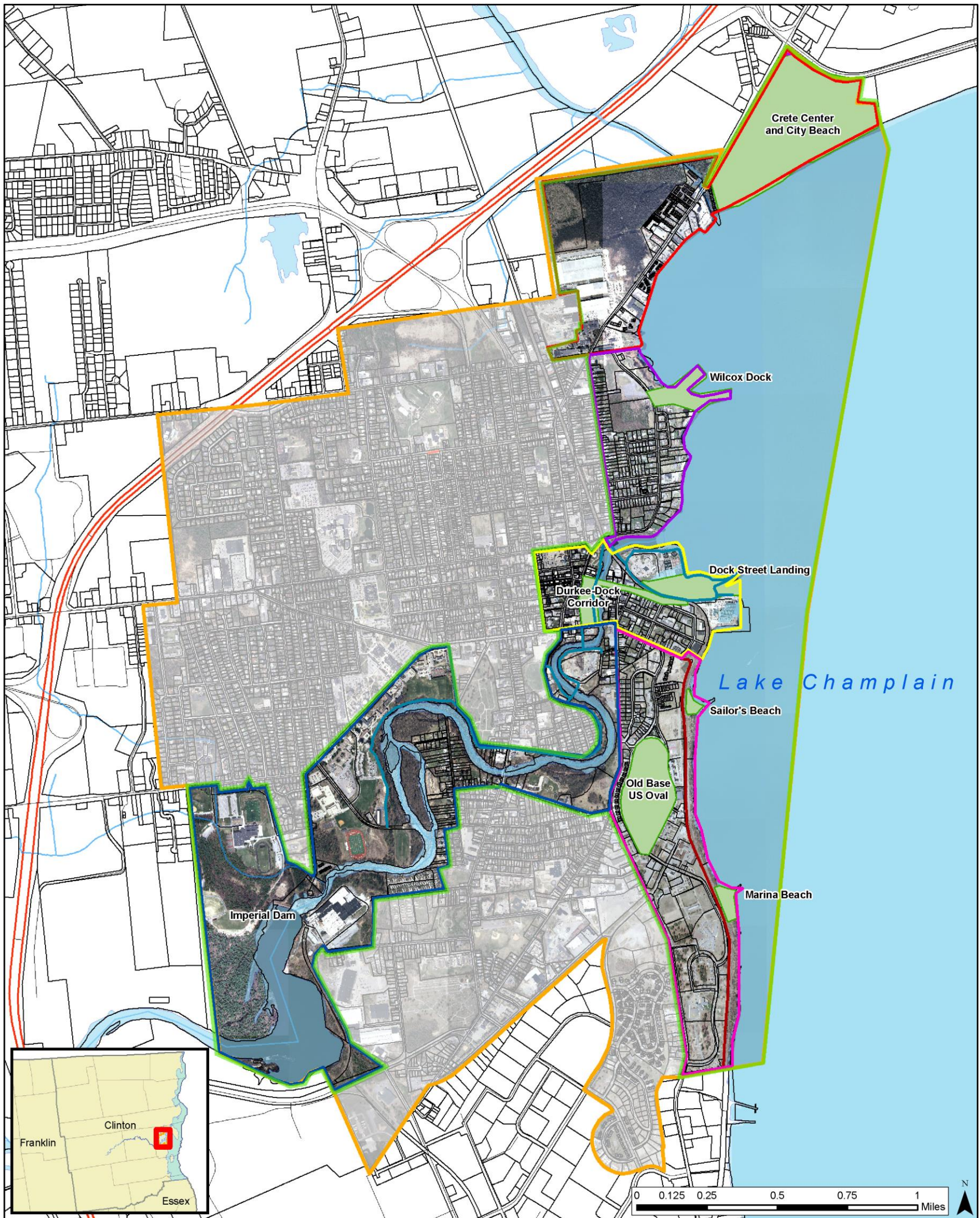
### **A. Proposed Land Uses**

Based on the description of existing land and water uses and analysis of opportunities and constraints presented above in Section II C, recommendations are made for proposed land and water uses for each subarea below. The proposed projects primarily represent refinements or expansions of existing uses and are not expected to bring about drastic changes in use (see Map Series 9). It will be of utmost importance for the City and private property owners to collaborate in order to protect existing resources and provide guidance for future development.

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<sup>29</sup> Good, J.W., and R.F. Goodwin, *Waterfront Revitalization for Small Cities*, Corvallis, OR: Oregon State University Extension Service, May 1992.





# City of Plattsburgh

## Proposed Project Areas

Map 9A  
January 2016

- KEY**
- Waterfront Revitalization Area
  - Subareas
    - North End
    - Cumberland Ave/Wilcox Dock
    - Marina-Downtown
    - Old Base
    - Upper Saranac
    - City of Plattsburgh Boundary
  - City Trails**
    - Karen Fleury Bike Path
    - Saranac River Trail
    - Terry Gordon Bike Path
  - Priority Project Areas
  - Parcels

PROJECT # 2014 - 029  
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File Location: B:\2014\14029 Plattsburgh\Maps\14029 Plattsburgh\_09A Projects.mxd

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### *North End Subarea*

Proposed uses reflect maintenance of existing development patterns. This subarea includes the City Beach as well as a motel, townhouse developments, a McDonald's restaurant, offices, and industrial use (mainly Georgia Pacific).

The City has successfully completed several projects in this subarea, including an Environmental Quality Bond Act (EQBA)-funded extension of the Heritage Trail. In addition the City has encouraged and assisted in the rehabilitation of deteriorated buildings in this area. The Karen Fleury Bike Path, which runs along Route 9 from City Beach to Scotion Creek, was dedicated in 2002. In 2014, the North Margaret Street Road Diet project added bike lanes from Boynton Avenue to the Karen Fleury Path and Heritage Trail. Additional bicycle lanes have been developed along Cumberland Avenue.

The City Beach property contains nearly half of the waterfront area in this subarea and provides public access to Lake Champlain. Existing water uses are predominantly recreational and include fishing, swimming, and boating. Proposed uses under the LWRP would maintain and strengthen these uses, through the acquisition of public access easements from private property owners (in long-term and realistically, with some form of incentive) and implementation of related enhancements, such as the construction of a waterfront loop of the existing Heritage Trail.

### **Projects**

- A. Easements from private property owners:  
In the long-term, the City should develop a public outreach and education program to facilitate the granting of voluntary easements by willing private property owners at all parcels located south of the city beach. While some of these sites currently allow informal access, no formal right-of-way has been established. The City and the Lake Champlain Basin Program have articulated a desire to have a walking/bicycling trail along the entire Lake Champlain waterfront. Over time, when public access is obtained through easements across private property, the easements should be recorded in the property deeds of each parcel crossed by the access way. Doing this will ensure easements are not "lost" when parcels change hands. This point is particularly important in cases where the access is not continuous and leads to a dead-end shoreline viewpoint. The City could work with property owners to establish a volunteer incentive package for obtaining waterfront easements from private property owners. Work with private property owners to obtain easements to all waterfront parcels as a means of ensuring protection and providing improved public access to the waterfront. As access is obtained, work to develop a lakefront trail that extends throughout the subarea.
- B. Improve connectivity from the North End toward Wilcox Dock and Downtown. Construct a Cumberland Bay trail connecting the interpretive trail proposed for Scotion Creek and the Wilcox Dock site. The streetscape could be improved near the "northern gateway" Route 9 - Route 314 intersection and along North Margaret Street, incorporating additional complete streets elements to build upon the recent bicycle lane construction, façade improvements, and additional commercial, mixed-use, or hotel elements.
- C. Improve interpretation of the Scotion Creek wetlands and dunes area with additional signage and recreational programming (such as self-guided nature walks). Provide pedestrian access to the creek waterfront as well as a hand launch.

- D. From Scotion Creek to end of the City Beach, additional beach monitoring and cleanup should be carried out.
- E. City Beach enhancements – remediation of former landfill site;
- E. City Beach - natural environmental improvements including dune and habitat protection and restoration, trail improvements (wetland boardwalk, interpretive signage), and flood protection;
- F. City Beach water-related recreation improvements: piers and docking, flexible open space, performance/event space, possible new buildings, historic interpretation, wetland trails, renovated bathhouse and concessions, pavilions, boater services
- G. City Beach – Given recent impacts on water quality resulting from runoff and flooding, a water quality study should be undertaken to explore causes and contributing factors, as well as potential solutions to water quality issues.
- H. City Beach and Crete Center - The *City Beach and Crete Center Redevelopment Feasibility Study*, conducted at the same time as this LWRP, examined the existing facilities, their current usage, community needs, site constraints, potential for redevelopment, regulatory and permitting implications, and costs of alternatives. These findings should be used to inform future development or redevelopment.
- I. Cumberland Corners, Crete Center, and City Beach – Opportunities for Regional Coordination

Cumberland Corners is an important recreational and economic development resource for both the Town and the City of Plattsburgh and the entire Clinton County region and, therefore, offers significant opportunities for regional coordination and cooperation. The Cumberland Corners area was once a thriving regional retail center. Currently the area has several underutilized properties.

The City of Plattsburgh's Beach and Crete Memorial Civic Center are key components of Cumberland Corners. The Crete Center is an important regional facility utilized by residents of the City and Town, as well as surrounding communities. Located adjacent to the City Beach, in the Town of Plattsburgh, Cumberland Bay State Park has a beach, picnic areas, playgrounds, and playing fields and provides facilities for camping.

Together, these sites offer many recreational opportunities for residents and visitors. They also offer an opportunity to provide complementary facilities and programs through coordination between the City, Town, County, and State.

The planning process for the future of the City's waterfront has highlighted the need to invest in either significant repairs or replacement of the aging Crete Center. Relocating regional recreation to a new regional facility offers an opportunity for the City, Town, and County to address regional recreation needs and make improvements to the City Beach site that could catalyze commercial sector redevelopment activities in the area. Several sites in the Cumberland Corners/Route 9 corridor have potential as locations for a regional recreational center.







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### City of Plattsburgh

Proposed Land Uses:  
North End Subarea  
Concept 1

Map 9B  
January 2016





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### City of Plattsburgh

Proposed Land Uses:  
North End Subarea  
Concept 2

Map 9C  
January 2016





### *Cumberland Avenue/Wilcox Dock Subarea*

This subarea includes industrial development (Georgia-Pacific plant) in the northern portion, and predominantly prime residential housing. These uses are unlikely to change in the near-term; land and water uses generally reflect a continuation and enhancement of existing uses. Portions of this area are zoned RC, therefore any future redevelopment plans must be carefully considered and implemented; with some of the City's best views of Lake Champlain and the Green Mountains, this subarea is a key element of Plattsburgh's waterfront. Georgia Pacific worked with the NYS Department of Environmental Conservation to facilitate dredging of contaminated sludge and wood chips near the state-owned Wilcox Dock area. The site was determined to no longer pose a threat to public health or the environment and was delisted from the State Superfund program in January 2013.<sup>30</sup> By keeping existing development with minor and incremental improvements over time as funding is available, the City will be able to accomplish this goal, which is consistent with the goals of the LWRP.

The shore east of the Georgia Pacific plant is currently underutilized due to former PCB contamination, however, as mentioned above, this site was cleaned up through a cooperative agreement between Georgia Pacific and DEC. Proposed supporting LWRP use of this land suggests additional screen planting of evergreen trees, with potential trail access (long-term goal) at the shore level to continue a Cumberland Bay perimeter trail across the property.

The residential area in the south portion of this subarea is a stable single-family residential neighborhood, with most homes constructed in the early to mid-1900s. The homes with shorefront lots are considered to be among the most desirable living places in the City. Proposed uses under the LWRP would maintain and protect the existing character.

The Wilcox Dock property itself is owned by the State. A portion of the parcel, along the southern edge, is currently leased to a private property owner. The overall property could be enhanced to incorporate additional recreational amenities. Proposed water uses are predominantly recreational and could include fishing, swimming, bird watching, and small boating and/or boat rentals. No new freight activity is envisioned for the former barge canal pier.

### **Projects**

- A. The vacant lot at the north end of Cumberland Avenue is privately owned. As the City works to enhance waterfront areas, due consideration should be given to private property owners. Should the opportunity arise, this parcel should be acquired and redeveloped for recreational or supporting commercial uses (rentals, food) related to proposed recreational reuse of Wilcox Dock.
- B. Explore the possibility of waterfront/recreation/conservation use for abandoned property next to Georgia Pacific.
- C. Provide enhancements to the Wilcox Dock waterfront park- day-use or short-term docking, fishing, pavilions, restrooms, play space, and general passive park improvements.

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<sup>30</sup> [http://www.mychamplain.net/sites/default/files/cumberland\\_bay\\_de-list\\_notice.pdf](http://www.mychamplain.net/sites/default/files/cumberland_bay_de-list_notice.pdf)

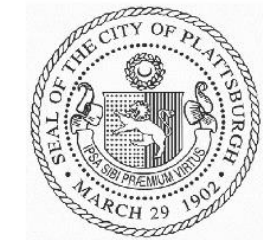


- D. Extend residential neighborhood development northward, into the first vacant parcel along the west side of Cumberland Avenue. Continue and connect the established street grid.
- E. Provide a neighborhood park adjacent to the neighborhood development for more active recreation, such as a ballfield, basketball court, tennis courts, restrooms, and playground.
- F. Enhance the streetscape along Cumberland Avenue to improve aesthetics as well as safety for both pedestrians and bicycles.



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### City of Plattsburgh

Proposed Land Uses:  
Cumberland Ave/Wilcox Dock  
Subarea: Concept

Map 9D  
January 2016





### *Dock Street – Durkee Street – Downtown Subarea*

Land uses in this area include mixed use residential, commercial, and recreational, with some industrial development. The northernmost area is occupied by the water pollution control plant and a storage yard for the Municipal Lighting Department (at the mouth of the Saranac River). The opportunity exists to install vegetative screening to buffer views of the water treatment facility. The waterfront area is also occupied by several existing warehouses. A portion of the area has been listed as the Point Historic District in the National Register of Historic Places (see Maps 6A-D), and is the site of some of the earliest settlement in Plattsburgh.

The area was also the site of the former CP rail yards, now known as Dock Street Landing. The rail yards have been relocated to the “new base” area of the former PAFB. The storage and operations building has been demolished, allowing the land to be redeveloped for uses that will support both water- and landside tourism. Dock Street Landing is considered the major gateway to the city from the waterside, and is intended for both landside and waterside visitors to enjoy. The waterfront in this area, as well as in the adjacent Plattsburgh Boat Basin and former CP Rail land areas, is envisioned as a primarily pedestrian environment. The City completed development of the City Marina, adjacent to the Plattsburgh Boat Basin, in the spring of 2015. Additionally, there is a City/State boat launch at Peace Point, as well as recently installed eco-docks. In the future amenities at Dock Street Landing could include a pavilion, fishing pier, fountain, monument, sculpture, and specimen plantings.

Residential character should be maintained and protected, with incentives established to encourage improvements to historic structures as well as general enhancements. Any new development should be compatible with the best use. In the long-term, the City should work with private property owners and seek to redevelop buildings in the waterfront area into more water-related uses. This area has the single greatest potential for linking waterfront and downtown revitalization and, as a result, for stimulating economic and community development. Uses would be developed to support and enhance a pedestrian friendly environment; the basic approach will be general clean-up and design detailing that retains all existing buildings. The existing streetscape could be enhanced to create more of a complete streets approach, accommodating both bicycles and pedestrians and enhancing connectivity.

Recent improvements in this subarea have included a new City Marina with boat slips, docks, moorings, a Welcome Center, and a pedestrian boardwalk/promenade area. In addition, this area is an ideal "reception" area for future tour or excursion boats (for example, day trips to Valcour Island and environs). Also located at Dock Street Landing are a formal walkway with appropriate lighting and benches for viewing the lake along the waterfront, as well as appropriate lighting along Dock Street, a trailered boat launching area, and a hand launch/eco-dock.

### **Projects**

The proposed projects for this subarea are designed to further the establishment of the area as a new pedestrian-oriented waterside/landside gateway and mixed use development. These projects focus on streetscape improvements and connections to Durkee Street and downtown, development of a waterfront pavilion and fishing pier, and pedestrian/bicycle trail to connect to trails to the north and south. In terms of waterfront revitalization, projects implemented in this area are expected to have the greatest immediate impact on the city as well as on future waterfront revitalization efforts. The City has received approximately \$2 million in grants from the Department of State EPF-LWRP fund for projects in this subarea.

A. Durkee Street

Redevelopment of the Durkee Street parking lot and adjacent areas will create a regional destination and vibrant city center. Development of an urban waterfront setting that includes mixed-used anchor buildings at the Durkee - Bridge Street corner, as well as public space, will provide a link between the Downtown, the Arts Corridor, and the Saranac River. Provide pedestrian and bicycle connections northward toward the City Beach, eastward toward Dock Street and The Point Historic District neighborhood, and southward via a pedestrian bridge toward the NYSEG site (to be redeveloped), connecting to the existing Saranac River Trail, and the Old Base subarea. Accommodate parking deck(s) along Durkee Street by fronting them with buildings to enhance both architecture and streetscape. Complement a vibrant downtown by including uses that activate the riverfront – arts, events, housing, water sports, play space, market space, and open space.

B. Arts District Corridor

Improve connections between the Durkee Street area and the Brinkerhoff/Court Street area. As urban park space is developed at Durkee Street, it should be extended via improvements to the park space between Durkee and Margaret Streets. Pedestrian and streetscape improvements could extend to the Arts District area along Brinkerhoff Street to Oak Street.

C. Improve visual as well as physical linkages between the downtown and waterfront on the Dock-Bridge Street corridor. In 1999, the City completed a \$15,000 Environmental Protection Fund grant from the NYS Department of State Division of Coastal Resources and Waterfront Revitalization to conduct a design and linkage study for this corridor, which provides a significant link between the Lake Champlain waterfront and downtown.

D. Dock Street Landing

Link to historic railroad depot at intersection of Dock Street and Bridge Street. Consider commercial, mixed-use, and/or hotel/resort development in the space between the existing parking lot and the waterfront park space. Within the park space, incorporate a fishing pier, paths, a pavilion and public restrooms. These additions will complement the recent installation of a trailered boat launch and an eco-dock hand launch, as well as the adjacent development of the City Marina and Welcome Center.

E. Dock Street Landing Design Guidelines

Since the Landing has the potential to become a major entry point into the city, the development of design guidelines, which could build upon the 2009 Streetscape and Design Guidelines for the Downtown Area, is one option to improve the waterfront and landside ambience. These guidelines could include details, such as a bi-level boardwalk around the perimeter of the boat basin with widened stair and ramp access at the west and south ends, to unify the area visually and functionally. Waterfront character would be enhanced with the use of wood piles and swag rope or metal bollards and turnbuckle tensioned guy wire safety barriers. The city should assist property owners with improvements to improve this entire area.

F. Dock Street should be decoratively paved to provide an attractive surface. Overhead utility wires should be buried, perhaps in a green strip on the south side of Dock Street. Safety for pedestrians and bicycles, given the crossing of the railroad tracks, should be improved as well.



G. Adjacent industrial uses

1. Municipal Lighting Department storage

At the northwest corner of the Dock Street landing area is the Municipal Lighting Department storage yard. This could be relocated to accommodate appropriate water-related development, which could be commercial or residential. This may also be an appropriate location for the mixed-use development, possibly incorporating an interpretive center or hotel use.

2. Water Pollution Control Plant

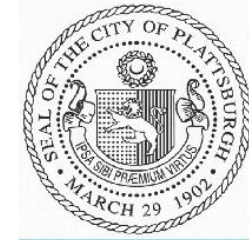
East of the storage yard, where the Saranac River meets Lake Champlain, is the Water Pollution Control Plant. While it is not feasible for this to be relocated, aesthetic enhancements could be incorporated, and interpretive signage could be added, recognizing the importance of the treatment plant to Lake Champlain. The odor control systems and strategies at the plant should be upgraded. The lakefront pathway along this property could be enhanced and maintained as well. Potential mitigation options and aesthetic enhancements for the Water Pollution Control Plant were examined in a feasibility study funded by a 2007 \$110,000 Environmental Protection Fund grant from the NYS Department of State Division of Coastal Resources and Waterfront Revitalization.

- H. The City should pursue the redevelopment of the Lakeside Container buildings between Jay Street and the waterfront.
- I. The City should work with the owner of the existing maintenance building facing Dock Street to redevelop this building for commercial use (in the long-term), with the area under the protective overhang treated with special paving such as limestone slabs or unit pavers.
- J. It is recommended that the recreational uses at the mouth of the Saranac River be maintained and enhanced as funding allows, including the removal of debris from the water. Link the mouth of the Saranac River and its fishing, walking and other recreational opportunities, to the increased access at the new Waterfront Park at Dock Street Landing. The Green Street connector component of the Saranac River Trail Master Plan intends to provide pedestrian access along Green Street from the mouth of the river to Bridge Street.
- K. Urban redevelopment and open space strategies should be explored for the eleven-acre NYSEG former manufactured gas plant site, currently undergoing remediation. Future uses should capitalize on and complement the site's riverfront location and proximity to the Downtown-Durkee street redevelopment, as well as the presence of the Saranac River Trail. The site will also have direct access to multiple pedestrian bridges.
- L. A pedestrian walkway with handicapped accessible paving and seating could rim the shoreline perimeter throughout the subarea waterfront.
- M. A southern extension of the Heritage Trail bicycle path, this proposed bicycle pathway would bring cyclers from the former PAFB across the passenger rail tracks to the Lake Champlain shoreline (see projects below). Such efforts should also capitalize on the proximity of the U.S. Oval Historic District and amenities of the former Plattsburgh AFB.



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**City of Plattsburgh**

Proposed Land Uses:  
Dock St - Durkee St -  
Downtown Subarea:  
Concept

Map 9E  
January 2016





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**City of Plattsburgh**

Proposed Land Uses:  
Dock St - Durkee St -  
Downtown Subarea:  
Concept Detail

Map 9F  
January 2016





### *Old Base Subarea*

Plattsburgh AFB was closed in 1995. Upon the announcement of closure, the local communities together established the Plattsburgh AirBase Redevelopment Corporation (PARC) to plan for and carry out the redevelopment effort for the former base property and assets. The area known as "the old base" has been listed as the U.S. Oval Historic District in the National Register of Historic Places. Principal uses of the former old base area now include light industrial, research and development, arts and culture, museums, resort residential and recreational use. In 2010 PARC ceased to have full-time staff and outsourced most of its operations to a real estate company.

Enhancements for the US Oval should minimize any permanent construction, focusing on flexible athletic uses. Improvements could include providing water supply to the ice rink – which could be enhanced to serve as a seasonal reflecting pool – enhancing the space opposite the chapel, providing public restrooms, and incorporating a pavilion. Fort Brown could be enhanced with the provision of parking, selective clearing of vegetation to open views, and the development of trail connections to improve pedestrian and bicycle connectivity. Connections to trails could also be improved in and around the museum campus, while the waterfront along the eastern side of the Terry Gordon Bike Path would benefit from selective clearing and trimming of vegetation to improve water views.

### **Projects**

- A. Old Base and Museum Campus Master Plan: A coordinated museum campus concept with joint marketing, programming efforts, and long-range planning has the potential to enhance the tourism market.
- B. Since closure of Plattsburgh AFB, the City has constructed the Terry Gordon Bike Path, a pedestrian pathway along the waterfront on the western edge of the CP Rail right-of-way, to act as a bypass to NYS Route 9, as called for in the plan already established by the City and County. U.S. Route 9 was enhanced to include a multi-use path as well, in 2004. The Terry Gordon trail was funded through a grant received by the City of Plattsburgh from the New York State Department of Transportation. The City installed a 10'-0" wide continuous paved trail with established gateways at key locations. This trail includes a 4'-0" high chain link fence between trail and railroad right-of-way for safety, as well as landscape plantings, periodic shelters, benches, and viewpoint areas. This trail links features and amenities such as the City recreation department and the US Oval playing field. In addition, the development of historic, cultural, and natural resources for interpretive and resource linkage purposes is underway, both for the waterfront area and the entire former Plattsburgh AFB area.
- C. Enhancements to Fort Brown which may include improved pedestrian and bicycle trail connectivity from Fort Brown to the US Oval and to the Saranac River Trail and Greenway, with selective tree clearing, enhanced interpretation, and parking on Fort property.
- D. Museum area:
  - Trail connectivity (Bike Route 9, Terry Gordon Bike Path, Saranac River Trail)/public transit access
  - Physical enhancements – ADA access, signage
  - Development of a history-focused corridor to connect the Dock Street area to City Hall, the Champlain Monument, through downtown and the historic districts, to Fort Brown, the US Oval, and the Museum Campus.

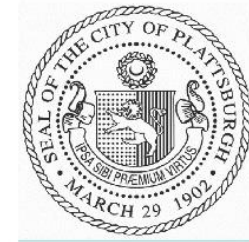


- E. Enhancements along the Terry Gordon Bike Path, to include lighting where appropriate, and selective clearing and thinning of trees and brush to improve lake views while preventing erosion.
- F. US Oval enhancements: minimize any permanent construction, focusing on flexible athletic uses; provide water supply to the ice rink – which could be enhanced to serve as a seasonal reflecting pool; enhance the space opposite the chapel; provide public restrooms; and incorporate a pavilion.
- G. Old Base marina rehabilitation – safety; pier rehabilitation; small craft marina; explore swimming opportunities
- H. Sailor’s beach enhancements, to include safety, lighting, visibility, signage, and access improvements, including ADA access where possible.



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**City of Plattsburgh**

Proposed Land Uses:  
Old Base Subarea:  
Concept

Map 9G  
January 2016





### **B. Proposed Water Uses/ Harbor Management Plan**

There is some potential for increased water uses in the City's waterfront area. There are currently water uses at the municipal beach, the fishing dock at the Macdonough Monument, the boat launch at Peace Point, the new City Marina, the Plattsburgh Boat Basin, and the eco-docks at Wilcox Dock and Dock Street Landing. There is the potential for increased water uses at Wilcox Dock, Dock Street Landing with amenities for transient recreational boats, use of the beaches at the Old Base Marina and Sailor's Beach, the waterfront park at Dock Street Landing, possible river access at Durkee Street, and additional fishing docks along the Saranac River. The Saranac River Trail has proposed river access at the proposed Durkee Street bridge as well as an outdoor learning lab with access at the propose Saranac Street bridge. In an effort to make optimum use of the waterfront location, to make the waterfront more accessible, and to stimulate economic development in the waterfront and downtown, the City should encourage development of water-dependent and water-enhanced uses for the waterfront with those associated water uses.

The City of Plattsburgh recognizes the need to manage the shoreline area of Lake Champlain including its surface waters and has integrated the City of Plattsburgh Harbor Management Plan within the LWRP. A Harbor Management Plan addresses conflict, congestion, and competition for space in the community's surface waters and underwater lands. It provides the opportunity to identify various alternatives for the optimum use of the waterfront and adjacent water surfaces. There are currently the following water use facilities: City Marina and Plattsburgh Boat Basin, both at the foot of Dock Street; Wilcox Dock; and the municipal beach on Cumberland Bay. These facilities provide the attendant formal water uses in the City, however there are minimal existing harbor management issues. Section II identified related harbor management issues (see Introduction for a full description of where the components of the HMP can be found in the LWRP) concerning water use in the City of Plattsburgh.

The City recognizes the need to provide improved facilities and access for water recreational uses such as fishing and non-motorized boating. The Waterfront Overlay District identifies various alternatives for the optimum use of waterfront and adjacent waters, while preserving its scenic and historic character. The locations proposed for future water uses include the following:

1. Dock Street Landing with transient/day-use docks
2. Possible expansion at the City Marina
3. On the Old Base: Water uses are expected to remain essentially the same; the beach/recreation/picnic grounds should continue to be located at Sailor's Beach and the Old Base Marina, once rehabilitated.
4. The proposed waterfront park at Dock Street Landing
5. Additional fishing docks along the Saranac River
6. Enhancements to City Beach
7. Whitewater opportunities along the Saranac River

In support of proposed Waterfront Management Policy 10, which aims to protect water-dependent uses and promote siting of new water-dependent uses in suitable locations, the City could adopt local littoral rights legislation. Generally, *littoral rights* refers to rights concerning properties that abut an ocean, bay, delta, sea or lake, rather than a river or stream (riparian). Littoral rights are usually concerned with the use and enjoyment of

the shore. Any legislation should take into consideration the existing City of Plattsburgh Mooring Law, Chapter 200 of the City Code, which includes a Littoral Rights Map. Within the Mooring Law, Littoral Rights of lakeshore parcels are defined in §200-8 as extending 1500 feet from the mean high water level of the lakeshore parcel, or as shown on the Littoral Rights Map.



## **Section V. Local Techniques for Implementation**

The Waterfront Revitalization and Coastal Resources Act, or WRCRA, places a great emphasis on the implementation provisions of a LWRP. Specifically, the WRCRA requires local waterfront programs to provide a "description of proposed means for long-term management and maintenance of waterfront development and activities including organizational responsibilities and appropriate land use controls." It further requires "specification of the adequate authority and capability of the local government to implement the program."

This section is designed to accomplish two major goals: to provide sufficient information to the NYS Department of State to determine whether Plattsburgh has met the WRCRA requirements, and to provide the local government with a clear and complete description of the strategy it will follow to implement those elements of the LWRP for which it is responsible. Specific implementation measures are organized under four general headings: local laws necessary to implement the LWRP, other public and private measures necessary to implement the LWRP, management structure necessary to implement the LWRP and financial resources necessary to implement the LWRP.

### **A. Local Laws Necessary to Implement the LWRP**

#### *Existing Local Laws and Regulations*

The City revised its Master Plan in 1999 and Zoning Ordinance in 2001. Prior to 1999, local laws and regulations enacted by the City showed little concern for land use and development activities within the waterfront area. Local regulations include zoning, enforcement of the NYS Uniform Fire Prevention and Building Code, floodplain regulations, regulation of city parks, and regulation of public and private sewers.

#### Zoning Ordinance and Land Use Regulations

The City of Plattsburgh Zoning Ordinance has been in effect since 1981, with revisions in 1983, 1988 and 2001 (see Maps 8AF). The general purpose of the zoning ordinance is "promoting the health, safety, morals, convenience, order, prosperity and general welfare of the community..." The ordinance (Chapter 270, Article 3, §270-5, dated November 2001) contains the following zoning districts:

- RH Residential Historic
- R-1 Low-Density Residential
- R-2 General Residential
- B-1 General Business
- B-2 Highway Business
- C Central Business
- I Industrial

- OL-P Overlay District - Parking
- OL-W Overlay District - Waterfront
- RC-1 Recreational and Related Uses
- RC-2 Recreational and Related Uses
- RC-3 Recreational and Related Uses

All districts except B-2 and RH are also located within the LWRP waterfront revitalization area (WRA).

For each district, the ordinance specifies permitted uses, accessory uses, and uses requiring special permits. Supplementary regulations address lot requirements; height requirements; yard requirements; building coverage and open space requirements; number of buildings and dwelling units restricted; accessory structures; landscaping and fencing requirements; planned unit developments; additional lot regulations; amusement uses; community facilities; retail and manufacturing regulations; off-street parking and loading regulations; signs; mobile homes and mobile home parks; miscellaneous uses; general use standards; special use permits; and historic sites. Administrative procedures including issuance of special permits, variances and appeals, plus stipulations on violations, penalties and amendments are also included. Subdivision regulations are listed in Chapter 236 of the Plattsburgh Municipal Code.

The zoning ordinance and related land use controls constitute the city's foremost means of implementing and enforcing the Local Waterfront Revitalization Program. Existing development controls, administrative procedures and enforcement authority established in the ordinance are generally adequate to direct future land use patterns and development activities for the city, although some refinements are needed (see zoning section in inventory and analysis section above). While the site plan review procedures and historic site procedures provide simple and fairly effective regulatory protection for historic structures, several deficiencies should be corrected with new or revised ordinances.

#### Flood Damage Prevention Law

This law requires permits for new construction and improvements to existing structures, as well as other projects involving excavation, filling, grading, etc. within flood hazard areas identified by the Federal Emergency Management Agency. With such a law in place, property owners are eligible for purchase of subsidized flood damage insurance that would not otherwise be available. Projects within the flood hazard area are reviewed to ensure that hazards from flooding are minimized through appropriate standards concerning construction techniques and materials, siting, and protection and maintenance of drainage areas. The law also requires subdivision proposals to be consistent with the need to minimize flood damage. The City Code Enforcement Officer administers this law. Appeals may be made to the Zoning Board of Appeals.

#### Site Plan Review Process

The City currently administers a site plan review process, which applies to most development projects. The Plattsburgh Planning Board should continue to administer the site plan review process as specified in the zoning law.



*Additional Local Laws, Amendments to Existing Local Laws and Regulations Necessary to Implement the LWRP*

LWRP Consistency Review Law

"A Local Law Establishing Consistency Requirements and Review Procedures for City Actions Involving the LWRP Waterfront Area" must be adopted to ensure implementation of the Local Waterfront Revitalization Program. This local law requires each board, department, officer or other body of the City, to ensure that all actions to directly undertake or permit, fund or otherwise approve any project, use or activity within the waterfront be consistent to the maximum extent practicable with the applicable policies established in the City's Local Waterfront Revitalization Program (see Appendix B).

To this end, the local law establishes procedures for:

- initial review of proposed actions in a manner compatible with SEQRA requirements;
- providing advice and assistance to applicants and/or the boards, departments, officers or other bodies of the city involved, regarding forms, procedures, and site plan review;
- LWRP compliance review through the City Planning Board and the local lead agency, respectively.

To facilitate the consistency review, a Waterfront Program Consistency Assessment Form [see Appendix C] should be adopted as part of the consistency law and completed by the Planning Board during site plan review.

The zoning and site plan review regulations together with the local consistency review law provide a comprehensive means of implementing all applicable coastal policies by requiring all proposed actions within the waterfront area to be consistent with the policies and purposes of the City's LWRP.

Zoning - Waterfront Overlay District Amendment: The LWRP is intended to be consistent with the City's Comprehensive Master Plan, updated in 1999, and the Zoning Law, updated in 2001. A Waterfront Overlay District was adopted with the 2001 zoning changes, but, upon review in 2007, several recommendations were made for amendments to the Zoning Law to further implement the waterfront overlay district (Appendix J). The overlay district was developed to implement the uses identified in the LWRP, providing flexibility in waterfront development while protecting waterfront resources. These recommendations should be reviewed by the City Council as the basis for potential amendments to further the purposes of the LWRP.

Historic Sites Regulations

It is generally understood that this Waterfront Revitalization Program is meant to address strictly waterfront issues. The fact that two historic districts, the Point and U.S. Oval Historic Districts, are included within the Waterfront Revitalization Area, and that the Point and US Oval districts abut the waterfront, should be taken into consideration. Section 270-31 of the City Code currently applies to Historic Sites. It establishes procedures regarding zoning and building permits for proposed actions located on historic sites or within historic districts.

City of Plattsburgh Mooring Law

A Harbor Management Plan, and its implementing legislation, addresses the surface waters and underwater land within a community, or to a distance of 1500 feet from the shore, whichever is greater. The City of Plattsburgh adopted a Mooring Law in 2013 (effective March 2014), contained in Chapter 200 of the City Code (see Appendix K). This law regulates the placement, construction, and use of moorings in the waters of Lake

Champlain to 1500 feet from the City of Plattsburgh shoreline. The regulations apply to lakeshore parcels, including marinas, residential uses, and commercial uses. Proposed improvements are subject to site plan approval, which also reviews the adequacy of parking, marina waste pump out facilities, and trash receptacles.

### ***B. Other Public and Private Actions Necessary to Implement the LWRP***

In addition to administering the above-cited local laws, the City and other governmental entities, as well as the private sector, will need to undertake various actions to implement the provisions of this LWRP. The actions outlined below will be implemented over a lengthy period of time, due to the need to procure funding, the need to build community support, and the need to carefully study and/or plan and design each project. The following describe some key actions:

#### *Local Actions*

##### Lake Champlain Basin Program and Lakes to Locks Passage

The City should initiate and/or strengthen a relationship with the Lake Champlain Basin Program and Lakes to Locks Passage. Through these relationships, the City can work with other municipalities along Lake Champlain to establish heritage tourism, natural resource and other interpretive programs; scenic byways; greenway and blueway trails; and other formal programs designed to attract additional visitors to the waterfront and downtown.

##### Waterfront Education and Awareness Program

The City will develop and implement a waterfront education and awareness program to familiarize residents and visitors with new developments along the City's waterfront, promote the donation of easements in appropriate waterfront areas, and generally increase public involvement.

#### *Administration and Enforcement*

##### State Environmental Quality Review Act (SEQRA)

SEQRA is a law that establishes a process that requires the consideration of environmental factors early in the planning stages of actions that are directly undertaken, funded or approved by local, regional and state agencies. The City considers all applicable requirements under SEQR during review of all qualifying projects. SEQR is incorporated into the site plan review procedures of the City Code. As part of the LWRP, the City should continue to administer SEQR, especially concerning stormwater management, historic site review, and construction of various sizes.

##### *NYS Department of Environmental Conservation*

Through various programs, training, and outreach, DEC provides continuing efforts that control water pollution from all sources so that communities can protect and enhance New York's natural resources. The DEC should



continue to administer and enforce the regulations and permit programs, including those pertaining to stormwater, wastewater, wetlands and other navigable waterways, and water quality, as appropriate for the projects proposed in this LWRP.

### *US Army Corps of Engineers*

The mission of the Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters. All construction projects proposed must obtain any necessary Army Corps of Engineers permits, as appropriate.

## **C. Management Structure Necessary to Implement the LWRP**

### *Planning Board*

The Planning Board, with assistance from the Community Development Office, will continue the efforts of the LWRP and monitor the implementation of the plan.

## **D. 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 and private funds, as follows:

### *Local*

The City should pursue funding opportunities for the waterfront revitalization projects and provide the necessary match requirements of these funding programs.

### *State*

Continued funding could be utilized for the completion of Dock Street Landing, Durkee Street, the Dock/Bridge Street Corridor, and City Beach development. Support from such programs as the Recreational Trail Program for State Parks and Recreation, State E.P.F. funds through the Consolidated Funding Application, and any others should be sought as it becomes available.

### *Federal*

The City will investigate and pursue federal funding sources for the implementation of waterfront revitalization projects. These sources include the Intermodal Surface Transportation Efficiency Act (ISTEA), which includes the Surface Transportation Program and the National Recreational Trails Funding Program; Land and Water Conservation Funds; National Park Service Urban Parks and Recreation Recovery Grants (UPARR); technical assistance through the National Park Service's Rivers and Trails Conservation Assistance Program; the national

Maritime Heritage Preservation Act; the U.S. Department of Housing & Urban Development's Canal Corridor's Initiative and other appropriate programs.

#### *C.P. Rail*

Funding may be needed for access improvements, such as pedestrian overpasses and traffic signal improvements.

#### *Other Private*

It is increasingly unlikely that government funding will be available for all of the City's waterfront revitalization efforts. As a result, additional waterfront revitalization funding should be sought from local foundations and corporations. The Georgia Pacific Corporation has been known to provide funding to support community development. Other potential sources of private funding or other assistance include the National Trust for Historic Preservation, Trust for Public Land, Partners for Livable Places, the Pew Charitable Trust, the Enterprise Foundation, Ford Foundation, The Waterfront Development Center, Land Trust, Trust for Public Land, and similar organizations.

At the local and regional level, the City should establish relationships with developers and marina owners, and work closely with all private property owners in the LWRP waterfront revitalization area to plan improvements. To stimulate additional waterfront development and encourage improvements, the City may have to establish a system of incentives (disincentives to discourage inappropriate development). The main goal is to encourage a balance of development and publicly-accessible open land.



## **Section VI. State Actions and Programs Likely to Affect Implementation**

State actions will affect and be affected by implementation of the Local Waterfront Revitalization Program. Under State law, certain State 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 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 agencies which 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 which are to be undertaken in a manner consistent with approved LWRPs. The lists of State 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 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 agency actions which are necessary to further implementation of the LWRP. It is recognized that a State agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements cannot be used to require a State agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State assistance needed to implement the LWRP.

**A. State Actions and Federal Programs Which Should Be Undertaken in a Manner Consistent with the LWRP**

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 SUBSTANCE ABUSE SERVICES

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
  - 3.01 Letter Approval for Certificate of Need
  - 3.02 Operating Certificate (Alcoholism Facility)
  - 3.03 Operating Certificate (Community Residence)
  - 3.04 Operating Certificate (Outpatient Facility)
  - 3.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

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 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.

DEPARTMENT OF ECONOMIC DEVELOPMENT

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

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certification of Incorporation (Regents Charter)
  - 2.02 Private Business School Registration
  - 2.03 Private School License
  - 2.04 Registered Manufacturer of Drugs and/or Devices
  - 2.05 Registered Pharmacy Certificate
  - 2.06 Registered Wholesale of Drugs and/or Devices
  - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
  - 2.08 Storekeeper's Certificate

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 Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permit and approval programs:
  - Air Resources
    - 9.01 Certificate of Approval for Air Pollution Episode Action Plan
    - 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
    - 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System



- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit - Article 15, (Protection of Water) - Dredge 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 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
- 9.32 License of Menhaden Fishing Vessel
- 9.33 License for Non-Resident Food Fishing Vessel
- 9.34 Non-Resident Lobster Permit
- 9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.36 Permits to Take Blue-Claw Crabs
- 9.37 Permit to Use Pond or Trap Net
- 9.38 Resident Commercial Lobster Permit
- 9.39 Shellfish Bed Permit
- 9.40 Shellfish Shipper's Permits
- 9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.42 Permit - Article 25, (Tidal Wetlands)

Mineral Resources

- 9.43 Mining Permit
- 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.45 Underground Storage Permit (Gas)
- 9.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Solid Wastes

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



Water Resources

- 9.49 Approval of Plans for Wastewater Disposal Systems
- 9.50 Certificate of Approval of Realty Subdivision Plans
- 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.53 Permit - Article 36, (Construction in Flood Hazard Areas)
- 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.55 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.56 Approval -Drainage Improvement District
- 9.57 Approval - Water (Diversion for) Power
- 9.58 Approval of Well System and Permit to Operate
- 9.59 Permit - Article 15, (Protection of Water) - Dam
- 9.60 Permit - Article 15, Title 15 (Water Supply)
- 9.61 River Improvement District Approvals
- 9.62 River Regulatory District Approvals
- 9.63 Well Drilling Certificate of Registration
- 9.64 401 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, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Approval of Completed Works for Public Water Supply Improvements

2.02 Approval of Plans for Public Water Supply Improvements.

2.03 Certificate of Need (Health Related Facility - except Hospitals)

2.04 Certificate of Need (Hospitals)

2.05 Operating Certificate (Diagnostic and Treatment Center)

2.06 Operating Certificate (Health Related Facility)

2.07 Operating Certificate (Hospice)

2.08 Operating Certificate (Hospital)

2.09 Operating Certificate (Nursing Home)

2.10 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 assistance/grant programs:
  - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
  - 2.02 Housing Development Fund Programs
  - 2.03 Neighborhood Preservation Companies Program
  - 2.04 Public Housing Programs
  - 2.05 Rural Initiatives Grant Program
  - 2.06 Rural Preservation Companies Program
  - 2.07 Rural Rental Assistance Program
  - 2.08 Special Needs Demonstration Projects
  - 2.09 Urban Initiatives Grant Program
  - 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

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, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Operating Certificate (Community Residence)
  - 2.02 Operating Certificate (Family Care Homes)

2.03 Operating Certificate (Inpatient Facility)

2.04 Operating Certificate (Outpatient Facility)

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

3.00 Funding program for recreational boating, safety and enforcement.

4.00 Funding program for State and local historic preservation projects.

5.00 Land and Water Conservation Fund programs.

6.00 Nomination of properties to the Federal and/or State Register of Historic Places.

7.00 Permit and approval programs:

7.01 Floating Objects Permit

7.02 Marine Regatta Permit

7.03 Navigation Aide Permit

7.04 Posting of Signs Outside State Parks

8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.



9.00 Recreation services program.

10.00 Urban Cultural Parks Program.

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

1.00 Appalachian Regional Development Program.

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.

THRUWAY AUTHORITY /CANAL CORPORATION/CANAL RECREATIONWAY COMMISSION (regional agency)

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 Thruway Authority, Canal Corporation, and Canal Recreationway Commission.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

3.00 Permit and approval programs:

3.01 Advertising Device Permit

3.02 Approval to Transport Radioactive Waste

3.03 Occupancy Permit

3.04 Permits for use of Canal System lands and waters.

4.00 Statewide Canal Recreationway Plan

DEPARTMENT OF TRANSPORTATION

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.

2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:

(a) Highways and parkways

(b) Bridges on the State highways system

(c) Highway and parkway maintenance facilities

(d) Rail facilities

- 3.00 Financial assistance/grant programs:
  - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
  - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
  - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
  - 3.04 Subsidies program for marginal branchlines abandoned by Conrail
  - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
  - 4.01 Approval of applications for airport improvements (construction projects)
  - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
  - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
  - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
  - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
  - 4.06 Highway Work Permits
  - 4.07 License to Operate Major Petroleum Facilities
  - 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
  - 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and subarea 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.

URBAN 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 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

**B. State Programs Necessary to Further the LWRP**

STATE AGENCIES

DEPARTMENT OF ECONOMIC DEVELOPMENT

1. Any action or provision of funds for the development or promotion of tourism related activities or development.
2. Any action involving the Seaway Trail.

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.

DIVISION OF HOUSING AND COMMUNITY RENEWAL

1. Provision of funding under the Rural Preservation Company Program.
2. Approval of funding for Rural Area Revitalization Program projects.

JOB DEVELOPMENT AUTHORITY

1. Provision of low interest mortgage loans to local non-profit development corporations to finance commercial and industrial facilities.

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 recreation 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.
7. Activities under the Urban Cultural Park program.

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

1. Assistance from the Architecture and Environmental Arts program for a harborfront plan.

DEPARTMENT OF TRANSPORTATION

1. Assistance for street repairs through the Consolidated Highway Improvements Program.



## **Section VII. Local Commitment & Consultation**

In establishing the Local Waterfront Revitalization Program, the Project Team worked closely with the City's Office of Community Development, the Project Advisory Committee, and the public. Public involvement began with the first draft of the LWRP in 1995, including community charrettes which involved informal design sessions, SUNY Plattsburgh student presentations, meetings with local property owners, and focus groups. Throughout the process, residents were able to provide input regarding projects and ideas for each of the subareas. Appendix D provides additional information on the early public involvement efforts.

The draft LWRP was next revised in February of 2010. After a series of successful planning and development projects involving Lake Champlain and the Saranac River, the City of Plattsburgh decided to conduct a comprehensive update to the 2010 Draft LWRP. Given the extensive amount of Lake Champlain and Saranac River shorelines within the City, as well as the variety of interests and priorities of the various stakeholders, a comprehensive public outreach process was necessary to facilitate meaningful participation. The Public Participation Plan, contained in Appendix E, identifies a variety of forums and methods used to engage interested individuals, organization, and agency representatives in the revision of the LWRP.

The City of Plattsburgh LWRP stakeholders were invited to share their ideas and concerns about the issues in the Waterfront Revitalization Area. Stakeholders were also asked to provide feedback to the Project Advisory Committee (PAC). The PAC was established to facilitate communication and cooperation among local governments, county and state agencies as well as interest groups and others essential to the preparation of the LWRP. The Committee includes representatives from government agencies, non-profit organizations and academic institutions.

Two community workshops were held during the LWRP update process. The PAC worked with the city and the consultants to schedule and participate in the community workshops. All members of the public were welcome to attend both workshops. The initial community workshop was held on October 28, 2015 at Stafford Middle School to obtain input from the general public, agencies, organizations, business owners, sports organizations, etc. Presentations were provided and included background information about the LWRP, identification of key groups involved in the Plan, along with relevant information, photos and graphics of key sites and issues within the WRA. Significant time was devoted to soliciting public input through small breakout groups during which meeting attendees will be asked to provide their input and recommendations related to Waterfront Revitalization Area project areas and issues (see Appendices F and G). Feedback was sought on a Draft Vision Statement for the City's waterfront, to generate ideas regarding opportunities for each subarea, and to solicit feedback on project concepts.

The second community workshop was held on December 9, 2015 to seek feedback on the Draft LWRP and to review revised project concepts, which have been incorporated into Section IV.

## **Appendix A Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are in Effect**

### **A. Purposes of Guidelines**

1. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (the 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 the approved City of Plattsburgh Local Waterfront Revitalization Program (LWRP). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.
2. The Act also requires that state agencies provide timely notice to the municipalities whenever an identified action will occur within the area covered by the approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist the municipalities in carrying out their review responsibilities in a timely manner.
3. The Secretary of State is required by the Act to confer with state agencies and local governments when notified by the municipalities that a proposed state agency action may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

### **B. Definitions**

1. Action means:
  - a. A "Type I" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQRA);
  - b. Occurring within the boundaries of the approved LWRP; and
  - c. Being taken pursuant to a state agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the approved LWRP.
2. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of the 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 the approved LWRP, then the action must be one:
  - a. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
  - b. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
  - c. That will result in an overriding regional or statewide public benefit.
3. Local Waterfront Revitalization Program, or LWRP, means the program prepared and adopted by the City of Plattsburgh 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.

4. Municipality refers to the City of Plattsburgh.

### **C. Notification Procedure**

1. When a state agency is considering an action within the defined boundary of the LWRP, the state agency shall notify the Mayor of the City of Plattsburgh.
2. Notification of a proposed action by a state agency:
  - a. Shall fully describe the nature and location of the action;
  - b. Shall be accomplished by use of other existing state agency notification procedures, or through any alternative procedure agreed upon by the state agency and the municipality;
  - c. Should be provided to the Mayor as early in the planning stages as possible, but in any event at least 30 days prior to the agency's decision on the action. The timely filing of a copy of a completed Waterfront Assessment Form (WAF) to the Mayor of the City of Plattsburgh should be considered adequate notification of a proposed action.
  - d. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the Mayor can serve as the state agency's notification to the City of Plattsburgh.

### **D. Local Government Review Procedure**

1. Upon receipt of notification from a state agency, the municipality will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP. Upon request of the Mayor of the City of Plattsburgh, the state agency should promptly provide the City with whatever additional information is available which will assist the City to evaluate the proposed action. Upon request of the Mayor of the City of Plattsburgh, the state agency should promptly provide the City with whatever additional information is available which will assist the City to evaluate the proposed action.
2. If the municipality 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 municipality's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
3. If the municipality 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 approved LWRP.
4. If the municipality notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of its approved LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in E. below shall apply. The municipality 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



municipality shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

#### **E. Resolution of Conflicts**

1. The following procedure applies whenever the municipality has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP.
  - a. Upon receipt of notification from the municipality that a proposed action conflicts with its approved LWRP, the state agency should contact the Mayor of the City of Plattsburgh to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and municipal 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 municipality.
  - b. If the discussion between the municipality and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the municipality 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.
  - c. If the consultation between the corresponding municipality 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 of State within 15 days following the discussion between the municipality 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.
  - d. 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 municipality.
  - e. 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.
  - f. 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.

## **Appendix B Consistency Review Law**

### **CITY OF PLATTSBURGH**

**Local Law # \_\_\_ of the Year 20\_\_**

Be it enacted by the Common Council of the City of Plattsburgh as follows:

#### **GENERAL PROVISIONS**

##### **I. Title.**

This Local law will be known as the City of Plattsburgh Local Waterfront Revitalization Program Consistency Review Law.

##### **II. Authority and Purpose.**

- A. 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).
- B. The purpose of this local law is to provide a framework for agencies of the City of Plattsburgh to incorporate the policies and purposes contained in the City of Plattsburgh Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions within the waterfront area; and to assure that such actions and direct actions undertaken by City agencies are consistent with the LWRP policies and purposes.
- C. It is the intention of the City of Plattsburgh that the preservation, enhancement and utilization of the unique waterfront area of the City take place in a coordinated and comprehensive manner to ensure a proper balance between protection of natural resources and the need to accommodate limited population growth and economic development. Accordingly, this local law is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing loss and degradation of living waterfront resources and wildlife; diminution of open space areas or public access to the waterfront; disruption of natural waterfront processes; impairment of scenic, cultural or historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; or permanent adverse changes to ecological systems.
- D. The substantive provisions of this local law shall only apply when there is in existence a City of Plattsburgh Local Waterfront Revitalization Program which has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

### **III. Definitions.**

- A. "Actions" include all the following, except minor actions:
- (1) projects or physical activities, such as construction or any other activities that may affect natural, manmade or other resources in the waterfront area or the environment by changing the use, appearance or condition of any resource or structure, that:
    - (i) are directly undertaken by an agency; or
    - (ii) involve funding by an agency; or
    - (iii) require one or more new or modified approvals, permits, or review from an agency or agencies;
  - (2) agency planning and policymaking activities that may affect the environment and commit the agency to a definite course of future decisions;
  - (3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect waterfront resources or the environment; and
  - (4) any combination of the above.
- B. "Agency" means any board, agency, department, office, other body, or officer of the City of Plattsburgh.
- C. "Code Enforcement Officer" means the Building Inspector and/or Code Enforcement Officer of the City of Plattsburgh.
- D. "Consistent" means that the action will fully comply with the LWRP policy standards, conditions and objectives and, whenever practicable, will advance one or more of them.
- E. "Direct Actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rule making, procedure making and policy making.
- F. "Environment" means all conditions, circumstances and influences surrounding and affecting the development of living organisms or other resources in the waterfront area.
- G. "Local Waterfront Revitalization Program" or "LWRP" means the Local Waterfront Revitalization Program of the City of Plattsburgh, approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Clerk of the City of Plattsburgh.
- H. "Minor actions" include the following actions, which are not subject to review under this law:
- (1) maintenance or repair involving no substantial changes in an existing structure or facility;
  - (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures in areas



designated by local law where structures may not be replaced, rehabilitated or reconstructed without a permit;

- (3) repaving or widening of existing paved highways not involving the addition of new travel lanes;
- (4) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- (5) maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected, or within the Waterfront Overlay District;
- (6) granting of individual setback and lot line variances, except in relation to a regulated natural feature, a bulkhead or other shoreline defense structure;
- (7) minor temporary uses of land having negligible or no permanent impact on waterfront resources or the environment;
- (8) installation of traffic control devices on existing streets, roads and highways;
- (9) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (10) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any action;
- (11) official acts of a ministerial nature involving no exercise of discretion, including building permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building code.
- (12) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (13) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (14) collective bargaining activities;
- (15) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (16) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (17) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, storage of road de-icing substances, or other hazardous materials;

- (18) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
  - (19) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
  - (20) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
  - (21) adoption of a moratorium on land development or construction;
  - (22) interpreting an existing code, rule or regulation;
  - (23) designation of local landmarks or their inclusion within historic districts;
  - (24) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to waterfront resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
  - (25) local legislative decisions such as rezoning where the Common Council determines the action will not be approved.
- I. "Waterfront Advisory Committee" or "Committee" means the committee of residents of the City of Plattsburgh, as created pursuant to this law.
  - J. "Waterfront area" means the waterfront revitalization area located within the boundaries of the City of Plattsburgh and delineated and described in the City's Local Waterfront Revitalization Program.
  - K. "Waterfront Assessment Form (CAF)" means the form, a sample of which is appended to this local law, used by an agency or other entity to assist in determining the consistency of an action with the City of Plattsburgh Local Waterfront Revitalization Program.

#### **IV. Management and Coordination of the LWRP**

- A. The City of Plattsburgh Planning Board shall be responsible for coordinating review of actions in the City's waterfront area for consistency with the LWRP, and will advise, assist and make consistency recommendations to other City agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative and other actions included in the program.
- B. The Planning Board shall coordinate with the New York State Department of State regarding consistency review of actions by Federal agencies and with State agencies regarding consistency review of their actions.

- C. The Planning Board shall assist the Common Council in making applications for funding from State, Federal, or other sources to finance projects under the LWRP.
- D. The Planning Board shall perform other functions regarding the waterfront area and direct such actions or projects as the Common Council may deem appropriate, to implement the LWRP.

**V. Review of Actions.**

- A. Whenever a proposed action is located within the City's waterfront area, each City agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards summarized in Section H herein. No action in the waterfront area shall be approved, funded or undertaken by that agency without such a determination.
- B. Whenever a City agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the waterfront area, the agency shall refer a copy of the completed Waterfront Assessment Form (WAF) to the Planning Board within ten (10) days of its receipt, and prior to making its determination, shall consider the recommendation of the Planning Board with reference to the consistency of the proposed action.
- C. After referral from an agency, the Planning Board shall consider whether the proposed action is consistent with the LWRP policy standards set forth in Section H herein. The Planning Board shall require the applicant to submit all completed applications, WAFs, EAFs, and any other information deemed necessary to its consistency recommendation.

The Planning Board shall render its written recommendation to the agency within thirty (30) days following referral of the WAF from the agency, unless extended by mutual agreement of the Planning Board and the applicant or in the case of a direct action, the agency. The Planning Board's recommendation shall indicate whether the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and shall elaborate in writing the basis for its opinion. The Planning Board shall, along with a consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards or to greater advance them.

In the event that the Planning Board's recommendation is not forthcoming within the specified time, the agency shall make its consistency decision without the benefit of the Council's recommendation.

- D. If an action requires approval of more than one City agency, decision making will be coordinated between the agencies to determine which agency will conduct the final consistency review, and that agency will thereafter act as designated consistency review agency for the specific action being reviewed. Only one WAF per action will be prepared. If the agencies cannot agree, the Common Council shall designate the consistency review agency.
- E. Upon receipt of the Planning Board's recommendation, the agency shall consider whether the proposed action is consistent with the LWRP policy standards summarized in Section H herein. The agency shall consider the consistency recommendation of the Council, the WAF and other relevant information in making its written determination of consistency. No approval or decision shall be rendered for an action in the waterfront area without a written determination of consistency having first been rendered by a City agency.



The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendation of the Planning Board in the event and at the time it makes a decision to grant such a variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of this law.

- F. Where an EIS is being prepared or required, the draft EIS must identify applicable LWRP policies standards in Section H and include a thorough discussion of the effects of the proposed action on such policy standards. No agency may make a final decision on an action that has been the subject of a final EIS and is located in the waterfront area until the agency has made a written finding regarding the consistency of the action with the local policy standards referred to in Section H herein.
- G. In the event the Planning Board's recommendation is that the action is inconsistent with the LWRP, and the agency makes a contrary determination of consistency, the agency shall elaborate in writing the basis for its disagreement with the recommendation and state the manner and extent to which the action is consistent with the LWRP policy standards.
- H. Actions to be undertaken within the waterfront area shall be evaluated for consistency in accordance with the following summary of LWRP policy standards, which are derived from and further explained and described in Section III (Policies) of the City of Plattsburgh LWRP, a copy of which is on file in the City Clerk's office and available for inspection during normal business hours. Agencies which undertake direct actions must also consult with Section IV (Proposed Uses and Projects), in making their consistency determination. The action must be consistent with the policies to:
  - (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 1).
  - (2) Preserve historic resources of the waterfront area (Policy 2).
  - (3) Enhance visual quality and protect scenic resources in the waterfront area (Policy 3).
  - (4) Minimize loss of life, structures, and natural resources from flooding and erosion (Policy 4).
  - (5) Protect and improve water quality and supply in the waterfront area (Policy 5).
  - (6) Protect and restore the quality and function of the waterfront area ecosystem (Policy 6).
  - (7) Protect and improve air quality in the waterfront area (Policy 7).
  - (8) Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes (Policy 8).
  - (9) Provide for public access to, and recreational use of, waterfront waters, public lands, and public resources of the waterfront area (Policy 9).
  - (10) Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations (Policy 10).
  - (11) Promote sustainable use of living marine resources in the waterfront area (Policy 11).

(12) Protect agricultural lands in the waterfront area (Policy 12).

(13) Promote appropriate use and development of energy and mineral resources (Policy 13).

- I. If the agency determines that an action will be inconsistent with one or more LWRP policy standards or objectives, such action shall not be undertaken unless modified to be consistent with the LWRP policies.
- J. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Planning Board. Such files shall be made available for public inspection upon request.

## **VI. Enforcement.**

No action within the Plattsburgh waterfront area which is subject to review under this Chapter shall proceed until a written determination has been issued from a City agency that the action is consistent with the City's LWRP policy standards. In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Building Inspector or any other authorized official of the City shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect. The City Building Inspector, City Attorney, Code Enforcement Officer and Police Department shall be responsible for enforcing this Chapter.

## **VII. Violations.**

- A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this Chapter shall have committed a violation, punishable by a fine not exceeding two hundred and fifty dollars (\$250.00) for a conviction of a first offense and punishable by a fine of two thousand dollars (\$2000.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.
- B. The City Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

## **VIII. Severability.**

The provisions of this local law are severable. If any provision of this local law is found invalid, such finding shall not affect the validity of this local law as a whole or any part or provision hereof other than the provision so found to be invalid.

## **IX. Effective Date.**

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**Appendix C**

**City of Plattsburgh  
Waterfront Assessment Form**

**A. INSTRUCTIONS**

1. Applicants, or, in the case of direct actions, City agencies shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the LWRP Consistency Review Law. This assessment is intended to supplement other information used by a City agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in the City of Plattsburgh Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the offices of the City Clerk. A proposed action should be evaluated as to its beneficial and adverse effects upon the waterfront area and its consistency with the policy standards.
3. If any question in Section C on this form is answered "yes", the proposed action may affect the achievement of the LWRP policy standards contained in the Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

**B. DESCRIPTION OF SITE AND PROPOSED ACTION**

1. Describe nature and extent of action:

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2. Type of City agency action (check appropriate response):

- a. Directly undertaken (e.g. construction, planning activity, agency regulation, land transaction)

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b. Financial assistance (e.g. grant, loan, subsidy)

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c. Permit, approval, license, certification

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d. Agency undertaking action:

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3. If an application for the proposed action has been filed with a City agency, the following information shall be provided:

a. Name of applicant

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b. Mailing \_\_\_\_\_ address:

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c. Telephone number:  
(\_\_\_\_) \_\_\_\_\_

d. Property tax number:  
\_\_\_\_\_

e. Application number, if any:  
\_\_\_\_\_

4. Will the action be directly undertaken, require funding, or approval by a State or federal agency?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which State or federal agency? \_\_\_\_\_

5. Location of action (Street or Site Description and nearest intersection):

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6. Size of site (acres): \_\_\_\_\_

- 7. Amount (acres) of site to be disturbed: \_\_\_\_\_
- 8. Present land use: \_\_\_\_\_
- 9. Present zoning classification: \_\_\_\_\_
- 10. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 11. Percentage of site that contains slopes of 15% or greater: \_\_\_\_\_
- 12. Streams, lakes, ponds or wetlands existing within or continuous to the project area?  
 (a) Name \_\_\_\_\_  
 (b) Size (in acres) \_\_\_\_\_
- 13. Is the property serviced by public water? Yes \_\_\_\_\_ No \_\_\_\_\_
- 14. Is the property serviced by public sewer? Yes \_\_\_\_\_ No \_\_\_\_\_

**C. WATERFRONT ASSESSMENT** (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

- |    |   |            |           |
|----|---|------------|-----------|
| 1. | Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the waterfront area (as identified in the City of Plattsburgh LWRP)? | <u>YES</u> | <u>NO</u> |
|    | (a) Significant fish or wildlife habitats?  | ___        | ___       |
|    | (b) Scenic resources of local or State-wide significance?   | ___        | ___       |
|    | (c) Important agricultural lands?   | ___        | ___       |
|    | (d) Natural protective features in a coastal erosion hazard area?   | ___        | ___       |
|    | (e) Designated State or federal freshwater wetlands?  | ___        | ___       |
|    | (f) Commercial or recreational use of fish and wildlife resources?  | ___        | ___       |
|    | (g) Existing or potential public recreation opportunities?  | ___        | ___       |
|    | (h) Structures, sites or districts of historic, archaeological or cultural significance to the City of Plattsburgh, State or nation?  | ___        | ___       |
| 2. | Will the proposed action involve or result in any of the following:   | <u>YES</u> | <u>NO</u> |
|    | (a) Physical alteration of land along the shoreline, underwater land or surface waters?   | ___        | ___       |

(b)	Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	___	___	
(c)	Expansion of existing public services or infrastructure in undeveloped or low density areas of the waterfront area?	___	___	
(d)	Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law?	___	___	
(e)	Excavation, filling or dredging in surface waters?		___	___
(f)	Reduction of existing or potential public access to, or along, the shoreline?	___	___	
(g)	Sale or change in use of publicly-owned lands located on the shoreline or underwater?	___	___	
(h)	Development within a designated flood or erosion hazard area?		___	___
(i)	Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion?	___	___	
(j)	Construction or reconstruction of erosion protective structures?		___	___
(k)	Diminished or degraded surface or groundwater quantity and/or quality?	___	___	
(l)	Removal of ground cover from the site?		___	___
3.	<b>PROJECT</b>	<u>YES</u>	<u>NO</u>	
(a)	If a project is to be located adjacent to shore:			
(1)	Does the project require a waterfront location?	___	___	
(2)	Will water-related recreation be provided?	___	___	
(3)	Will public access to the foreshore be provided?		___	___
(4)	Will it eliminate or replace a water-dependent use?	___	___	
(5)	Will it eliminate or replace a recreational or maritime resource?	___	___	use or
(b)	Is the project site presently used by the community neighborhood as an open space or recreation area?	___	___	
(c)	Will the project protect, maintain and/or increase the level and types or public access to water-related recreation resources or facilities?	___	___	
(d)	Does the project presently offer or include scenic views or vistas that are known to be important to the community?	___	___	
(e)	Is the project site presently used for commercial or recreational fishing or fish processing?	___	___	
(f)	Will the surface area of any local creek corridors or wetland areas be increased or decreased by the proposal?	___	___	



- (g) Is the project located in a flood prone area?
- (h) Is the project located in an area of high coastal erosion?
- (i) Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?
- (j) Do essential public services or facilities presently exist at or near the site?
- (k) Will the project involve surface or subsurface liquid waste disposal?
- (l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?
- (m) Will the project involve shipment or storage of petroleum products?
- (n) Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into coastal waters?
- (o) Will the project involve or change existing ice management practices?
- (p) Will the project alter drainage flow, patterns or surface water runoff on or from the site?
- (q) Will best management practices be utilized to control storm water runoff into coastal waters?
- (r) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates?

**D. REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES"** (Add any additional sheets as necessary)

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If you require assistance or further information in order to complete this form, please contact the City of Plattsburgh Planning Department.

**Please submit completed form, along with one copy of a site/sketch plan to:**

City of Plattsburgh Planning Department  
41 City Hall Place  
Plattsburgh, NY 12901  
Phone: (518) 563-7730

Preparer's Name (Please print) : \_\_\_\_\_

Affiliation: \_\_\_\_\_

Telephone Number: (\_\_\_\_\_) \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix D Public Participation - 1995

Since the initial steps to begin a Local Waterfront Revitalization Program in 1995, the Project Team worked closely with the City's Community Development Department, and relied on the efforts of the former Downtown Future Planning Commission, the former Point Historic District Commission, and the previous Waterfront Advisory Committee.

The Project Team also made extensive use of public comments obtained as part of the various Lake Champlain Basin Program studies and technical reports referenced above, attended several public meetings in Plattsburgh, conducted telephone interviews with Realtors, and held a series of four focus group meetings with residents from each of the LWRP subareas.

A meeting with a group of residents from the Point neighborhood was used to gather public input on the LWRP for the Marina Subarea. The November 29, 1995 meeting took the format of an informal design and planning charrette. A progress report on the LWRP was provided by the consultant, sketch maps showing the proposed boundaries were distributed, and input was sought on three major areas: the entire City waterfront, the Point subarea, and the Harbor marina and railyards adjacent to the Historic District.

On January 9, 1996 the consultant team participated in SUNY design student presentations regarding design and development considerations for the downtown and Dock Street corridor areas and several meetings were held with local property owners.

As the LWRP draft was nearing completion in August, 1996, EastWest Planning (Riverstreet Planning) staff and a representative from the Department of State's Division of Coastal Resources and Waterfront Revitalization made a presentation to Plattsburgh's Mayor and City Council, requesting guidance and input regarding the creation of a Waterfront Advisory Committee, specific waterfront revitalization projects and potential local techniques for implementation.

On December 17, 1997, representatives from EastWest Planning & Development (Riverstreet Planning) conducted a series of four focus group meetings designed to elicit resident input regarding projects and ideas for each of the LWRP subareas. Approximately 25 people attended these meetings, of which the following signed in:

Paige Raville	Frank Pabst	Muhib "Mo" Hilweh	Howard Kemp II
John S. Tanner	George J. Bouyea	Nancy Olsen	Donna Drumm
Louise K. Tanner	David [name illegible]	Art Spiegel	John LaDuke
Larry & Louise Blossom	Peggy Conroy & Laurie Gillett	Wayne H. Byrne	Jaimie Trautman

\* NOTE: Conroy & Gillett are geologists who would like to see geological features more widely interpreted, protected, and visited.

Several participants suggested strongly that the Lake Champlain Basin Program be included in the LWRP process.



MEETING NOTES:

During each meeting, the consultants introduced themselves and gave a brief report on the state's local waterfront revitalization program and the current status of the Plattsburgh LWRP.

In addition to these efforts, a waterfront advisory committee was formally established by the Plattsburgh Community Development director in the autumn of 1996. This group met on October 24, 1996; November 14, 1996; November 26, 1996; December 11, 1996; January 21, 1997; January 30, 1997; February 6, 1997; February 11, 1997; February 13, 1997; February 25, 1997 and March 20, 1997 for the purpose of commenting on and revising the draft local waterfront revitalization program.

The Waterfront Advisory Committee includes the following members:

Rodney Brown, Clinton County Planning Office

Rosemarie Schoonmaker, City of Plattsburgh Community Development Office

Dr. K. Dahlen, Eye Care of the Adirondacks

Kay Hubbell, Lake Champlain Pools

Art Spiegel, Trans Border Custom Services, Inc.

Paige Ravielle, Lakeside Container Corporation

Councilor Chris Rotella, City of Plattsburgh Common Council

Larry and Rita Blossom, City residents

John S. Tanner, City resident

Sally Tourville, City resident

R. J. Fredette, interested party

The first Waterfront Advisory Committee met numerous times and reviewed the entire draft LWRP document in depth. A conclusion was made that the city does have public waterfront access, but it is not effectively utilized at present. The Committee cited Heritage Trail, City Beach, one mile frontage at former air base, Wilcox Dock and Riverwalk as suitable places for additional development, but indicated that only very limited opportunities existed for new activities on existing private property. The Committee also noted that the waterfront was only utilized during three months of the year.

*North End*

Participants mainly represented Willow Beach homeowners (18 units along Scotion Creek), but addressed waterfront concerns and issues for the whole waterfront area. Although they recognized the tremendous

potential of the entire waterfront area, the homeowners were concerned about personal liability issues, since many beach visitors use Willow Beach's steps down to the waterfront (because of a lack of other access points). Proper signage and access to beach and across Scotion Creek is needed. In addition, residents noted that Scotion Creek is no longer just a wetland, it is an actual waterway which floods with increasing frequency. The City needs to control access along to the dunes and along the creek. Residents have begun taking out flood insurance in this area (a relatively new thing). Several people also indicated that the City needs to work closely with NYSDOT regarding bridge replacement at North Margaret Street. Another major issue concerned general waterfront cleanliness (this was an issue in all subzone meetings). Residents indicated that many boaters anchored just off the beach, then waded inland, leaving trash and human waste. Floating trash is also a problem. It was believed that pump-out facilities are located at the State beach and City marina, but additional facilities and signage are needed.

Most respondents did not seem to mind the idea of a mixed use waterfront, but felt that a continuous waterfront trail would be impractical owing to continuing erosion, buildings, and industrial uses.

One participant stated that the picnic pavilion is not readily accessible to local families, since parking is only available at the City Beach and must be paid for; it was perceived that parking fees are too high. It was suggested that the City work with the bike path group focusing on Cumberland Head. Willow Beach residents suggested that the street-end be deeded to the City, with the City then providing more formalized access to the waterfront as well as a bridge across Scotion Creek.

With regard to the Cumberland Avenue/Wilcox Dock subarea, it was observed that sea planes used to fly in and out. Trash removal and protection of public from PCBs and other contamination was a priority—residents of Cumberland Avenue and Point View Terrace lakefront properties noted that trash removal is a constant effort. It was suggested that the City could coordinate with local college service sororities and fraternities to establish a clean-up program was received with mixed, but by no means majority enthusiasm by those present.

### *Cumberland Avenue/Wilcox Dock*

One respondent felt that this area should be left in its current condition, with nature allowed to take its course. Most of the others felt that this area could be put to better use, but were very concerned about contamination resulting from previous uses. There was also a concern that additional development or improvements would result in too many new visitors and an increase in conflicts between users. Since much of this subzone is residential, with waterfront areas representing some of the city's prime housing, this is a particularly legitimate concern.

Most of the comments expressed during this meeting concerned the waterfront area as a whole. Participants suggested that the city work together with various planning and special interest groups to improve and capitalize on the waterfront, that interpretive and directional signage be developed and implemented, that the railroad be moved inland, and that incentives be developed to attract people to the downtown. One of the most vocal and optimistic participants was a business owner and immigrant from Europe. He suggested that the city build on current positive momentum, improve the city's image, encourage and assist in the development of new specialty stores and businesses for downtown.

In terms of specific projects and waterfront revitalization implementation techniques, participants suggested the development of a Margaret Street/Durkee Street walkway. The group felt strongly that a careful study of the

various remediation alternatives proposed, should be made of the Wilcox Dock area before any alternatives are implemented. Presented with the recommendation that Point View Terrace neighborhood be designated a historic district, several respondents stated that NYS and local groups had already surveyed the city over the course of the past 20 years, and had completed all possible individual and district nominations to the National Register of Historic Places.

#### *Dock Street – Durkee Street - Downtown Subarea*

Participants at this meeting focused on the tremendous need for additional public access to the waterfront, the need to build on existing assets, and general beautification and improvement. It was also mentioned that GIS mapping was being completed by Saratoga Associates, the firm currently preparing a new master plan for the city. Generally, the group felt that there is a need for smaller improvement projects that can be completed quickly. Suggestions included putting utility lines underground, repaving Dock Street with original (historic) materials, installation of compatible lighting, general clean up, improved signage and interpretation (particularly as a means of attracting visitors to the marina, Juniper and downtown), and strengthening of the connections between the Heritage Trail and former baselands.

Several participants cited examples of successful waterfront revitalization projects in Burlington, Vermont and San Francisco, California and indicated that Plattsburgh should pursue similar mixed-use development blending recreational, scenic, historic, commercial, industrial, and environmental assets.

Several residents noted that public access has been possible only in a few small areas, including the foot of Dock/Bridge Street (marina), Juniper area (which is now closed off due to crime and vandalism), Riverwalk. Suggestions for potential projects included getting access to and improving the small beaches on the former Air Force base, improving the Green-Dock-Jay Street area for access, establishing a Revolutionary War Park, building a steel pier at city beach, and improved signage. The railyard and railroad tracks were considered a problem, with respondents indicating that the railyard is the last place on the Lake where it is possible to transfer cargo, and that the city needs to negotiate with C.P. Rail regarding usage of the right-of-way and safety/cleanliness monitoring.

Participants also suggested that the city consider projects in the short-, intermediate- and long-term.

#### *Old Base Subarea*

NOTE: The base is now almost totally unoccupied; participants at this meeting therefore consisted of residents from other parts of the city.

Participants in this meeting agreed that the city needs to work closely with the Old Base to establish and/or maintain public waterfront access on the former base lands. This group also emphasized that, in spite of the city's location on Lake Champlain, public access areas are extremely limited and overcrowded. Specific project suggestions included:

- Better interpretation, through the development of learning stations, for example: lakefront rock outcroppings to facilitate scientific education. Similar suggestions included creating nature walks, waterfront and roadside geology, etc. guides working with SUNY Plattsburgh (and various groups) to establish an aquatic research center



- Establishing a small interpretive center with exhibits focusing on science, nature, culture, history etc.
- Adopt-a-waterfront area clean-up programs
- Installation of additional trash receptacles
- Providing marketing assistance to Juniper, marina, city beach, downtown businesses

This group felt strongly that most city residents fail to take advantage of the city's waterfront location owing to a general lack of access. They also emphasized the importance of balancing residential and recreational (boating) uses.

## Appendix E Recent Public Participation

**City of Plattsburgh, NY**  
**Local Waterfront Revitalization Plan**  
**Public Participation Plan**  
Revised January 2016

### Primary Contacts

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## **Background:**

The City of Plattsburgh is located on the western shore of Lake Champlain. Approximately 5 miles of lake shoreline is located within the City. Lake Champlain is the third largest freshwater lake in New York State, behind Lakes Erie and Ontario, and is bounded in the west by the Adirondack Mountains of New York and in the east by the Green Mountains of Vermont. The shoreline of Lake Champlain within the City of Plattsburgh and adjacent upland areas provide a variety of recreational and educational opportunities along with stunning scenic views. The lake also serves several ecological functions.

The Saranac River empties into Lake Champlain within the City of Plattsburgh. The approximately 8.5 mile shoreline of the Saranac River also offers ecological functions and provides a variety of recreational, educational and sight-seeing opportunities within the City.

The City of Plattsburgh is the population, economic and educational center the Lake Champlain region of New York State. In addition, the City has direct access to key transportation infrastructure including Interstate 87 (the Adirondack Northway), the Canadian Pacific Railroad and Amtrak passenger service. Together, these resources place the City in a competitive position for future economic and population growth which heightens the need for long-term planning to enhance and protect the City's water-based and related recreational resources.

Recognizing the local and regional importance of these waterbodies, the City of Plattsburgh began to develop a Local Waterfront Revitalization Plan (LWRP) in 1995. The draft LWRP was next revised in February of 2010. After a series of successful planning and development projects involving Lake Champlain and the Saranac River, the City of Plattsburgh decided to conduct a comprehensive update to the 2010 Draft LWRP.

This update will serve as an opportunity to review and update previous planning initiatives and build community consensus for implementation of a strategic revitalization plan. Furthermore, the LWRP will articulate the City's role and goals in the context of the North Country and the Lake Champlain regions.

## **Purpose of the Public Participation Plan**

Given the extensive amount of Lake Champlain and Saranac River shorelines within the City, this LWRP considers the variety of interests and priorities of the various stakeholders. Therefore, prior to updating the existing LWRP, a comprehensive public outreach process was necessary to facilitate meaningful participation.

This Public Participation Plan identifies a variety of forums and methods used to engage interested individuals, organization, and agency representatives in the revision of the LWRP. This plan will serve as a guide to involving the various stakeholders and interest groups and should be considered a living document. As the planning process unfolds, elements of the plan may require modifications to capitalize upon new opportunities that are not currently represented in the plan.

A vital component to the success of any LWRP is ensuring that county and municipal officials, agency and organization representatives, residents, business owners, recreational enthusiasts, cultural and educational institutions; and other members of the public are engaged throughout the planning process.

Successful Local Waterfront Revitalization Plans:



- Use the knowledge and expertise of their diverse populations
- Adequately describe the watershed's resources
- Articulate the issues of concern
- Describe recommendations
- Facilitate positive local actions

Positive local actions may include increased public access, additional recreational opportunities, economic development and revitalization; along with the strengthening of local land use controls and opportunities to review land use management practices. In addition, the successful LWRP will advance on-the ground projects that protect vital, high quality resources and provide tangible improvements such as the restoration of adversely impacts water resources.

The City of Plattsburgh Project Advisory Committee (PAC) recognizes that it must properly identify and provide opportunities to engage all potentially interested parties, and has developed this Public Participation Plan to organize the process. This Public Participation Plan will serve as a guide for the PAC to identify and partner with the involved stakeholders in order to create the best possible plan to protect, enhance and where necessary, restore the shoreline of Lake Champlain and the Saranac River within the City of Plattsburgh.

### **Engaging the Public:**

A diverse group of individuals, organizations and agencies are interested in the various benefits and opportunities presented by Lake Champlain, related upland areas and the Saranac River, within the City of Plattsburgh. The following list of possible stakeholders is not intended to be all inclusive, and may be revised as key elements and priorities of the Plan are progressed. As a starting point, some of the main groups that are to be represented during the planning process have been listed. An effort will be made to invite all local elected officials to attend the public workshops.

- City and Town of Plattsburgh Officials, Boards, and Departments
  - City of Plattsburgh Common Council
  - City of Plattsburgh Planning and Zoning Boards
  - City of Plattsburgh Office of Community Development
  - City of Plattsburgh Engineering and Planning Department
  - City of Plattsburgh Public Works Departments
  - City of Plattsburgh Recreational Department
  - Town of Plattsburgh Planning Department
  - Clinton County Planning Department
  - Plattsburgh Housing Authority
  - Destination Master Plan Committee
- Local, Regional, State and Federal Agencies and Organizations
  - New York State Soil and Water Conservation Committee
  - Clinton County Soil and Water Conservation District
  - US Fish and Wildlife

- US Army Corps of Engineers
- New York State Canal Corporation
- USDA Agencies
  - Natural Resources Conservation Service
  - Cornell Cooperative Extension Service
- New York State Department of Environmental Conservation
- New York State Department of State
- New York State Office of Parks, Recreation and Historic Preservation
- Lake Champlain-Lake George Regional Planning Board
- Lakes to Locks Passage Inc.
- Economic Development Interests
  - Plattsburgh-North Country Chamber of Commerce
  - Lake City Local Development Corporation (LDC)
  - Development Corporation of Clinton County
  - Georgia Pacific
  - Downtown Plattsburgh Business and Property Owners
- City Residents
- Recreational Groups and Individuals
  - Anglers
  - Boaters
  - Swimmers
  - Runners
  - Cyclists and Cycling Clubs
  - City of Plattsburgh Recreation Department and Sports Clubs
- Environmental/Advocacy Organizations
  - Friends of the Saranac River Trail
  - Trout Unlimited
- Academic, Cultural and Learning Institutions/Organizations
  - Plattsburgh State University of New York
  - Clinton County Community College
  - Plattsburgh Public Library
  - Plattsburgh City School District
  - Kent-Delord House Museum
  - Clinton County Historical Association Museum
  - The Strand Center for the Arts

## **Community Outreach/Public Participation Plan Components**

The City of Plattsburgh LWRP stakeholders were invited to share their ideas and concerns about the issues in the Waterfront Revitalization Area. Stakeholders were also asked to provide feedback to the Project Advisory Committee (PAC) to ensure that their issues of concern were being properly addressed. While the Public

Participation Plan included typical outreach methods, the PAC augmented the Plan, when feasible, as non-traditional outreach opportunities arose.

Under this Plan, the PAC the following outreach methods will be utilized to obtain public and stakeholder feedback:

- Responsibilities of the City of Plattsburgh Project Advisory Committee (PAC) Members
- City of Plattsburgh Website
- Media Outreach
- Development of Outreach Materials
- Community Workshops
- Stakeholder Focus Groups, Meetings and Key Contact Interviews

**City of Plattsburgh LWRP Project Advisory Committee (PAC):** The PAC conducted a “kick-off” meeting in November of 2014 for the City of Plattsburgh Local Waterfront Revitalization Plan at Plattsburgh City Hall. The purpose of this meeting was to introduce the PAC to the full Project Team, review the project scope and schedule and begin discussing options for public outreach.

The PAC was established to facilitate communication and cooperation among local governments, county and state agencies as well as interest groups and others essential to the preparation of the LWRP. The Committee includes representatives from government agencies, non-profit organizations and academic institutions. They were responsible for developing and implementing this Public Participation Plan and charged with helping focus the planning process, assisting in reviewing consultant proposals, interacting with the project administrator and reviewing work products. The PAC was also responsible for reviewing the existing goals and vision, and as necessary, revising them. In addition, PAC members will serve as another tool to inform the public and other stakeholders about the LWRP through their existing networking opportunities.

The PAC will encourage public attendance at their meetings and may provide rules for participants to follow if determined to be necessary. Notification of PAC meetings occurs through e-mail or other agreed upon methods and will be initiated by the Project Coordinator. Regular meetings will be scheduled as needed to monitor progress and review interim and final documents. PAC meetings will be held at City Hall.

In the interest of ensuring a broad understanding of the purpose of the LWRP, diverse input will be solicited from a variety of affected parties. Members of these organizations will be invited to attend all public workshops.

**City of Plattsburgh Website:** One or more pages on the City’s existing website will be dedicated to the LWRP. Project schedules, workshop dates and public documents will be posted on the City’s website. The City’s website address: <http://www.cityofplattsburgh.com/>

**Media Outreach:** Prior to public meetings, project-related local events and the release of Draft and Final Documents for public review, press releases will be prepared and distributed to local media outlets. Local media will also be invited to attend public meetings and project-related local events. Media outreach is a key method for informing the general public about the project. The Plattsburgh Press-Republican Newspaper will be utilized for meeting announcements and to generate local public and stakeholder interest through one or more articles. WPTZ News Channel 5 will also be notified of public meetings and the release of public documents.

**Development of Outreach Materials:** The PAC will develop outreach materials for use at public workshops, meetings, events and other outreach opportunities. Options could include the development of a display, Power



Point Presentations, and project brochures. This information will also be posted on the City's website and shared through social media accounts (Facebook, Instagram).

**Community Workshops:** Two community workshops were held during the LWRP update process. The PAC scheduled and PAC members participated in the community workshops. All members of the public were welcome to attend any public workshop. The initial community workshop was held at 5:30pm on Wednesday, October 28, 2015 at Stafford Middle School to obtain input and recommendations related to WRA key project areas and issues from the general public, agencies, organizations, business owners, sports organizations, etc. Presentations were provided and included background information about the LWRP, identification of key groups involved in the Plan, along with relevant information, photos and graphics of key sites and issues within the WRA. Significant time was devoted to soliciting public input through small breakout groups. Feedback was sought on a Draft Vision Statement for the City's waterfront, to generate ideas regarding opportunities for each subarea, and to solicit feedback on project concepts.

The second community workshop was held on December 9, 2015 to review revised project concepts and seek feedback on the Draft LWRP.

In general, community workshops were limited to two (2) hours and will be organized to maximize the amount of public information obtained. The specific agenda and process for each community workshop was agreed upon in advance by the City and PAC.

Workshop participants gained a better understanding of the LWRP process, the Waterfront Revitalization Area and information on key issues and potential projects.

Meeting announcements were provided via a number of forums, including:

- City of Plattsburgh Website;
- Social Media (e.g., Facebook, Instagram, and Twitter)
- Press release to local media (Press-Republican and WPTZ News Channel 5) and
- Informational Flyers

In advance of each Public Workshops, the PAC considered and agreed upon the methods that were employed in order to inform the public of the meeting date, time, location and purpose.

**Stakeholder Focus Groups, Meetings and Key Contact Interviews:** This Public Participation Plan identified a variety of potential groups with potential interest in providing feedback and participating in the planning process. While, for many groups, attendance at the public workshops may be sufficient to provide key input, the PAC had the opportunity to conduct focus group meetings and interviews with key groups and individuals to seek targeted feedback on specific elements of the project.

## **References:**

Mohawk River Watershed Management Plan, Community Outreach/Public Participation Plan  
Old Saratoga Waterfront Revitalization Plan – Public Participation Plan

**Appendix F Public Feedback during October 28, 2015 Workshop**

## Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

Subarea	Idea
North End	Private-public partnership potential: No private land; city and state ownership; how can we work together? Shared services potential
North End	Discussed dune restoration options and possibilities
North End	Lack of actual trail in this area or a connection to the trail system
North End	Hand launch area for kayaks, etc - creek area, etc.
North End	Nature trail near & around creek as well as area across from the beach area (State land that is wetlands)
North End	Crete Center as a concert venue? Draw from ferry traffic
North End	Cooperative agreements with private landowners
North End	Outdoor venue? (theaters, concerts)
North End	Dual use for winter
North End	Crete use if demolished - what is the alternative?
North End	Restaurants lakeside
North End	Bike/hike paths through former dump
North End	Health Dept. impact assessment done for Cumberland Corner - find document
North End	Crete Center - heavily used - if removed, need to relocate
North End	Environmental possibilities: beach, wetlands, native plants
North End	Accessibility
North End	event lawn
North End	shared services with state services
North End	trails and connectivity
North End	"Green" building
North End	Heating of the water and potential water issues
North End	Pier and tide issues - building on pylons, like Louisiana, Florida
North End	Don't compete with downtown
North End	Crete Center moved to Dock St/Downtown: centrally located; don't have to rely on cars; sensitive to low-income; public transit brings to downtown
North End	Boat transport from downtown to City beach
North End	Public transit - light rail
North End	Low income sensitivity
North End	Banquet hall opening onto the lake
North End	Crete Center - only area open for development
North End	Cultural/historic assets: Native American site, "City Dump"
North End	State Park Adjacency
North End	Development and enhancement of community resources
North End	The value of the Crete Center - it has to be somewhere
North End	How do you turn the "dump" into an asset - ecological restoration
North End	What are the deed restrictions on the Crete Center?? May prevent anything but a recreational use; keep a narrow focus on what's allowed
North End	Isolation is an asset: potential for more "intensive" use; BMX trail/snowmobiles
North End	No access issues here
North End	Entertainment/engagement focus
North End	Ancillary uses that support the recreation use
North End	Lease the land to a private business.



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Subarea	Idea
North End	It would be nice to see more restaurants and shops in the area - what about the building where Windows on the Bay used to be? Or where that vacant motel is?
North End	
North End	The Crete center. This place could use a major upgrade! Let's make this a venue for concerts.
North End	Dock piers are a good idea. Having a boat docking pier is also a great idea.
North End	transport from other places in town -- too far for students or elderly to walk to.
North End	
North End	bike path to connect the end of the Scotion Creek bike path to the one which leads to the ferry.
North End	Would be inclined NOT to remove Crete center but to possibly renovate. I do not feel this facility is utilized enough! A performance Pavilion sounds great but would be smaller and assume only usable during warmer weather
North End	more camping? more day activities?
North End	venue to host large grounds for musical events/ local city hosted fair/carnival.
North End	
North End	Residential and retail development. Beach front hotel(s), waterfront walkway/bike path.
North End	Connecting non-motorized bikeways to the city and to the rest of the county
North End	
North End	Scotion Creek former dumpsite could become a great park/rec area/golf facility.
North End	
North End	Ferry service from the city marina and points south on the lake, and even to Vermont.
North End	To create a fun beach complex, maybe with a pier, and some more restaurants.
North End	waterfront family resort
North End	create a new civic center to replace the crete: designed less like a small recreational center with large open spaces and small bleacher seating and instead a civic center with a larger capacity (5,000-10,000 seats)
North End	
North End	a full length pier - will help with adding new restaurants, shopping and sight seeing ideas
North End	I like the pedestrian piers suggested on the plan and the boat docking (no overnight stays). I LOVE the outdoor event pavilion; it reminds me of Lake Placid's band shell and the Shelburne Farms concert green.
North End	Kayak and canoe rentals; wind surfing lessons.
North End	Add a more family friendly area ( play ground, picnic area & or sprinkler park)
North End	Entertainment - outdoor movies, etc.
North End	a suitable dog park
North End	Get the Ferry to go directly from Cumberland head in Plattsburgh to Burlington. (increase in tourism, walk-ons)
North End	Try using a sandbar, to fix the waterflow and make the beach clean
North End	A variety of food vendors would fit here.
North End	holding a farmer's market at the beach would be nice
North End	a public space that is used as a town center for events, farmers markets and can be rented out for private events such as weddings, showers, etc.
North End	Flexible community use space (movie nights, concerts, parties, trails, sports)
North End	A miniature or smaller version of the Great Escape
North End	Move the Crete Center to downtown Plattsburgh, which would allow for lower-income families to better access it, and make this entire area more of a nature preserve.

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<b>Subarea</b>	<b>Idea</b>
North End	outdoor hockey rink
North End	Bixi or Citi bikes or similar rental bike shops.
North End	I believe our waterfront would benefit a great deal if there was a playground and maybe water park as well as go-carts
North End	Small grocery store in this area/village market; beach gear/water sports shop with rentals and lessons
Wilcox Dock	To get out there on foot, it's a couple miles to access. Sidewalk connections between streets is not good. Value to connecting this area to other bike trails. Opportunity to improve crosswalks
Wilcox Dock	If there was a dedicated bike trail – do we think it would fit in that area? There is a bike lane now on Cumberland. Complete streets does exist and is being worked on. Enhancement of complete streets would be appropriate. Complete streets to be added to GP intersection.
Wilcox Dock	East/West access are needed (more than exists)
Wilcox Dock	Wilcox dock needs calmer activity. Ideal place for canoe launches, rowing, sailing (sailing lessons have been conducted there)
Wilcox Dock	We can develop activities to encourage certain outdoor activities: To south side of Wilcox Dock is very deep water - draws power boaters. The other side (north) is not as deep, but you can have boats there with centerboard and it is protected. City marina has only deep water access for lake champlain. Wilcox is second..problem with this is two rather large sandbars . getting in there now with draft of over 5 feet is tricky. Does allow for moderate sized power boats, very protected launching of sailboats, kayaks, that allow you to launch in area.
Wilcox Dock	This is an area that lends itself to this type of recreational opportunities uniquely. Lots of fishing goes on there. Use of that area can help determine the type of activities. Jet skis, boat launches, we WANT chaos of the summer.
Wilcox Dock	Walk or bicycle ride north of Wilcox Dock along Cumberland, when coming out of downtown Plattsburgh and connect into sidewalk onto bike path...nice way to travel if walking or bicycling because of proximity of lake. Sidewalk or bikeway there.
Wilcox Dock	landscaping the area with trees, etc. - shelter - Private picnic area. It needs some significant softening. Fishing there, but not a pleasant environment.
Wilcox Dock	Opportunity to do linkages with parks/streets/launch
Wilcox Dock	Complaint in that area: cannot set up motor homes. Where can folks put their motorhomes?
Wilcox Dock	private land - a lot of people walk & run up to margaret street – important to some enhancement for that area
Wilcox Dock	potential in greenlands to do walkways with boardwalks over. Logical extension of greenway to create linkage.
Wilcox Dock	Connectivity is key. Biking/pedestrian/kayaking/canoeing from city beach to wilcox dock to monument park, to macdonough monument park to new marina and to base. “Green Necklace” or emerald.
Wilcox Dock	Mix of intensity of rec uses (marina to rec center to city urban park area to beach)
Wilcox Dock	For more access, need more opportunities: places to park, picnic tables, kayaking. If picnic area - profit from food trucks
Wilcox Dock	existing boat launch and kayak launch need development; existing pavilion could be developed more

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<b>Subarea</b>	<b>Idea</b>
Wilcox Dock	Interested to know what a campground would do in that location. 30-40 sites.
Wilcox Dock	Could there be a series of diving boards, public beach, recreational diving.
Wilcox Dock	Moorings – develop a motorized launch – add moorings. Seasonal mooring rental or a small boat marina. We get a huge Quebec draw, we could sell more.
Wilcox Dock	Pedestrian and bicycle access, pretty route. Cycling groups come down and go through this area...nice to accommodate them. Conflict in boat trailers
Wilcox Dock	Access: Easily accessible for neighborhood near, but to west of Margaret, Bailey, Oak, N. Catherine. No way to get across the property to Sailly.
Wilcox Dock	Develop interpretive center on property across from Wilcox Dock?
Wilcox Dock	Small boat docking. Small motorized boats/vehicles/trailer size
Wilcox Dock	Small boat launch access (only) with parking for trailers
Wilcox Dock	more access for docking boats, not deep enough. Possible 30-40 spots now? Do people want to go to an area that is more like the park?
Wilcox Dock	Connectivity: get a trail from city beach, to museum campus that makes sense; it almost has to go down Cumberland avenue. Has to go by monuments.
Wilcox Dock	Connectivity – along Cumberland N of Wilcox Dock – more traffic than bike trail. Needs more bike access. Dangerous turn by GP.
Wilcox Dock	Streetscape: One of the things DMP calls for - gas street lights along margaret street.
Wilcox Dock	Water taxi between city beach and all points of interest
Wilcox Dock	Church oil – reminiscent of concentration camp (???)
Wilcox Dock	Passive recreation along waterfront owned by GP
Wilcox Dock	Gazebo still there? Extensions for fishing/boardwalks
Wilcox Dock	A recommendation to LWRP to remediate and or open to economic development or recreational use
Wilcox Dock	Public parks/ball fields/community benefits
Wilcox Dock	Public access to lakes – don't have very much land from which you can see the lake. Seems like a perfect place for a park to allow community to have nice view of lake; enhance the neighborhood
Wilcox Dock	Safety & security – When boats were kept there without police patrol, they were broken into regularly (80's-90's)
Wilcox Dock	Environmental: Why are they undeveloped? Would this be a location for support services? Repairs for boats? Proximity to boat launches. –if economic value of this idea is valuable
Wilcox Dock	Proposal being right now for community sailing center – permanent installation for all sized boats. Remediation is needed.
Wilcox Dock	There is an environmental story to tell there - nature center; pcb cleanup; was a watering site for pcb cleanup. Where GP is now, lozier motors work was there until WWI.
Wilcox Dock	Restrooms available for public use - bathhouse style, not port-a-potties
Wilcox Dock	Trails with space for both bikes and pedestrians
Wilcox Dock	improve the pathway out to the point and make the point a bit safer to explore with smaller kids.
Wilcox Dock	Open space when you first turn on to Cumberland Avenue (from Boyton) that would be great for picnicking and a pavilion.
Wilcox Dock	A park or low impact recreation would be good. How about short hole golf?



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<b>Subarea</b>	<b>Idea</b>
Wilcox Dock	small boat/kayak rentals; snack shop; take advantage of the gazebo space
Wilcox Dock	put up art pieces/ murals/ landscaping
Wilcox Dock	picnic shelters, a fishing pier and a more complete boat launch site
Wilcox Dock	renovating and maintaining the lung trail (or removing it all together) and creating a grassy open area
Wilcox Dock	Public park in the area between Cumberland Avenue and Margaret Street.
Wilcox Dock	In the morning there is always a line up to get into the water and at night there is always a line up to get out of the water. Maybe another bay for access.
Wilcox Dock	maximize the dock space by moving all parking across the street.
Wilcox Dock	need sidewalks to continue past Point View Terrace to Margaret St.
Wilcox Dock	Wilcox needs to be well lit at night, a neighborhood watch program would be helpful. More street lights and cameras are a must.
Wilcox Dock	Community events such as fishing lessons and "tournaments"/ contests for the kids.
Downtown	Dedicated bike lane within corridor and coordinate plan with the two options for the SRT
Downtown	NYSEG site vs city's water edge ownership - a buffer easement
Downtown	develop regulations for the NYSEG site
Downtown	What defines downtown vs the transition area?
Downtown	Illustrate public space component - potential green space downtown; map of city with easements and green space
Downtown	Challenge: Salmon Run. Should protect this (eg. Lighting could affect salmon) - Take into account river and lake will become higher over the years
Downtown	Dredging along the north side of the city marina. DEC issue with getting it open
Downtown	Dredging issues near Dock Street - Consider dredging near boat launch on North edge (near WWTP)
Downtown	Balance of commercial, lodging, and green space for people to congregate
Downtown	Create events around natural events, eg moonrise
Downtown	Move MLD out of the area
Downtown	Water treatment plant as an attraction - close to mass transit connections, cleanest and greenest plant possible
Downtown	What to do with the large parcels: An attraction - amphitheater, recreation center, nature of the area; a restaurant as part of the marina
Downtown	Enhance connections between the Arts Corridor, Durkee, and Waterfront
Downtown	Make a portion of Margaret Street pedestrian
Downtown	Secondary streetscape improvements along Jay Street, Hamilton Street, across Broad Street Bridge back to Durkee
Downtown	Use public art to make connections
Downtown	Incorporate historical elements - would like interpretive center on Dock Street
Downtown	Event area at Durkee and center for city events - liberates traffic and connects to the Arts Corridor
Downtown	Residential development - mixed income and a demand for services
Downtown	grocery store downtown
Downtown	Pods of development at Durkee Street along the river: east of Saranac River along Pond St and Guy Way
Downtown	zoning and code restrictions for new development

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<b>Subarea</b>	<b>Idea</b>
Downtown	Consider the railroad track - negative; emergency access
Downtown	Downtown is very different during the day than it is at night - effects of college town
Downtown	Development west of Durkee Street is a possibility; Include site south of Broad Street for development
Downtown	Housing on the NYSEG parcel
Downtown	NYSEG site is a potential relocation site for City Recreation Center
Downtown	Rehabilitate existing pedestrian bridge at NYSEG site
Downtown	Enhance the farmer's market - year-round market (noted Hamilton NY Farmer's Market schedule)
Downtown	Dock Street - water park
Downtown	Think year-round use; 4-season destination: skating, wind boards, slide (Lake placid), indoor skate park
Downtown	Emergency services
Downtown	Train station - what to do with it?
Downtown	Need for residential development downtown
Downtown	Dock Street is dangerous from train station to water. Traffic is a problem at 4th of July, fishing tournaments. If train stops at the intersection, you are stuck with no exit.
Downtown	Relocating WWTP is not feasible - opportunities along the Saranac on the east side? Near current PMLD/WWTP?
Downtown	Lakeside container buildings should be removed or rehabilitated
Downtown	Crete biking/running/pedestrian loop - Central Business District walking loop. Connect McDonough, WWTP/Marina, Lakeside Container, NYSEG, Durkee Street Loop.
Downtown	Strand is KEY to this concept
Downtown	Why new parking footprint at Durkee lot? Why not build UP on existing parking? Don't use valuable space for parking.
Downtown	Will the population of Plattsburgh in 2050, 2080 support this commercial/mixed-use focused plan?
Downtown	This group LOVES the whitewater park idea
Downtown	Skating rink downtown on Durkee street lot - urban 4-season park, winter life in City center is grim - urban central park with sledding/skating, summer gathering, farmer's market
Downtown	Peace Point could be the location fo the Farmers market
Downtown	Need a hotel on waterfront
Downtown	development of lakefront/marina area with increased parking, hotel and ecomuseum
Downtown	More parking downtown
Downtown	face lift on some of those buildings on Bridge St
Downtown	Developing the NYSEG Site with access by foot +/-or car
Downtown	The city parking lot is a great venue for the Farmers market or any type of festival.
Downtown	At one point a hotel was going to be built down by the Naked Turtle. I believe that this still NEEDS to happen.

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Downtown	Open the area near the marina to mixed use: residential, lodging, retail and dining
Downtown	areas for outdoors seating/cafe seating on the side walks not with barricades
Downtown	We have a beautiful river. Why can't we have at least one restaurant on the river??
Downtown	I think the building of an ampitheater and/or relocating the Crete Center here would be ideal. It is a place where we could have large events for the area - like concerts, fireworks, battle of plattsburgh, etc.
Downtown	That huge unused parcel east of the train station is just begging to be developed. You could build a new "downtown" there with lodging, dining, residences and retail.
Downtown	Durkee Site concerns: Already empty retail in the area; parking vital to existing businesses - perhaps locate a structure on Bridge Street at old gas station site
Downtown	Bike rentals - improvements of mapping/advertising/signage of the connection to bike paths out to the beach, base bike path, Saranac river trail.
Downtown	food & wine festival downtown where the local businesses are
Downtown	a concert venue, such as an ampitheater in the waterfront area
Downtown	make margaret street one side of the street parking only... Then widen the other side walk on the opposite side to encourage outdoor dining, etc
Downtown	spaces to host more festivals, more FAMILY activities - attract the kids...the parents follow!
Downtown	Increasing accessibility of public transit such as a light rail or a trolley system. I think it would also be interesting if the train system could be used to our advantage like a wine train route.
Downtown	Increasing ease of foot and bike traffic. We also should be mindful of our fellow citizens with handicap issues such as wheelchair accessibility and space, as well as benches for anyone who needs to take a break.
Downtown	Improvements to/development of Trinity Square park - new fountain
Downtown	Fewer bars downtown - more fine dining/restaurants
Downtown	Parking - accommodate residents who live above the businesses as well
Old Base	Old Base marina - access after bank rehabilitation. Potential for use as a swimming beach, if rec dept supervision (limited visibility - security issue)
Old Base	Connection to Barracks brewery
Old Base	Rehabilitate pier at old base marina
Old Base	sailor's beach - enhancement for better access
Old Base	bike/ped path connections must be strengthened - have sections now, but fragmented. Lane from North end of TG park to Dock street
Old Base	Incorporate historic district into paths
Old Base	Coordinate paths with SRT
Old Base	Transportation museum - entrance from TG path
Old Base	Friends of the Old Stone Barracks committee - planning walking tour
Old Base	Old base Marina beach - no swimming now, plan to open for swimming?
Old Base	What is the alternative to Sailor's beach bridge? Beach seems too small - do we want more access? No - maybe a ramp for pedestrian access, focus on Old Base Marina
Old Base	Asphalt skating rink at old base (Hannaford Rink) - hasn't been used (no water supply)



**Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization**  
 Preliminary Draft, City of Plattsburgh Local Waterfront Revitalization Program  
 Public Workshop Feedback - October 28, 2015

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*

<b>Subarea</b>	<b>Idea</b>
Old Base	Museum campus - develop/make a destination - more accessibility and signage to connect to downtown
Old Base	Public transit between downtown and old base area is currently not promoted
Old Base	Move some museums to Dock Street - especially Battle of Plattsburgh related
Old Base	provide lighting on bike trail - appropriate for residential areas - need for increased safety
Old Base	Public transit to connect museums/brewpubs/old base with downtown and parking
Old Base	challenge - view to lake are obscured due to development of condos, etc - selective clearing of brush trees as solution without causing erosion
Old Base	Nothing permanent on oval green - keep it green, flexible; use for events/kite flying
Old Base	Add pedestrian/bike streetscape and façade improvements to South Platt Street, US Ave to circle
Old Base	Add to oval: public restrooms
Old Base	Fort Brown underutilized - location (parking?), overgrown
Old Base	Waterfront access - three other access points - Bridge, signage, add trolley (?), "no swimming" signs
Old Base	Oval - chapel is popular for weddings, use of oval green space - enhance area
Old Base	Plot west of barracks and north of cemetery - recent change in development restrictions
Old Base	Bike baths - want to develop race loops
Old Base	Want to connect existing trails
Old Base	Lake Champlain museum - could develop a satellite location - could provide a tallship (replica)
Old Base	possibility to add facilities for rowing/races?
Old Base	Fort Brown - interpretation, parking?, need walkability to it
Old Base	Create walking loop from SRT, behind Army Reserve, to Fort Brown
Old Base	Old Base Marina - rehab? Sell?
Old Base	Connect bike paths - Terry Gordon path to Rt 9 connector - near brewery
Old Base	Expand LWRP boundary all the way up Saranac River to the Town line
Old Base	Provide water on the oval for the ice rink and irrigation
Old Base	Restoring the docking area would be an added bonus for access from water.
Old Base	Prevent the whole place from becoming a museum (Old Sturbridge Village, Williamsburg). Focus on the continuity between past, present and future.
Old Base	Lake views are obstructed by trees however clearing that provides environmental concerns
Old Base	create a museum/workspace - Reuse some old base industrial space for modern museum support (perhaps a consortium of the museums) to provide skilled services in preservation of materials
Old Base	Put a massive museum/interpretive center--with a room for every local hamlet's museum in it--in the beautiful giant old building on the south end of the Oval.
Old Base	Fix the old docks, connect them with ferries, use the old base marina for outdoor theater productions in the summer.
Old Base	A banquet/reception hall in the building at the end of the oval opposite the chapel would be a great asset

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Subarea	Idea
Old Base	Better access to downtown such as a light rail or a trolley system. With increased foot traffic places like the historical society and the museums could be open for more hours and promote our historical area.
Old Base	Utilizing the oval park for community events.
Old Base	Lighting the bike trail for safety issues
Old Base	I have always thought a section of the Oval would make a much better performance space than the steep banks of the Saranac River below the monument. There is plenty of room to set up a stage on the Oval and provide lawn seating that does not interfere with sports venues on the Oval.
Old Base	improve signage for museums - Maybe all the signs should look similar, state their open days/hours and admission prices.
Old Base	I would like to see at least one small motel/hotel option at this end of city.
Old Base	Bixi or Citi bike type stations, more benches along the bike trail, clear out some underbrush to improve lake visibility from the bike path and the Oval
Old Base	Ferry people from base marina to Valcour island for reasonable price.
Old Base	Really make it a museum campus. Have trails between. A trolley that takes you between museums.
Old Base	Tie it all together a little better with walking paths and other attractions. Incorporate the two new breweries and encourage other small vendors to come in. A coffee shop/bakery would be real nice there. So would a taco stand or a sandwich shop.
Old Base	Improve pedestrian bridge over the tracks for safety
Old Base	Provide handicapped accessibility

## **Appendix G Online Public Feedback following October 28, 2015 Workshop**

The comments on the following pages were received in response to an online survey that was available to the public following the workshop. The survey question is provided in bold above the responses.

*Note: At the time of the workshop, the Upper Saranac subarea had not yet been identified for inclusion.*



<b>Identify Strengths for the North End</b>
Along the lake. Proximity to beaches and nature. Within walking distance. Could extend downtown area to the north.
Lake, access to Northway and City.
World-class views, a great potential recreation area. An interstate highway exit giving easy access to Montrealers.
Lake Champlain
Accessible, naturally beautiful, abounds with recreation opportunities, has existing bike path and beach facilities.
The trails and bike path as well as the beach.
Location, location, location!!! Close to a major airport, close to Vermont (Burlington), close to Montreal, close to Lake Placid.
waterfront, beach, access to highway, popularity with Canadian visitors, lots of land to develop that the City already owns, create civic center (also a challenge for upkeep and repair). There exists a nice mix of overnight stay options, from motels/hotel/camping/cabins/house rentals. Entertainment is just a short drive to Cumberland 12 or downtown.
Lots of "tourists" in this area driving to and from ferry, highway access. Space for opportunity, natural resources readily available.
Location to Rte 9 & I87
Beach access, trails
Beach, Views
Beautiful beach and views! Already good facilities and parking.
There is a beach and easy access to the ferry close by.
The lake itself is a huge strength along w/ the Crete center property and city beach.
Tourists from Canada and Vermont, bike/ walking paths
The City Beach offers one of the most spectacular views on earth. The surrounding area is also appealing because it provides a sense of being in nature--a welcome break from the surrounding city scape.
The water front is a great strength along with the close proximity to Burlington and Montreal. We have a lot of Canadian tourists in the summer that help boost the economy.
There are none, the City in my opinion has done very little to make this right. The beach should be cleaned and the sand replaced...there was a beach there years ago but it has shrunken so much it is disgusting. On top of that there is nothing there, years ago my brother proposed an area on the beach that would be set up similar to the Great Escape on a smaller scale. He was essentially told he was an idiot for proposing it. If Plattsburgh doesn't do something, we will start losing our Canadian visitors too who spend so much money in our area.
Beach, convention center, camping, ferry traffic, highway access. Beach is typically busy when weather is good. Events such as beer fest, volley ball etc have been successful.
the beach is beautiful. thats all that needs to be there
Environmental elements such as indigenous grass, the beach area, and the state park nearby.
View
Waterfront on Lake Champlain. Close distance to Montreal, Burlington and Lake Placid
the beach exists & is free for students
Open spaces that are utilized by many different organizations throughout the year
Lease the land to a private business.

The beautiful water front that can be enjoyed for so many different things. We went too many times to count this summer.
Natural beauty: dunes, wetlands, beach, lake. Heavily traveled so whatever happens at the Crete or at the Beach will be seen by hundreds if not thousands of drivers. Underdeveloped and vacant land close by. Some of this land is natural and should be preserved and some should be re-developed.
Is ideal because of proximity and ease to ferry & interstate access.
Lots of parking.
the 'wildness' of the west end of the city beach. leave it as is w/o development
We have the most beautiful lake frontage in Plattsburgh. We really need to maximize the opportunity for growth along the shoreline. It would be nice to see more restaurants and shops in the area - what about the building where Windows on the Bay used to be? Or where that vacant motel is? We have so much space that could be used as entertainment space, or revenue generating spaces. We already have a ton of Canadiens that come down here and want to spend money and boat on our lake. The Crete center. This place could use a major upgrade! Let's make this a venue for concerts.
Beaches and summer activities.
It's located directly off exit 39 allowing easy access for events. Also easy access to and from the ferry. Beautiful location with great views of lake Champlain.
Free public access to lake. History. Natural beauty.
A lot of local and international foot traffic at the city beach. Dock piers are a good idea. Having a boat docking pier is also a great idea.
Beautiful. Great sand. Plenty parking.
<b><u>Identify Challenges for the North End</u></b>
Maintaining habitat for waterfowl. Private ownership of land along lake.
Add new features without destabilizing/destroying downtown.
Private ownership of the lakefront that won't cede to any public use cuts the North End off from the rest of the city. And nobody will challenge that idea. So we have the world's most gorgeous McDonald's Drive-Thru lane. Polluted water that shuts down the beach, which may result from siting a sewage plant right on the water.
Politics
Beach underutilized due to lack of attractions (restaurants, decent hotels, boat rental not available).
Not easily accessible. A walk from downtown to the city beach is about 2 miles and most of the beach is private until you to the start of trail near the bike path. Plus walking past the old dilapidated Lake Side apartments is bad enough. They reek of mold and sometime there are some shady people around the area.
Older buildings and structures currently in place on some of the proposed areas make for the extra decision making and the extra costs involved in restoration or demolition.
Getting enough popular events at the Crete Center to fund the repair/maintenance (don't tear it down! it must be cheaper to repair the building than to build new! the cost of concrete alone is \$130/yard!). Marketing, attracting locals and visitors. POLLUTION - from the sewage treatment plant, it tends to all flow to the beach unfortunately. There aren't a lot of challenges other than getting people to utilize the great natural setting that we have! The only downfall is that it bring visitors to the outskirts of the City, they may not visit downtown - but it does bring people to our area, which hopefully would benefit everyone.

<p>Seen as the "bad" side of town, lots of drug/illegal activity. Areas in disrepair, condemned buildings, Mc Donald's on the waterfront. Not much drawing business towards this area, the only "real" reason I drive over that way is for the beach, Cumberland 12, or to get to the ferry. Wild Dreams is not so family friendly or attractive.</p>
<p>Lack of signs for city beach from all directions</p>
<p>Wetlands, demand for parking and access to beach. Water quality problems. Swampy -- the entire area needs to be set up so that the wetlands function properly.</p>
<p>Crete Center is ugly. Far from center of downtown Plattsburgh. Lack of restaurants and businesses.</p>
<p>No easy transport from other places in town -- too far for students or elderly to walk to.</p>
<p>The Lakeside area is quite a sticky wicket.</p>
<p>Crete center and city beach are run down and unkept. To become a tourist destination, you have to LOOK like one. Clean up both properties, get rid of run down buildings, fences, etc. Grounds must be pristine and litter free. Repave beach parking lot. Another challenge is going to be some of the run-down properties that surround the beach and Cumberland Corners.</p>
<p>Water pollution</p>
<p>I think the challenge is to preserve the area's natural beauty and to enhance opportunities for recreation that is compatible with its natural assets.</p>
<p>Challenges for the area are professional job prospects to lure young adults to the area and/or keep them in the area, and those seeking an active life style who like to go to festivals and events that do not focus on truck pulls and eating greasy food. The area has a large amount of land on the waterfront, however, I do not think it has been utilized to take the most advantage of it. We have a water sanitation plant, a paper plant, McDonald's and motels with people who have recently been released from prison residing in them is not the best use of a beautiful natural resource along the waterfront. I also think there are a handful of close minded people in the area who might fight and argue that everything is okay the way it is, but we have such a high drug rate in the area, that we need to do something to bring more professionals and culture to the area.</p>
<p>Getting the Legislators and people in power in the city to get off their duffs and get things moving. It is not rocket science people...</p>
<p>Needs a wow factor as one of our major entry points. Better use of old convention center or upgrade for regular year round events. Bathhouse needs upgrade.</p>
<p>accessibility</p>
<p>Environmental impacts, access, connecting it to the rest of downtown</p>
<p>Good old boy network of city management that has failed us for years. Ferris has monopoly on the crossing to VT, strong lobby against a bridge</p>
<p>the crete centre is an eye sore - either demolish and make something new or make it into parking for the beach or just do SOMETHING with it please</p>
<p>lack of bike path to connect the end of the Scotion Creek bike path to the one which leads to the ferry.</p>
<p>Distance from the center of the city. Lack of knowledge about what is there. Price for non residents. I suggest having season passes that non residents can buy because the state parks have a pass like that. You will have people buy the parks one instead of paying your fee. But if there is a season pass it may get more people to come and pay.</p>
<p>There is an extreme lack of services on the north end. There is no sense of community there. Walkability ends at the intersection of Rt 9 and 314.</p>



Cost Would be inclined NOT to remove Crete center but to possibly renovate. I do not feel this facility is utilized enough! A performance Pavilion sounds great but would be smaller and assume only usable during warmer weather. So why not use those funds for Crete Center? Unless you have enough funds for both. I would imagine beach goers would love the additional entertainment during summer months...but still don't know if you will be able to pull enough revenue to cover overall costs.

Keeping residents entertained in a fun and safe environment.

finding a use for the crete center and/or razing it to put something there more useful. or.. maybe not having anything there at all in the way of an arena. more camping? more day activities?

Getting people to stay in plattsburgh.

crappy under developed surroundings/poorly managed surroundings. Ex: lakeside apartments, lakefront McDonald's(prime real estate owned by a fast food chain?!) golden gate motel, ripvan winkle motel.... All eyes soars and harbor government assisted living as well as drug and alcohol abuse. Poor use of existing. Facility. Existing facility in need of repair/ refurbishing or new building constructed in its place. No venue available to host large grounds for musical events/ local city hosted fair/carnival.

Environmental cleanup. Distance from downtown is a problem for children, elderly, and people with disabilities.

Bathrooms. This summer of 2015 was a terrible setup for bathrooms. Not enough docking space for all the boats on the docking pier.

Water is gross. Very dirty. Very limited on what u can do in water. I havent been to beach in years because you arent allowed go have fun. No throwing frisbees nothing. Its water. People want to play in water.

**Identify Opportunities for the North End**

Residential and retail development. Beach front hotel(s), waterfront walkway/bike path.

Increase beach area amenities

Connecting non-motorized bikeways to the city and to the rest of the county could make this a destination similar to the area around Traverse City, Michigan. The Scotion Creek former dumpsite could become a great park/rec area/golf facility. You could put ferry service from the city marina and points south on the lake, and even to Vermont.

Lots of potential

To create a fun beach complex, maybe with a pier, and some more restaurants.

The lake, the beach, exhibition space in the Crete center.

One thing I have always noticed is that Plattsburgh is a perfect location to attract tourists/visitors to the region. However, we seem to lack tremendously in some of the basics that families look for in an area to vacation. For example, there is no resort style hotel anywhere in Plattsburgh, despite the fact that they have the perfect waterfront location to be able to attract and sustain a large waterfront family resort. Some other smaller things that are fun for families and attractive to visitors are fun places like mini-golf courses or arcades (the mall arcade doesn't count) and there is certainly the land available for such developments in prime locations. Also, the future of the Crete Civic Center in Plattsburgh can be tied into this as well. It's obvious that Plattsburgh officials have made it well known that they want to attract as many visitors to the area as possible, for many reasons, economically being one of them. Well, I think the space where the current Crete Civic Center is located leaves the perfect opportunity to create a new civic center to replace the crete. This civic center should be designed less like a small recreational center with large open spaces and small bleacher seating and instead a civic center with a larger capacity, like say, 5,000-10,000 (actually seats) would be more ideal. It can still be used for recreational ideas similar to what the old crete civic center was used for, but also have the size and capacity to hold larger events, like concerts, sporting events etc etc. Having the facility to be able to host larger events will allow for more visitors to the area and tremendously help our local economy with large events that attract large groups of visitors to the area. Another thing that may not be possible but would certainly be worth considering in regards to the beach area. Why not a full length pier? This will certainly help with adding new restaurants, shopping and sight seeing ideas that Plattsburgh lacks into a centralized place that is all close to the beach at the same time.

Another thought that will certainly go a long ways to attract large amounts of visitors to the area is to add an outlet mall. Many folks go out of their way to travel, sometimes long distances, just to find outlet malls for bargain shopping. I've always found the space on Route 9 right next to the Cumberland 12 movie theater and the bowling alley to be a large enough and functional enough space to accommodate such an idea. Plus, any company who develops outlet malls would probably be quite surprised to see that area open for development and how perfect in location it is being directly off of a major highway, close to Canada, right near the ferry to Vermont and just outside of Plattsburgh. These would obviously be major large scale development ideas, but if Plattsburgh is as interested as they seem in becoming a growing area of the future perhaps these large scale projects would go along way to helping with that vision.

I like the pedestrian piers suggested on the plan and the boat docking (no overnight stays). I LOVE the outdoor event pavilion; it reminds me of Lake Placid's band shell and the Shelburne Farms concert green. If enough people were attracted to the area, that would mean another hotel and new restaurants! Word of mouth...if visitors have a good experience, then they'll tell their friends.

Lots of potential for a nature walk, a safe bike path is already in place. Some local businesses are already there. Beach (when clean) is a great space for families and friends. Kayak and canoe rentals would be a great addition. Maybe even wind surfing lessons.

Add a more family friendly area (play ground, picnic area & or sprinkler park) also give a discount to county residents because I know from where I live (Chazy). It's the same price as the point Au rousse and they have a play ground and covered pavilion. What they don't have is restaurants or stores close by

Swimming. Outdoor recreation on trails. Entertainment - outdoor movies, etc. A suitable dog park would be nice instead of the tiny patches of grass that are used as dog parks now.

Preliminary Draft: City of Plattsburgh Local Waterfront Revitalization Program

<p>Connect beach to downtown. Nature walks. Restaurants. Pier Pavilion. Tear down Crete Center. Make a multi-use facility with restaurants, shopping, recreation or shipping museum, something like the Echo Center. Make it more family-friendly.</p>
<p>A larger park area, a boardwalk to town, outdoor stage for concerts and theatrical performances.</p>
<p>1. Get the Ferry to go directly from Cumberland head in Plattsburgh to Burlington. You will see a great increase in tourism, because of the simple fact of walk-ons. 2. You gotta make that beach clean. Try using a sandbar, to fix the waterflow.</p>
<p>Opportunity exists to have a beach facility like no other. Could also have concerts and other events at Crete property.</p>
<p>Perhaps a hotel for the Canadians</p>
<p>This area should be a site where folks primarily can enjoy the lake vista. While some recreational development is desirable, it should be small scale, so as not to disrupt the area's essential character. A variety of food vendors would fit here.</p>
<p>The city beach could use a face lift with more board walks, cleaner bathrooms and maybe actual restaurants on the waterfront, not just fast food and smoothies. The Naked Turtle is there, but the service and food is terrible. The only allure in my opinion is that it is the only restaurant in the downtown area on the lake and where boats can dock and drive up. It would be nice to have a fine dining restaurant on the lake. It does not have to be the caliber of a 5-star restaurant in Montreal or New York City, but something like Anthony's or Irises. Burlington's church street is beautiful at night with the lights in the trees and the trubidor's playing music on the streets. Possibly holding a farmer's market at the beach would be nice too. I was in Buffalo, NY for a wedding and they had some great spaces that could be good for the city. Larkin Square is a public space that is used as a town center for events, farmers markets and can be rented out for private events such as weddings, showers, etc. They also utilize their waterfront with a farmer's market and arts and crafts, and they have public rentals for paddle boarding, kayaks, those little boats you sit in and peddle around for 30 minutes (sorry, I cannot think of what they are called) and other services with restaurants all around. I have also lived in a ski resort in Colorado with a man made lake that is always packed at night. They host movie nights in the summer, there's a small stage for concerts and they host kid events and dance parties there, walking/running trails, volley ball nets, fishing areas, soccer field, tennis and basketball courts, areas for picnics. They are always hosting flag football and ultimate frisbee games. Granted the area has more money in taxes because it is a resort, but there is a working class in the area and they are always using the space. The sidewalks are beautifully landscaped with a wave pattern, and not just straight and boring. There are digital signs around town that drivers can see with current events listed and the temperature. There is also a bus stop that brings you to the area. The city beach right now does not have that. The only way to get there is by car or walking.</p>
<p>A miniature or smaller version of the Great Escape...an area at the beach that actually offers swimming lessons to folks who can't. Etc....the list goes on.</p>
<p>Boardwalk and transient dock are good ideas. Organize more events. Beach weddings could be a success. Playground. Better food.</p>
<p>I think the Crete Center should be restored and used for public events. It could host a lot of activities in Plattsburgh. Plattsburgh needs things for people to do. Small, probably, local concert events, craft fairs, etc.</p>
<p>Building an event location for special events and weddings that can take advantage of the natural beauty. Building ice skating and other winter related sports area. Moving the Crete Center to downtown Plattsburgh, which would allow for lower-income families to better access it, and make this entire area more of a nature preserve.</p>
<p>Improved greatly the downtown/waterfront area. Bridge to VT. More pull from Lake Placid region</p>



Increasing the variety in the Crete center. Currently, i understand that the Crete center is utilized for indoor soccer. This is one of the only venues open to the public that the city owns which could host events with their concession stand, bathrooms and bleachers. It seems to be complicated to roll out the temporary flooring over the indoor grass, so it limits any other organizations from utilizing the space.

More events being held here if the space is used correctly. You could have a big sandcastle festival come. They started one in port Huron Michigan a few years ago and it's very successful. Having more food and beverage options will mean prices might be lower and more people will stay longer at the beach. Make an adult only section of the beach and family sections.

More retail and quality lodging and dining are needed. The beach boardwalk is really nice but it would be great if it were extended southward, at least to Scotion creek but preferably all the way down to GP. The boardwalk could be used to tie together this entire neighborhood, much the way the Saranac River Trail does in the center city and south end.

There is certainly opportunities for more eateries and reasonable lodging. Having some competition would certainly add growth and having a variety of selection I believe would encourage more tourists to come and stay as well. Perhaps even some interesting shops/shopping in area.

Possible water park for summer time. A nice legit and kept up outdoor hockey rink! Mini golf/go carts. Outdoor haunted house/maze for Halloween. For the holidays what about a giant Xmas tree with annual lighting ceremony including fun and games.

improving the existing crete center so it can be used for larger (or smaller) events. Now it is either too large or too small, depending on the use needed. Development of city beach area in the way of retail space or cafe space during the summer months.

Beach and summer activities.

If the waterfront was developed maybe better development could happen alon Rt 9. Could have as many opportunities as the rt3 corridor if developed properly.

Recreational, educational, outdoor events.

2015 Summer brew fest was a big hit. A similar event once a month during summer perhaps. Having a section on beach permitting use for small fires in the sand in the evening. This allows for people docking boats overnight to get out and truly enjoy the evening in the moonlight. Don't put this possible section too far from the main attractions though as the people will lose interest being quarantined from the public.

Put in some water slides or platforms to swim off from. Put a life guard out right there in the water. Chairs can be made high enough and then the supervision would be right there.

**Feedback on North End Priority Project Concepts (Link in description)**

Crete should be demolished and a conference center or resort hotel put up in its place - not an indoor/outdoor recreation complex. Connecting trails. Nature trails are of interest.

The Crete center: how much does refurbishing it coast versus demolishing. I know usually cheaper but Is there any other empty exhibition halls besides the field house? Get more events. The Adirondack wine festival seem profitable, why not try something like that for restoration or something.

Fist and foremost- we've got to protect our natural resources, so I think remediation of environmental issues should be first on the list. As far as demolishing the Crete center, I'm a little nostalgic about seeing my first Cricus there, playing indoor soccer in the winter there, and frankly I think it was a mistake to stop having youth hockey at the Crete, so I think it should be remodeled. The ideas you've presented for the beach itself, renovating/ building new bath houses, piers, boardwalk, lawn for performances, etc, all sound fantastic and well needed. I think there needs to be space dedicated for this area that will draw people in year round, not just seasonally when the beach is open.

Concept 1 is not too much of an improvement from now. The Crete center needs to be removed and reconfigured elsewhere. What is the point of the pedestrian piers? They are a good place to hangout and drink.

Like the idea of tearing down the Crete Center and wetlands protection.

I like the concept, yay for dune restoration and performance space!

Don't put a bunch of docking right in the action areas. All that happens is that the police will not allow people or will always be down there at night, which ruins the romantic aspect of any beach anywhere.... think about your beach vaction... you do want a restraut with drinks there tho. They can share responsibility for cleanup, as well.

All sound like great ideas.

I favor Concept 2, as I believe that the City and Town should cooperate to create a new recreational facility. The Crete Center has outlived its usefulness. Though demolition will be costly, the space will be better used for activities specific to beach recreation.

I do not have any feedback on this. This plan appears to be the same plan that is always in the works and has been years. The changes seems so small in comparison. I know planning takes time and money, but I think someone needs to look at a big overall picture for many years down the road. You have to use money to make money is the saying right?

I think it should remain a beach, uncommercialized. We dont need more shopping especially there. It would take away space from the beach. this should be an area for people to go to just enjoy our beautiful lake. An eatery or two would be nice but I think more grills, shaded areas, picnic tables, etc. should be added.

I prefer the last image of the priority project concepts. I strongly support moving the Crete Center and replacing it with an outdoor space that can be utilized while enjoying nature.

I really like the idea of an outdoor theater. After attending the Rusted Root concert in Lake Placid this past spring I hoped Plattsburgh would create a similar space.

I can't get back to the link. But I did enlarge and look at both concepts as best I could. Overall I do like #1 the best but think this may also be the most costly. That is the one without the pavilion..correct? Since can't get back there just want you to definitely know which concept preferred. I like the additional buildings and parking for beach with the boardwalk and a boat dock. However, if you are definitely removing the Crete center then you have to have the pavilion. You do need a place for entertainment even if only for a few months a year. Are there any renovations +/or additions to camping area?

I don't see the distance from downtown as a minus . The city has provided signage and bike-ways from downtown to the beach. scotion creek wetlands should be left alone as wild areas. it's part of the area's charm and should not be developed Advertisement:... in the 80s the city beach was packed every weekend esp w/ Montrealers. Not it's a ghost of itself w/ regard to attendance. Perhaps more advertisement out of the area is needed?

Beaches are terrible and you are roped off like cattle in the smallest swimming area possible. The day is ruined by whistle blowing teenage life guards telling you not to swim there. Nobody wants to pay \$7 to be yelled at no balls, no frisbees, no goggles I'm no longer going to the beaches because of this.

I think a development along the lake is great including pedestrian piers and docking sites. A boardwalk with shopping and food venues would be nice. But I hope the development takes into consideration of the flooding.

Concept 2 looks like a better fit.

**What recreational activities would you like to see in the North End?**

More beach! Better beach! Better trails - connecting Cumberland to downtown. Concert area?

A clean beach open for swimming from May 24-Sept. 24. Bicycling access. A true indoor-outdoor rec center, with a pool on the site of the Crete. Par-3 golf course on Scotion Creek. Or at least bona fide, non-scary nature trails there.

Kayak rentals, parasailing for hire, more beach volleyball and zumba on a regular basis.

biking, boating, snowshoeing, skiing, lake skating?

Advertise kite boarding - it seems very popular - on a windy day you'll see 30 riders at the beach! Bixi or Citi bikes or similar rental bike shops. PLAYGROUND at the beach - so you can enjoy the property for 3 seasons and not just the summer time. A nature walk through the wetlands would be interesting for future development.

Kayaking/paddle boarding/ canoeing

Lessons and classes for people who want to try/learn different water sports and activities. Fishing lessons, and boat tour guides- there are lots of people in this community that are talented and knowledgeable and it's a resource that is not tapped. Educational nature walk, with a program for children- think of the activities you find at state parks and camp grounds (Fish Creek in particular has a great program for kids). Overall a theme of conservation, education, and appreciation of the natural resources that Champlain Valley has to offer. Kayak/Canoe/Boat/ Water sport gear rentals and sales.

Park, sprinkler park, skate board area, covered picnic spot

Trails for rollerblading. Connect the bike trails on Cumberlandhead - all the way to the ferry

Biking, swimming, bird watching, fishing, paddle boating

What is there or could be there -- walking, swimming, sunbathing.

Bands are cool, but no rap, no heavy metal... Country is ok ONLY for kid days... Mostly, people want rock and roll bands. Music festivals get people paying 400 a ticket on average, and those bands are rock and roll bands...

Concerts, etc. A place to rent kayaks, canoes, etc. at the beach would be nice.

Volleyball and other sport competitions on the beach

Low impact activities: hiking, birding, biking, kayaking.

Bike trails, walking/running trails, soccer/football field, outdoor ice skating rink, tennis/basketball court, skateboard park. We no longer have a place for mini golf since Ponderosa closed. The Comfort Inn closed their outdoor mini golf and their inside one is really "lame". I finished it in 10 minutes, but was trying to come up with a different idea for date night instead of the usual boring thing.



<p>Our location is a Huge tourist attraction, definitely in the summer!! As a previous seasonal employee at the city beach for the past three years, I have been asked soooo many times by tourist if we have any parks, or recreational activities strictly for children/families? From the feed back that I have received from guests I believe our waterfront would benefit a great deal if there was a playground and maybe water park as well as go-carts, all suggestions that have been mentioned to us as ticket clerks.</p>
<p>Concerts Theater Flea markets Circus Family Fun Zone - such as zip lining, ropes course, climbing wall, trampolines, etc</p>
<p>Nature educational activities - tours and explanations of the natural unique elements. Swimming, lawn sports, an ice skating rink</p>
<p>A playground would be great. Showers to rinse off feet easily before parking lot when leaving beach.</p>
<p>Outdoor wellness programs such as outdoor fitness classes, kayaking, paddle board, anything that gets people outside and encourages the utilization of the beautiful waterfront and open spaces. Maybe outdoor food events- food trucks or something of that nature?</p>
<p>Biking and water sports.</p>
<p>Several docks would be great! Maybe 1 or 2 at each end of beach instead of just one place. Having boat/canoe, wind surfing, as well as other summer activity equipment rentals would be a great addition to that area. Tourists and others who want to do these type of things and do not have their own should have the opportunity to acquire them. Classes to teach one how to do various sports would also be valuable. A small golf course?? Maybe a par 3? Small concerts Contest/competitions in various areas.</p>
<p>Icehockey tournaments on the lake, when it's frozen. Curling! A festival similar to the one in Saranac Lake with ice sculptures and a castle.</p>
<p>Water park, slides, restaurant family activities.</p>
<p>Kayak canoe rentals, charter fishing. Boat and jet ski rentals, parasailing, kite surfing, diving.</p>
<p>Swimming, public boat launch, nature trails, discussion of history of Lake Champlain and Plattsburgh Bay.</p>
<p>Mini putt. Go carts.</p>
<p><b>What types of businesses would you like to see in the North End?</b></p>
<p>Boutique hotel with retail businesses (boutique/local) casual dining (e.g. Ingredient) Absolutely ZERO drive through fast food restaurants - they kill community.</p>
<p>(I hate this question whenever it appears. I think a survey is to get input on what people see today. People can't reasonably evaluate ideas they haven't seen.)</p>
<p>Hotels, mixed-use residential, real shopping near the cinemas.</p>
<p>Lake front restaurants</p>
<p>more restaurants, a new hotel.</p>
<p>I don't think the area can support business. There is too many empty lots of dead businesses out there minus the cinema and north bowl.</p>
<p>Resturant with bar and outside patio, bike shop, the kayak shack</p>

<p>I think a small grocery store would be a great business for this area. Something like Village Market in Waterbury, VT, or Mac's. A grocery store that is not too large, but has fresh produce and a deli. At this time, the closest grocery stores are on the other end of town (Price Chopper, Hannahford, Wal-Mart) or Yando's at the South Side of town. I think a store like the village market, that offers quality, would do a lot of good for the area, which at this point is pretty run down. I think, again, it would also be great to have a business in this area dedicated to water sports offering rentals, sales, and lessons.</p>
<p>Grocery store ( coming from the north there is nothing ) pharmacy and maybe a beach shop with trinkets , beach toys, sun block &amp; bathing suits(A normal beach side seasonal store ). A few more snack shacks ( pretzel stand, ice cream stand , hot dog( Michigans are the official food of the north country ) , pizza shops . Pretty much normal board walk things</p>
<p>Restaurants!!</p>
<p>Those that enforce a modern, environmental idea. Kayak rentals, yoga, etc.</p>
<p>Restaurants with piers, arcades, maybe a hotel. When in doubt, see how the good tourist towns in Florida rock the waterfront. Emulate that!</p>
<p>A large grocery store would be nice. At one time there was talk of this to be located near the bowling alley and Cumberland 12 movie theatre. Possibly a hotel.</p>
<p>Local restaurants/eateries</p>
<p>I am not in favor of business development, except for concerts and food vendors at the beach. Cumberland Corners could use some revamping.</p>
<p>I would like to see more local restaurants with a fun and funky flair to them, ice cream shop, fudge shop and local shops for shoes, clothing, jewelry, arts and crafts, but the not the usual mainstream shops at the mall or those that are downtown where everything is second hand. Downtown has too many second hand shops with a lot of "junk". I like the flair and vibe of Burlington...Sweetwaters, Ecco, Mac, Urban Outfitters, Ben &amp; Jerry's, Homepoint, Ri-Ra's, so and so forth.</p>
<p>Beach bar Beach shop Restaurant not pricy but family friendly Snack shack Bike rentals Kayak or canoe rentals Lake cruises dinner, moonlight, family, city tour, etc Hotel and camping</p>
<p>I don't think we need more businesses there. Probably just an eatery for the beach.</p>
<p>An event space that can be rented out by businesses and weddings, as well as other events</p>
<p>Indoor trampoline park or gym for kids and adults. Something active to do in the winter indoors.</p>
<p>more upscale food opporotunities</p>
<p>Restaurants. It would encourage tourism, especially bike tourists from VT/ MTL to visit our waterfront for the day.</p>
<p>Retail Banking Fine dining Quality lodging Kayak and bike rentals "surf" shop - catering to beachgoers, windsurfers, SUP users, kayakers, canoeists, wakeboarders margaritas and tacos!</p>
<p>Additional &amp; reasonably priced Hotel/Motels More variety restaurants/eateries Maybe additional shopping even if small shops +/- businesses side by side.. easy to walk to as well as drive. More concerts to attract the younger crowd as well as other all year round activities at Crete. The Crete center needs MORE promotion!! There should be something going on there very week.</p>
<p>More retail, specifically things like grocery stores, hardware stores, etc., especially at the former n. country shopping center. As it is now folks living on the city's north end and outside the city's north end have no retail opportunities. This also contributes to traffic congestion as all those folks must travel to the Rt 3 corridor. If retail opportunities were made avail. in the north end, the congestion issue would be alleviated.</p>

Restaurants and shops...not pipe/glass pipe shops. Classy businesses.
Family theme park
It would be wonderful if that location was more of a destination for recreational activities. (Route 9 and north Margaret) would not be without question to see water park, indoor rock climbing, go carts.
None.
NO HOTELS! We already have limited waterfront and it would be a disservice to our area if we take away our waterfront views. People who are visiting city beach are not looking for hotels...they are traveling in boats and/or campers. It is summer weather and outdoors we seek in our beautiful weather...NOT HOTELS. A small restaurant with outdoor seating overlooking the entire lake would be a great asset with all local and international foot traffic.
<b>Do you have any environmental concerns for the North End?</b>
I'm concerned about maintaining the habitat that exists, but I think with smart planning, it could be.
Do not compete with downtown.
Clean water on the beach. Make it so cars aren't the only transportation choice.
We impact the environment way too much with stupid things like redirecting the Saranac river. Try low impact and positive change.
POLLUTION, not necessarily from the developments but existing pollution from the paper mill and the sewage treatment plant.
I think that no matter what, we need to generate more business in this area, and more attraction, and the over all theme of your project needs to be about conserving our resources, and education. This includes educating our community about pollution and how it has effected the lake and the businesses in our area.
Impact on the beach and water quality.
Just make the companies work for the city as part of thier contracts to clean up the area... They should want to anyway, because a clean beach is the draw, in the first place..
The lake pollution should be top priority for all local and state officials
Preserve the wetlands; protect the lake--I'M VERY concerned about water quality and algae growth.
Any new development would have an impact on the environment. I also think planting new trees and flowers for areas that get torn up is a good way to bring nature back to the area and restore some of the environment. Maybe making it so that certain buildings or all buildings are LEED certified. I am not sure if there are any developed city areas where an entire development is LEED certified. Maybe this could be a large stepping stone for the city and put Plattsburgh on the map and in people's ears with a special development like this. People do not want to pay to park, but you might have to charge to offset the cost somehow to pay for people to tender to the area for landscaping, trash removal, maintenance etc.
I would be interested to know what the environmental impact report states
The mill
lots of littering; concerns over water quality
The increase of boat traffic in the area.
Leave the undeveloped lands alone or try to restore/improve.
only that current wetlands be left alone and not developed. Wetlands are a HUGE resourse and , world-wide, have been depleted/destroyed to a significant level. Let's not allow that to happen here.
Flooding. Proper rainwater management. Water quality (maybe redevelopment ad location of waste water sewage plant needs to be addressed)



Yes, cleaning up the old City dump. Negative impact of large hotel on lakeshore.
Water is disgusting
<b><u>Any other ideas/thoughts regarding the North End?</u></b>
It's cut off from the city. You need to connect it in non-motorized ways, with regular shuttle service from downtown during the summer.
Water park. Should of done that years ago looked for a developer
Its going to cost a lot to revitalize it.
To LINK all the areas so we have an interconnected recreational and education corridor to attract all types of visitors. History buffs, art aficionados, adventurers, bike riders, beach goes, campers, families,.....it's all about bringing everyone together, get on the same page, and ADVERTISE all the great amenities we have to offer. We already have great offerings in Plattsburgh, our greatest challenge is getting people to know about them and enjoy them.
Open skating rink in the winter, so the area doesn't "shut down" when the beach closes.
The beach needs more curb appeal and more appeal on the corner of rte9 so that there is some draw. Maybe a big champy that says lake Champlain or Plattsburgh city beach something to make it attractive
To stop the problem of dogs on the beach, please establish dog park of about 2+acres in the area.
Research what other small cities have done with their waterfronts please.
Seriously work on the ferry from plattsburgh directly from burlington. A shuttle from the ferry at cumberland head to downtown with a stop at the beach would really get the people flowing from burlington... They could come party here without bringing a car.... its a no brainer.
I have so many ideas and thoughts and pictures. I travel all over the country for work and I see changes other cities have made and I always think "Why hasn't Plattsburgh figured this out yet?" I know this is a survey that is supposed to remain anonymous, but here is my e-mail: kyanulavich@hotmail.com. I have a degree in interior design with a focus on interior architecture. I understand urban design and space planning.
Yes do something with this very beautiful natural resource.
We need a nice mix of events in downtown and the beach area. Allowing some events at beach will stop so many events from blocking traffic within city. This is an underutilized area and while it is improving we need to capitalize on it.
Bridge to Vt
the beach is so narrow and hard to access areas other than right near the parking lot. Also lots of debris after storms makes it gross
I would be curious to see if we had more events taking place in that area now that we have City Planners if they could better pin point what is working and what isn't.
The city has turned its back on the waterfront for generations. Let's turn that around and open up the waterfront up and down the strand to everyone.

There is an empty building near Scotion creek which still stands and needs removed. This property could also be used for access by boat to that area and would be another nice place for a dock so one can fish there as well. Could also access the area without having to go to beach as there will be those who do not want to use or go thru beach. Perhaps you could have your walkway from beach extend to that portion with sitting areas and nicely landscaped gardens. All the run down +/- empty buildings in this whole area of concern needs to be addressed as EVERYTHING needs to be aesthetically appealing if you want someone to come and particularly if you want them to stay. I cringe each time I drive past these places. Perhaps the town/city/county could help with private owner's cost?? or purchase? or at least force the vacant abandoned buildings to be torn down and replaced with greenery!

None not previously stated above.

Bi lingual kids park.

Maximize public use.

<b><u>Identify Strengths for the Cumberland-Wilcox Subarea</u></b>
Beautiful waterside area. Quiet area.
naturally beautiful, easy access
Great beach for little kids, nice nature path, very popular boating spot, access for all types of boats and other watercraft, good distance to downtown (could improve bike access)
Beautiful and historic homes in this area. Wilcox Dock is a great spot for fishing and boaters.
Proximity to route 9 & downtown area
Great area next to the lake. Good land for recreation area.
Access to lake.
There is a giant field across the way that has never been used...
The dock itself is a huge strength.
Extra boat launch to avoid clutter at others nice
The dock is in a great location right near Route 9 and it has a nice little cove for docking. The neighborhood is nice and has some high priced homes...good tax revenue.
Beautiful area that could be used for access to boating - swimming, etc...
beautiful waterfront
Excellent fishing, beautiful views
The dock has lots of parking, people currently utilize the location as it stands and will not need a lot of additions to make a great place to hang out.
Lease the land to a private business.
Beautiful homes in the area.
Beautiful quiet small underdeveloped area.
proximity to lake/water
beaches and summer fun
Public access to lake.
<b><u>Identify Challenges for the Cumberland-Wilcox Subarea</u></b>
Access requires driving or walking in the street to get to the trail. Not really well identified (says someone who hasn't lived here all their life).
It's cut off from both downtown and the beach. Just like Plattsburgh is cut off from Montreal, Burlington and the Capital Region. And it will always stay that way. You'll never get past the private ownership of the waterfront. It dooms Plattsburgh eternally.
Locals living close by
ugly GP building, lack of sidewalks on Cumberland Ave near Wilcox, bike path is narrow and dangerous in this area, Access.
Connecting it to downtown, fixing up the street front, pollution, advertising and getting rid of people negative opinion of the area. Clear out the POISON IVY!
Wetlands are vulnerable. Georgia Pacific is run down looking and huge. Not a lot of water front is actually "open" to the public, most water front in this area is sitting behind a massive mansion.
Inadequate signs (in French and English)
Wanting to make empty land residential. This area is good for "upscale" housing. There is a need for fair priced housing in Plattsburgh. I am a new faculty member at PSU and I don't qualify for low income (of course) but I also cannot afford to live in upscale housing.
Georgia Pacific, residences
It is kinda residential there... day things are good, but night things wouldn't be ideal.



dock is run-down, appears old, no restrooms.
Poison ivy on the trail
I run along Cumberland Ave a lot and there becomes a lack of sidewalk. There is a bike lane, but you don't always want to run in the bike lane when you have a pack of 10 bikers on street bikes about to run you over. Your only option is the grass which has a drop-off into the ditch or the street. Cars do not always move over since I am in their road, but I have no where else to go. It's a little dangerous.
accessibility
Near an industrial site and not friendly to foot/bike traffic
The healthy heart/ lung trail looks like a road to a haunted house. Pedestrian and bicycle accessibility/ safety after Wilcox Dock.
The same beautiful homes on the waterfront make it inaccessible to the masses.
Privately owned property and environmental protection
private landowners and the paper mill
PCB cleanup should be reviewed. There are rumors, supposedly coming from people hired to do the cleanup, that most of the PCB remains in the lake.
<b><u>Identify Opportunities for the Cumberland-Wilcox Subarea</u></b>
Longer trail - connecting trail to larger network of trails.
It's about maxed out. As good as it will get.
to utilize the undeveloped land near wilcox,
Luxury condos.
The City already owns the property so this is an easy area to focus on. The City already cleared out the brush last year which was an improvement. I go to Wilcox beach quite often in summer, it's a great beach for smaller kids that don't swim yet. improve the pathway out to the point and make the point a bit safer to explore with smaller kids.
Wilcox dock. Open space when you first turn on to Cumberland Avenue (from Boyton) that would be great for picnicking and a pavilion.
Make it more family friendly
A park or low impact recreation would be good. How about short hole golf?
More ways to interact with lake. More places for recreation and leisure.
I guess some fishing expo stuff would be good there... no permanent atuff, but food trucks and stuff.
It's all bit up with houses, not sure I see much more of an opportunity. Maybe a real bathhouse at wilcox dock that is cleaned on a regular basis. The porta-potties are not that great and after being on the lake all day, you really want a nice bathroom and somewhere to wash your hands and possibly freshen up if going out to eat after.
I think this would be a great place for the city to provide small boat/kayak rentals. Perhaps a small snack shop and take advantage of the gazebo space that is there.
I like the ideas proposed. I'm not sure that I would want to develop the area north of Wilcox dock but maybe putting up art pieces/ murals/ landscaping. I always love driving down Cumberland Ave during the sunrise and sunset. It would be a shame if we fill our open spaces, just for the sake of filling them.
The dock is interesting. Even though it is currently only a gravel lot it is widely used. Could it possibly be made nicer with picnic shelters, a fishing pier and a more complete boat launch site?
Increased opportunity for use and alternative from busy large marinas A park by the lakefront with pavilion, tables, grills and restrooms. And dock for boats +/- or fishing. Walkway to Margaret St.
nature trails affording views of wetlands and lake but not physically intruding upon either

Fishing, boating, picnicking.
<b>Feedback on Cumberland-Wilcox Priority Project Concepts (Link in description)</b>
All good ideas!!
Most of downtown Pattsburgh lacks easy access for traffic. This fact has made Cumberland Avenue a more heavily used street and this is shown in the increased use for traffic and community events. The result has been an increase in street closures for parades. sporting events, and heavier use by drivers seeking a shortcut to downtown. If the city intends to "protect" the Cumberland Avenue community it should seek alternative areas for the above mentioned activities. I see the proposed development as the beginning of more overuse of Cumberland Avenue.
GENERAL FEEDBACK: we have a lot of great trails/bike paths in the City already, maybe more maps and signage to connect the paths would be great!
I think it's really important that number one on the list be achieved, enhancing picnic and day use amenities- this is what will really draw families to the area. I also think adding more fishing docks would be a great thing. Pedestrian access to Margaret street would make a world of a difference, Margaret street is always pretty busy.
Like them.
meh.
no feedback. I forgot to look ahead of time and had to retype everything on downtown when i forgot to look ahead of time and lost it when i went back to previous screen.
I support all of the ideas for this site
I like the idea of putting grills and picnic areas down there for the people who would utilize the day use boat area and fishing areas. I think renovating and maintaining the lung trial (or removing it all together) and creating a grassy open area that kids and families could play in.
I love ALL of your ideas but think would hold off on neighborhood development and perhaps improve what is already there. If ever you needed a roundabout you have two horrific intersections of multiple streets off Margaret. One at the Georgia Pacific area and then the next intersection down with Miller & Weed and another street on each side. Love the concept of building up the day picnic/pavilion idea with docks for fishing, grills etc. Bathroom facilities would be a nice addition as well. Walkway to Margaret St spot on.
Public park in the area between Cumberland Avenue and Margaret Street.
<b>What recreational activities would you like to see in the Wilcox Dock area?</b>
provide for kayak, small boat rental,
bike racks, canoe/kayaking docking/pull off area, maps showing connecting bike paths
Local food vendor, pavillion, and space for events like kid's birthday parties, photo opportunities, etc. Play ground for the children, possible a dog park- this is always a good spot to walk dogs.
Playground & coffee shop
It's creepy now. Whatever you do, make sure it's more welcoming than it is now.
Fishing pier.
Kids day stuff would work good there... Fishing stuff..
A picnic/pavilion area is a good idea.
Maybe more areas for fishing for those who do not have a boat.
fishing, boating, bike and foot access
The low key current activities are great, especially for being so close to a residential neighborhood
Boating and fishing, picnicking, maybe an improved bike/walking path downtown.

Keep it simple. Large picnic pavilion for those who have reunions, weddings etc. No overnight camping!! Boat dock for fishing is grand idea Small playground for children..swings & slide Wouldn't want to see this area overrun as is smaller, quieter but under utilized at present. Is a nice alternative for locals as well as a quieter place for others away from downtown & marinas. I have lived here 31 years and did not know this place existed until 2 years ago!

Kayaking. Canoeing. Paddle boats. Sea doo rentals.

Promote those that currently exist.

none it's too dirty stay away

Fishing, boating, picnicking.

**Suggestions for waterfront access in the Cumberland-Wilcox subarea**

pull-off space for kayaks, canoes and SIPs.

Taking advantage of the space that is open, not just leaving it as an open and unused field.

Kayak and canoe rentals. Ice skating in the winter.

Trails.

Its already there....

In the morning there is always a line up to get into the water and at night there is always a line up to get out of the water. Maybe another bay for access.

Healthy heart/ lung trail, sidewalks, bike paths that link the complete streets path to downtown plattsburgh.

I would suggest maximizing the dock space by moving all parking across the street. Although it will be difficult explore the possibility of building a beachfront from the dock to the mouth of the Saranac. A beach could be accessed by everyone and would not be as intrusive to homeowners as a boardwalk.

Nothing to add other than docks already proposed. Does boat ramp need any updating? Parking?

kids fun

Free public access.

**Suggestions for neighborhood protection and enhancement in the Cumberland-Wilcox subarea**

need sidewalks to continue past Point View Terrace to Margaret St.

Do they have a problem? They live on a City street just like everyone else in the City, why do they need special protection? What about people that live on Cornelia or Broad Sts. they don't require special enhancements or protection. NO SUGGESTIONS

Wilcox needs to be well lit at night, a neighborhood watch program would be helpful. More street lights and cameras are a must.

I don't think we need more housing.

Its pretty blocked off already, but there is a part that isn't fully protected on that fence all the way on the end of the heart trail.

It's a fairly quiet neighborhood with professionals and families. I am not sure on the protection and safety. I feel safe when I run during the day, but later at night it is a quiet neighborhood. A bit secluded, especially at the monument with the gazebo.

Focus on the dock being a dock and not a recreation center.

Not at present

landscaping and lighting to afford visual protection from any development for housing currently existing



<b>Any other ideas/thoughts regarding the Cumberland-Wilcox subarea?</b>
What about more public art - like Burlington has the Earth Clock - we could have art that integrates with the environment.
No strong feelings on this except please don't think about duplicating Burlington (Echo, etc.).
It wouldn't take too much to improve this area. Public Works has done a lot with it already. I see tons of people boating and fishing or having their lunch breaks or dog owners. I rarely see anyone on the beach - I don't think people know it's there. I hardly ever see anyone on the paths. The porta-potties are nice. Improve the parking area with permeable paving material. this area like all others just requires people to know about it and want to go.
Community events such as fishing lessons and "tournaments"/ contests for the kids.
Do we really need it?
I think that this is the area for the hardest sell. If the area was more appealing (without the factories nearby) then it would be more of an exciting spot. As is it seems like a good place to preserve the wetlands but otherwise leave alone.
Its docky... hehe

<b>Identify Strengths for the Downtown Subarea</b>
Cute downtown - it's quaint, it has potential.
Compact, walkable, free parking on Durkee St. and waterfront. Small local businesses that you can't find at a mall.
Lake champlain
DOWNTOWN, SARANAC RIVER, easy parking (we can't lose parking spaces in durkee lot), restaurants, history, architecture, arts center, Macdonough monument park and band shell, history, shopping, mixed residential/commercial space, proximity to waterfront, pedestrian bridge, train access for visitors, and the CO-OP the best place to buy local and organic goods!
Downtown Plattsburgh is really making a come back, businesses are growing. Architecture in this area is beautiful and there is so much history. Desired location to be for locals and tourists alike, young and old.
Close to city population. The Saranac river.
Again, awesome downtown waterfront potential, mixed use space, arts corridor, river, remediate site potential
The eagle monument is a nice area.
Several good existing restaurants, proximity to waterfront, boat basin, and marina.
Walking distance, beautiful
Strength for the area is the historic part of the area. There were improvements made in the past to the buildings, but they appear to be in need of a little TLC again. Close proximity to Montreal and Burlington, College kids and their families.
Downtown is horrible, there is nothing to keep people downtown except for the bars that are there,,,sad but true, bring some stores to the area, get more shoppers in there spending their money.
beautiful waterfront areas
the waterfront is by far the best aspect of this area
Ability to park within a block or less of most restaurants and stores. Increasing amount of restaurants that are trying to create a good and unique product.
City marina
I love the development of lakefront/marina area with increased parking, hotel and ecomuseum. More parking downtown as well is essential and having a face lift on some of those buildings on Bridge St will enhance our already improving downtown Margaret/Durkee St area. Developing the NYSEG Site with access by foot +/- or car. Improved appearance of waste plant.
proximity to the majority of plattsburgh's population.
The city parking lot is a great venue for the Farmers market or any type of festival. It would be nice to get more vendors involved. We have so many beautiful buildings downtown with so much history. It would be nice to advertise the history of certain buildings. At one point a hotel was going to be built down by the Naked Turtle. I believe that this still NEEDS to happen. People will pay a lot of money to stay in a hotel with a waterfront view!
Beaches
Lakefront and riverfront.
Great location for enhancing waterfront with family entertainment activities. Beautiful views of the lake.

<b>Identify Challenges for the Downtown Subarea</b>
Sense of identity of the community - history of military town, but it has been a generation since there was an active military presence - we need to be something else. We also need everyone working together on a single project, not 8 small groups trying to do the same thing - so community communication and centralized leadership.
Getting people to come downtown. When they come off the Northway, they see the mall straight ahead of them. A simple Free Downtown Parking sign would do wonders (with the companion return to Northway signs). The theme should be "we won't let you get lost if you explore Plattsburgh."
No anchor retail. Sewage plant occupies best spot in city. Drunks and heroin addicts. Racists. No students of color want to stay in this area after graduating from SUNY because they feel unwelcome. So our population will grow old and wither away.
getting people to enjoy all that downtown has to offer, property owners maintaining their buildings and surroundings, the stigma the downtown has to outsiders and locals - bars, rif raf, dirty, etc.
Lost of space is being misused, wasted- and I'm talking specifically about the eye soar that is the water treatment plant sitting right on the water front! Lots of crime in the down town area.
Inconsistent mix of businesses, some are not consistent with econmic growth. Just how many bars do PSU students need? Traffic flow problems and congestion. Need parking for current downtown residents
The large amount that needs to be done.
Many -- especially the water treatment plant and the large parking lot right on the water front.
It looks like crap... You guys ever heard of paint...Half the city is alley stricken. There is no bushes hiding the trash everywhere... The streets are very dirty with stains ... Far too many people live there, and there are far too many law offices, instead of shopping venues...
Water treatment plant. No one wants to build a hotel next to a smelly sewage treatment plant. Getting property owners to improve/update the look of their properties.
Old buildings, tight roads, snow
Challenges for the area are housing and getting jobs into the area. Maybe the rent is too high downtown in some locations so people are not coming in. But then maybe the rent is too low which is why we have a lot of junk shops. There needs to be a happy medium to bring in the right type of business and clientele. I would love to see the apartments downtown all fixed up and turned into lofts and high-end apartments for the young professional. There are professionals who move to this area and the housing choices are not great. I lived in a complex 4 blocks from downtown and after 3 years I saw the change of people and moved out. I want to surround myself with like minded and career oriented people. Not the neighbor who has 5 adults and 10 kids living in their 2 bedroom apartment or the other neighbor whose girlfriend makes front page of the newspaper for sticking a bag of cocaine up her lady bits or having the cops knock on my door due to complaints in the area because some woman is screaming bloody murders everyday and her significant other is telling her to "shut the f**k up you dumb b***c!" on a regular basis.
parking
accessibility, parking, dealing w/ the train and the water treatment plant
Old school politicians that have no vision
bridge street after the river (near campus corner/charter) is one of the scariest looking areas in plattsburgh, please improve- maybe more lighting? a lot of college students walk this either to go to the naked turtle or campus corner and it is VERY UNPLEASANT



<p>Under utilizing the existing downtown buildings. The cost of renting any space downtown is much higher than locations in the Town of Plattsburgh. This has lead to many businesses leaving downtown Plattsburgh and moving uptown. Bars, vape shops, head shops. Lack of places to get fresh and healthy food.</p>
<p>Two very important things: Open the area near the marina to mixed use: residential, lodging, retail and dining Figure out how to tie in this "downtown" on the waterfront with the "real" downtown - make it appear to be as natural as can be to flow from the waterfront to Margaret St and the arts district.</p>
<p>Cost and time management Need to break up and do a section at a time and knowing how to prioritize.</p>
<p>CLEAN IT UP!! It's filthy... papers and other debris all over... The City is at fault, as well. Sand is left on walks and parking areas from previous winters....We cannot change downtown over night but perception goes a long way to making an area better. Un used storefronts. Make it more advantageous for property owners and prospective business starters to begin a business downtown, perhaps through altering the tax structure.</p>
<p>hiring a beach staff</p>
<p>Presence of sewage treatment plant at mouth of Saranac River.</p>
<p>Train station is an eye sore. Tall grass/weeds are ugly. Fencing is ugly.</p>
<p><b><u>Identify Opportunities for the Downtown Subarea</u></b></p>
<p>Retail development; opportunities for public art that is inspiring and positive. Gathering places for community that are more than just "event" gathering places - areas for outdoors seating/cafe seating on the side walks not with barricades - landscaping: trees, shrubs, flowers, plants, fountains, etc. What about a downtown ice skating rink? Developed farmers market with permanent structure/stands/functionality year-round?</p>
<p>(See previous response about evaluating solutions that don't exist.)</p>
<p>There aren't any because of the people who live here. Nobody with real money wants to invest. Plattsburgh will never miss an opportunity to miss an opportunity.</p>
<p>Gorgeous downtown area - we're not Burlington, we don't need a church street marketplace - but own version of the Plattsburgh downtown arts, shopping, eating, recreation corridor! Plattsburgh: a place for art, food, nature, and enjoyment.</p>
<p>With people already enjoying the area as it stands today, with added improvements this will only increase the attraction to this area. AMTRAK train station is bringing lots of tourists to this area.</p>
<p>We have a beautiful river. Why can't we have at least one restaurant on the river?? Geoffreys Pub doesn't count.</p>
<p>More restaurants, shopping, recreation, arts and cultural activities and engagement outdoors</p>
<p>Could be a better shopping district.</p>
<p>Parks for activities, waterfront</p>
<p>There are a lot of opportunities for the area. Someone needs to go out and seek them and see what other cities are doing to make a turnaround. We need to utilize our waterfront.</p>
<p>I think the building of an ampitheater and/or relocating the Crete Center here would be ideal. It is a place where we could have large events for the area - like concerts, fireworks, battle of plattsburgh, etc. Further, it's location being near to downtown and near to most bus areas make it ideal for low-income or others who rely on public transportation to access. It can also be used to boost the use of public transit if it is a popular location for people to visit.</p>
<p>Food truck would be neat. Bike rentals.</p>

Marketplace environment- accessible waterfront - enjoyable outdoor dining without street traffic
Currently buildings in existence that are beautiful and part of Plattsburgh's history.
That huge unused parcel east of the train station is just begging to be developed. You could build a new "downtown" there with lodging, dining, residences and retail. It would be wildly popular with summer guests and have people live there would ensure year-round activity.
Potential for huge growth via business and opportunities for increased activities for both residents and tourists.
Downtown could be great. It's walkable and accessible. Promote this. Give people a reason to go downtown; currently there is little reason unless one needs to shop at the coop or go to a bar or certain restaurants. Currently there is only one coffee shop downtown but there is room for some competition in this area... encourage that.
beaches
Free, public access to lake and river.
Affordable family entertainment! This area needs attractions that invite people to come and relax, have fun and interact. Miniature golf would be a great outdoor family activity.
<b><u>Feedback on Downtown Priority Project Concepts (Link in description)</u></b>
Arts corridor is ESSENTIAL for the survival of our community sense of culture. Any enhancement or moving of electric/water treatment plant is essential. We need a downtown that is aesthetically pleasing and inviting, not one that shows our infrastructure.
no link. I like the arts corridor park linking through the existing park, but I think the Farmers market should stay where it is. It's convenient for people (and myself), to stop at the market, then shop at the Co-op, stop for ice cream (44 below) and maybe make a deposit at the bank. I sometimes spend all morning downtown on a Saturday! Leave the building as is for now, expand on the existing riverfront boardwalk to Bridge St. 1ST PRIORITY should be to fix up the old Church oil property, include temporary/changing local art installations (in Montreal, near McGill they have an arts display that changes regularly), benches, small playground, maybe access to the river (but there is access at macdonough monument so not a priority). As mentioned before, we need to keep the parking at durkee st lot! whether it's a new parking garage or whatever, but that lot seems to be well used. In order to make downtown usable, the restaurants, shops and other places need to have easy access parking in order to compete with the box stores uptown.
I think it'd be good to relocate the commercial businesses that are in the area, and the storage yard. Transforming NYSEG's MPG site sounds like a must. I think relocating the Farmer's market may be necessary, I have never visited its current location.
Excellent!! Can we really do it?
Really like the large street to link the arts area to the marina.
All good ideas.
Sounds good. I think a lot of those areas need to be relooked at and how they can be used to the best of their potential.
a lot of good ideas. It would be nice to get a shopping area like burlington has. cobblestone walkways between the stores, no cars allowed in that area

I support the ideas for the NYSEG site. I am concerned about the Durkee site. There is already empty commercial space in this area so I am concerned that this new building project would be so dependent on having new businesses in this area. Further many of the local businesses - the North Country Co-op, the restaurants, the small shops - all rely on that parking lot to provide easy access to their stores by patrons. The current plan, as I understand it, would essentially cut off the businesses on Bridge Street from the parking which will be particularly cumbersome for those who do their main shopping at the North Country Co-op which is a downtown staple. If the city truly wanted to move forward with getting rid of the parking lot and instead putting in a parking structure, I would advise that it be on Bridge Street, perhaps where the old gas station was. It is off to the side and would still allow easy parking and access to the businesses on Bridge St. as well as City Hall Place such as Cache Elegance, Once Upon a Time, Dress Code and the North Country Co-op. I think the building of an amphitheater and/or relocating the Crete Center here would be ideal. It is a place where we could have large events for the area - like concerts, fireworks, battle of plattsburgh, etc. Further, it's location being near to downtown and near to most bus areas make it ideal for low-income or others who rely on public transportation to access. It can also be used to boost the use of public transit if it is a popular location for people to visit.

While it would be nice to have a nice parking structure with business spaces, we are not utilizing the spaces that already exist. Is there any way that the money used to create this structure and space could be distributed to help renovating, asbestos abatement, getting everything up to code that currently exists? Will the water treatment plant still smell terrible with the new renovations and ideas for that area?

I love ALL of the ideas and plans! I also know this will all take a large amount of time and personally feel should be broken down into 4 stages. If I have left something out was not intentional and most likely not considered as important as the other ideas. Whatever I have forgotten can be added to 4th stage. Stage 1: Lakefront/ marina with hotel, parking etc. Stage 2: Durkee St Parking, waste plant/water dept. improvements Stage 3: Facade & streetscape enhancements Stage 4: Develop NYSEG site then add Durkee St Ext footbridge with Caroline St. car bridge last

There should NOT be commercial or hotel development that close to the lake and river. That area would make a gorgeous park and/or a site for outdoor events. There is little or no need for a new vehicular bridge on Caroline Street.

NO HOTELS. We have enough hotels to choose from on route 3. Another one is being built at this very moment. We already have limited waterfront space and hotels would only take away from the panoramic views of our lake. We as city residents should have the right to go for a walk down dock street and enjoy the natural lake views and putting up a hotel for other people to rent rooms and enjoy the views would be unfair to all city tax payers. Moving the MLD is a good idea but it is currently hidden down what appears to be an alley way. How will we gain street front awareness that something is down this "alley way"? Upgrading the dock street itself is a good idea. The train station and its landscaping need a major aesthetic improvement. Unsure about a Eco center museum on dock st. Again we need attractions that are going to get us local folks out and about on weekends and any given week day. I'm not so are the public would be inclined to spend their Friday at a museum. An outdoor entertainment like miniature golf or go karts would be a great event planner for all family's on any weekday or weekend.

**What recreational activities would you like to see in the Downtown area?**

Music/concert/performance venue, ice skating rink, outdoor seating/gathering places.



The white water park seems great (I've seen them all over the world...see Munich white water park). offer kayak/canoe rentals. Tubing is dangerous on this river b/c people tend not to wear life jackets and in the spring the river is treacherous. Bike rentals - improvements of mapping/advertising/signage of the connection to bike paths out to the beach, base bike path, Saranac river trail. I like the idea of utilizing the NYSEG contamination site to connect with the treehouse, but I don't think it's necessary to have a large park there, we have plenty of large open space in the City. It would benefit the City more to have a wide path along the riverfront, but sell off the rest of the property for townhouse/apartment development. The City needs revenue too. I'll develop it ;)

I think Downtown needs at least one street that is similar to Church Street in Burlington, which draws in performers and entertainers, fun community events, 5K runs and walks, etc. I think there should be more attention and education around the history of downtown, the origins of some of the oldest buildings that remain, who were some of the original business owners in this area? Information on events that changed our city's history. More defined nature trail.

Trails connecting all the other trails for biking, etc.

White water rafting in the midst of the downtown seems strange. What about paddle boating or Venice like boats or boat tours - make it more European. We should remodel downtown like a European hamlet.

walking, outdoor ice skating.

Music. Rock and roll.

More shopping.

More live music

A lot of other cities host events in their downtown areas like the Color Run and Food & Wine Festivals. It would be nice to have a food & wine festival downtown where the local businesses are so if you are still hungry afterwards, you can walk right to that location. Not get in your car and drive if the event was held at the Crete Center. A lot of other cities host movie nights and free concerts. Monday night could be free movie night and Thursday night could be free concert night. Get done work, go out for drinks with colleagues, friends and family at Irises, grab some dinner at The Pepper and then head across the street for a free movie or concert. Great for families too.

I would love to see a concert venue, such as an amphitheater in the waterfront area. Should the Crete Center be relocated here it could house sporting events and sport classes.

Playground.

Mud wrestling! Seriously - we have bike paths and a waterfront. I don't think we need beach volleyball to sell this town

Utilizing Westelcom stage for theater and music. Bike events that move through the city, increasing the visibility of health and wellness activities. Trinity Park yoga, tai chi, boot camp classes at the monument. Anything that gets people to think "hey I've always wanted to try that"

sailing, boating, fishing, kayak rentals, bike rentals, ice skating, cross country skiing via connector to Saranac River Trail. Activities around the river and the lakefront would make use of this marvelous asset.

I would love to see a new fountain at Trinity Park/Square. Love what they are doing during warm months. I particularly like the free events. Some outdoor painting classes Children's events Boat/canoe rentals @ marina Wind surfing, etc lessons on waterfront More shopping opportunities a place for skateboarders winter activities such as ice gliding, ice skating, etc.

More outdoor entertainment. Especially during the warmer months. We should have a musical performer at the band shell every weekend. First weekends has been great for the area. Things like this really create positive attention for our little city.

remove the arts waste of time
Fishing, swimming, picnicking, walking trails, outdoor events, expand public boat launch (Not many people are able to afford a 30' boat, let alone mooring fees).
Miniature golf, go karts, live acoustic music. Acoustic would assure music isn't loud like a concert. Just like you see in certain national city videos where acoustic street performers provide a great vibe for downtown environments. A movie drive in somewhere would be a great idea. No one wants to be indoors during our beautiful summer weather.
<b><u>What type of business/parking developments would you like to see in the Downtown area?</u></b>
Boutique retail or select national franchises that still reflect an aesthetic perspective - 10,000 Villages, even a Pier 1 would be better than Ashley's furniture. Diverse restaurants - we have Himalaya, Blue Collar Bistro, Aleka's...what about an Indian cuisine? Tea shop? Dare I even say the dirty words...Starbucks? What about clothing stores that market towards a younger crowd? We have 5000+ of those types who show up every August and hang out until May or so for 3-6 years. Fair trade shops? Jewelry/art boutique shop? We DON'T need any more bars downtown.
Less parking. More density. It's not a suburb. Don't try to make it one.
Quality restaurants
We don't need more commercial buildings in the durkee street lot or anywhere else. There are plenty of vacant commercial places downtown right now. Maybe some rentable cubicles along bridge St (see Old Port Montreal, they have temporary structures every summer that artisans and local stores/eateries rent out). See above statements about residential development.
I think we need more business near the water, a water front restaurant and (boutique) hotel. Guided boat tours. Nature center like Echo in Burlington. Businesses centered around education and conservation of Lake Champlain.
Create a new space for the farmer's market. It needs more room and more vendors. It's lame as it is now - not enough space for people to browse, and not enough vendors with similar products. We need competition to keep prices fair.
Restaurants and retail - restaurants along the water. Make it really European and romantic.
A larger farmer's market. More local businesses, better parks and museums.
A big music venue would be nice. Clean classy bars would be nice. They are all old and musty like Moes on the Simpsons.
Need a large retailer that would draw people downtown. We don't need anymore antique shops/flea market type stores.
Parking is tight, for people living with off street parking that is only 2 hours, it's likely you will get a ticket. Perhaps a permit that allows you to remain in certain time limited parking zones near your residence to avoid unnecessary tickets and fines.

I would like to see nicer businesses in the area that bring people downtown. Right now, downtown has a lot of professional offices. Great for during the week and they keep the restaurants busy, but the weekend have no allure. Between the 6 "antique and junk" stores on Margaret Street, I have no desire to go downtown. I'd rather go garage sale-ing than pay for some of the overpriced junk. It also doesn't look good that they throw it out on the street during the day and it looks like a garbage pile. I'd like to see a downtown that people want to go to on the weekends. Canadians and College kids from the city have money. I'd like to see Whole Foods, The Body Shop, Urban Outfitters, Express (there is no place to buy nice professional and stylish clothes in this area...JcPenney and Maurice's for a girl does not do it and when you're in your 30's Hollister and American Eagle is a bit immature and childish), Ben & Jerry's, Ecco (store in Burlington), Barnes and Noble. How many junk stores and tattoo parlors does one downtown need. I like my expensive jeans and I know college girls too, I would like a place to buy my True Religions, Joe's Jeans and Hudson. Parking, I think there is ample parking. If streets were to be closed off to make a walking street like Church Street, I would not be opposed to building onto the parking garage.

I'm very satisfied with a lot of what we have in downtown and am unsure what is missing. We have amazing restaurants, cafes, quaint shops, etc.

Parking for extended times 90 minutes to 2 hours can be limiting.

We build a half assed garage on durkey st - no vision - make it bigger!

more parking/better parking/an online guide to parking that is available in downtown plattsburgh

Honestly, I've never had a parking problem in Downtown Plattsburgh. Between the side streets and the large dDurkee street parking lot I've always been able to find a space when I lived and worked in downtown Plattsburgh. The only time I see this being an issue is during a snow ban, and we might be able to learn more from our Canadian neighbors like MTL who are able to clear streets in the presence of cars. Also, there are parking areas that go under utilized such as the small lot near the strand that is privately owned as well as the small lot located near the Monopole.

A skating rink downtown would be popular. A good old fashioned movie theater showing art films and cult films. Bike shops, kayaks/canoes for rent and sale, bait and tackle shop. Retail shops selling new clothing/shoes.

I think I have addressed above already. The extra parking garage in Durkee St lot as well as the extra parking along waterfront/ marina Additional shops. Convenience store ie Stewart's, on Bridge St where gas station used to be..located beside Durkee parking lot.

make margaret street on side of the street parking only... Then widen the other side walk on the opposite side to encourage outdoor dining, etc that is NOT in the street . A multi level parking garage over the current durkee st. lot. Two level minimum, preferably three.

for the last part parking seems to be okay. The Strand could use a bigger parking lot, but I'm not sure where you would put it. :)

None in the areas indicated on the map.

Family entertainment centers. NO HOTELS! This is our city as tax payers. Let us enjoy the natural lake views as opposed to someone wishing to rent a room. Let our hotels remain on route 3 where they belong for travelers coming off interstate. Downtown Plattsburgh is not meant for hotels. We don't need additional downtown parking as we already have a parking garage that is hardly used during evening hours.



<b>Suggestions for a more vibrant Downtown area?</b>
ART corridor - PUBLIC ART - music hall (for rock concerts) - consistent community gatherings - maybe one night a week the downtown businesses stay open a little longer (until 8pm) - Holiday Living Windows, Window displays for other holidays or events - Breast Cancer Awareness, etc. Access for people to get to and from downtown easily during the day and evenings - rather than a circuit of public transport, but specific transport to/from downtown (from CCC campus and PSU campus).
This question assumes it's not vibrant. Restaurants, pedestrian street traffic, parking are there -- and people from outside the area think it's just great. It's locals who (a) "see" downtown from decades ago and (b) don't see what is actually there today.
Get rid of drunks and racists.
Clean it up
We're moving towards it slowly but surely. Simon Conroy has started a great event for downtown with local foods and artisans, we look forward to that next year. Destination downtown seems to be doing well. First Weekends started out great with family activities, but has now gone to what seems like just live music. More festivals, more FAMILY activities - attract the kids...the parents follow! Have bi-weekly family events with local performers: dirty diapers band, Grotto family jugglers, pipsqueak's magic show, artists offering projects - check with Clinton County Youth Bureau, they offer varied events all year. Town of Plattsburgh Recreation department does a fantastic job with varied activities too. Our City Rec Dept. does well with their sports, but they don't seem to go beyond that.
Repair of existing buildings, business, and homes. It truly is a beautiful area, but when you take a closer look you do notice that a lot of the older buildings are not properly cared for by their owners. More walking trails.
Access to the natural beauty of the river and lake with play areas for children, restaurants, and shops, and places to relax outside downtown.
Move the museum area to downtown or the children's museum.
The art on the buildings was nice and looks classy... Good job on that.
Businesses that are open 7 days per week. Downtown is dead on a Sunday afternoon. Try to bring in a major retailer.
Music and festivals
Updated landscaping with colorful trees, flower beds, vibrant flags on the light posts, string lights in the trees. Add an allure to downtown that will entice people to go downtown and bring more business. More business means more businesses wanting to come downtown and places open later. Places open later means people are around, places are not deserted. Less opportunity for vandalism, crime, fights, drugs, etc. Host weekly free events in the summer that cater to the professional and families. Not the scum bags that sit at home all day and are free loaders. I used to love going to Mayor's Cup as a little kid. Now, I might go and it's more about the people watching. I feel like more creatures come crawling out from under a rock at mayor's cup than what their used to be. The area needs a facelift. A park would be nice for kids to play. Nice and clean, no graffiti or needles. Trinity Park is a sad space of green with what little grass there is and i always see the same scummy family sitting on the bench across from the court house smoking away all day when I run errands for work. There's about 5 of them of all different ages with one holding a baby and the other one pushing a stroller. Out there everyday in the summer, chain smoking with kids. It does not send a good message about the area to the random passerby.
Additional stores that people are actually interested in shopping in.
less bars

<p>Increasing ease of foot and bike traffic. Increasing accessibility of public transit such as a light rail or a trolley system. I think it would also be interesting if the train system could be used to our advantage like a wine train route. We also should be mindful of our fellow citizens with handicap issues such as wheelchair accessibility and space, as well as benches for anyone who needs to take a break.</p>
<p>Market place with out traffic</p>
<p>definitely improvement on facades is a good idea - but keep it historically accurate?</p>
<p>Events, Events, Events. Plattsburgh has done an amazing job this year promoting itself on social media. I think we need to increase that, and silly events like the Luge activity, first weekends, food competitions, the battle of plattsburgh, dance classes, dance competitions, getting local speakers and comedians. We are already doing a lot of this stuff, which is great. I think we lack in our clear promotion of what everyone is doing. We have the two or three computer terminals that have been installed downtown but they are not utilized. We have the board near the Durkee Street parking lot that people just post their posters on with tape. If we could get more ways to post upcoming events and activities. Individuals have attempted to be a place to send all upcoming events, but have been unsuccessful. I'm not sure how we can fix this, it has always been a problem.</p>
<p>Close streets as often as possible and have free music of all kinds - classical, country, rock, jazz, blues - appeal to everyone!</p>
<p>Think you are headed in right direction. The Strand has added a large variety of activities for all ages. Parking is a definite must. Small parking garage on corner lot Court St &amp; Margaret perhaps?? Add a new fountain to trinity Square!!</p>
<p>More restaurants, FEWER bars. Development of trinity park... The riverwalk committee has plans that were nixed by previous administrations for the development of this part, returning it to how it once was. Currently it's very shabby.</p>
<p>kids fun</p>
<p>The downtown area could be spectacular and a huge tourist draw with more open space along the river and lake.</p>
<p>Miniature golf, go karts, movie drive in, acoustic street performers provided they acquire a summer permit which shows they are serious about what they are doing and not just anyone can come up and play as a distraction. We need more downtown restaurants to be open on Sunday's. Downtown Plattsburgh on a Sunday is a ghost town. It's a shame we can not go out to eat at one of our many great restaurants downtown on a Sunday. Not everyone is free to do dinner on a Friday or Saturday. Almost everyone I have spoken too agrees.</p>
<p><b><u>Any other ideas/thoughts regarding the Downtown area?</u></b></p>
<p>Let's make it happen!!</p>
<p>High-speed commuter ferry between downtown Plattsburgh and downtown Burlington, so Burlingtonians can come to Plattsburgh and revitalize crumbling center city housing stock. But that would never happen. Because people here hate anyone who's not from around here.</p>
<p>No more bars allowed</p>
<p>Any improvements are a good thing. It's still just a matter of getting people to want to leave their couches or walmart to see what it means to live in the City of Plattsburgh and to see what it has to offer for quality of life.</p>
<p>The Mayor's Cup and Battle of Plattsburgh Celebrations are always so full of activities and entertainment. I think that some of these themes/offering should be in the down town area more often, live performances (music and theater) in particular.</p>
<p>More public art and sculptures, installations, etc. Creative placemaking is where it's at.</p>

Less cops... I mean seriously there is way too much presence...it made my visiting friends and family nervous... After 1am until 3am they should be there full force, tho.

I have lots of ideas, like my comment for the North End...kylanulavich@hotmail.com

I think people eating out in the road in front of restaurants is a ridiculous idea. It's dangerous and takes up valuable parking spots

Fix it or become another depressed norther New York town that gave up

I think that it is great to crate the whitewater park and other recreation programs. However, while we build all these new things, what are we doing to make the rest of the city stay up to date. It's nice if we get a hotel downtown with all of these great spaces, but if the rest of our downtown is an eyesore it is still a difficult sell.

Start charging for parking on the streets and in the Durkee St. lot.

I think we are heading in right direction. Empty spots need to be filled with private businessmen, shops or any additional profession that will bring people downtown. Definitely need more hotel/motel accommodations and stop adding to the other end of Cornelia/Rt 3. More parking Don't forget about our residents that live above ALL those businesses. They need a place to go as well, especially in winter!

CLEAN, CLEAN, CLEAN... the place is dirty and litter strewn... Cleaning it will go a long way toward one's perception of downtown. No one wants to hang out or visit a dirty place.

stop the bar scene it's ruining the town



<b><u>Identify Strengths for the Old Base Subarea</u></b>
Architecture, lake and history.
Great old buildings.
I LOVE THIS AREA! I wish more people wanted to visit the museums they are such great resources. HISTORY, open space, waterfront access, bike trail, historic architecture, recreation space, gazebo, playground, residential and commercial mix, so much potential!!
Trails are already in place. The Old Base is a sought out destination for history buffs.
A long stretch of lake access
Lots of space and interesting buildings.
Its next to the water...
Bike path is a huge strength, as well as U.S. oval.
It's on the water is a strength along with its historical value
Enlarge it
its a beautiful area, rich in history
Beautiful area, deeply historical, lake views, park in the oval
Agree with what was identified in the proposal
Same idea ..lease it all to a private business. If a private business doesnt want it then it isnt worth it to the taxpayers.
Walkability is good. It is possible to walk from downtown to all of these areas on quiet, safe streets.
Love the concept of connecting everything to Dock St and beyond Love building up the historical aspect Restoring the docking area would be an added bonus for access from water.
proximity to lake, views of VT, open space
<b><u>Identify Challenges for the Old Base Subarea</u></b>
Preventing the whole place from becoming a museum (Old Sturbridge Village, Williamsburg). Focus on the continuity between past, present and future.
Great old buildings that are crumbling. Dumb zoning. The railroad tracks.
Getting people to know what's there. The museums have done so well, but they're a work in progress. The only way to speed the progress is admissions and donations. vacant buildings. This is a big challenge: there are 2 LARGE buildings on the Oval that are virtually un-developable. Reasons: COST, asbestos abatement, lack of tenants, lack of use, COST! We looked into buying the large building next to the Court, but the money it needs to make it usable far exceeds the potential profit. The railroad and it's easement is a big challenge for waterfront development and usage
No clear link between down town Plattsburgh and this area, at this time. No (attractive) businesses in this area at this time.
Railroads
Reshaping it as a whole.
The train tracks are kissing the waterfront ALL the way down....
Still a few vacant buildings on the oval that continue to just sit empty and rot away.
It is falling apart and has been abandoned for a few years. Needs some TLC and improvements. It's a little bit off the beaten path and some of the homes in the area are sore on the eyes. Try and get the community involved in a facelift. I have an idea...towns have a gardening contest for their residences and win \$1000. Give people a reason to take pride in their homes and neighborhoods. It gets people outside working and being neighborly. It's a win-win. People might win money and the city gets cleaned up for free. You do not have to pay tax dollars for clean-up or deal with abandoned properties.

Lake views are obstructed by trees however clearing that provides environmental concerns
More parking at peak times.
Agree with what was identified in the proposal
Tying it all together as one walkable, pedestrain/bike friendly strand will be difficult.
Promotion of historical aspect..getting the word out and people in. PR would be big job in order to promote well enough to bring in enough people to cover cost of project. Convenient accommodations for those who do come
Parking
erosion of cliffs blocking access to old base marina beach. maintenance of current bike way.
<b><u>Identify Opportunities for the Old Base Subarea</u></b>
I think it's over-museumed, but create a museum/workspace/??? about the future. Plattsburgh's history didn't end in 1814 (or 1995), and there are actually some people who don't wear hoop skirts and powdered wigs today. The abundance of museums leads to tremendous duplication of effort -- and, at the same time, serious omissions because each museum is trying to manage its own collections. Reuse some old base industrial space for modern museum support (perhaps a consortium of the museums) to provide skilled services in preservation of materials (a scandal in most small museums including ours). Such a service could also consult/support the residents upgrading and restoring historic homes. Do we really want people who are trying to restore a Queen Anne house getting recommendations from Lowe's?
Put a massive museum/interpretive center--with a room for every local hamlet's museum in it--in the beautiful giant old building on the south end of the Oval. Instead of, you know, letting it collapse into dust. Fix the old docks, connect them with ferries, use the old base marina for outdoor theater productions in the summer. Re-route the railroad tracks and their bomb trains off the lakeshore, and send the trains through the town rather than the city. Turn the railbed into bike access.
to recycle or replace waterfront abandoned buildings in this area
Nice signage (some of the current signage is haphazard and not "nice looking"), excellent waterfront access!
Very historical and important part of our city.
Make a trampoline park or something fun for the winter
Probably the best area for outdoor recreation and activities.
Museum connections. Restaurants. Living. More arts and cultural centers and schools.
A pier situation.. a big wooden pier from the naked turtle to the gazebo would be great... expensive, but great.
Opportunity to develop remaining buildings into housing or some other use. A banquet/reception hall in the building at the end of the oval opposite the chapel would be a great asset, although I realize this isn't something the city could take on.
Plattsburgh City Dock is an empty parking lot most of the time, except weekends. In the winter it turns into a dumping ground for all the snow. Do something with it! Have snow castle building contests or a citywide snowball fight (not sure how safe or practical), but get the residents involved to do something. Have an ice skating rink.
Open up more museums or places to visit, similar ot the Adirondack Museum in Blue Mountain Lake, NY
pursue the history aspect

Promoting business in the area, such as the brew pub that is coming in soon. Better access to downtown such as a light rail or a trolley system. With increased foot traffic places like the historical society and the museums could be open for more hours and promote our historical area. Utilizing the oval park for community events. The ground needs to be taken care of - there are a lot of divets throughout the property. Lighting the bike trail for safety issues. I live on the oval right next to the bike trail and I do not believe light pollution would be a problem and whatever problem it presents would be worth it in exchange for the increase in safety.

Agree with what was identified in the proposal

I have always thought a section of the Oval would make a much better performance space than the steep banks of the Saranac River below the monument. There is plenty of room to set up a stage on the Oval and provide lawn seating that does not interfere with sports venues on the Oval.

We have an abundance of history surrounding us and there are a lot of people who would love to take it ALL in if they just knew about is.

development of old base beach

**Feedback on Old Base Priority Project Concepts (Link in description)**

Focus on the beach where the pavilion and pedestrian bridge is first. Sailors beach requires a large amount of repair and improvement for safety. Just fix the bridge and add some signage, maybe clean up the beach area a bit. Museums: give them money ;) They are trying so hard! improve signage. Maybe all the signs should look similar, state their open days/hours and admission prices.

I think everything set in the plans for this are is perfect. Focusing on history and education is a must.

Rails to trails!

This one seems the least inspired. The Oval has so much untapped potential.

The railways kills a lot of things....

They sound good.

I support all of the projects but would be extremely hesitant about the building of any additional permanent structures on the oval park.

lights/ emergency buttons on the bike path for night use.

Love all of the ideas. I would like to see at least one small motel/hotel option at this end of city. Restoring the base marina area a must even if small scale. Like the walkway extension to Dock st. The Battle of Plattsburgh festivities every year would indeed bring the historians who knew of us. Finding a way to bring people in the rest of year would be more challenging Having school field trips would be an excellent way to bring our history to our children as well as others from other areas. However, with all the school cuts in the surrounding areas thru the years.. field trips were the first thing to go.

This plan looks good.

**What recreational activities would you like to see in the Downtown area? (Note: Typo in Survey)**

Bixi or Citi bike type stations, more benches along the bike trail, clear out some underbrush to improve lake visibility from the bike path and the Oval

Community events centered around education and the history of the old base. Fundraising events. Tours.

Parades, block party's, and playground to keep families involved and included .

More areas to just walk around and window shop.

An ice skating rink.

Music...Rock and roll music...
i'm pretty sure i answered this question in the downtown area. See that response. BUT, I do remember as a little kid, the oval being the hub of everything. Host an Easter egg hunt, host a santa's workshop with reindeer for kids...have a petting zoo with mini carnival for kids.
Bike events. Increasing bike awareness for both bicyclists and drivers. Too many bikers on the sidewalk, or not obeying traffic laws (going the opposite direction on one ways, not stopping at stop signs). Maybe events that discuss these issues to make a more complete city.
More live music - seven nights a week in several venues.
Guided tours from the base all along the walkway through town showing as well as giving all the historical information. Ferrying people from base marina to Valcour island for reasonable price.
<b><u>Suggestions for the Museum Campus/Historic Corridor?</u></b>
More mixed-use zoning, so it's walkable. You have to drive to everything in this city.
MUSUEM CAMPUS MAP PLEASE!
Really make it a museum campus. Have trails between. A trolley that takes you between museums. Restaurants. More recreational spots and playgrounds or creative spaces for children to play.
Really hard.. good luck with that..
I have not been to the museum so unfortunately I do not feel like i can comment.
Better promotion and public access such as light rail or a trolley system.
Tie it all together a little better with walking paths and other attractions. Incorporate the two new breweries and encourage other small vendors to come in. A coffee shop/bakery would be real nice there. So would a taco stand or a sandwich shop.
Great for school tours..or any adult group tours as well.
Much of what needs vis a vis the museums depends on funding. W/o proper funding/staffing/promotion , these will either remain small or not succeed.
nobody cares about that too boring and slow
<b><u>Suggestions for Waterfront Access and Trail Development?</u></b>
This exists in several places -- let's not duplicate effort.
Connect trails to other trails.
Please improve the pedestrian bridge over the tracks. It makes me nervous every time I bring my kids across.
Dog beach!
We have a beautiful lake next to city and the only restaurant on the lake is a McDonalds. This is pathetic. How did the city allow the best stretch of lake access go to private devolpment, condos, an eyecare center, a hotel (now derelict), and a fast food restaurant? This should be public access or at the least, a nice restaurant and several shops (think like they have on the coast in NC and SC, and what they have along the river in Savannah, GA).
Develop this more and involve artists in the development.
Just use a good amount of led lights..
More safer trails. Colleges have the blue lights that connect to campus security, maybe put something like that on the trails for people to feel safer that relays back to city PD.
at this time there is no handicap accessibility which is a shame. I also believe that the old mariana could be revitalized and promote a great stop from the bike trail
They are currently well maintained and work great. Maybe finding a way to connect the waterfront bike path to the street path with clear signage for bikers and drivers.



Keep working to tie the neighborhoods together so that it will be possible one day to ride a bike from McSweeneys to McSweeneys to McSweeneys on a bike path or at least on safe bike lanes.

Definite need for the base marina/docks to be revamped

deal with and correct cliff erosion and develop that area near the old base marina. Expand current bike ways.

**What recreational activities would you like to see in the Downtown area? (Note: question repeated, with typo)**

Is this question correct? Do you mean Old Base/Museum area? Seems to have plenty of recreational activities.

Historical plays and re-enactments.

Ice skating rink.

Things that get people out and moving around.

skateboard park, skating rink

kids fun house. Open the create and turn it into a tramploeen park and host concerts

## **Appendix H Project Matrix**

Previous planning reports were reviewed and a list of project suggestions was synthesized from all reports. The list of reports is presented on the first page, followed by the project matrix, which references the source in the right-hand column.

**Reports Referenced in Developing Project Matrix**

Type	Date	Document	Spreadsheet #
City Beach	1967	Municipal City Beach Complex Environmental Assessment - Stage III	
City Beach	1970	City Beach Soil Borings	
City Beach	1994	City Beach Boundary Survey	
City Beach	1994	City Beach Topographic Survey	
City Beach	2011	Adirondack Coast Destination Master Plan slideshow and narrative	8
City Beach	2013	Destination Master Plan: Plattsburgh City Beach	
City	Mar-99	Dock-Bridge Street Corridor Design and Linkage Study	1
City	May-99	Comprehensive Plan for the City of Plattsburgh, with maps	
City	Apr-01	Plattsburgh Waterfront Horizons - Draft	2
City	Jul-03	Plattsburgh Downtown/Waterfront Economic Enhancement Strategy Report	3
City	Mar-03	Proposed Waterfront Hotel Feasibility Study	4
City	Jun-03	Durkee Street Development Design Study	5
City	N.D.	Plans for Progress Brochure - Quality Communities Program - Plattsburgh	
City	Jul-06	Saranac River Trail Feasibility Study	
City	Jul-00	Cumberland Bay redevelopment (DOS funded; abandoned)	
City	May-09	Streetscape and Design Guidelines for the Downtown Area	
City	Jun-09	LWRP Draft	
City	Jan-10	Plattsburgh Brownfield Opportunity Area Pre-Nomination Study	6
City	Feb-10	City of Plattsburgh Local Waterfront Revitalization Program (Draft)	7
City	Apr-11	Wastewater Treatment Facility Mitigation Final Feasibility Study - Waterfront Rediscovery Program Phase VI	
City	Sep-14	Vision to Action notes	9
City	Dec-14	City and Town of Plattsburgh Recreation Survey Summary Report	11
PAC	Jan-15	PAC Meeting notes	10
Regional	Nov-10	Lake Champlain Basin Program - Opportunities for Action	
	Dec-10	Essex/Clinton Counties Waterfront Plan	
	2011	Destination Master Plan - Action Items	
	2012	Clinton County Destination Master Plan Revised Goals	
	2013	Clinton County Destination Master Plan Revised Goals	
	2011	North Country Regional Economic Development Council Strategic Plan	
	2012	North Country Regional Economic Development Council Progress Report	
	2013	North Country Regional Economic Development Council Progress Report	
	2014	North Country Regional Economic Development Council Progress Report	

### Plattsburgh Community Vision and Implementation Strategy for Waterfront Revitalization

Subarea	Project	Source
1-North End	Develop a multi-use indoor sports complex: indoor tennis facility, soccer, possibly an indoor/outdoor pool with waterslide, miniature golf, basketball courts, and space for youth	11
1-North End	Improve City Beach bathhouse	11
1-North End	Expand City Beach swimming area; consider a clothing optional section of beach	11
1-North End	Consider programming at City Beach: sand castle competitions, shaded reading areas/reading programs, snow shoeing, ice fishing, cross-country skiing	11
1-North End	Consider a location for a concrete skatepark	11
1-North End	Implement Destination Master Plan for City Beach Site	10
1-North End	Preserve habitat; dunes; Scotion Creek	10
1-North End	Infrastructure improvements (bath houses; potential to include restaurant in short-term)	10
1-North End	Clean up landfill site	10
1-North End	Unify streetscape and include aesthetic improvements	10
1-North End	Modify zoning to allow for mixed use businesses (kayak shack; artisans; sports-oriented uses and businesses; move the professional offices)	10
1-North End	Explore the feasibility of a elevated waterfront trail; easements needed from property owners (berm may provide flood protection)	10
1-North End	Preserve dune grass at beach; preserve wooded areas for wildlife; keep the beach natural (no large commercial signs, shops, etc)	9
1-North End	Expand beach use - "use at your own risk" - year-round use	9
1-North End	Protect the unique habitat at Scotion Creek - no sewer plant	9
1-North End	Provide public access to Valcour lighthouse (Sundays; provide transportation)	9
1-North End	Remove lifeguard chair in front of camping area in swimming zone for kites (is this the state park??)	9
1-North End	Provide ferry tours/entertainment cruises	9
1-North End	Hold Concerts on the beach (band shell, amphitheater)	9
1-North End	Create a boardwalk from City Beach to Wilcox Dock - shops, restaurants, hotel - and to state campsite	9
1-North End	Create a lakeside bike path from City Beach to downtown	9
1-North End	Year-round destination: shops, restaurants, entertainment, pier into bay with boat dockage	9
1-North End	Ice rink with lights near hotel on Bay	9
1-North End	Upgrade bathhouse to bar/restaurant to use for events in the short-term until conference center/hotel opens	9
1-North End	Use Crete Center storage building for concerts	9
1-North End	Improve beach security and communication equipment for staff/security; police beach at night (hire HS kids)	9



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1-North End	Clean Up City Beach - complicated by bottles in sand; more garbage cans; use community volunteerism programs for cleanup; could raise cost to maintain beach better; pursue grants	9
1-North End	Eliminate porta potty; invest in overwhelmed restrooms (need repair, maintenance, supplies)	9
1-North End	Develop a boat taxi to/from Vermont; boat tours; music barge	9
1-North End	More activities - paddle boarding, kayaking, paddleboats, bike/walk paths, parasailing, volleyball; farmers' market on the lawn; winter parasailing on ice; ice skating; ice castle; international ice boat regattas; tennis court (year-round youth tennis); Include family-oriented activities: intergenerational playground, mini golf, go-carts, regular bonfires, mobile food vendors	9
1-North End	Construct a pier for fishing/viewing	9
1-North End	Establish a dog-friendly beach area	9
1-North End	Modify zoning as needed to create a mixed-use recreation district; some apartments (mixed income/pet-friendly; lakeside); some commercial near streets (Note: did not include zoning comments from other reports)	9
1-North End	Improve publicity for events held at the beach (volleyball, beach itself); kiosk at beach front to list restaurants, hotels; use fence near ticket booth for local event announcements	9
1-North End	Construct a breakwater at beach - boat mooring, boardwalk	9
1-North End	Construct a kayak boat launch	9
1-North End	Provide more seating along walk	9
1-North End	Pursue City annexation of adjoining state beach/campground (underutilized)	9
1-North End	Create running trails/ski trails in winter	9
1-North End	Scrap "Destination Master Plan" - keep beach for sports and downtown and old base for historical activities including boat building	9
1-North End	Destination Master Plan: Public-private partnership-public park use with private retail/entertainment developments; Museum/interpretive center focused on history; Regional visitor center; boardwalk; festival/concert area; nature trails/canal system; botanical garden; snow sled/sightseeing tower; hand boat launch/fishing pier; retail; restaurant/entertainment; 125-room hotel; retail boardwalk	8
1-North End	Expand public outreach & education regarding easements from private property waterfront property owners for public access	7
1-North End	Establish a volunteer incentive package for obtaining waterfront easements from private property owners	7
1-North End	Provide additional signage and recreational programming for Scotion Creek wetlands and dunes area	7
1-North End	Provide additional beach monitoring and cleaning from Scotion Creek to the end of City Beach	7
1-North End	Work with private property owners to obtain easements to all waterfront parcels as a means of ensuring protection and providing improved public access to the waterfront	7
1-North End	Construct a Cumberland Bay trail connecting the interpretive trail proposed for Scotion Creek and the Wilcox Dock site	7
1-North End	Consider former landfill site as an alternative location for the desired eco-center or Municipal Complex, taking advantage of existing underutilized parking capacity	6

1-North End	Evaluate site for alternative power generation. A bio-energy facility could utilize sewage sludge and other recyclables could be developed.	6
1-North End	Science Center (Draw)	2
1-North End	Observation tower (Draw)	2
1-North End	Visitor Center/Truck stop (Soft Draw)	2
1-North End	Boulevard thoroughfare (Support)	2
1-North End	Festive retail (Support)	2
1-North End	Interpretive trail/boardwalk/lakeshore promenade (Support)	2
1-North End	Parks (Support)	2
2-Cumberland Avenue/Wilcox Dock	Improve link (pedestrian/bicycle) between North End and Dock St/Downtown - streetscape enhancements	10
2-Cumberland Avenue/Wilcox Dock	Expand use of the existing (nice) beach and moorings	10
2-Cumberland Avenue/Wilcox Dock	Construct a kayak/hand launch	10
2-Cumberland Avenue/Wilcox Dock	Develop a sailing or boating school	10
2-Cumberland Avenue/Wilcox Dock	Increase residential development to support the downtown/local businesses	10
2-Cumberland Avenue/Wilcox Dock	Acquire privately owned vacant lot at north end of Cumberland Ave; redevelop for commercial or recreational use	7
2-Cumberland Avenue/Wilcox Dock	Support the dead-ending of Cumberland Ave to stop auto through-traffic but allow pedestrian/bicycle access	7
2-Cumberland Avenue/Wilcox Dock	Explore opportunities to create a cul-de-sac and additional parking	7
2-Cumberland Avenue/Wilcox Dock	Explore the possibility of waterfront/recreation/conservation use for abandoned property next to Georgia Pacific	7
2-Cumberland Avenue/Wilcox Dock	Develop design guidelines related to the Dock St. Landing area	7
2-Cumberland Avenue/Wilcox Dock	Maintain and enhance recreational uses at the mouth of the Saranac River, including debris removal from the water	7
2-Cumberland Avenue/Wilcox Dock	Install decorative paving at Dock St. Bury overhead utility wires, perhaps in a green strip along the south side of the street.	7
2-Cumberland Avenue/Wilcox Dock	Work with the owner of the maintenance building facing Dock St to redevelop for commercial use in the long-term. Treat area under overhang with special paving.	7

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2-Cumberland Avenue/Wilcox Dock	Improve linkages between the downtown and waterfront on the Dock/Bridge St corridor (references EPF-funded design & linkage study)	7
2-Cumberland Avenue/Wilcox Dock	Install a pedestrian walkway with accessible paving and seating along the shoreline perimeter throughout the subarea waterfront	7
2-Cumberland Avenue/Wilcox Dock	Encourage and market tour boat operation	7
2-Cumberland Avenue/Wilcox Dock	Work with property owners to encourage intensive revitalization of the breakwater in this area	7
2-Cumberland Avenue/Wilcox Dock	Develop a southern extension of the Heritage Trail bicycle path, from the former PAFB to shoreline	7
2-Cumberland Avenue/Wilcox Dock	Link the mouth of the Saranac River to the new Waterfront Park at Dock St Landing	7
2-Cumberland Avenue/Wilcox Dock	Create a hand boat launch at Wilcox Dock	7
2-Cumberland Avenue/Wilcox Dock	Explore adaptive reuse of the Exxon/Mobil Property	6
2-Cumberland Avenue/Wilcox Dock	Evaluate reuse concepts that include shoreline parcels and the canal harbor	6
2-Cumberland Avenue/Wilcox Dock	Explore feasibility of the development of a major eco-tourism based attraction (like ECHO center in Burlington) on former Exxon/Mobil site	6
2-Cumberland Avenue/Wilcox Dock	Evaluate sustainable and environmentally reposable design techniques for Exxon/Mobil waterfront site	6
2-Cumberland Avenue/Wilcox Dock	Explore related uses for the shoreline and canal harbor facilities near Exxon/Mobil	6
2-Cumberland Avenue/Wilcox Dock	Analyze how the proposed Exxon/Mobil reuse projects will complement the Downtown Revitalization efforts	6
2-Cumberland Avenue/Wilcox Dock	Analyze the potential to incorporate a new state-of-the-art municipal complex that would include several relocated facilities, including the municipal light company, the sewage treatment plant, the emergency services department, and the City DPW, serving to demonstrate modern sustainable design techniques for these facilities	6
2-Cumberland Avenue/Wilcox Dock	Explore funding programs which can be leveraged to accomplish the development	6
3-Downtown	Municipal marina is planned for Dock St	10
3-Downtown	Implement previous design for Durkee Street lot redevelopment (top project)	10
3-Downtown	Redevelop Lakeside Container/Plattsburgh Grocery lots - mixed use; housing/artist studios above	10
3-Downtown	Recognize historic residential areas of Jay, Hamilton, Macomb streets	10
3-Downtown	Explore feasibility of a downtown grocery store	10

Preliminary Draft: City of Plattsburgh Local Waterfront Revitalization Program

3-Downtown	Develop a corridor to link Dock St to Downtown - include Strand theater/arts center - streetscape enhancements and mixed use buildings	10
3-Downtown	Explore feasibility of using the Municipal Lighting Dept area for indoor sports	10
3-Downtown	Develop strategies to address the wastewater treatment plant - greener? Educational Showcase?	10
3-Downtown	Implement a whitewater park along the Saranac, between the bridges	10
3-Downtown	Clean up downtown streets - weeds, cigarette butts, building facades	9
3-Downtown	Pursue completion of the Saranac River Trail	9
3-Downtown	Improve connections: road, sidewalk, bike lanes, between uptown and downtown	9
3-Downtown	Boat basin parking lot: zip line, amphitheater, drive-in, go carts	9
3-Downtown	Construct a trailer boat launch and transient docks at Dock St Landing	7
3-Downtown	Explore possible expansion at the marina	7
3-Downtown	The proposed waterfront park at Dock St Landing	7
3-Downtown	Construct additional fishing docks along the Saranac	7
3-Downtown	Attract recreational equipment rental businesses along Bridge Street	6
3-Downtown	Create a pedestrian mall	6
3-Downtown	Develop an "available building" inventory to market to investors	6
3-Downtown	Program sponsored events and activities to encourage citizens to go downtown (grocery store, employment)	6
3-Downtown	Consolidate downtown businesses	6
3-Downtown	Create clearer paths of access throughout the City and to waterfront	6
3-Downtown	Simplify traffic patterns	6
3-Downtown	Improve curb appeal, aesthetics, and signage	6
3-Downtown	Implement a community trolley system/water taxis	6
3-Downtown	Create a pedestrian bridge to the waterfront	6
3-Downtown	Complete, market, and build from the Arts Corridor	6
3-Downtown	Assist in development of First Phase based upon Keil plans	6
3-Downtown	Study extension of the Arts Corridor, including alternative routes, to link it to the waterfront and eventually Lake Champlain	6
3-Downtown	Analyze the potential to revitalize the Peru/Pond Street area	6
3-Downtown	Establish the "Lake City Arts Corridor"	6
3-Downtown	Restore Strand Theater to 1920s architecture	6
3-Downtown	Acquire Federal Building and associated land as an addition to the Strand Theater for administrative and accessory space	6
3-Downtown	Create new public park space on the site of the Federal Building at the intersection of Brinkerhoff and Margaret Streets	6
3-Downtown	Create a public plaza and reflecting pool/skating rink in the existing Durkee parking lot next to the Farmers Market shelter	6



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3-Downtown	Explore future creation of a signature pedestrian bridge crossing the Saranac River to the foot of Pond Street	6
3-Downtown	Establish a boulevard along Macomb Street to the Lake Shore	6
3-Downtown	Create a wide underpass beneath the Amtrak Rails to provide public access to the Lake Champlain shoreline via the Macomb ROW	6
3-Downtown	Create of a major visual element at the terminus of the Macomb Street ROW on Lake Champlain	6
3-Downtown	Establish a branding element for the Arts Corridor with unique signage and amenities	6
3-Downtown	Establish a centrally located Community Garden	6
3-Downtown	Encourage LEED Certification of new developments and visibly accessible sustainable design practices	6
3-Downtown	Revise local land use laws for consistency with the goals and objectives of the Arts Corridor	6
3-Downtown	Provide financial incentives for development of compatible economic development projects	6
3-Downtown	Revitalize properties on Pond and Peru Streets to serve as resaurants, studio space, and niche retail space	6
3-Downtown	Designate Protection and/or Clinton Street as pedestrian malls	6
3-Downtown	Expand access and linkage improvements between Downtown and the Waterfront (begun at Waterfront Park in 2008)	6
3-Downtown	Conduct a linkage and access study to evaluate visual and physical linkages between the waterfront and downtown; and between downtown and the surrounding districts - analyze capabilities of the existing systems and recommend improvements, new facilities, and changes to surrounding land uses.	6
3-Downtown	Study potential use of alternative modes of transportation (water taxis, buses, trolleys, pedi-cabs)	6
3-Downtown	Study the feasibility of relocating the CSX tracks/ROW away from the lake shore	6
3-Downtown	Extend the Saranac River Trail into Downtown through signage and striping on Pine Street	6
3-Downtown	Extend the new Trail at the Waterfront Park to connect bridge Street at O'Neill Packing, utilizing the existing city-owned rail corridor	6
3-Downtown	Extend the existing Fleury Trail to connect to the new Waterfront Park	6
3-Downtown	Incorporate sustainable design practices to protect natural resources while encouraging smart development	6
3-Downtown	Develop interpretive driving and walking tours using existing or new trails and roadways	6
3-Downtown	Rehabilitate the existing parks including restoration of the fountain in Trinity Park; new landscaping in existing parks; expansion of existing downtown landscape and beautification programs	6
3-Downtown	Expand the existing Main Street Progarm to encourage attractive rehabilitation of downtown facades including awnings, signage, and window displays	6
3-Downtown	Evaluate and prioritize potential building sites for high impact revitalization efforts	6
3-Downtown	Conduct an analysis of parking needs and potential for shared use parking areas, expansion of existing parking, creation of multilevel parking	6
3-Downtown	Implement additional pedestrian and bicyclist safety improvements downtown	6
3-Downtown	Install interpretive signage at important sites around downtown	6
3-Downtown	Attract needed retail and service projects, including a downtown grocery retailer; a hardware retailer; and boutique/niche stores	6

Preliminary Draft: City of Plattsburgh Local Waterfront Revitalization Program

3-Downtown	Conduct a downtown building survey to assess the conditions and needs of buildings inventory vacancies, and analyze infill opportunities	6
3-Downtown	Expand the use of the City's "Blue Directional" signage	6
3-Downtown	Identify potential sites for Downtown Visitor's Center	6
3-Downtown	Identify potential sites for museums downtown	6
3-Downtown	Analyze the potential to make bridges crossing the Saranac River more pedestrian friendly	6
3-Downtown	Identify new four season events to attract visitors downtown	6
3-Downtown	Evaluate incentive programs for use in attracting businesses to Downtown such as tax incentive financing, tax-free zones, etc; coordinate this effort with other development agencies	6
3-Downtown	Add a Botanical Garden as a usable attraction	6
3-Downtown	Implement streetscaping for both aesthetic and stormwater management purposes	6
3-Downtown	Develop direct trail links from the existing trails to the new Waterfront Park	6
3-Downtown	Develop pedestrian and traffic link improvements between Downtown and the Waterfront	6
3-Downtown	Pursue creation of the Arts Corridor	6
3-Downtown	Continue to monitor water quality	6
3-Downtown	Relocate the Municipal Lighting Department and Sewage Treatment Plant, creating recreational open space at the mouth of the Saranac River.	6
3-Downtown	Identify a potential site for a Community Garden near the waterfront. Care should be taken to giving attention to green, susustainable developments and appropraite stromwater management that complements the waterfront.	6
3-Downtown	Develop waterfront land at the end of Macomb Street	6
3-Downtown	Relocate the Municipal Lighting Department out of downtown	6
3-Downtown	Return the public works department back to the City	6
3-Downtown	Update the 'Vision for Downtown Plattsburgh,' reevaluating previous efforts and ideas, such as the waterfront hotel, Durkee Street Gateway, and the 7 Point Hub.	6
3-Downtown	Undertake a Retail Leakage Study to identify potential areas of retail need downtown.	6
3-Downtown	Evaluate specific needs for a grocery store Downtown	6
3-Downtown	Undertake a coordinated marketing effort, including an inventory of available rehab and redevelopment sites downtown	6
3-Downtown	Improve linkages between Downtown and the US Oval to encourage visits to the museums	6
3-Downtown	At current Durkee St parking lot site: multistory parking facility; 2-story retail/commercial; pedestrian mall at Durkee Street; green space with reflecting pool/ice rink/pavilion; connect to Margaret Street walk-thru; public activity space; access to riverfront and Farmers Market	5
3-Downtown	Explore feasibility of the proposed waterfront hotel with shopping, parking, and restaurants at Dock Street	4
3-Downtown	Implement a wayfinding system to direct motorists to Plattsburgh and destination points	3
3-Downtown	Create financial incentives for Downtown business and property owners for façade improvements, business development, and housing development	3

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3-Downtown	Complete the Lake Champlain Bikeways Network and Plattsburgh Heritage Trail	3
3-Downtown	Beautification of/visual showcase at "Six Points" intersection	3
3-Downtown	Implement streetscape improvements to link Six Points and Lake Champlain	3
3-Downtown	Develop an Artwalk from Margaret to Durkee Street	3
3-Downtown	Expand performances held and marketed within Arts & Entertainment district	3
3-Downtown	Ensure regular contact with businesses by Downtown Director to promote business retention	3
3-Downtown	Pursue targeted business recruitment for Downtown	3
3-Downtown	Form a public-private partnership for the downtown	3
3-Downtown	Explore Lakefront Development Project (former hotel proposal)	3
3-Downtown	Implement Durkee Street infill project at parking lot (proposed parking deck with ribbon retail and ice rink)	3
3-Downtown	Create a Clinton Street Renaissance Project (vacancies, deteriorated buildings; streetscape)	3
3-Downtown	Increase upper story housing throughout Downtown	3
3-Downtown	Discourage inappropriate uses in Downtown	3
3-Downtown	Augment marketing of activities: family-friendly; signature event; french theme; bilingual signage/menus; website; media coverage; brochure/visitor guide	3
3-Downtown	Waterfront TV Station (Draw)	2
3-Downtown	Railway Museum at old terminal site (Draw)	2
3-Downtown	Science and technology business incubator (Draw)	2
3-Downtown	Hotel and conference center (Draw)	2
3-Downtown	Marina expansion (Soft Draw)	2
3-Downtown	Open Air Theater (Soft Draw)	2
3-Downtown	Culinary arts academy (Soft Draw)	2
3-Downtown	Residential expansion (Soft Draw)	2
3-Downtown	Festive retail (Support)	2
3-Downtown	Intergenerational center (Support)	2
3-Downtown	Parks (Support)	2
3-Downtown	Implement Bridge/Dock St Streetscape improvements, from Durkee/Bridge to waterfront	1
3-Downtown	Construct a Town Pier at waterfront (150'x20')	1
3-Downtown	Develop retail/anchor buildings (20,000 sf) at end of Dock St to support pier	1
3-Downtown	Enhance gateways at: Durkee/Bridge; Marina/Dock St; Dock/Bridge	1
3-Downtown	Create a Bridge Street Park - N side of Bridge St, between existing parking lot and D&H building	1
3-Downtown	Construct a boardwalk along the Saranac River - west bank, from Bridge St to farmers market pavilion (~750 LF)	1
3-Downtown	Create a Kayak and Canoe Launch Point across from City Hall on west bank of Saranac River	1
3-Downtown	Provide wastewater treatment plant screening with plant materials	1
4-Old Base	Extend the subarea to include the Saranac River up to the City line	10

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4-Old Base	Incorporate the existing recreation center on Old Base property	10
4-Old Base	Connect with Children's museum (opening soon)	10
4-Old Base	Connect with Fort Brown on Saranac River/Route 9/US Ave; Old Stone Barracks	10
4-Old Base	Connect with Northern Forest Canoe Trail - follows the Saranac (access points)	10
4-Old Base	Create fishing access points along the river	10
4-Old Base	Create a history interpretation trail	10
4-Old Base	Enhance access to Old Base Marina and Sailor's Beach; site accessible only by paddlers/pedestrian bridge	10
4-Old Base	Provide interpretation of history on the "museum campus" on the Old Base	9
4-Old Base	Obtain a right-of-way along the eastern edge of the CP Rail tracks from Dock Street at "Dock St Landing" to the southern end	7
4-Old Base	Create a small parking lot, expandable as overflow, for the Dock St Landing development adjacent to the former Officers' Club	7
4-Old Base	Develop a public boat launch, in addition to an area to accommodate public trailers & trucks at the marina at the former PAFB	7
4-Old Base	Enhance use of the beaches on the Old Base	7
4-Old Base	Provide additional fishing docks along the Saranac	7
4-Old Base	Improve linkages between Downtown and the US Oval to encourage visits to the museums	6
4-Old Base	Identify potential locations for a Science Center (Draw)	2
4-Old Base	Develop a science and technology business incubator (Draw)	2
4-Old Base	Construct a hotel and conference center (Draw)	2
4-Old Base	Develop a culinary arts academy (Soft Draw)	2
4-Old Base	Develop an Intergenerational center (Support)	2
4-Old Base	Parks (Support)	2
5-Citywide	Create a multi-use recreational facility	11
5-Citywide	Expand the waterfront to include more vendors	11
5-Citywide	Improve opportunities for non-competitive recreation, e.g. expand biking and running paths, improve existing playgrounds	11
5-Citywide	Expand available areas for pickle ball	11
5-Citywide	Develop a municipal golf course	11
5-Citywide	Create a municipal marina	11
5-Citywide	Construct a town fitness facility	11
5-Citywide	Implement the planned Saranac River Trail, pedestrian bridge along SRT	10
5-Citywide	Create a lakefront boardwalk/trails/access points, fishing piers, waterfront recreation (mix of active/passive)	10
5-Citywide	Initiate/strengthen relationship with the Lake Champlain Basin Program	7
5-Citywide	Develop and implement a waterfront education and awareness program	7
5-Citywide	Establish a monthly meeting among representatives from each community organization	6



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5-Citywide	Plan activities/attractions to bring people in during winter months	6
5-Citywide	Implement a community calendar	6
5-Citywide	Encourage more teamwork with SUNY Plattsburgh; encourage student participation in redevelopment	6
5-Citywide	Develop a Brand for Plattsburgh/strengthen "Lake City" Brand	6
5-Citywide	Improve information presented on website	6
5-Citywide	Investigate relocation of railroad tracks away from the waterfront	6
5-Citywide	Improve both visual and physical access to the waterfront	6
5-Citywide	Build a tourist attraction on the waterfront (eco-center, aquarium, etc)	6
5-Citywide	Market the historical significance of the City (beyond War of 1812/conflict history)	6
5-Citywide	Develop and distribute a tour book; create a tourist/welcome booth	6
5-Citywide	Host activities/attractions to bring people in during winter months	6
5-Citywide	Develop a common vision with other local community development agencies for Plattsburgh and to discuss growth beyond the former PAFB.	6
5-Citywide	Expand the City website to include more links and information	6
5-Citywide	Further develop the "Lake City" brand	6
5-Citywide	Complete historic sites survey in the City and establish one or more new historic districts	6
5-Citywide	Develop an assistance program for historic preservation of commercial and residential buildings	6
5-Citywide	Renovate the War of 1812 interpretive trail, adding modern interpretive signage and place markers.	6
5-Citywide	Improve signage and awareness regarding the existing historic museums	6
5-Citywide	Create a History and Heritage Steering Committee, consisting of representatives from each historic organization, to coordinate their efforts.	6
5-Citywide	Establish a Revitalization Steward and Revitalization Committee on a volunteer basis, to help oversee efforts and reach out to stakeholders, other communities, potential funding partners, private developers, community groups, and local institutions, and enlist their assistance	6
5-Citywide	Establish a schedule of roundtable and coordination meetings with representatives of the many local groups and institutions with an interest in revitalization.	6
5-Citywide	Establish a schedule of revitalization workshops. Enlist the help of the Technical Assistance Center at SUNY Plattsburgh for occasional professional facilitation.	6
5-Citywide	Enlist volunteer or other assistance in the visualization of proposed projects including graphics, SketchUp models, and color renderings from local artists and professionals	6
5-Citywide	Coordinate with SUNY Plattsburgh to establish a student volunteer organization to assist with downtown beautification	6
5-Citywide	Work with SUNY Plattsburgh to develop and enforce laws that make landlords accountable for the condition of student rentals	6
5-Citywide	Coordinate with SUNY Plattsburgh toward development of an appropriately located student-oriented business zone	6



5-Citywide	Work with the North Country Cultural Center for the Arts to host benefits and fundraisers for needed beautification projects	6
5-Citywide	Collaborate between SUNY Plattsburgh and the North Country Cultural Center for the Arts to cohost art exhibits, plays, shows, etc.	6
5-Citywide	Identify sites for Community Gardens	6
5-Citywide	Encourage green, sustainable developments and appropriate stormwater management practices	6
5-Citywide	Attain LEED Certification for City projects	6
5-Citywide	Implement use and generation of alternative fuels/sustainable power	6
5-Citywide	Adopt Smart Growth land use controls	6
5-Citywide	Expand recycling and encourage recycling of construction waste for redevelopment	6
5-Citywide	Improve walkability throughout the City	6
5-Citywide	Plant street and ornamental trees and shrubs	6
5-Citywide	Develop a Maritime Museum (Draw) - no location specified	2
5-Citywide	Create a Performing Arts Center (Soft Draw) - no location specified	2
5-Citywide	Construct/designate Artists' studios (Soft Draw) - no location specified	2

**Appendix I Chapter 270 of the City of Plattsburgh Code: Zoning Law**

CHAPTER 270 OF THE CITY CODE  
ZONING

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CITY OF PLATTSBURGH

ZONING LAW



**CHAPTER 270 OF THE CITY CODE  
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**Schedule I Schedule of Permitted Uses**

**Schedule II Schedule of Area and Bulk Controls**

**Schedule III Calculation Formula for Area and Bulk Controls**

**Schedule IV Waterfront Overlay District Area and Bulk Controls**

**Official Zoning Map(s) (small scale; refer to official map)**

**HISTORY:** The previous version of the Zoning Law was adopted by the Common Council of the City of Plattsburgh on 9-1-83. On November 15, 2001, the Common Council adopted a local law #6 of 2001 repealing the previous version of the Zoning Law and adopting this revised version. Some amendments to the 1983 edition are noted in the text of the current edition for historical reference purposes.

**GENERAL REFERENCES TO CITY CODE**

- Engineering and Planning Department -- See Ch. 46.
- Planning Commission -- See Ch. 86.
- Department of Planning, Engineering and Operations -- See Ch. 88.
- Building construction - See Ch. 149.
- Environmental quality review - See Ch. 171.
- Freshwater wetlands - See Ch. 180.
- Housing standards - See Ch. 191.
- Sewers and sewage disposal - See Ch. 219.
- Streets and sidewalks - See Ch. 233.
- Subdivision of land - See Ch. 236.
- Trailers and trailer courts - See Ch. 245.
- Trees - See Ch. 248.
- Vehicles and traffic - See Ch. 252.



CHAPTER 270 OF THE CITY CODE  
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ARTICLE I  
General Provisions

**§ 270-1. Short title.**

This chapter shall be known and may be cited as the "Zoning Ordinance of the City of Plattsburgh, New York."

**§ 270-2. Authority.**

Pursuant to the authority and power granted by the General City Law of the State of New York, Chapter 21, Article 2-A, of the Consolidated Laws, to regulate and limit the height, and determine the area of yards, courts and other open spaces and to regulate the density of population in any given area and for said purposes divide the city into districts, the Common Council of the City of Plattsburgh, New York, does ordain the following provisions.

**§ 270-3. Purpose.**

The zoning regulations and districts herein set forth and as identified upon the Zoning Map of the City of Plattsburgh<sup>2</sup> are made in accordance with a Comprehensive Plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration, among other things, as to the character of each district and its suitability for particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the City of Plattsburgh and to achieve the following specific purposes:

- A. To promote an orderly, economical and desirable development of the entire community.
- B. To encourage the most appropriate use of land in the community in order to conserve and enhance the value of property.
- C. To provide adequate open spaces in order to assure access of light and circulation of air, in order to facilitate the prevention and fighting of fires, in order to prevent undue concentration of population and in order to lessen congestion on streets and highways.
- D. To protect the right to solar access in order to facilitate the use of this alternate energy source by residents and property owners.
- E. To create an attractive and cohesive central business district.
- F. To improve the financial structure of the city by increasing the rate of growth of municipal income through enhanced value of property.
- G. To slow down the deterioration cycle of neighborhoods.
- H. To enhance the aesthetic aspects throughout the entire community.
- I. To ensure that tax revenues will remain sufficient to meet the increasing expenses of government.

<sup>2</sup> Editor's Note: The Official Zoning Map of the city of Plattsburgh is on file and open to public inspection during normal business hours in the office of the Building Inspector.

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**ARTICLE II  
Definitions**

**§ 270-4. Terms defined.**

A. Word usage. In the construction of this chapter, the present tense shall include the future; the singular number shall include the plural, and the plural, the singular. The word "shall" is always used in its mandatory and not its permissive sense, and "may" is always used in its permissive sense and not its mandatory sense. The words "zone" and "district" are synonymous, and the words "building" and "structure" are synonymous. The word "used" shall include the words "arranged, designed or intended to be used."

B. Terms defined. As used in this chapter, the following terms shall have the meanings indicated:

**ACCESSORY APARTMENT** - An apartment with not more than two bedrooms, allowed by a special permit in an owner occupied dwelling. See section 270-28 I infra for other standards governing Accessory Apartments.

**ACCESSORY BUILDING** - A building or structure on the same lot with and subordinate to a principal building, occupied or devoted exclusively to an accessory use. Where an "accessory building" is attached to a principal building by a breezeway, roof, wall or the like, such "accessory building" shall be considered part of the principal building.

**ACCESSORY USE** - A use customarily incidental and subordinate to the principal and primary use upon any premises.

**ADULT ARCADE** - An establishment where film, slides, or any other images of specified sexual activities or specified anatomical areas are available for viewing by the public.

**ADULT BOOKSTORE OR ADULT VIDEO STORE** - A bookstore or video store where as one of its principal business purposes offers for sale or rental any printed matter or videocassettes that depict "specified anatomical areas" or "specified sexual activities." For the purpose of this definition, a principal business purpose shall mean that part of the business that constitutes 10 percent or more of the printed material or videocassette retail value for sale or rent in the establishment.

**ADULT CABARET** - A nightclub, bar, tavern, [juice bar] or similar establishment, whether or not such establishment is licensed to sell alcoholic beverages, where persons appear in a state of nudity, or where there are live performances, films, videocassettes or slides characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

**ADULT USE OR ENTERTAINMENT ESTABLISHMENTS** - An establishment, or any part thereof, which includes any of the following: topless or bottomless dancers or waitresses; strippers; topless hair care or massages; entertainment where the servers or entertainers wear pasties or G-strings; adult cabaret; adult arcade; adult bookstore; or adult video store.

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**AGRICULTURAL USE** - Gardening, farming or maintenance of orchards, the produce of which is intended for the principal consumption of occupants of an allowed principal use in the district. However, the maintenance of livestock of any kind is specifically prohibited as a permitted use and from the term of "agricultural use.

**ALLEY** - A public or private way having a right-of-way width of twenty (20) feet or less.

**ALTERATION OF BUILDING** - As applied to a building or structure, any change or rearrangement in the structural parts or existing facilities of such building or structure or any enlargement thereof, whether by extension on any side or by any increase in height, or the moving of such building or structure from one location or position to another.

**ANIMAL HOSPITAL or VETERINARY CLINIC** - An establishment for temporary occupation by sick or injured animals for the purpose of medical diagnosis and treatment, and shall exclude the treatment or other care of humans.

**APARTMENT** - One (1) or more dwelling rooms, with private bath and kitchen facilities, comprising an independent self-contained dwelling unit in a larger building.

**APPLICANT** - A developer submitting an application for development.

**APPLICATION FOR DEVELOPMENT** - The application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned unit development, special use or zoning variance.

**AREA, LAND** - When referring to the required area per dwelling unit, net land area, the area exclusive of a street and other public open space.

**ATTIC** - The open, uninhabitable space between the ceiling beams of the top habitable story and the roof in any building.

**AUTOMOBILE SALES AREA** - A premises, including open areas, other than a street or way, and showrooms, enclosed within a building used for the display or sale of new or used automobiles, trucks, cargo trailers and boats.

**AUTOMOBILE WASH** - An establishment for the washing of motor vehicles as a principal use.

**BASEMENT** - That space of a building that is partly below grade, which has more than one-half (1/2) of its height, measured from floor to ceiling, above the finished grade of the ground adjoining the building.

**BED AND BREAKFAST** - A dwelling occupied by a family and used incidentally to provide accommodation and means to transient travelers and includes a tourist home, but does not include a boarding house, rooming house, domiciliary hostel, group home, motel or hotel.

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**BLOCK** - A plot of land which is bounded on all its sides by public streets or places.

**BOARDING-, LODGING OR ROOMING HOUSE** - A dwelling or part thereof where, for compensation, lodging or meals, or both, are provided for non-transient guests.

**BUILDING** - A combination of materials to form a construction that is safe and stable, adapted to permanent or continuous occupancy for public, residence, business, assembly or storage purposes. The term "building" shall be construed as if followed by the words "or part thereof."

**BUILDING COVERAGE** The area of the plot of land covered by the principal and accessory buildings and structures. This includes the combined ground floor area of all buildings and structures on a lot, measured at the outside face of the exterior walls, including roofed porches, balconies and cantilevered parts of the building at any level, but not including, however, any structures, the heights of which do not exceed five (5) feet.

**BUILDING, HEIGHT OF** - The vertical distance from the average grade adjacent to the foundation walls to the top of the highest finished roof surface of a flat roof or to the average height of a pitched, gabled, hip or gambrel roof.

**BUILDING LINE** - The line, established by statute, local law or ordinance, beyond which a building shall not exceed. This line is located within the bounds of a lot and is parallel to a property line at a distance from the respective property line equaling the respective required front, rear or side yard.

**BUILDING OR STRUCTURE, NONCONFORMING**- An established building or structure lawfully existing prior to and at the time of the adoption of this chapter which, because of its inherent nature or construction, does not conform to and with the provisions of this chapter for the district in which it is located.

**BUILDING, PRINCIPAL** - A building, including covered porches, in which is conducted the principal use of the lot on which it is situated.

**BULK** - A term used to describe the size, volume, area and shape of buildings and structures and the physical relationship of their exterior walls or their location to lot lines, other buildings and structures or other walls of the same building and all open spaces required in connection with a building, other structure or tract of land.

**CELLAR** - That space of a building that is partly or entirely below grade and which has more than one-half (1/2) of its height, measured from floor to ceiling, below the finished grade of the ground adjoining the building.

**CEMETERY** - Land used or intended to be used for the burial of dead human beings and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated with and within the boundary of such cemetery.



**BUFFER ZONE** - An area of land, designated by the Planning Board or Zoning Board of appeals as a condition of a permit or approval, intended to preserve or protect adjoining lands from a use that may adversely affect an existing, adjoining use, neighborhood or zoning district. Structures and parking areas are prohibited in buffer zones. Buffer zones may be included in lot open space calculations

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**CHANGE OF USE** - A change from the use permitted in one zone district to a use permitted in another zone district, or a change from a permitted use to another kind of permitted use in the same zone, or any removal of a building from one location to another, or the conversion of any building or any part thereof from a use permitted in one zone district to a use permitted in another zone district, or the conversion of any building or any part thereof from a permitted use to another kind of permitted use in the same zone.

**CHURCH or OTHER PLACE OF WORSHIP** - A building used for public worship by the members or representatives of a religious sect or organization as defined by state statute.

**CITY PROPERTY** - Includes any land or lands over which the City of Plattsburgh, New York, maintains control, including the public streets; the public sidewalks, from the inner line thereof, adjacent to the property line fronting thereon; and the space between the sidewalks and the curbs.

**CLINIC:**

- (1) **DENTAL CLINIC** - A structure designed for the practice of dentistry in which nonresident patients are treated.
- (2) **MEDICAL CLINIC** - A structure designed for the practice of medicine in which nonresident patients are treated.

**CLUB** - A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose on an exclusively not for profit basis, does not provide overnight accommodations and which renders a service which is customarily carried on as a business and which is not an adjunct to or operated by or in connection with a public tavern, café, or other public place.

**COLLEGE or UNIVERSITY** - A college or university giving general academic instruction. Included within this term are areas or structures used for administration; housing of students and faculty, dining halls and social or athletic activities when located on the institution's land that is not detached from land where classroom facilities are maintained.

**COMMON OWNERSHIP** - Ownership of two (2) or more contiguous parcels of real property by one (1) person or by two (2) or more persons owning such property in any form of joint ownership.

**CONDITIONAL USE** - A use permitted in a particular zone district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in this chapter and upon the issuance of an authorization therefore by the Zoning Board of Appeals.

**CONDOMINIUM** - A building or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by the owners on a proportional undivided basis.

**COOPERATIVE HOUSING PROJECT** - A multiple unit residential building, the owners of which jointly administer and maintain all dwelling units and building services, facilities and amenities.

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**COURT** - An open, unoccupied space, other than a yard, on the same lot with a principal building, which is wholly or partially enclosed by a building, wall or other structure.

(1) **INNER COURT** - A court surrounded on all sides by walls or by walls and a lot line which is not a street line.

(2) **OUTER COURT** - A court extending for its full width to an opening upon a street or yard.

**DAYS** - Calendar days.

**DEVELOPER** - The legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development, including the holder of an option or contract to purchase or other persons having an enforceable proprietary interest in such land.

**DEVELOPMENT** - The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure and any use or change in the use of land for which permission may be required pursuant to this chapter.

**DRAINAGE RIGHT-OF-WAY** - The lands required for the installation of storm water sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage and including lands intended as flood control basins.

**DRIVE-IN BUSINESS** - Includes drive-in outdoor theaters, refreshment stands, banks and the like where patrons enter the premises and are served or entertained in automobiles.

**DRIVEWAY** - Land situated on a lot, used or intended to be used to provide access to it by vehicular traffic.

**DUMP** - A lot or land or part thereof used primarily for the disposal, by abandonment, dumping, burial, burning or any other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof or waste material of any kind.

**DWELLING UNIT** - A structure or portion of a structure containing a unit comprising living accommodations designed and used for occupancy by only one (1) family.

**EATING AND/OR DRINKING ESTABLISHMENT** - A restaurant or similar facility providing for the sale and consumption of food beverages by the public on the premises.

**FAMILY**

a. Any number of individuals related by blood, marriage or adoption and up to three (3) unrelated roomers living together in a single housekeeping unit and using certain rooms and sanitary and cooking facilities in common; or

b. One (1) to four (4) individuals unrelated by blood, marriage or adoption occupying a premises and living together in a single housekeeping unit and using certain rooms and sanitary and cooking facilities in common; or

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c. Any number of individuals unrelated by blood, marriage or adoption, living together as a functional family (see definition of functional family) in a single housekeeping unit and using certain rooms and sanitary and cooking facilities in common.

### FUNCTIONAL FAMILY

A group of individuals living together within a single dwelling unit in a family-like living arrangement, that: (a) in size, appearance and structure resembles a family of related individuals; or (b) is headed by a person or persons responsible for providing care for a reasonable number of individuals such as a home care facility for senior citizens.

A group of five (5) or more unrelated individuals, exclusive of minor dependent children, living together in the same dwelling unit shall be presumed not to be living together as functional family that in size, appearance and structure resembles a family of related individuals. This presumption may be rebutted by sufficient evidence showing that their living arrangement possesses substantially each of the following four characteristics.

- (1) The occupants share the entire dwelling unit. A unit in which occupants act as separate roomers shall not be deemed to be occupied by a functional family.
- (2) There is joint ownership of the dwelling unit, or a lease whereby the occupants, except dependent occupants, are jointly and severally liable to pay the entire rent for the premises. In situations where the occupants have separate leases or rental agreements they shall be deemed not to be living together as a single housekeeping unit.
- (3) The presence of one or more occupants who is dependent upon another occupant for their financial support.
- (4) There is evidence of stability of the housekeeping unit, and that it is not transitory in character. The following criteria shall be considered in determining stability.
  - (a) Evidence that the occupants intend to reside together on a permanent rather than on a transient basis, such as a showing that the household has been living together for 12 months or more.
  - (b) The sharing of household expenses by the occupants, such as utility bills, insurance, real property taxes, cleaning supplies, maintenance costs, food, and household supplies.
  - (c) Joint or common ownership of household furnishings located in the common areas of the dwelling unit.
  - (d) The presence of dependent persons regularly residing in the household.
  - (e) The fact that different members of the household use the household address for purposes of voter registration, drivers license, motor vehicle registration, and filing of taxes.
  - (f) Any other factors that show that the group is of a permanent rather than a transient nature.

**GROUP RESIDENCE** - A residence occupied by five (5) or more unrelated individuals who are not a family.

**FLOOR AREA** - The aggregate area of all floors in a building enclosed by an exterior wall, excluding, however, attic and unfinished basement floors not used for anything other than storage or the location of mechanical utilities, open porches, balconies, stairways, breezeways and garages, as measured between inside faces of exterior walls.

**FLOOR AREA RATIO** - The floor area of a building divided by the area of the lot which it occupies.



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**FRATERNITY HOUSE, SORORITY HOUSE, DORMITORY AND RESIDENCE HALL** -A facility used for the housing, with or without dining facilities, of students attending a college or university as defined herein. Or an institution recognized by a local college or university that has not had its charter revoked by an overseeing authority. However, for purposes of consideration of area, bulk and special requirements of this chapter, such facility shall be considered a boarding-, lodging or rooming house.

**GARAGE:**

- (1) **PRIVATE GARAGE** - A garage not conducted as a business or used for the storage space for more than one (1) commercial vehicle, which shall be owned by a person residing on the premises.
- (2) **PUBLIC GARAGE** - A garage conducted as a business. The rental of storage space for more than two (2) passenger cars or for one (1) commercial vehicle not owned by a person residing on the premises shall be deemed a business use.

**SERVICE STATION** - A structure, building or premises or any portion thereof that is used for the sale of gasoline or any other motor vehicle fuel or oil and other lubricating substances, including any sale of motor vehicle accessories, and which may or may not include facilities for lubricating, washing or otherwise servicing motor vehicles, but not including the painting thereof by any means.

**GRADE** - When a curb level has been established, the curb level. When a curb level has not been established or when the natural surface is at a different level than the curb level and remains unchanged, "grade" shall mean, with respect to a building, the average ground elevation adjoining the building.

**HAZARDOUS CHEMICAL** - Solid, liquid, or gaseous substances which pose a potential hazard to human health or the environment when improperly treated, stored, transported, dispose or otherwise managed, including but not limited to the hazardous substances designated by the U.S. Environmental Protection Agency under section 311 of the Clean Water Act (40 CFR 116)

**HIGH RISE** - Any structure located in an R-2 or RC District which exceeds thirty-five (35) feet and/or two and one-half (2 1/2) stories in height and also any structure located in a C District which exceeds thirty-six (36) feet and/or three (3) stories in height.

**HISTORIC DISTRICT** - A geographically defined area possessing a significant concentration or continuity of landmarks, improvements or landscape features united by historic events or by physical development, and which area has been designated as an historic landmark district; said district may have within its boundaries noncontributing buildings or other structures that, while not of such historic and/ or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district.

**HISTORIC SITE** - means land or a structure identified as an Historic Building or Place on the National Register of Historic Places, or an inventory of Historic or Architecturally significant structures prepared or approved by the New York State Office of Historic Preservation, a copy of which shall be kept on file in the office of the Building Inspector.

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**HOME OCCUPATION** - Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental to and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. "Home occupations" may be construed to include dressmaking, millinery, home cooking, musical instruction limited to a single pupil at a time, art studios and activities of a similar nature. Including Home-based computer related or telemarketing operations. "Home occupations" shall not be construed to include barbershops and beauty parlors, public stables, real estate offices, kennels, animal hospitals, restaurants and tearooms, musical instruction to groups, dancing instruction to groups, nursing homes, nursery schools, public garages, plumbing or electrical shops or shops for other trades or businesses of a similar nature, nor shall any customary "home occupation" be construed to include that which requires the presence in the home of machinery or equipment normally associated with commercial or industrial activities or which produces offensive noise, vibration, smoke, dust, odors, heat, glare or other nuisance.

**HOME, TOURIST** - A dwelling in which overnight accommodations are provided for transient, paying guests.

**HOSPITAL** - An establishment for temporary occupation by the sick or injured for the purpose of medical diagnosis and treatment, including sanatoriums, and shall be limited to the treatment or other care of humans.

**HOTEL** - A building in which lodging is provided, with or without meals, and offered to the public for compensation and which is open to transient guests, as distinguished from a boardinghouse or rooming house, apartment hotel, fraternity or sorority house.

**INDUSTRIAL OPERATION OR USE** - Any activity conducted in connection with the manufacture, assembly, disassembly, fabrication, resource recovery, storage or processing of materials or products, all or any part of which is marketed off the premises or marketed to other than the ultimate consumer.

**INDUSTRY**-The location or premises used for any industrial operation.

**INSTITUTIONAL USE:**

(1) **NONPROFIT INSTITUTIONAL USES** - Those uses limited to churches, public or private schools covering kindergarten through Grade 12, hospitals for humans, libraries and uses by the municipal, state or federal government.

(2) **PROFIT-MAKING INSTITUTIONAL USES**- Those uses limited to sanatoriums and nursing homes.

**INTERESTED PARTY:**

(1) In a criminal or quasi-criminal proceeding, any citizen of the State of New York.

(2) In the case of a civil proceeding in any court or in an administrative proceeding before a municipal agency, any person, whether residing within or without the city, whose right to use, acquire or enjoy property is or may be affected by an action taken under this chapter or under any other law of

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this state or of the United States or has been denied, violated or infringed by an action or a failure to act under this chapter.

**JUNKYARD** - A place over two hundred (200) square feet in area where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumberyards and places or yards for used or salvaged house wrecking and structural steel materials and equipment, as distinguished from such uses when conducted entirely within a completely enclosed building and as distinguished from pawnshops and establishments for the sale, purchase or storage of used cars in operable condition, salvaged machinery, used furniture and household equipment and the processing of used, discarded or salvaged materials as part of manufacturing operations. One (1) or more motor vehicles not properly registered and inspected and licensed by the State of New York or not in operating condition for a period of over sixty (60) days shall be deemed to constitute a "junkyard."

**KENNEL** - Any establishment or building, including cages, dog runs and structures, wherein more than three (3) dogs or cats which are over six (6) months old are harbored, and such use shall be considered a business.

**LAUNDRY, COIN- OPERATED AND DRY CLEANER** -A business premises equipped with individual clothes washing and drying and/or cleaning machines for the principal use of retail customers.

**LIGHT INDUSTRIAL USE** - The assembly, manufacture, fabrication, processing, or other handling of products, the operation of which is conducted solely with a building or group of buildings, and which does not involve any of the following: (a) the outdoor storage of materials; (b) dissemination of noise, vibration, odor, dust, smoke, observable gas or fumes, or other observable atmospheric pollutants beyond the exterior walls of the building where the use is conducted; (c) the creation of airborne, liquid, or solid hazardous chemicals. A light industrial use may include food and beverage facilities, showrooms, retail sale that are incidental to promoting the sale of the product produced on the site.

**LIVESTOCK**- Farm animals kept for use, for propagation, or for intended profit or gain and without limiting the generality of the foregoing includes: dairy and beef cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, goats, geese, mink and rabbits.

**LODGER, BOARDER or ROOMER** - A person, other than a family member of a family occupying a part of any dwelling unit, who, for a consideration, is furnished living accommodations in such dwelling unit.

**LOT** - A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. The boundary line of the City of Plattsburgh shall be deemed the lot line of any parcel of ground abutting thereon.

**LOT AREA** - The total square unit content of any lot, as measured within the lot lines.

**LOT, CORNER** - A lot at the intersection of two (2) or more streets and which has an interior angle of less than one hundred thirty-five degrees (135°) at the intersection of two (2) street lines. A lot abutting

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upon a curved street shall be considered a "corner lot" if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of less than one hundred thirty-five degrees (135°).

**LOT DEPTH** - The mean distance between the front and rear property lines of any lot. If a lot shall not have parallel rear and front lines, the average of such depths taken perpendicular to the front street side line throughout the width of the lot shall constitute the average depth of the lot.

**LOT FRONTAGE** - The shortest distance between the intersection points of the side lines of a lot with the front street right-of-way line. In the case of corner lots, the frontage shall be measured along a straight line between the intersection point formed by the projection of two (2) street side lines and the intersection point of a side lot line with a front street right-of-way line. In the case of a lot running through from one street to another, the front of such lot shall, for the purpose of this chapter, be considered that frontage upon which the majority of the buildings in the same block fronts, but in case there has been no clearly defined frontage established, the owner may, when applying for a building permit, specify on his permit application which lot line shall be considered the front lot line.

**LOT, INTERIOR** - A lot other than a corner lot.

**LOT OF RECORD** - Any lot which has been established as such by plat, survey, record or deed prior to the date of this chapter, as shown on the records of the Clinton County Clerk's office.

**LOT, THROUGH** - An interior lot having frontages on two (2) parallel or approximately parallel streets.

**LOT WIDTH** - The shortest straight line distance between the two (2) side lines of any lot. If a lot shall not have parallel side lines, the average of such widths parallel to the front street side line throughout the depth of the lot shall constitute the average width of the lot.

**MOBILE HOME** - A structure capable of sustaining static and dynamic loading, which is constructed on a chassis assembly and designed for use without a foundation, but which may or may not be located on a foundation.

**MOBILE HOME PARK** - A tract of land which is used or intended to be used for the parking of ten (10) or more mobile homes.

**MOTEL**- A series of attached, semidetached or detached dwelling units (one- or two-story) containing bed-room, bathroom and closet space, where each unit has convenient access to a parking space for the use of the unit's occupants. The units, with the exception of the apartment of the manager or caretaker, are devoted to the use of automobile transients.

**NEIGHBORHOOD AND CONVENIENCE TYPE COMMERCIAL FACILITIES** - Small scale business, including both retail and personal service establishments, which meet frequently recurring needs of nearby residents and visitors to nearby public recreational facilities. Such facilities shall be limited to less than 1600 square feet of total floor area. These facilities include:

- 1, barber and beauty shops.
2. bicycle sales and repair shops



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3. candy, ice cream and confectionery shops
4. greeting card shops, retail
5. dairy products, retail
6. pastry and coffee shops
7. drugstores, retail
8. florists, retail
9. grocery, fruit, meat, and vegetable stores, retail
10. laundry or dry cleaning pickup stations
11. marine equipment sale shops
12. newspaper, magazine, book and stationary stores
13. shoe repair shops
14. video rental stores

**NONCONFORMING LOT** - A lot, the area, dimension or location of which was lawful prior to the adoption, revision or amendment of a Zoning Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**NONCONFORMING STRUCTURE** - A structure, the size, dimension or location of which was lawful prior to the adoption, revision or amendment of shall Zoning Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**NONCONFORMING USE** - A use or activity which was lawful prior to the adoption, revision or amendment of a Zoning Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**NURSERY SCHOOL or DAY-CARE FACILITY** - A school or facility designed or used to provide daytime care or instruction for four (4) or more children from infant to five (5) years of age, inclusive, and operated on a regular basis.

**NURSING HOME** - A building or group of buildings in which nursing care and medical services are prescribed by or performed under the general direction of persons licensed to practice medicine or surgery in the State of New York for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who do require skilled nursing care and related medical services.

**OCCUPANCY or OCCUPIED**- The residing of a person or persons in a dwelling unit overnight or the installation, storage or use of equipment, merchandise or machinery in any commercial, public & industrial building.

**OPEN SPACE**- The open unobstructed space from ground to sky at grade on a lot accessible by walking and which is suitable for and maintained as grass, flowers, trees, bushes and other landscaping and includes any surface walk, patio or other similar area but does not include driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

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**OVERLAY ZONING DISTRICT** – [added by Ordinance 9-14-95] An overlay zoning district is a particular geographic area where there is a specific concern that has been identified as an additional zoning requirement over and above the existing zoning designation. An overlay district may encompass more than one presently zoned district and the overlay district provides additional regulations for the land it includes. The zoning text will describe these additional regulations.

**OWNER** – Any individual, firm, association, syndicate, co partnership or corporation having sufficient proprietary interest in the land sought to be processed for development under this chapter.

**PARKING AREA** – An open area, other than a street or other public road or way, used for the parking of motor vehicles, including access drives or aisles for ingress and egress.

**PARKING MANEUVER AREA** – That portion of the parking area, exclusive of parking spaces, designed and used for the purpose of maneuvering vehicles into designated parking spaces.

**PARKING SPACE** – A rectangular space, either outdoors or enclosed within a structure, used for accommodation of off-street motor vehicle parking.

**PAVED AREA** – An area covered with impervious material, such as bituminous concrete, asphalt or concrete, of sufficient depth to support the anticipated load factor of the area in accordance with standard accepted engineering practice.

**PERSON** – Includes any person, individual, business entity, partnership, corporation, company, organization or legal entity of any kind or nature.

**PLAT**- The map or maps of a subdivision.

**PREMISES** – A lot, together with all the buildings and uses thereon.

**PRINCIPAL USE OR STRUCTURE** – A principal use" is the primary or predominant use of any lot. A "principal structure" is one devoted to the principal use.

**PRIVATE SWIMMING POOL** – Any artificially constructed basin or other structure designed to contain water for use by the possessor, his family or guests for swimming, diving and other aquatic sports and recreation, with the maximum depth of water in the structure greater than twenty four inches. The term "swimming pool" does not include any plastic canvas or rubber pool temporarily erected upon the ground without chlorination and/or filtration equipment. The term does include hot tubs and jacuzzis.

**PROFESSIONAL OFFICE** – An office principally occupied by a lawyer, engineer, architect, accountant, insurance agent, stock broker, financial planner real estate agent or similar occupant. [Added 3-1-84; effective 3/16/84]

**PUBLIC** – Owned, operated or controlled by a governmental agency (federal, state or local), including a corporation created by laws for the performance of certain specialized governmental functions, a public school district or service district.

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**PUBLIC UTILITY FACILITIES** – Telephone and electric lines, poles, equipment and structures and water or gas pipes, mains, valves or structures or sewer pipes, valves or structures maintained, operated and conducted for the service, convenience, necessity, health and welfare of the general public, whether owned by any arm or creature of the local, state federal government or by any privately owned public utility corporation.

**QUARRY, SAND PIT, GRAVEL PIT OR TOP SOIL STRIPPING** – A lot or land or part thereof used for the purpose of extracting stone; sand, gravel or soil for sale as an industrial operation and exclusive of the process of grading preparatory to the construction of a building or highway construction.

**RESIDENCE** – A structure or Portion of a structure set aside for the separate private occupancy of a family and containing necessary living, sleeping, dining, sanitary and kitchen facilities designed for the sole use of the family.

**SINGLE-FAMILY RESIDENCE** – A freestanding detached structure which contains a residence designed for an occupied by one (1) family as defined herein.

**TWO-FAMILY RESIDENCE** – A freestanding detached structure which contains residences separated by either horizontal floors or vertical walls, which are designed for and/or occupied by two (2) families as defined herein.

**THREE-FAMILY RESIDENCE** – A freestanding detached structure which contains residences separated by either horizontal floors or vertical walls, which are designed for and occupied by three (3) families as defined herein.

**MOBILE HOME RESIDENCE** – A vehicle or movable dwelling structure which is designed to be used as a residence as defined herein.

**MULTIFAMILY RESIDENCE** – A building designed for occupancy by four (4) or more families living independently of each other and containing four (4) or more residences or dwelling units separated by vertical walls or horizontal floors unconnected except for access to the outside, common areas or to a common cellar.

**TOWNHOUSE RESIDENCE** – A building designed for occupancy by four (4) or more families living independently of each other and containing four (4) or more residences or dwelling units separated by vertical walls, each with a separate access to the outside.

**SANITARIUM** – A private hospital, whether or not such a facility is operated for profit.

**SCHOOLS** – Public schools covering any or all grades, pre-kindergarten through Grade 12, and full-time private schools covering any or all grades, pre kindergarten through Grade 12, operated by charitable religious or eleemosynary organizations, which are attended to satisfy state mandated educational requirements.

**SETBACK LINE** – A line within the bounds of a lot parallel to a property line at a distance from the

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respective property line equaling the respective required front, rear or side yard.

**SHOPPING CENTER** – A group of buildings or separate shops, stores or offices on a single lot providing primarily retail services with supporting service and office establishments.

**SPECIFIED ANATOMICAL AREAS** – (a) Less than completely and opaquely covered: human genitals, pubic region, buttocks, female breast below a point immediately above the areola, or (b) human male genitals is a discernible turgid state.

**SPECIFIED SEXUAL ACTIVITIES** – (a) Human genitals in a state of sexual stimulation or arousal, or (b) acts of human masturbation, sexual intercourse or sodomy, or (c) fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

### **STORY:**

**FULL STORY** – That portion of a building included between the surface of any one floor, exclusive of any basement or cellar, and the surface of the floor next above it, or, if there is no floor above it, then that portion of the building included between the surface of any floor and the ceiling next above it, exclusive of any area between the horizontal plane of the eaves and the highest gable or slope of a hip or pitched roof.

**HALF STORY** – The habitable portion of a building which is a basement, as defined herein, and/or the area between the horizontal plane of the eaves and the highest gable or slope of a hip or pitched roof if the roof pitch exceeds five (5) on twelve (12).

**SPECIAL USE PERMIT:** "special use permit" shall mean an authorization of a particular land use which is permitted in a zoning ordinance or local law, subject to requirements imposed by such zoning ordinance or local law to assure that the proposed use is in harmony with such zoning ordinance or local law and will not adversely affect the neighborhood if such requirements are met.

**STREET-** Any street, avenue, boulevard, road, parkway, viaduct, drive or other way which is an existing state, county or municipal roadway or is shown upon a plat heretofore approved pursuant to law or is approved by official action as provided by this chapter or is shown on a upon a plat heretofore approved pursuant to law or is approved by official action as provided by this chapter or is shown on a plat duly filled and recorded in the office of the county recording officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street lines.

**PRIVATE STREET-** Any right-of-way designated on a site plan or subdivision plat as a route to be used for vehicular access to various locations of the site or subdivision, but not intended to be dedicated for public use.

**STREET SIDE LINE-** The outermost line of the whole area devoted to street purposes on either side thereof "street side line" is synonymous with "street right-of-way line."

**STRUCTURE-** A combination of materials to form a construction for occupancy, use or ornamentation,



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whether installed on, above or below the surface of a parcel of land, that is safe and stable and includes, among other things, parking areas, stadiums, gospel and circus tents, reviewing stands, platform staging, observation towers, radio and television towers, water tanks and towers, trestles, piers, wharves, sheds, storage bins, walls, fences and display signs. The word "structure" shall be construed as if followed by the words "or part thereof"

**SUBDIVISION** – The division of any parcel of land into two (2) or more lots or the re-subdivision of existing lots.

**THEATER** – A building or part of a building devoted to presenting entertainment on a paid admission basis.

**DRIVE-IN OUTDOOR THEATER**- Open land with its appurtenant facilities devoted to the showing of motion pictures to patrons in automobiles.

**TRAILER:**

**BOAT TRAILER**- A vehicle designed exclusively for the transportation of one (1) boat.

**CAMP OR TRAVEL TRAILER** – A vehicle or portable structure, not over two hundred fifty-six (256) square feet in floor area, equipped for but not regularly used for sleeping, but which may have sanitary facilities.

**CARGO TRAILER** – A vehicle, not over seventy (70) square feet in floor area, used for the hauling of cargo.

**CAR SALES LOT**- A lot where motor vehicles are stored for the purpose of sale or lease only.

**USE** – The specific purpose for which land or a building is designed, arranged or intended or for which it is or may be occupied or maintained. The term "permitted use" shall not be deemed to include any non conforming use.

**YARD** – An open, unoccupied space on the same lot with a building, situated between a lot line and the parts of the main building, exclusive of cornices and the uncovered porches, setting back from and nearest to such line.

**FRONT YARD**- A yard situated between the building and the street line, extending for the full width of the lot.

**REAR YARD** – A yard situated between the main building and the rear of the lot, extending for the full-width of the lot.

**REQUIRED YARD** – A yard, as defined herein, which is required by provisions of this chapter to be maintained as a "yard."

**SIDE YARD** – A yard situated between the building and the side line of the lot and extending through from the front yard of the lot to the rear yard or, where no front or rear yard is required, to the front or rear line of the lot

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**ARTICLE III  
Establishment of Districts**

**§270-5 Districts designated.**

For the purpose of this chapter, the City of Plattsburgh is hereby divided into the following classes of districts:

- RH Residential Historic
- R-1 Low-Density Residential
- R-2 General Residential
- B-1 General Business
- B-2 Highway Business
- C Central Business
- I Industrial
- OL-P Overlay District -- Parking
- OL-W Overlay district-Waterfront
- RC-1 Recreational and Related Uses
- RC-2 Recreational and Related Uses
- RC-3 Recreational and Related Uses

**§ 270-6. Zoning Map.**

The boundaries of these zoning districts are hereby established on a set of City Tax Maps entitled, "Zoning Maps of the City of Plattsburgh" which maps are kept on file and will be available for public viewing in the Building Inspector's office, and such maps are hereby declared to be a part of this chapter. For informational purposes, a zoning boundary map of the City of Plattsburgh, at an approximate scale of one (1) inch equals one thousand eight hundred (1,800) feet, has been prepared and is at the end of this chapter.

**§ 270-7. Interpretation of district boundaries.**

Unless shown to the contrary on the Zoning Maps, the boundary lines of districts are the center lines of streets and alleys or such lines extended, railroad right-of-way lines, the center lines of creeks and waterways, lot lines and the corporate limit line as it existed at the time of the enactment, of this chapter. Where a district boundary line, as appearing on the Zoning Maps, divides a lot or land in single ownership as existing at the time of enactment, the use of the lot shall be divided to conform to each zoning district as shown on the Zoning map.

**§ 270-8. Land uses limited to district regulations.**

Except as provided in this chapter, no building or part thereof or other structure shall be erected, altered, added to or enlarged nor shall any land, building, structure or premises be used, designed or intended to be used for any purpose other than as for the uses hereinafter listed as permitted, accessory and special uses established in the district in which such building, land or premises is located.

**§ 270-9. Classification of annexed lands.**

Any land hereafter annexed to or consolidated with the City of Plattsburgh shall be classified by an

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amendment to this chapter as part of the annexation or consolidation of such land.

**ARTICLE IV  
District Regulations**

**§ 270-10. Schedules.**

The restrictions and controls intended to regulate development in each district are set forth in the attached schedules, which are supplemented by other sections of this chapter.

**§ 270-11. Application.**

No building, structure or land shall hereafter be used and no building, structure or part thereof shall be erected, moved or altered unless for a use expressly permitted by and in conformity with the regulations herein specified to the district in which it is located, except as hereinafter provided.

**§ 270-12. General regulations.**

- A. Building and structure height. No building or structure shall hereafter be erected or altered to exceed, in height, the limit designated for the district in which it is located.<sup>4</sup>
- B. Space and area regulations. No building or structure shall be hereinafter erected, nor shall any existing building or structure be altered, enlarged or moved, nor shall any lot, yard, lot width, open space, loading or parking space required in relation to any building or structure or use be encroached upon or reduced in any manner not in conformity with the lot area, lot area per family, lot coverage, open space and building bulk regulations, yard requirements and other space and area regulations designated herein for the district in which it is located unless such reduction is by a duly constituted public authority for a public purpose.
- C. Required yard restriction. No part of a yard or other open space required appurtenant to any building or use shall be included as a part of a yard or other open space required for any other building on any other lot.
- D. Use of yards. Yards, as required herein, shall not be used for the storage of merchandise, equipment, building materials, junk, vehicles, vehicle parts or any other material or for signs except as specific provision is made therefore.
- E. The maintenance of livestock is specifically prohibited in the City of Plattsburgh.
- F. Solar energy systems. Solar energy systems are permitted in all zoning districts on the sites as an accessory use.

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<sup>4</sup> Editor's Note: Schedules regulating permitted uses in all districts, area and bulk controls and formulas for calculating area and bulk controls are included as Schedules I through III, respectively, at the end of this chapter.

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**ARTICLE V**

**(a) Supplementary Regulations**

**§ 270-13. Lot requirements.**

- A. Existing lots of record. A structure may be constructed on any lot lawfully established prior to adoption of this chapter if said lot is less than the minimum area required for building lots in the district in which it is located, provided that the following conditions exist or are met:
1. Availability of adjacent vacant land. No structure shall be erected on any nonconforming lot if the owner of said lot owns any adjoining vacant land which would create a conforming lot if said vacant land were combined with the deficient lot.
  2. Side yards. The width of a side yard and total side yards, when required, may be reduced in the same proportion as the actual lot width ratio is to the required lot width; provided, however, that no structure shall be constructed on a non-conforming lot unless it shall have a minimum side yard of five (5) feet and total of fifteen (15) feet.
  3. Front and rear yards. No structure shall be constructed on a non-conforming lot unless it shall have front and rear yards conforming to the minimums required for the district in which said lot is located, except as said lot may meet the conditions set forth below in § 270-15C of this chapter.
  4. Lot width. The minimum lot width of any lot shall be measured along the minimum building setback line, as required for the district in which it is located.
  5. Corner lots. At all street intersections, no obstruction to vision, other than an existing building, post, column, tree or hedges, exceeding thirty (30) inches in height above the established grade of the street at the property line shall be erected or maintained on any lot within the triangle formed by the street lot lines of such lot and a line drawn between the points along such street lot lines thirty (30) feet distant from their points of intersection.
  6. Through lots. In the case of a lot running through from one street to another, the front of such lot shall, for the purposes of this chapter, be considered that frontage upon which the majority of the buildings in the same block front, but in case there has been no clearly defined frontage established, the owner may, when applying for a building permit, specify on the permit application which lot line shall be considered the front line. The rear portion of such a lot shall, however, be treated as a lot front for the purposes of determining required setbacks and locations of permitted structures and uses so as not to detract from the aesthetic quality of the second street frontage.
  7. Reduction of required area or space. The area or dimension of any lot, yard, parking area or other space shall not be reduced to less than the minimum required by this chapter, except as provided in this chapter, and if already less than the minimum required by this chapter, said area or dimension may be continued but shall not be further reduced.

**§ 270-14. Height requirements.**

A. General application. No building or structure shall have a greater number of stories nor have an aggregate height of a greater number of feet than is permitted in the district in which such building or structure is located, except as noted elsewhere in this chapter.

B. Exceptions. District building height regulations shall not apply to flagpoles, radio or television antennas, transmission towers or cables, spires or cupolas, chimneys, elevator or stair bulkheads,



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penthouses, parapets or railings, water tanks or cooling towers or any similar structures, provided that such structures:

1. In their aggregate coverage occupy no more than ten percent (10%) of the roof area of the building.
2. Are not more than twelve (12) feet above the highest point in the roofline of the principal structure.
3. Which exceed the height regulations, are located on the roof of the principal structure.

**§ 270-15. Yard requirements.**

Every part of a required yard must be open to the sky and unobstructed, except for accessory buildings in the rear or side yard and except for the ordinary projection of uncovered porches, balconies, steps, sills, belt courses, cornices and/or ornamental features, not to exceed four (4) inches.

A. Side yards. Where the side wall of a building is not parallel to the side lot line or the side lot line is broken or otherwise irregular, the side yard may be varied. In such case, the average width of the side yard shall not be less than the otherwise required minimum width; provided, how-ever, that such yard shall not be narrower at any one point than one-half (1/2) the otherwise required minimum width.

B. Corner lots. Any corner lot, as defined herein, shall have a setback equal to the required front yard from any street right-of-way. The side yard of a corner lot may be determined by the owner if there are no conflicting adjacent uses, and provided that the Building Inspector concurs in the selection.

C. Front yard exception. When a vacant lot is situated between two (2) improved lots, each having a principal building within twenty-five (25) feet of any side lot line of such unimproved lot, the required front yard may be reduced to yards of the two (2) adjoining improved lots, but shall not be less than ten (10) feet. However, where such lot fronts on a right-of-way proposed to be widened, as shown on the Official Map of the City of Plattsburgh, the front yard shall be as required for the district in which the lot is located and shall be measured from the proposed future right-of-way.

D. Existing roofed porches. Existing roofed porches which project into the required yards may be enclosed.

E. Projections into required yards. The following projections into required yards may be permitted:

1. Open fire escapes may project six (6) feet into side or rear yards.
2. Awnings or movable canopies may project six (6) feet into any yard.
3. Cornices or eaves may project three (3) feet into any yard.
4. Chimneys

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5. Uncovered steps and porches at ground floor level may project into any yard not to exceed the following:

- a. The width of the porch and/or steps may not exceed the lesser of eight (8) feet or one-fourth (1/4) the width of the wall upon which it is located.
- b. The depth of the porch may not exceed the lesser of six (6) feet or one-fifth (1/5) the width of the wall upon which it is located.
- c. The depth of step treads shall not exceed one (1) foot.

6. Handicap access ramps are permitted at the discretion of the building inspector for as long as they are needed by the owner or tenant.

**F. Transition yard requirements.**

1. Where a residence district abuts a non-residence district on a street line, there shall be provided in the non-residence district, for a distance of thirty-five (35) feet from the district boundary line, a front yard at least equal in depth to that required in the residence district.
2. Where the side or rear yard in a residence district abuts a side yard in a non-residence district, there shall be provided along such abutting line or lines a side or rear yard at least equal in depth to that required in the residence district. In no case, however, shall the abutting rear yard be less than twenty-five (25) feet.

**§ 270-16. Building coverage and open space requirements.**

A. The maximum percentage of land coverage by principal and accessory buildings or structures, including covered patios and carports, on each zone lot shall not be greater than is permitted in the district where such principal and accessory buildings are located.

B. The minimum percentage of land dedicated to open space on each zone lot shall not be less than is required in the district in which such lot is located. In calculating open space, the following criteria shall apply:

- (1) Areas used and/or paved as parking area(s), as defined herein, shall not be included as open space.
- (2) Areas covered by buildings or structures or their projections, except projections specifically permitted elsewhere in this chapter, shall not be included as open space.
- (3) Areas paved or otherwise covered and used as uncovered patios, swimming pools, tennis

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courts or similar recreation-oriented uses may be included as open space, provided that such uses do not comprise more than one-third (1/3) of the required open space.

**§ 270-17. Number of buildings and dwelling units restricted.**

- A. There shall be not more than one (1) principal use structure nor more than two (2) accessory use structures, of which no more than one (1) shall be a private garage, on each lot intended or used for purposes permitted in the zone in which it is located, except as provided in § 270-20 (planned unit development) of this chapter.
- B. There shall be not more than twenty-four (24) dwelling units on each lot where permitted in a zoning district, except as provided in § 270-20 of this chapter.

**§ 270-18. Accessory structures.**

- A. Unattached accessory structures in R-1, R-2 and R-H Districts. Accessory structures which are not attached to a principal structure may be erected in accordance with the following requirements:
- (1) An accessory building shall not exceed twelve (12) feet in average height and shall be located in the rear yard only.
  - (2) No accessory structure shall be located within five (5) feet of side or rear lot lines.
  - (3) For corner lots, the setback from all streets shall be the same for accessory buildings as for principal building
- B. Attached accessory structures in R-1, R-2, RH Districts. When an accessory structure is attached to the principal building, it shall comply in all respects with the yard requirements of this chapter applicable to the principal building.
- C. Accessory structures in other than R-1, R-2, RH Districts. Accessory structures shall comply with front, side and rear yard requirements for the principal structure to which they are accessory.

**§ 270-19. Landscaping and fencing requirements.**

- A. Enclosed uses. Any enclosed use as may be required by this chapter to be landscaped in accordance with this subsection shall provide a fence, screen or landscaping sufficient to obscure such uses from view from abutting properties lying in R-1, R-2, RH Districts or from public rights-of-way.
- B. Unenclosed uses. Any use which is not conducted within a completely enclosed building, including but not limited to junkyards, storage yards and lumber- and building materials yards, and which use is in, abuts or is adjacent to an R-1, R-2, RH District or fronts on a public right-of-way shall be obscured from view from such R-1, R-2, RH Districts and public rights-of-way in an effective manner. This subsection shall not apply to nurseries and the display for sales purposes of new or used cars, trucks, trailers, boats, bicycles, motorcycles or farm equipment, except that such uses shall be obscured from R-1, R-2, RH Districts not separated from such use by a public right-of-way.

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C. Approval by the Planning Board. Plans and site design for the installation of required fences or landscaping shall be reviewed by the Planning Board prior to issuance of a building permit for such uses as are required by this chapter to be provided with such fences or landscaping.

D. Maintenance. Any fencing or landscaping installed in accordance with this section shall be maintained in good order to achieve the objectives of this section. Failure to maintain fencing or to replace dead or diseased landscaping shall be considered a violation of this chapter.

**§ 270-20. Planned unit developments.**

1. Definitions. As used in this section: "Planned Unit Development" shall mean a subdivision plat or plats, approved pursuant to City Code Chapter 236, in which the minimum lot size requirements, minimum yard requirements, and minimum open space requirements as specified in Schedule II of the Chapter 270 of the City Code, and any amendments thereto, may be varied to provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks, and landscaping in order to preserve the natural and scenic qualities of open lands.

2. Purpose. The purpose of a Planned Unit Development shall be to enable and encourage flexibility of design and development of land in such a manner as to preserve the natural and scenic qualities of open lands.

3. Grant of Authority and General Conditions

(a) This procedure may be followed at the discretion of the planning board if, in said board's judgment, its application would benefit the city.

(b) A Planned Unit Development shall result in a permitted number of building lots or dwelling units which shall in no case exceed the number which could be permitted, in the planning board's judgment, if the land were subdivided into lots conforming to the minimum lot size and density requirements of Chapter 270 applicable to the district or districts in which such land is situated and conforming to all other applicable requirements. Provided, however, that where the plat falls within two or more contiguous districts, the planning board may approve a Planned Unit Development representing the cumulative density as derived from the summing of all units allowed in all such districts, and may authorize any actual construction to take place in all or any portion of one or more of such districts.

(c) The planning board as a condition of plat approval may establish such conditions on the ownership, use, and maintenance of such open lands shown on the plat as it deems necessary to assure the preservation of the natural and scenic qualities of such open lands. The Planning board shall consider the goals, objectives and recommendations contained in the City of Plattsburgh Comprehensive Plan, the City of Plattsburgh Local Waterfront Revitalization Plan, and the Re-Use Plan for the former Plattsburgh Air Force Base before approving such plat.



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- (d) The minimum percentage of open space contained in the entire PUD shall be the minimum percentage required by Schedule II for the zoning district in which the PUD is located. In calculating the area of required open space, Section 270-16, part B of the Zoning Code shall apply. In addition, any land below the low water mark in Lake Champlain, as determined from the year prior to that in which the PUD is proposed, shall not be considered as open space for purposes of the calculations.
- (e) The plat showing such Planned Unit Development may include areas within which structures may be located, the height and spacing of buildings, open spaces and their landscaping, off-street open and enclosed parking spaces, streets, driveways, and any other features required by the planning board. In the case of a residential plat or plats, the dwelling units permitted may be, at the discretion of the planning board, in detached, semi-detached, attached, or multi-story structures.
- (f) Planned Unit Developments are permitted in all zoning districts except RH.
- (g) A Planned Unit Development may include any mixture of uses, permitted as of right or by special use permit that are permitted within the zoning district.
- (h) In reviewing and approving all plans, the Planning Board, in addition to the standards set forth herein, may utilize the standards of the subdivision and site plan review requirements, as well as the opinions of the City Engineer, other department heads and city consultants.
- (i) No tract, parcel or lot or tracts, parcels or lots shall be developed as a planned unit development unless it shall contain an area of adjoining and contiguous land as specified in the following table and shall contain sufficient access to the public road system as designated on the Official Map of the City of Plattsburgh, as amended. For the purpose of this section, internal streets, roads and rights-of-way shall not be deemed to divide acreage of a planned unit development. Development of planned unit developments shall contain an area of adjoining and contiguous land as follows:

**Zone District Minimum land Area  
(square feet)**

R-1	5 acres
R-2	5 acres
B-1	5 acres
B-2	5 acres
C	5 acres
I	5 acres
RC-1	5 acres
RC-2	5 acres
RC-3	10 acres

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4. Guidelines for Review and Approval of Planned Unit Developments.

The Planning Board shall consider the following guidelines in reviewing and approving Planned Unit Developments. Notwithstanding the use of the word "shall", the Planning Board may vary the requirements of the guidelines upon a showing that standards for obtaining an area variance have been met.

A. Boundary line and internal street setback requirements.

(1) Boundary line setback requirements. All buildings, structures and uses shall be set back no less than as required for front yard setback in Schedule II from all external streets.<sup>5</sup>

(2) Internal street setback requirements. All buildings and structures for principal or accessory nonresidential uses shall be set back no less than twenty-five (25) feet from any public or private street within a planned unit development.

B. Building height. No building or structure shall have a height greater than as provided in this chapter.

C. Distance between buildings. The minimum distance between any two (2) buildings, other than buildings containing common walls, shall be not less than as computed under the following formula

$$S = \frac{LA + LB + 2(HA + HB)}{6}$$

Where S = Required minimum horizontal distance between any wall of Building A at any given level and any wall of building B at any given level or the vertical prolongation of either.

LA = Total length of Building A. Building A shall be that structure which is of equal or greater length of the two (2) buildings selected.

LB = Length of Building B.

HA = Height of Building A. The height of Building A is the average height above the finished grade of the structure.

HB = Height of Building B.

D. Land use density. The land use density and minimum lot size requirements set forth in this Chapter for the district in which the planned unit development is located shall apply. However, land use density calculations shall be based on the overall development, without regard to or requirement for division of the site.

E. Open space.

<sup>5</sup> Editor's Note: Schedule II, providing area and bulk controls for all districts, is included at the end of this chapter.

(1, 21)

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- (1) Required percentage of site. The percentage of the site dedicated to open space shall be equal to the requirements set forth in this Chapter for the district in which the planned unit development is located. In the case of multiple uses located in a single planned unit development, the floor area ratios of the various uses will be calculated to determine an average open space percentage, which shall be applied to the site.
  - (2) Computation. Any required open space may include common recreation areas and required buffer areas for computation purposes.
  - (3) Modification. The Planning Board, at its discretion, shall have the right to reduce the required minimum area of open space if the following conditions are met: if one (1) or more tracts, parcels or lots are required to be dedicated for public use or public purpose, including but not limited to schools, fire stations, police facilities, libraries or other similar municipal uses, but not including utility, sewer or storm water drainage easements, water or sewer improvements, roadways or any other recreational facilities or other similar dedication required by this—chapter.
- (a) Circulation and off-street parking requirements. In a planned unit development, off-street parking facilities shall be provided in accordance with the following requirements
- (1) Size of parking spaces and aisles. The size of off-street parking spaces and aisles shall conform to the provisions of § 270-25 of this chapter.
  - (2) Number of parking spaces required. The number of off-street parking spaces required shall be as set forth in § 270-25 of this chapter.
  - (3) Access. There shall be adequate provision for ingress and egress to all parking spaces. Access drives or driveways shall be no less than twelve (12) feet wide for ingress or egress and twenty-four (24) feet wide for both ingress and egress, except that for single- or two-family dwellings, access drives or driveways shall be not less than ten (10) feet wide for both ingress and egress. No driveway or access drive shall be closer than fifty (50) feet to the point of intersection of the street lines of any two (2) intersecting streets.
  - (4) Location. All off-street parking or loading areas for uses other than single-family detached dwellings shall meet the minimum setback requirements.
  - (5) Mixed or multiple uses. In the case of mixed or multiple uses within a single structure or building or in the use of land, the amount of off-street parking required shall be determined by the sum of the requirements of the various uses computed separately in accordance with § 270-25 of this chapter, except where the applicant can demonstrate to the satisfaction of the Planning Board that another method of computation will adequately serve the proposed mixed or multiple use.
- F. Off-street loading requirements. In any planned unit development, off-street loading berths shall be provided and maintained on the same site with such building in accordance with the requirements of § 270-25 of this chapter.
- G. Streets.
- (1) The right-of-way and pavement widths of all internal streets, roads and vehicular traveled ways shall be determined from sound planning and engineering standards in conformity with

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the estimated needs of the full proposed development and the traffic to be generated thereby. They shall be adequate in size, location and design to accommodate the maximum traffic, parking and loading needs and the access of fire fighting and police vehicles. All streets and roads, either dedicated public streets or privately owned and maintained or any combination thereof, shall be subject to all city ordinances and regulations, as well as the laws of the State of New York with regard to construction.

- (2) The Planning Board shall be guided by the following criteria of street grades, but shall have the authority to modify same where exceptional circumstances warrant:
  - a) Six percent (6%) for major and arterial streets.
  - b) Ten percent (10%) for collector and local streets.
- (3) Exceptions to these limitations shall be made after review and written approval by the City Engineer.
- (4) When deemed necessary by the Planning Board, the landowner shall provide a continuous street circulation system with adjoining land areas.
- (5) The proposed street system shall conform to the proposals and conditions shown on the Official Zoning Map and Comprehensive Plan, except as may be modified by the Planning Board or governing body, as provided by law.

H. Other improvements.

- (1) All utility improvements, including storm drainage systems, sanitary sewage collection and disposal and water supply systems, shall be in accordance with the standards and procedures as established by other local, county and state regulations. Said improvements shall be subject to review and approval by the City Engineer and city boards, as well as appropriate county and state agencies.
- (2) Utility service. Utility service shall be provided by the developer in concert with the appropriate public utilities providing such service. Said service shall be provided as a part of an underground system. If such facilities cannot be reasonably provided due to topography or geologic condition of the land or due to technological circumstances and if the landowner shall adequately demonstrate the lack of feasibility of such an undertaking to the satisfaction of the Planning Board, a waiver of this requirement may be granted by the Planning Board.
- (3) Street improvements. Monuments, street names and other traffic control devices, shade trees, streetlights, sidewalks, curbs, fire hydrants and all aspects of street construction, as well as other improvements, shall be subject to local regulations and City Engineer approval.
  - (a) Consistency with approved land use plans. When reviewing PUD's and site plans for proposals located within the former Plattsburgh Air Force Base and/ or within the OL-W (Waterfront Overlay District), the Planning Board shall require consistency to the maximum extent practicable



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with the City of Plattsburgh Comprehensive Plan, City of Plattsburgh Local Waterfront Revitalization Plan and any approved or accepted base reuse plans. Open space and recreation areas on said plans shall be conserved as open space to the maximum extent practicable

4. Notice and public hearing. The proposed Planned Unit Development shall be subject to review at a public hearing or hearings held pursuant to City Code Chapter 236 for the approval of plats.
5. Filing of plat. On the filing of the plat in the office of the county clerk or register, a copy shall be filed with the city clerk, who shall make appropriate notations and references thereto on the city zoning map.

**§ 270-21. Additional lot regulations.**

A. Stripping of topsoil. No person, firm, corporation or governmental agency shall strip, excavate or otherwise remove topsoil for sale or for use other than on the premises from which the same shall be taken, except in connection with the construction or alteration of a building on such premises and excavation or grading incidental thereto.

B. Excavating, filling. No re-grading or similar operations shall commence on any lot unless in conjunction with construction on the premises for which a building permit has been duly issued or unless a detailed plan for the proposed operation indicating existing natural topography and proposed topography and incorporating all necessary drainage features has been submitted to the Building Inspector and a building permit for the operation has been issued.

C. Garage sales. A garage, porch, lawn, yard or similar sale shall be permitted on all residential lots for a maximum of two (2) sale events per calendar year, with a duration of not more than four (4) days per event.

D. Except as permitted as part of an approved subdivision or planned unit development, no driveway or private street shall be constructed on any lot that connects two streets, or that provides access to a lot not owned by the owner of the lot where the driveway or private street enters a City street. Except as permitted by ordinance of the Common Council, no driveway or private street shall be approved as part of a subdivision, planned unit development or otherwise if the City Engineer finds that the maximum allowed development of all lots likely to be served by the proposed driveway or private street may result in more than a twenty five percent increase in traffic flow on any City street located in a R-1 or R-2 or RH district. The provisions of this subsection may not be varied by the zoning Board of Appeals, but may be varied, waived or modified by ordinance by the Common Council.  
[added by Ordinance 9-30-93.]

**§270-22. Amusement uses.**

A. Amusement center, bowling alley and similar places of amusement

(1) Such uses shall be conducted entirely within an enclosed structure.

(2) Off-street parking areas shall be screened from adjoining residential properties in accordance with Sec

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270-19 of this chapter.

- (3) A principal structure shall be not less than twenty (20) feet from any property line.
- (4) There shall be no offensive noise or vibration.
- (5) No bowling alley, skateboard facility or roller-skate or roller blade rink shall be maintained or operated within three hundred (300) feet of an entrance or exit of a public or private school, public library, church, hospital, children's home or homes for the aged and other similar public or semipublic institutions.

**B. Commercial outdoor recreational facilities.**

- (1) Such uses include golf courses, ice-skating rinks, amusement parks, beach swimming facilities, swimming pools, tennis courts and similar facilities.
- (2) In any district where permitted, no building shall be located within fifty (50) feet of any property line;
- (3) In any district where permitted, there may be permitted retail sales which are clearly secondary to the principal use.
- (4) Unenclosed recreational facilities shall be located not less than twenty-five (25) feet from any property line, except where greater distances are otherwise required herein, and shall be effectively screened from adjoining residential uses in accordance with the provisions of Sec 270-19 of this chapter.
- (5) Illuminated signs and other lights shall be directed away or shielded from adjoining residential properties in such a way as not to disturb the occupants thereof.
- (6) No public address system shall be permitted, except where such system is inaudible at any property line.
- (7) All commercial outdoor recreational facilities shall not occupy a lot or parcel of less than twenty thousand (20,000) square feet, and such lot or parcel shall not be less than one hundred twenty (120) feet in width nor less than one hundred fifty (150) feet in depth.
- (8) All commercial outdoor recreational facilities shall provide suitable off-street parking facilities in accordance with § 270-25 of this chapter.

**C. Private swimming pools.** Such uses shall include permanent and portable swimming pools and hot tubs, as defined herein, and such swimming pools shall be accessory to a principal use and shall be regulated as follows:

- (1) Such use may be erected or constructed only on the same lot as the principal structure.
- (2) Such use may be erected or constructed only in the rear yard of such structure, and the waterline shall be distant not less than ten (10) feet from the rear lot line nor less than five (5) feet from any side yard, principal structure or accessory structure attached thereto.
- (3) Such use shall be fully enclosed by a secure fence not less than four (4) feet in height.

**D. Adult use or entertainment establishments.**

- (1) No adult use and entertainment establishment, shall be located (a) within 500 feet of the boundary of any residential zoning district, or (b) within 500 feet of the property line of any pre-existing residential property, church, synagogue, mosque or other place of worship, school, day-care facility, park, or playground, (c) within 200 feet of the center line of the NYS routes 3, 9, and 22.
- (2) The adult use shall be conducted entirely within an enclosed building. No "specified anatomical area" or "specified sexual activity" (as defined herein) shall be visible at any time from outside the building. This requirement shall also apply to any sign of display.

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(3) No outside displays or advertising other than an approved sign shall be permitted.

(4) Such use will be allowed only by a "special use permit."

(a) Definitions. The following terms, as used in this section, have the following meanings:

**SPECIFIED ANATOMICAL AREAS:** (a) Less than completely and opaquely covered: human genitals, pubic region, buttocks, female breast below a point immediately above the areola, or (b) human male genitals is a discernable turgid state, even if completely and opaquely covered.

**SPECIFIED SEXUAL ACTIVITIES:** (a) Human genitals in a state of sexual stimulation or arousal, or (b) acts of human masturbation, sexual intercourse or sodomy, or (c) fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

**§ 270-23. Community facilities.**

**A. Public utilities services.**

(1) Enclosed essential services; permanent structures. Such uses shall include electric substations, transformers, switches and auxiliary apparatus serving a distribution area and water pumping stations in R Districts and shall be subject to the following regulations:

- a) Such facility shall not be located on a residential street, unless no other site is available, and shall be so located as to draw a minimum of vehicular traffic to and through such streets.
- b) The location, design and operation of such facility shall not adversely affect the character of the surrounding residential area.
- c) Adequate fences, barriers and other safety devices shall be provided and shall be landscaped in accordance with the provisions of § 270-19 of this chapter.
- d) Noise emitted from electric substations shall be kept at a minimum.

(2) Open essential services. Such uses shall be limited to the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems; collection, communications, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment; and accessories in connection therewith which is reasonable and necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings, and, where applicable, the landscaping regulations of § 270-19 of this chapter shall apply.

**B. Fire stations and police stations. Such facilities shall be permitted in all R Districts, provided that:**

- (1) Such facility is necessary to serve the surrounding residential area where it is not possible to serve such area from a facility located in B-1 Districts or less restrictive districts. [Amended 3-1-84<sup>6</sup>]
- (2) Such facility shall not be located on a residential street, unless no other site is available, and shall be so located as to draw a minimum of vehicular traffic to and through such streets.

**C. Hospitals, institutions, philanthropic uses, sanatoriums and nursing and convalescent homes.**

- (1) No building or structure or group of buildings or structures shall occupy a lot area of less than four (4) acres. No building or structure shall be located closer than thirty (30) feet from any front lot line

<sup>6</sup> Editor's Note: This ordinance further provided that it shall become effective 3-16-84 November 15, 2001

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and fifty (50) feet from any side or rear lot line. Hospital facilities of fifty (50) beds or less shall comply with all regulations of this subsection, except that a minimum lot area of two (2) acres is required.

- (2) Off-street parking requirements shall be in conformance with the standards established in § 270-25 of this chapter.

D. Nursery schools and day-care facilities. Such use shall be subject to the following minimum requirements:

- (1) There shall be a minimum lot size of twenty thousand (20,000) square feet, with an additional one thousand (1,000) square feet of lot area for each child cared for or enrolled in excess of five (5).
- (2) There shall be provided one hundred (100) square feet of outdoor play area for each child.
- (3) The use shall be screened in accordance with § 270-19 of this chapter.
- (4) One (1) parking space shall be provided for each one hundred (100) square feet of gross floor area.

**§ 270-24. Retail and manufacturing regulations.**

A. Drive-in business. Such businesses, where persons are served in automobiles, shall be not closer than two hundred (200) feet to an R District and shall be located on a public street having a pavement width of not less than thirty-six (36) feet and shall provide ingress and egress so as to minimize traffic congestion. The number and location of curb cuts shall be subject to the review and approval of the Police Department.

B. Automobile washing establishments. In addition to meeting the minimum yard and lot coverage requirements, these establishments shall be subject to the following regulations:

- (1) Such establishments shall not be closer than two hundred (200) feet to an R District.
- (2) Such establishments shall be located on a public street having a pavement width of not less than thirty-six (36) feet and shall provide ingress and egress so as to minimize traffic congestion.
- (3) Such establishments, in addition to meeting the standard off-street parking and loading requirements of § 270-25 of this chapter, shall provide at least fifteen (15) off-street automobile waiting spaces on the lot in the moving lane to the automobile washing building entrance so as to reduce the number of waiting automobiles in the public street.

C. Automobile service and repair establishments. In any district where permitted, automobile service stations and repair garages shall conform to the following:

- (1) All repair work and storage shall be within a completely enclosed building, with no openings in the side or rear walls less than fifteen (15) feet from any lot line.
- (2) No access drive shall be within a radius of two hundred (200) feet of a school, public library, theater, church or other public gathering place, park, playground or fire station.
- (3) Service stations shall be permitted only on lots of ten thousand (10,000) square feet or more, with a minimum frontage of one hundred (100) feet. Gasoline pumps and other such facilities shall be located at least twenty (20) feet from a street right-of-way line and twenty (20) feet from any side or



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rear lot line.

**D. Industrial districts.**

- (1) The following uses, new or expanded, shall not be located closer than two hundred (200) feet to any business district nor three hundred (300) feet to any residence district:
  - a) Building material processing.
  - b) Processing of animal matter.
  - c) Furnaces and forges. [Amended 3-1-84<sup>7</sup>]
  - d) Heavy fabricating machinery. [Amended 3-1-84<sup>8</sup>]
  - e) Milling or processing of flour, feed or grain.
  - f) Petroleum processing or storage. [Amended 3-1-84<sup>9</sup>]
- (2) Contractors' Yard- A yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein. A contractor's yard shall be located at least one hundred (100) feet from a district boundary and shall be completely screened and enclosed by a six-foot fence.
- (3) Where an industrial district abuts any residence district or a recreation-commercial district, a landscaped area, at least twenty (20) feet in width, shall be provided along any such district boundary. Such area shall be screened from adjoining properties in accordance with the provisions of § 270-19 of this chapter.

**E. Excavation for extractive operations and soil mining.**

- (1) Any excavation operation shall not adversely affect the drainage or structural safety of adjoining lots and buildings or contribute to soil erosion by wind or water. Open excavations deeper than ten (10) feet or having a slope greater than thirty degrees (30<sup>o</sup>) from the horizontal shall be surrounded by a fence at least six (6) feet high and no closer than fifty (50) feet to the edge of the excavation or other hazardous condition. The slope of a pile of any material excavated shall not exceed its normal angle of repose. No excavation shall take place nor shall any mechanical equipment be stationed or supplies or excavated material stored any closer than one hundred (100) feet to the lot line of the lot being excavated.
- (2) Before excavation starts, plans indicating the extent of planned excavation and proposed site rehabilitation after excavation ceases shall be submitted to the Building Inspector and a performance bond posted with the City Clerk in an amount equal to the estimated cost of rehabilitation as determined by the Building Inspector. Such performance bond shall be released after the Building Inspector certifies that rehabilitation has been completed.

**§ 270-25. Off-street parking and loading regulations.**

<sup>7</sup> Editor's Note: This ordinance further provided that it shall become effective 3-16-84

<sup>8</sup> Editor's Note: This ordinance further provided that it shall become effective 3-16-84.

<sup>9</sup> Editor's Note: This ordinance further provided that it shall become effective 3-16-84

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In all districts, off-street automobile parking spaces and truck loading areas for the various permitted uses shall be required at the time any of the main buildings or structures of such uses are constructed, moved or altered.

A. Off-street parking requirements.

1. Required off-street automobile parking spaces. The minimum cumulative number of spaces shall be determined by the amount of dwelling units, guest rooms, floor area, members, equipment, employees and/or seats contained in such new or moved buildings or structures or added by such alteration of buildings or structures, and such minimum number of spaces shall be maintained thereafter. The occupancy rating of a structure shall be determined by the Building Inspector in accordance with the density requirements of the 1-1-63 City of Plattsburgh Housing Code.
2. The number of off street parking spaces required for uses is set forth in the following table. When a proposed use is not listed, the Building Inspector shall base his determination of the parking requirement on the most analogous use.

USE	PARKING SPACES	MEASUREMENT UNIT
ALL OFFICE USES	1	250 sf.
PRIVATE RECREATION FACILITIES	2	each, lane, court, or similar facility
DANCE HALLS AND SKATING FACILITIES	1	each 50 sf of dance or skating area + parking required as specified herein for other uses
EATING AND DRINKING ESTABLISHMENTS	1 1	per 50 sf. customer area per 250 sf. other area
ELEMENTARY SCHOOLS	2	per classroom
HIGH SCHOOLS AND COLLEGES	5	per classroom
FUNERAL HOMES	1 1	per 50 sf. reception per 4 auditorium seats
HOME OCCUPATIONS	# required for residential occupancy plus 1 space	
HOSPITALS	1 1	per 2 beds per 300 sf of other space

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HOTELS AND MOTELS, LODGING AND BED AND BREAKFAST	1	per rental unit
INDUSTRIAL OPERATIONS	1	per 400 sf.
INDUSTRIAL STORAGE	1	per 2000 sf.
LIBRARIES	1	per 200 sf.
MOBILE HOME PARKS	1	per mobile home unit
LICENSED NURSING HOMES AND GROUP RESIDENCES	1	per 500 sf.
MUSEUMS	1	per 500 sf.
OUTDOOR STORAGE AND VEHICLE SALES OR RENTAL LOTS	1	per 3,000 sf. of lot area
AUDITORIUMS, THEATERS, STADIUMS, MEETING HALLS	1	per 4 seats of maximum seating capacity
USE	PARKING SPACES	MEASUREMENT UNIT
RETAIL SALES, SERVICE, BANKS AND GOVERNMENT BUILDINGS	1	per 250 sf. open to public + spaces required as provided elsewhere for areas not open to public
Residential Dwellings	# spaces	
SINGLE FAMILY HOME TWO FAMILY HOMES, TOWNHOUSES AND CONDOMINIUMS	1 +	per dwelling unit; plus one (1) additional space for each adult member of a family over two.

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THREE FAMILY AND MULTI-FAMILY DWELLINGS	2	per dwelling unit for the first 10 units; + per dwelling unit over 10 units + one (1) additional space per dwelling unit for each adult occupying the unit over two.
	1.75	

**B. OVERLAY PARKING DISTRICT(s).**

- a. Two overlay parking districts are hereby established to provide parking for lots within such districts that are of insufficient size to provide on site parking. Such districts are designated as:
  - i. OLP-1 which is located in the Downtown area of the City. See zoning maps annexed.
  - ii. OLP-2 which is located on the Old Base part of the former Plattsburgh Air Force Base. See zoning maps annexed.
- b. The underlying zoning district parking requirement applies to lots located within an Overlay Parking District. The parking requirement of the underlying district may be satisfied by public parking upon a determination by the Building Inspector, or the Zoning Board of Appeals, that:
  - a. The land and building, when constructed or occupied, will be subject to the parking district special assessment, or the lot owner has agreed to make a payment equal to such assessment and in lieu thereof.
  - b. There is insufficient land to meet all or part of the parking requirements on the lot.
  - c. Each lot within the district shall be presumed to be entitled to use a number of public parking spaces equal to the minimum number of spaces required in the underlying zone. In the case of a combination of uses, the total requirements for off-street automobile parking spaces shall be the sum of the requirements for the various uses, unless it can be proven to the Building Inspector that staggered hours of use would permit modification. Whenever an ultimate fraction of a space is required, a full space shall be provided.
  - d. The property's parking demand is not likely to be greater than the minimum number of spaces required in the underlying zone.
  - e. If the parking demand is determined to be greater than the required minimum number of spaces, the Building Inspector, or the Zoning Board of Appeals, may permit the property to be used or occupied for the owner's intended purpose if it is determined there are sufficient public parking spaces to meet such demand, and the property owner agrees to pay an additional parking assessment for such excess parking.
  - f. The Building Inspector or Zoning Board of Appeals may require the lot owner to provide a parking survey, in such form as he/it determines is appropriate, to assist him/it in making the determinations required by this section.



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**C. Off- street parking design standards**

a) Every such space provided shall be at least nine (9) feet wide and eighteen (18) feet long, and every space shall have direct and usable driveway access to a street or alley, with minimum maneuver area between spaces as follows:

- [1] Parallel curb parking: five (5) feet additional between each eighteen foot space, with a twelve foot aisle width for one-directional flow and a twenty-four-foot aisle for two-directional flow
- [2] Thirty-degree parking: thirteen-foot aisle width for one-directional flow and twenty-six-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.
- [3] Forty-five-degree parking: sixteen-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.
- [4] Sixty-degree parking: twenty-one-foot aisle width for one-directional flow and twenty-six foot aisle width for two-directional flow.
- [5] Perpendicular parking: twenty-six-foot aisle width for one-directional and two-directional flow.

b) The above standards may be modified by the Planning board as part of the site plan review process under the provisions of Sec 270-36 of this chapter.

**(b) Location of parking areas.**

a) In R-1, R-2 and RH zones off-street automobile parking spaces and maneuver areas shall be provided in the rear or side yard, or on a paved driveway in the front yard not more than twelve feet wide for lots under one hundred feet in width, or twenty feet wide for lots more than one hundred feet in width.

b) In all other zoning districts parking spaces shall be provided on the same lot as the principal use. The Zoning Board of Appeals may grant the lot owner a special use permit for off site parking on a lot not more than five hundred feet from such principal use, provided said lot is restricted by deed for use as parking so long as the principal use remains.

**G. Location of driveways.** Driveways shall be located three (3) feet from any property line, except when a common drive is provided.

**H. Entrances and curb cuts.**

a) Entrance drives and/or curb cuts shall be limited in width to sixty percent (60%) of the total lot frontage, but in no instance shall the aggregate width of such drives total more than seventy (70) feet on any one street frontage. The maximum width of any single drive shall be thirty (30) feet, and there shall be a minimum landscaped island of not less than five (5) feet in width between drives.

b) The remaining lot frontage shall be physically separated from the street by means of a curb or a landscaped area at least five (5) feet in width.

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I. Construction of parking and maneuver areas. All open parking shall be paved with impervious material, such as bituminous concrete, asphalt or concrete, of sufficient depth to support the anticipated load factor of the area in accordance with standard accepted engineering practice and shall be adequately drained.

J. Off-street loading requirements.

Off-street loading requirements shall be as follows:

(a) The required number of loading berths for general business, retail, commercial eating establishments, offices and service establishments shall be as follows:

1. One (1) for ten thousand (10,000) to twenty-five thousand (25,000) square feet of floor area.
2. One (1) for each additional twenty-five thousand (25,000) square feet of floor area or major fraction thereof.

(b) The required number of loading berths for hotels/ motels shall be as follows:

- (1) One (1) for ten thousand (10,000) to twenty-five thousand (25,000) square feet of floor area.
- (2) One each additional twenty-five thousand (25,000) square feet of floor area or major fraction thereof.

(c) The required number of loading berths for wholesale, warehouse and industrial uses shall be as follows:

- (1) One (1) for zero (0) to ten thousand (10,000) square feet of floor area.
- (2) One (1) for each additional twenty-five thousand (25,000) square feet of floor area or major fraction thereof.

(d) Dimensions for off-street loading berths. Each required loading berth, open or enclosed, shall have minimum dimensions of thirty-five (35) feet long, twelve (12) feet wide and fourteen (14) feet high, except that berths for funeral homes may be twenty (20) feet long, ten (10) feet wide and eight (8) feet high.

(e) Location of required berths. Open off-street loading berths or areas shall not be located within required front yards.

K. Required screening. All loading berths or parking areas of ten (10) cars or more which are adjacent to a residential lot line shall be screened by a solid wall or fence or continuous hedge at least six (6) feet in height.

L. Barriers. On premises containing five (5) or more parking spaces, all such spaces within fifteen (15) feet of the boundaries of the premises shall be equipped with barriers not less substantial than a four inch-square horizontal timber anchored and located so as to confine vehicles entirely within said premises, except in those cases where a wall is provided on the boundaries of the premises which, in the opinion of the Building Inspector, is of such construction as to suitably protect the adjoining property and/or right-of-way.

M. In R-1, R-2 and R-H districts or OL-P districts, no motor vehicle shall be parked in the front yard of any lot, except on a paved driveway or an approved parking area. No motor vehicle shall be parked on any property owned by the City of Plattsburgh that lies between the improved bounds of a city street and the lot line(s) of any lot. [added by Ordinance 9-30-93; amended 9-14-95; amended by LL2015-2]

**§ 270-26. Signs. [Replaced by LL2014-3]**

**§ 270-26'. Signs.**

A. Purpose, intent and scope.

It is the purpose of this section to promote the public health, safety and general welfare through reasonable, consistent and nondiscriminatory sign standards. The sign regulations in this section are not intended to censor speech or to regulate viewpoints, but to insure traffic and pedestrian safety, to preserve and enhance the visual environment of the City and, to accommodate the signage needs of businesses and other organizations. It is the purpose and intent of this section to:

1. Promote and improve pedestrian and traffic safety by:
  - a. Not permitting signs that obstruct vision or distract motorists and other street and sidewalk users.
  - b. Requiring signs be safely constructed, maintained and installed.
  - c. Limiting the number and regulating the placement of signs.
2. Protect and improve the visual appearance of the City and the value of other property by:
  - a. encouraging the integration of signage with architectural and landscape designs so the overall appearance is harmonious in color, form and proportion;
  - b. Prohibiting or restricting the number and size of signs on a lot and regulating the method and intensity of illumination.
  - c. Preventing the placement of signs that obscure the public view of other properties and landscapes.
3. Accommodate the needs of businesses and other organizations by:
  - a. Allowing for the use of new, digital sign technology.
  - b. Permitting a choice of types of signs.
  - c. Recognizing the main purpose of a sign is to provide information about the occupants of the signed premises.
  - d. Prohibiting billboard advertising which generally is not consistent with the main purpose of a sign.
  - e. Providing greater latitude for signs with noncommercial messages which generally concern organizations, events and activities of interest to the community as a whole.

B. Definitions. For the purposes of this section, the following terms shall have the meanings indicated

**APPURTENANT** - Signs and messages that pertain to the occupants or use of the premises the sign is affixed to.

**AREA OF SIGN** - Each side of a sign that has a message is a "face." The area of a sign is the sum of all sign faces.

**AREA OF SIGN FACE:**

(1) For cut-out letters, the sign face area shall be computed by taking three-fourths (3/4) of the area enclosed within the smallest single geometric figure needed to completely encompass all letters, including vertical and horizontal spacing between letters.

(2) For other signs the sign face area shall be the area bounded by the edge of the sign frame.

**BANNERS and PENNANTS** - Any advertising device affixed to poles, wires or ropes, such as banners, pennants, streamers, wind-operated propellers, string lighting or other similar advertising media, but not to include properly displayed flags of the city, state, county or country

**BILLBOARD SIGN** - A sign which displays a commercial message about persons, events or goods and services that are not actually sold or delivered on the premises where the sign is located.

**BUSINESS** - A natural person or legal entity who occupies property other than as a residence regardless of whether the person is engaged in commerce.

**COMMERCIAL MESSAGE** - Any message that directly or indirectly names, advertises or calls attention to a product, service, sale or sales event or other commercial activity.

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**CONSTRUCTION OR PROJECT SIGNS** - Any sign or advertising device erected on a project site prior to or during a construction period.

**CUT-OUT or CUT-OUT LETTERS** - Letters, numbers, emblems and symbols which are detached or separately molded from the material from which they were made. Not to include vinyl letters, which will be treated as paint at building inspector's discretion

**DIGITAL SIGNS** – Digital signs are Programmed, Automated and Interactive signs as defined herein.

- Programmed signs are signs that display messages that can be changed by the sign's program on a predetermined schedule.
- Automated signs are signs whose content and display instructions can be generated dynamically by a computer that may be part of the sign or connected via a network. Automated signs may display messages, images or video.
- Interactive signs are signs that display content in response to actions by nearby people.

**DIRECTIONAL SIGN** - A sign not exceeding three (3) square feet per sign face and with lettering not exceeding six (6) inches in height, designed to direct and inform the public as to the location of exits, entrances, service areas, loading and unloading areas or similar wording of an informational nature.

**ERECT** - To build, construct, attach, hang, place, suspend or affix and shall also include the painting of wall signs.

**FREESTANDING SIGN** - A sign that is not attached to a building or other structure and is self-supporting.

**LOT** - A parcel of land, including a contiguous parcel of land under the same ownership, or leased by the same tenant as the other contiguous parcel of land.

**MESSAGE** - Means letters, words, symbols, logos, images and other visual means of communicating information.

**NAMEPLATE SIGN** - Any sign not more than one (1) square foot in area used to identify the owner or owners of a private residence

**NONCOMMERCIAL MESSAGE** - Any message that is not a commercial message, including messages that do not pertain to the occupants or use of the signed premises.

**PARAPET WALL** - A low wall along the edge of a roof and being a portion of the wall which extends above the line of the roof, with the exterior of the extension forming a continuous plane with the wall below

**PERSON**- Includes any person, firm, partnership, association corporation, company or organization of any kind.

**PROJECTING SIGN** - Any sign attached to a building or other structure and extending, in whole or in part, more than six (6) inches beyond the building line.

**ROOFLINE** - The point where any part of the roof structure first touches or bears upon the external wall, with the exception of mansard roofs. See also "wall."

**ROOF SIGN** - Any sign erected in any way upon a building or structure which extends above the roofline of the building or structure.



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RESIDENTIAL ZONE – R-1, RH and R-2 zoning districts.

SIGN- Any structure, object, device, fixture, or placard that displays a commercial or noncommercial message that is visible from off the premises where the sign is located.

STATIC SIGN- A sign with a message or image that does not change except when the business located on the lot and identified on the sign changes. A Static Sign may be a Digital Sign.

WALL - The surface area of any major plane unit of any side or face of a building. The lower slope of a mansard roof shall, for the purposes of this section, be deemed part of the "wall," and signs shall be permitted in this area.

WALL SIGN - A sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the face of said wall, including any interior sign, whether attached to windows or otherwise, which is placed in view of the general public from outside the building or structure. A "wall sign" shall not project from the wall in excess of six (6) inches.

C. Sign Permit. It shall be unlawful to install, erect or display a sign without a sign permit unless the sign is an "exempt sign".

- (1) The Building Inspector is authorized to prescribe the form and content of sign permit applications, collect permit fees as set by the Common Council, approve or deny applications and issue sign permits.
- (2) An applicant who is denied a permit may appeal to the Zoning Board of Appeals for an interpretation or variance as provided in this Chapter.

D. General sign requirements. The following requirements shall apply to all signs, including exempt signs:

- (1) Maintenance. All signs and their supports, braces, guys and anchors, shall be of substantial and sturdy construction, shall be kept in good repair and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe and orderly appearance.
- (2) Wind pressure and dead load requirements. All signs shall be designed and constructed to withstand wind pressures and receive dead loads as required by recognized engineering and construction practices in the City of Plattsburgh.
- (3) Obstruction to doors, windows or fire escapes. No sign shall obstruct ingress or egress to or from a door, window or fire escape. No sign shall be attached to a standpipe or fire escape.
- (4) No sign shall be erected or maintained in manner that obstructs the view of motorists on public streets of traffic signs and signals, or of vehicles on intersecting streets, or of vehicles entering or existing driveways that intersect with a public street.
- (5) Signs that identify on premises businesses, or advertise goods or services sold on premises, shall be changed or removed within 60 days of when the business vacates the premises, or the advertised goods or services are no longer sold on premises.
- (6) Lighting. Indirect or interior lighting may be used to illuminate any sign, provided that the source of light shall concentrate the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property. Bare incandescent light sources and immediately adjacent reflecting surfaces shall be shielded from view. String lighting shall not be allowed.

E. Noncommercial Messages. A permitted sign or exempt sign may display any noncommercial message or copy in lieu of other copy.

F. Prohibited Signs. The following types of signs shall not be permitted.

- a) Billboard signs.
- b) Projecting signs.
- c) Roof signs.

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- d) Signs located in city rights of way that are not owned by the state, county or city.
- e) Signs located on utility poles, traffic control lights, trees, public structures or public property.

G. Exempt Signs. The following types of signs are exempt from the requirement for a sign permit, but are subject to the provisions of subsection B and the conditions of this subsection.

- (1) Except in Residential zones, banners or pennants that promote or announce an event held on the premises, but only during the duration of the event and up to 30 days prior thereto.
- (2) Memorial signs or tablets, names of buildings and date of erection when cut into any stone or masonry surface or when constructed of bronze or other incombustible materials and not exceeding six (6) square feet in total area.
- (3) One (1) residential nameplate sign.
- (4) Traffic control signs and signs with messages required by law.
- (5) Signs owned by the City of Plattsburgh which may display noncommercial and commercial messages not appurtenant to the signed premises.
- (6) One sign with information about a construction project, not exceeding ninety-six (96) square feet in area and sixteen (16) feet in height, erected not sooner than 6 months before the commencement of construction and removed upon completion of construction.
- (7) Directional signs.
- (8) Seasonal or holiday decorations which may be displayed for up to six weeks.
- (9) Warning, danger, no-trespassing or similar signs, in size and number as the Building Inspector determines is reasonably required to accomplish their intended purpose.
- (10) For sale or rent signs. Not more than two signs advertising real property for sale or rent that are located on the premises for sale or rent, provided that in residential districts the sign face(s) do not exceed six (6) square feet in the aggregate and in all other zoning districts the sign face(s) do not exceed thirty two (32) square feet in the aggregate.
- (11) Signs located on premises that advertise the opening of a new retail establishment for a period of not more than fifteen days.
- (12) Official flags of a city, state or country, business or other organization not exceeding 100 sf. in area.
- (13) Free expression signs. For each lot, one free expression sign not exceeding four square feet in size (sign area) may be displayed. The free expression sign may be displayed as an attached sign or as a freestanding sign. If displayed as a freestanding sign, the freestanding sign shall not exceed three feet in height. A free expression sign is in addition to any other sign permitted under this article and is permitted in any zoning district. Only one such sign shall be permitted on each parcel.
- (14) Election signs. For each lot, one election sign for each candidate and each issue may be displayed along each street frontage. An election sign may be displayed as an attached sign or a freestanding sign. An election sign shall not exceed 32 square feet in area, except that election signs on cardboard shall not exceed six square feet in area. All such signs shall be removed within 10 days following the election to.

H. Additional Regulations for Types of Sign. In addition to restrictions contained in the definition of a type of sign, the following regulations apply:

- 1. Freestanding Signs.
  - a. The area around the base of the sign shall be kept clear of rubbish and weeds. Permanent landscaping may be required as a condition of the sign permit.
  - b. One freestanding sign is permitted for each lot.
  - c. The sign shall be supported entirely by posts or columns; guy wires are not permitted.
  - d. The sign shall be set back not less than five feet from the boundary of an adjacent public street.

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- c. The sign may not exceed twenty (20) feet in height from ground level.
- f. The bottom of the sign shall not be less than seven feet above ground level
- g. Where the lot is occupied by one business, the sign area shall not exceed 100 sf.
- h. Where the lot is occupied by more than one business, each of which is a separate legal entity and occupies separate space within the building, the allowable sign area is 100 sf for the first business plus 25sf. for each additional business up to four, but in no event shall the sign area exceed 200sf.

2. Wall signs.

- a. A building may have more than one wall sign, but the total sign area of all wall signs shall not exceed the greater of seventy five (75) square feet, or a total sign area equal to two (2) square feet per linear foot of the side of a building that fronts on a street, but in no event more than one hundred fifty (150) square feet.
- b. A wall sign may not cover any part of a window or door opening or project above the wall it is attached to.

3. Sign Area. Each side of a sign that has a message is a "face." The area of a sign is the sum of all sign faces.

I. Digital Signs. Digital Signs are subject to all of the foregoing regulations, except as modified by this subsection.

(1) Where Allowed. Digital Signs are not permitted in RH, R-1, RC-2 and RC-3 zoning districts. Digital Signs of the type, number and sign face area set forth in Table A are permitted in those zoning districts listed in Table A

(2) Number Allowed.

- a. There may not be more than one programmed Digital Sign on a lot. There may not be more than one automated or interactive Digital Sign for each business on a lot.

(3) Light Levels. Digital Signs shall use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the following:

- a. All Digital Signs shall have installed ambient light monitors, and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.
- b. Maximum brightness levels for Digital Signs shall not exceed 5000 nits or Candellas per Square Meter" or (cd/m<sup>2</sup>) when measured from the signs face at its maximum brightness, during daylight hours.
- c. Maximum brightness levels for Digital Signs shall not exceed 500 nits or Candellas per Square Meter" or (cd/m<sup>2</sup>) when measured from the signs face at its maximum brightness, between sunset and sunrise, as those times are determined by the National Weather Service.
- d. Written certification from the sign manufacturer must be provided at the time of application for a sign permit certifying that the light intensity of the sign has been preset not to exceed the illumination levels established by this section , and that the preset intensity level is protected from end user manipulation by password protected software or other approved method.

(4) Dimensions. Digital Signs shall comply with the sign area restrictions of Table A.

(5) Message Changes. Messages must be displayed for a minimum of 30 seconds. Transitions may not exceed 3 seconds. A transition is a sign display that can use animation effects to change one message to another. Digital Signs that incorporate static and changing technologies may not use more than one changing technology.

(6) Animation on Programmed Signs. Messages may not contain the appearance of motion or animation. Transitions between messages may contain the appearance of motion or animation.

(7) Transitions on Programmed Signs. Transitions may appear between messages. They may not appear adjacent to other transitions.

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J. Signs in Residential Districts. Signs are not permitted in residential districts except:

- (1) one nameplate sign.
- (2) one sign with a sign area of not more than two (2) square feet, identifying a "home occupation" as that term is defined in this chapter.
- (3) one sign with a sign area of not more than twenty four (24) square feet and which is appurtenant to a lawful non conforming use, or use authorized by use variance or special use permit.
- (4) in residential districts where multiple family, condominium, townhouse or other nonresidential uses are permitted as of right, one sign with a sign area of not more than twenty four (24) square feet and which is appurtenant to the permitted use.

K. Nonconforming signs. A nonconforming sign that was lawfully erected may continue to be maintained until it is substantially damaged, destroyed or found to be unsafe, at which time the sign may be required to be removed. A nonconforming sign shall not be enlarged, replaced or relocated on the lot.

L. Unsafe Signs. If the Building Inspector finds a sign's physical condition poses a risk of injury to persons or property he shall notify the sign owner in writing by personal delivery or certified or registered mail. The notice will specify required alterations or repairs and a time by which the work must be completed.

M. Violations and Enforcement. In addition to the enforcement powers and fines or penalties provided elsewhere in this Chapter for violations of this law. If a Digital Sign does not comply with the regulations of this subsection, the Building Inspector may order that the sign be reprogramed or changed to a Static Sign.

N. Severability. This section shall be liberally construed so as to effectuate the purposes thereof. The provisions of this section shall be severable and if any phrase, clause, sentence or provision of this section is declared to be contrary to the constitution or general laws of the state or of the United States, or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this section and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby.

O. Effective Date. This section shall be effective immediately, upon filing with the Secretary of State.



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City Code §270-26 Table A						
	Static		Changing			
			Programmed		Automated or Interactive	
Zoning District	Number Per Lot	Max Area sf	Number Per Lot	Max Area sf	Number Per Business	Max Area sf
RH	Digital Signs Not Allowed					
R-1	Digital Signs Not Allowed					
R-2	1	24	1	24	1	2
B-1	1	100	1	50	1	2
B-2	1	100	1	50	1	2
C	1	100	1	50	1	2
I	1	100	1	50	1	2
RC-1	1	100	1	50	1	2
RC-2	Digital Signs Not Allowed					
RC-3	Digital Signs Not Allowed					
Historic Districts and Historic Sites	Digital Signs Not Allowed					

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**270-27. Mobile homes and mobile home parks.**

A. Nonresidential uses. Structures constructed within the general parameter of the definition of mobile home, as defined herein, but originally designed or subsequently adapted for nonresidential use shall not be permitted.

B. Location of mobile homes. All mobile homes shall be located in an approved mobile home park, except that any mobile home used for living or sleeping purposes, but not located in a mobile home park which shall have been in existence and was so used and occupied at the time of the adoption of this chapter, shall be a nonconforming use while so used or occupied. However, if any such mobile home shall be removed or when title to the property changes hands, then said nonconforming use of the land shall cease.

C. Existing mobile home parks. A mobile home park in existence on the date of adoption of this chapter may maintain, as a minimum, the conditions then present as to lot size and area and bulk provisions, with the exception of floor area ratios and open space, provided that a minimum of ten (10) feet of clearance is provided between a mobile home and an adjacent mobile home or structure and a five-foot clearance to access road edge and lot line. Also, each peripheral property line setback shall be in conformance with district regulations.

D. Area and bulk requirements.

(1) Minimum size. Each mobile home park shall have a minimum of one hundred seventy-five thousand (175,000) square feet in area of adjoining and contiguous land

(2) Development intensity. For the purposes of this chapter, each mobile home or mobile home site shall be considered a single-family residence and the mobile home park must conform to

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the requirements of Schedule II, Area and Bulk Controls.<sup>14</sup>

- (3) Design controls. For the purposes of this chapter, each mobile home park shall be considered a planned unit development and must conform to and be approved in accordance with the provisions of § 270-20 of this chapter.

**§ 270-28. Miscellaneous uses.**

A. Conversions. Conversions shall be permitted in all R-2 Districts in accordance with the following provisions:

(1) R-2 Districts. Conversions are permitted, provided that:

- (a) There shall not be more than the maximum number of dwelling units than are permitted in the respective districts.
- (b) Such conversions may be permitted on lots of not less than the minimum required for the district where situated, except that a substandard lot width in itself shall not preclude conversion.
- (c) Off-street parking shall be provided in an amount not less than as set forth in accordance with the provisions of § 270-25 of this chapter.
- (d) All provisions of the State Multiple Residence Law<sup>15</sup> are met.

(2) Non-dwelling structures. No commercial or manufacturing structure originally designed for other than residential use shall be converted to a dwelling structure nor shall any such structure which was so converted prior to the adoption of this chapter be further converted to provide for additional dwellings unless, in either case, such building meets all the requirements of Schedule II for that zone, except that substandard lot width shall not in itself preclude conversions.<sup>16</sup>

B. Home occupations. In the zoning districts, a home occupation may be operated in any dwelling unit only if it complies with all of the following conditions:

- (1) A home occupation may be permitted within a single dwelling unit or in a building or other structure accessory to a dwelling unit and only by the person or persons maintaining a dwelling therein, and not more than one (1) additional person may be employed or otherwise engaged in the performance of the home occupation.
- (2) The home occupation shall not display or create outside the building any evidence of such home occupation, except that one (1) unanimated, non-illuminated flat or window sign having an area of not more than sixty (60) square inches shall be permitted on the lot on which the building is situated.
- (3) The home occupation shall not utilize more than twenty percent (20%) of the gross floor area of the dwelling unit, and the use, if in accessory structure shall not detract from the required parking space area, except that medical and dental offices may utilize not more than thirty percent (30%) of the gross floor area of the dwelling unit.

<sup>14</sup> Editor's Note: Schedule II, providing area and bulk controls for all districts, is included at the end of this chapter.

<sup>15</sup> Editor's Note: See Multiple Residence Law 1 et seq.

<sup>16</sup> Editor's Note: Schedule II, providing area and bulk controls for all districts, is included at the end of this chapter.

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- (4) Permitted uses shall be as defined herein and may include not more than one (1) of the following types of uses, provided that such uses are clearly incidental and secondary to the use of the dwelling unit for residential purposes:
- b. Medical and dental offices.
  - c. Other offices, including lawyer, engineer, architect, public accountant, financial planner, stock broker, insurance agent, bookkeeper, real estate agent with up to one (1) sales person and similar uses.
  - d. Custom dressmaking, seamstress and milliner.
  - e. Artist or musician providing instruction to one (1) pupil at a time.
  - f. Tutoring for not more than three (3) students at a time.
  - g. Telecommunicating, telemarketing or computer based business.

(5) Permitted home occupants shall also comply with the following standards:

- (a) The use shall not noticeably affect the residential character of the property or the neighborhood.
- (b) The use shall not generate pedestrian or vehicular traffic in excess of that which is normally expected from a residence.
- (c) The use shall not create offensive glare, noise, odor and/or vibration.
- (d) The use shall not include wholesale or retail sales of products or materials on the premises.
- (e) The use may include only incidental stocking or warehousing of products or materials [five percent (5%) of the gross floor area of the dwelling unit or less].

C. Outdoor storage areas. Such uses shall not be located within twenty (20) feet from the nearest R District, and the operation thereof shall be governed by the following provisions and any other conditions as may be required by the Planning Board to protect the public health, safety, comfort, convenience and general welfare and especially with regard to abutting properties and the occupants thereof:

- (a) Screening, fencing and setbacks. All outdoor storage facilities shall be enclosed by a fence or wall and shall be screened to adequately conceal such facilities and the contents thereof from adjacent property in accordance with the provisions of § 270-19 of this chapter. Such Walls and fences shall be distant not less than twenty-five (25) feet from any public street.
- (b) Deposit of materials and wastes. No materials or wastes shall be deposited on any premises in such form or manner that they may be transferred off such premises by natural causes or forces and vandalism.
- (c) Hazardous materials. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored out-doors only in closed containers.



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D. Excavations. In any district, excavation relating to the construction on the same lot of a building for which a building permit has been issued shall be permitted. In the event that construction of a building is stopped prior to completion and the building permit is allowed to expire, the premises shall immediately be cleared of any rubbish or building materials, and any excavation shall immediately be filled in and the topsoil replaced.

E. Cemeteries. No burial or memorial plots or buildings shall be located closer than fifty (50) feet to any residential lot line, except that, when a dense evergreen hedge or a wall or fence at least six (6) feet in height is provided, such burial or memorial plots of less than six (6) feet in height may be located no closer than twenty (20) feet to any residential lot line. Entrances and exits shall be located, wherever possible, on major roads and streets, but under no circumstances shall minor residential streets be used as a principal means of access to cemeteries.

F. Retaining walls. Retaining walls shall be permitted anywhere on a lot, provided that the following conditions are met:

- (a) Height. The vertical height of any retaining Wall shall not exceed three (3) feet. In cases where topographic features require retaining walls of greater height, the retaining wall shall be terraced with not less than three (3) feet of horizontal surface for each three (3) feet of vertical rise. Where terracing is not feasible, a special use permit shall be required, and the top of the wall shall be secured with a four-foot-high fence and screened in accordance with the provisions of § 270-19 of this chapter.
- (b) Construction. Retaining walls shall be constructed of masonry, concrete, pressure-treated timber or similar material and shall be installed in accordance with commonly accepted engineering and design standards.
- (c) Maintenance. Maintenance of retaining walls shall be the responsibility of the owner of the property upon which such walls are located. Retaining walls shall be maintained in such a manner as to assure that there is no soil erosion or other hazard affecting adjacent properties.

G. Fences and walls. Walls and fences to provide for security, privacy or screening of a property shall be permitted any-where on a lot, provided that the following conditions are met:

- (1) Corner clearance. Any wall or fence constructed on a corner lot shall comply with the provisions of § 270-13C of this chapter.
- (2) Street frontage height requirement. Any wall or fence located in the required front yard or the required setback from a street right-of-way shall have a height of no more than four (4) feet.
- (3) Height in other yards. The maximum height of any wall or fence located in a rear or side yard may not exceed six (6) feet in a residence district and eight (8) feet in any other district.
- (4) Special use permit conditions. The maximum height of any wall or fence located in a rear or side yard may be ten (10) feet in a residence district and may exceed eight (8) feet in other districts, provided that the property owner has secured a special permit for such wall or fence.

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H. Professional offices. In the R-2 or R-H District, professional offices, other than home occupations, may be permitted by special permit, provided that no structure in such use shall contain more than four (4) businesses and all parking and other regulations are met. And the total gross floor area is no more than 10,000 square feet.

I. Standards for Accessory Apartments

*Permits.* A Special Permit shall be required. Special Permits shall be issued for a three year period, after which time they shall expire if they are not renewed.

*Renewals.* Renewal permits for an additional three year period shall be granted by the Code Enforcement Officer following: (1) submission of a renewal application form by the applicant, (2) an inspection of the premises by the Code Enforcement Office, and (3) submission of a signed statement by the applicant stating that the conditions as originally set forth in granting the Special Permit have not changed in any way. The Code Enforcement Officer shall determine that the premises still meet the standards of the New York State Fire Protection and Building Code, and that the original qualifying conditions still exist.

*Owner-occupancy required.* The owner(s) or contract vendee of the lot upon which the accessory apartment is located shall occupy and maintain as a legal full-time resident at least one of the dwelling units on the premises, except for temporary absences not to exceed eighteen (18) months in any five-year-period. Longer absences will result in revocation of the temporary permit, except by approval of the Board of Appeals. Owner-occupants must maintain an interest of thirty-three and one-third (33 1/3) percent in the property. In the event of the transfer of the property, either by deed or land contract or lease, to other than the owner's spouse or other family member residing on the premises, the permit shall automatically expire, and a new owner or contract vendee must apply for a renewal permit.

*Occupancy.* An accessory apartment may be occupied by no more than one family, as defined herein.

*Location.* An accessory apartment must be established within the existing residential structure, and not within a garage or other accessory building.

*Size.* The floor area of an accessory apartment shall not exceed 33 and one-third (33 1/3) percent of the of the total habitable floor area of the building in which it is located. Each accessory apartment shall be limited to a maximum of two bedrooms.

*Area requirements.* A residential structure containing one accessory apartment shall meet the area and bulk requirements for a two-family dwelling.

*Parking:* No accessory apartment shall be permitted unless there is provided one on site parking space in addition to the parking spaces required for other uses in the building.

*Exterior appearance.* The entry to the building and its design shall be such that the appearance of the building shall remain as a single-family residence. New or additional front entrances or windows are discouraged but in any event must be in keeping with the architectural style of the rest of the structure. Exterior stairways may only be constructed in the rear, except where an alternate location would be less publicly visible.

*Deed restriction.* Within thirty (30) days of an accessory apartment permit, the owner(s) must record at the Clinton County Clerk's office a declaration of covenants on the subject property, with cross-referencing to the original deed, and provide proof of such recording and cross-referencing to the Code Enforcement Officer, who may then issue a building permit. The declaration shall state that the right to let an accessory apartment ceases upon transfer of the title. The Code

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Enforcement Officer shall note the existence of an accessory apartment on the record of the property.

### § 270-29. General use standards.

In any district, the following standards for uses shall apply:

- A. Vibration, odor and glare. No offensive or objectionable noise, vibration, odor or glare shall be noticeable at or beyond the property line.
- B. Restriction of activities. No activity shall create a physical hazard by reason of fire, explosion, radiation or other such cause to persons or property in the same or adjacent district.
- C. Discharge of wastes. There shall be no discharge of any liquid or solid waste into any stream or body of water or any public or private disposal system or into the ground or any materials of such nature that may contaminate any water supply, including groundwater supply.
- D. Storage of materials. There shall be no storage of any material, either indoors or outdoors, in such a manner that it facilitates the breeding of vermin or endangers health in any way.
- E. Restrictions on emissions. The emission of smoke, fly ash or dust which can cause damage to the health of persons, animals, plant life or to other forms of property shall be prohibited.

### § 270-30. Special use permits.

A. General procedure. Application for a zoning and building permit shall be made to the Building Inspector prior to the commencement of the excavation for or the construction of any building or structure or the use of land as required under the provisions of § 270-51 of this chapter. If, upon receipt of such application, the Building Inspector determines the excavation, construction or use of land for which the application is made requires the issuance of a special use permit, the Building Inspector shall forward a copy of such application to the Zoning Board of Appeals in accordance with the specific procedures in § 270-54 of this chapter.

B. Standards. Such special use permits, however, may be authorized by the Zoning Board of Appeals only upon satisfaction of each instance of such conditions as to the general character, height and use of the structure or structures; as to the provision of surrounding open space and the treatment of grounds; as to the general fitness of the structure or use to its proposed location; as to the provision for automobile parking or storage; and as to street capacity and use as, in the opinion of the Board, may be necessary to safeguard public health, convenience and as may be required for the preservation of the general character of the neighborhood in which such building and/or structure is to be placed or such use is to be conducted. Specifically, the standards established by this chapter shall be applied as they may be applicable to a specific request for a special use permit. To assist the Zoning Board of Appeals in its determination, an application for a special use permit shall be accompanied by plans and other descriptive matter sufficient to clearly portray the intentions of the applicant, and such plans and other descriptive matter shall become a part of the record.

### § 270-31. Historic sites.

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A. General procedure. Application for a zoning and building permit shall be made to the Building Inspector prior to the commencement of the excavation for or the construction of any building or structure or the use of land as required under the provisions of § 270-51 of this chapter. Upon receipt of the application, the Building Inspector shall review the application to determine if the proposed action is located on an historic site.

If the action is located on an historic site or within an historic district, the applicant shall be required to secure an historic site approval prior to undertaking proposed actions. In such cases, the Building Inspector shall forward a copy of the application to the Planning Board for its review and approval or denial of activities affecting an historic site in accordance with the specific procedures set forth in § 270-54 of this chapter. Documentation to be submitted shall be as may be required by the Building Inspector and/or the Planning Board. Scale drawings of site plans, building design, elevations and narrative explanation shall be submitted in sufficient detail to allow the Planning Board to review the proposed activity in light of the standards found in Subsection B below. At a minimum, the documentation shall meet the requirements of Subsection B(1) below.

B. Standards. In reviewing applications for an historic site permit, the Planning Board shall consider the compatibility of the proposed action in light of guidelines and standards which may be established from time to time by the Secretary of the United States Department of the Interior "*Standards for Historic Preservation Projects with Guidelines for Applying Standards*"; as well as the following standards:

- (1) Every reasonable effort should be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment or to use a property for its originally in-tended purpose.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) All buildings, structures and sites should be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance should be discouraged.
- (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance should be recognized and respected.
- (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site should be treated with sensitivity.
- (6) Deteriorated architectural features should be repaired, rather than replaced, wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.



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- (7) The surface cleaning of structures should be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should be discouraged.
- (8) Every reasonable effort should be made to protect and preserve archaeological resources affected by or adjacent to any project.
- (9) Contemporary design for alterations and additions to existing properties should not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and the character of the property, neighborhood or environment.(10) Wherever possible, new additions or alterations to structures should be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

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ARTICLE VI  
Site Plans

§ 270-32. Submission.

A. An application for a building and zoning permit and approval of a site plan shall be made to the Building Inspector prior to the commencement of the excavation for or the construction of any building or structure or the use of land.

B. Site plan approval is not required for the following development, unless requested by the Building Inspector under subparagraph C.

1. Residential uses.

(a) In R1, B1, B2, C, I, RC1, and RC2 zoning districts: Application for construction of a single structure designed for residential use and which requires a area for ten (10) parking spaces or less.

(b) In RH and RC3 zoning districts: Applications for construction of a single structure designed for residential use and which requires a parking area of four (4) parking spaces or less.

2. Nonresidential uses. Applications for construction of a single structure designed for nonresidential use, but containing less than ten thousand (10,000) square feet of gross floor area.

3. Accessory uses. The construction of accessory uses to single, two, and three-family detached residences, such as private garages, tool houses, gardens, green-houses, swimming pools or other similar uses.

4. Repairs and improvements. Repairs or improvements to the interior of a building that do not involve a structural change or enlargement of the building, as determined by the Building Inspector.

5. Renovations. Renovations or alterations to a building exterior that do not involve a major structural change or enlargement of the building, as determined by the Building Inspector.

6. Conversions.

(a) Conversions of properties which do not otherwise exceed the minimum threshold criteria set forth above.

(b) If an application for a building and zoning permit for new construction, an addition or a revised or enlarged parking area is received for a lot where the existing use or the existing use and the pro-posed action exceed the minimum threshold criteria set forth above, then such application shall require site plan approval, even though the work applied for may be within the minimum threshold criteria.

C. The Building Inspector, in his discretion, may require site plan approval if, in his judgment, the proposed construction, alteration or change of use will affect existing circulation, drainage, landscaping, lighting, off-street parking or other elements of environment affecting the quality of life in the city.

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D.. The Building Inspector shall forward all such applications and site plans to the Planning Board. The specific administrative procedures to be used in the review of site plans submitted to the Planning Board shall be as set forth in § 270-54 of this chapter.

**§ 270-33. Submission requirements and compliance with other local, county or state codes required.**

The provisions of this Article shall not limit, in any way, the requirements for submission and compliance with other local, county or state codes or ordinances.

**§ 270-34. Waiver of site plan requirements or guidelines.**

Where an applicant can demonstrate to the satisfaction of the Planning Board that some of the site plan requirements or guidelines cannot be complied with due to unusual physical constraints of the property or other extraordinary and exceptional circumstances, the Planning Board shall have the right to waive the applicable site plan requirements and/or guidelines as specified in §§ 270-35 and 270-36 of this chapter.

**§ 270-35. Required information for site plans.**

All site plans shall comply with the following requirements and include the following information and data, where applicable:

A. Application information. The applicant shall supply to the Planning Board the following:

- (1) Name and address of the owner. If the owner is a corporation, the name and address of the corporation and the names of the corporate officers shall be submitted.
- (2) Title of development, if applicable.
- (3) Tax Map designation and street address of proposed activities.
- (4) Name, address and license number of the person preparing the site plan.
- (5) Date of the site plan.

B. Location map. A location map, delineating the location of the site with reference to surrounding areas and existing street intersections within two hundred (200) feet, shall be submitted. This map should also include a North arrow, scale, the location of buildings within two hundred (200) feet and the identification of zoning district boundaries within two hundred (200) feet.

C. Site plan details. The information listed below shall be included on the site plan, which shall be prepared by a professional engineer, land surveyor or architect. Maps, as required, shall be drawn to a scale of not less than one (1) inch equals fifty (50) feet and shall include a North arrow and legend. The following details shall be included on the site plan:

- (1) Existing features.
  - (a) Layout of proposed buildings or structures.
  - (b) Existing lot line dimensions in feet and all relevant bearings in tenths of seconds.

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- (c) Boundaries of the property, including required building or setback lines and lines of existing streets, lots and easements, and areas dedicated to public use, including grants, restrictions and rights-of-way.
  - (d) All distances, as measured along right-of-way lines, of existing streets abutting the property to the nearest intersection with any other street.
  - (e) Location of existing buildings on the site which shall remain and all other structures such as walls, fences, culverts and bridges. Structures to be re-moved shall be indicated by dashed lines.
  - (f) Location and elevation of all storm drainage structures, whether publicly or privately owned, with pipe sizes, grades and directions of flow.
  - (g) Existing contours at one-foot intervals, where slopes are less than ten percent (10%), and five-foot intervals, where slopes are greater than ten percent (10%). Where any changes are proposed, finished grades should be shown as solid lines and existing grades as dashed lines.
  - (h) The location of significant natural features, such as rock outcrops, watercourses, ponds, marshes, wooded areas, depressions and flood lines.
- (2) Proposed activities.
- (a) A survey, prepared and sealed by a licensed surveyor or engineer, showing the boundaries of the parcel and the limits of all proposed streets, recreation areas and other property to be dedicated to public use. The plan shall be accompanied by such other exhibits of an architectural nature as may be required by the Planning Board.
  - (b) All proposed easements and public and community areas, all proposed streets with profiles indicating grading and cross sections showing road-way widths, the locations and widths of sidewalks and the location and size of proposed utility lines.
  - (c) The proposed use or uses of land and buildings, including floor space, number of employees, housing units or any other capacity measurement, as relevant.
  - (d) All proposed means of vehicular ingress and egress to and from the site, including the location and size of driveways and curb cuts, and the organization of traffic channels and controls, as applicable.
  - (e) All proposed building materials and architectural treatments.
  - (f) The location and design of any proposed off-street parking areas and/or loading areas, showing the size and location of parking bays, aisles and barriers.
  - (g) Location of all proposed waterlines, valves, hydrants, sewer lines or alternative means of water supply or sewage disposal and treatment.



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- (h) The proposed location, kind, direction and intensity of illumination and time of proposed outdoor lighting.
- (i) The proposed screening, landscaping and planting and natural vegetation to remain; the areas to be planted; and the type of vegetation to be utilized. Existing trees of three (3) or more inches in caliper shall also be shown.
- (j) The location, dimensions and details of all signs.
- (k) Any additional information or data as may be required by the Planning Board.

**§ 270-36. Guidelines for review.**

The site plan and site design shall be consistent with the follow-mg guidelines. These guidelines establish general standards to accomplish the objectives of this chapter. These guidelines are in-tended to supplement other applicable codes and ordinances in the city, but in no case shall these guidelines waive any more restrictive regulation contained in other codes and ordinances. Guidelines for various considerations shall be as follows:

**A. Residential.**

1. Every residential building shall have sufficient open space to permit convenient access for maintenance, fire protection, adequate light and ventilation of habit-able rooms and reasonable indoor privacy.
2. In a site development, consideration shall be given to the needs of the residents for non-vehicular open space for active and passive recreation. Adequate night lighting for the safe use of streets, parking areas, walks and steps shall be provided or arrangements made for its provision by public authority.
3. The open space of each property shall provide for the following:
  - a. The immediate diversion of water away from buildings and disposal from the site.
  - b. The prevention of soil saturation detrimental to structures and lot use.
4. Where appropriate, paved walks, parking areas, driveways, exterior steps and landscaping.
5. Access to each dwelling unit shall be provided without passing through any other dwelling unit.
6. All dilapidated portions of existing properties or blighted structures which are not economically repairable shall be removed.
7. All alterations, repairs and other improvements shall be harmonious with existing conditions to remain on the site.
8. Vehicular access shall be designed to provide maximum safety and ease of circulation and to eliminate traffic conflicts.

**B. Nonresidential.**

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- (1) All nonresidential structures shall be constructed, improved and/or maintained to a level necessary to adequately provide for the delivery of goods and services to customers and to provide safe, healthy working conditions for employees.
- (2) Entrances and exits to nonresidential and commercial uses shall be designed and maintained in such a manner as to encourage customer use, provide a safe means of ingress and egress for customers and employees and eliminate traffic conflicts.
- (3) Off-street parking, off-street loading and unloading and pedestrian access shall be separated so as not to create conflicting movements.
- (4) Store fronts, entrances and signs shall be of integrated design to enhance the appearance of the Central Business District and other commercial areas.
- (5) Each structure shall have at least one (1) entrance with direct access to a public street.
- (6) Where used for public access, all side and rear passageways shall be paved.
- (7) Paved and unpaved areas shall be properly drained to sewers or underground drains. Roof drainage shall discharge in such a manner as to provide for acceptable drainage.
- (8) All unpaved areas shall be properly landscaped.

**C. General architecture.**

- (1) The location, general massing and character of building elements shall be organized to create a harmonious continuity of exterior spaces and an integrated overall site design.
- (2) The design of individual buildings shall be scaled and proportioned to normally accepted design standards, with proper consideration given to their relationships to adjacent buildings, both existing and proposed, in terms of height, bulk, light, air, usable space, access and off-street parking.
- (3) Building materials shall be selected for durability, harmonious relationships and, where appropriate, for continuity of treatment with neighboring structures.
- (4) The treatment of the side and rear facings of new buildings shall be consistent with the treatment given their street frontage.
- (5) Building appurtenances and accessory structures shall receive architectural treatment consistent with that of the principal building(s).

**D. Streets, pedestrian walks and open space.**

- (1) Streets, pedestrian walks and open spaces shall be designed as integral parts of the overall site design and coordinated with adjacent development. They shall be properly related to existing and proposed

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buildings, parks and other neighboring facilities and shall be appropriately landscaped and adequately and attractively illuminated.

(2) Landscaped and paved pedestrian walks shall be provided along the lines of most intense use, particularly from building entrances to streets and off-street parking areas.

(3) The location and design of pedestrian walks shall provide for maximum safety and separation from vehicular traffic and shall emphasize desirable views of new and existing development.

(4) Materials of paving, lighting fixtures, play areas, plantings, fences and other streetscape elements shall be durable and well designed, easily maintained and indicative of their function.

(5) Open spaces shall be located to provide maximum usability and to create a harmonious relationship of buildings and land.

E. Off-street parking and loading.

(1) Off-street parking and loading facilities shall be coordinated to minimize the number of entrances, exits and obstructions to pedestrian walks.

(2) Pedestrian access from parking facilities to uses served by such facilities shall not be in conflict with vehicular movements. Where this cannot be avoided, pedestrian crossing areas shall be well marked for both vehicles and pedestrians.

(3) Parking and loading facilities shall be landscaped and/or screened from public view, in accordance with the guidelines listed in Subsection F below, to eliminate the monotony and unattractive nature of large paved parking areas. All surface parking areas shall incorporate planting pockets and trees, where possible.

(4) Design standards.

(a) The Planning Board may approve parking areas meeting design standards which are less than those required in § 270-35 of this chapter; however, in such instances, the applicant shall provide evidence that the use of such areas will be adequately controlled and restricted to allow such modification. In such cases, off-street parking spaces shall meet the following design standards:

[1] The size of off-street parking spaces shall be as follows:

[a] For subcompact cars: seven (7) feet nine (9) inches by fifteen (15) feet six (6) inches.

[b] For compact cars: eight (8) feet three (3) inches by sixteen (16) feet six (6) inches.

[c] For standard cars: eight (8) feet nine (9) inches by seventeen (17) feet six (6) inches.

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[2] When less than ten (10) parking spaces are provided or required, all spaces shall conform to standard size car requirements. Where ten (10) or more spaces are provided or required, up to twenty percent (20%) of the spaces may be designed to accommodate subcompact cars, and up to twenty percent (20%) of the spaces may be designed to accommodate compact cars.

[3] Every space shall have direct and usable driveway access to a street or alley, with minimum maneuver area between spaces as follows:

[a] For parallel curb parking: four and one-half (4 1/2) feet additional between each space, with a twelve-foot aisle width for one-directional flow and a twenty-four-foot aisle width for two-directional flow.

[b] For thirty-degree parking: twelve-and-one-half-foot aisle width for one-directional flow and twenty-five-foot aisle width for two-directional flow.

[c] For forty-five-degree parking: fifteen-foot aisle width for one-directional flow and twenty-five-foot aisle width for two-directional flow.

[d] For sixty-degree parking: twenty-foot aisle width for one-directional flow and twenty-five-foot aisle width for two-directional flow.

[e] For perpendicular parking: twenty-five-foot aisle width for one-directional and two-directional flow.

(b) The Planning Board may modify these standards when off-street parking is provided in a parking structure or garage.

**F. Landscape design.**

(1) Landscaping shall be integrated into the overall site design and be properly related to adjacent and proposed buildings.

(2) Landscape materials should be appropriate to growing conditions of the city's environment.

(3) Existing trees and vegetation, wherever possible, should be integrated into the site and landscaping plan.

(4) Parking areas shall be unobtrusive and appropriately screened and landscaped to blend harmoniously with adjoining areas.

**G. Solar access.** Site plans shall be developed in such a manner as to provide maximum solar access for all users of the site as an energy conservation factor. The site plan shall specifically address this guideline, and the Planning Board Will consider the effectiveness of the developer's proposal in achieving maximum solar access in its review and may require modifications to achieve improved solar access.



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**§ 270-37. Posting of performance security .**

In the event that, due to extraordinary circumstances, the property is to be occupied or a certificate of occupancy is required prior to one-hundred-percent completion of required improvements, the owner shall be obligated to post a performance security in accordance with the following:

- A. The amount of the security shall be established based on the City Engineer's estimate of the cost of completion.
- B. The security shall be posted with the Building Inspector with a schedule for completion.
- C. The security may be in the form of a performance bond, cash, pledge of savings account or irrevocable letter of credit from bank or savings and loan.
- D. Failure of the developer to complete construction as approved in accordance with the completion schedule shall result in forfeiture of the security.
- E. The City may, at its discretion, complete approved remaining construction activities using security funds.

**ARTICLE VII**

**B. Non-conforming Uses and Structures**

**§ 270-38 Continuance**

Any lawful building or use of premises existing at the time of enactment of this chapter, or any subsequent amendment thereof applying to such building or use of premises, may be continued, although such building or use of premises does not conform to the provisions thereof provided that there is no increase or enlargement of the area or space occupied by or devoted to such non-conforming use and except as otherwise provided in this Article.

**270-39. Termination.**

Except as provided in section 270-43, if for a continuous period of twelve months, either the nonconforming use of land with minor improvements is discontinued, or the active operation of substantially all of the non-conforming uses in any building or other structure is discontinued, such land or building or other structure shall thereafter be used only for a conforming use. Intent to resume such nonconforming use shall not prevent such use's termination.

**270-40. Change to another non conforming use.**

A. Except in R-1 and RH districts, if no external structural alterations are made, a non-conforming use of a building or land may be changed to another non-conforming use more nearly conforming to the requirements of the district in which it is situated. In R-1 and RH districts no such change of use shall be made to all or part of building or land without a special use permit for the proposed new use authorized in accordance with the standards of Section 270-30 B of this chapter.

B. Within an RH district, in accordance with a special use permit issued by the Zoning Board of Appeals,

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a non-conforming use may be converted to a more conforming use, in accordance with the following table. A non-conforming use appearing on the following list may be converted to a use appearing below the listed use.

Least Conforming

Repair Shops

Restaurants

Retail Businesses (including neighborhood convenience stores)

Laundry & Dry Cleaning Businesses

Day Care Centers

Banks, Beauty Salons

Funeral Homes

Multi Family Dwellings

Fewer Units in a Multi Family Dwelling

Duplex Dwelling

More Conforming

C. When a proposed use does not appear in the above table and the Zoning Board of Appeals finds such use is not closely analogous to a listed use, the Zoning Board of Appeals shall evaluate the conformity of such proposed use by considering such factors as the amount of noise, dust, odor, light and traffic the proposed use is likely to generate.

**§ 270-41. Maintenance.**

A nonconforming use is hereby required to be maintained in such condition as will not constitute a danger to the safety, health or general welfare of the public. Alterations and extensions of the nonconforming use, in order to comply with the provisions of this section, are permitted, provided that such alteration or extension shall not tend to increase the inherent nuisance nor shall such alteration or extension violate any provisions of this chapter regarding yards, lot area or lot coverage for the district in which it is situated or increase any existing violation of such provision.

**§ 270-42. General requirements.**

Nonconforming uses or structures in all zone districts shall conform to the following requirements:

A. Enlargement and extension. Any structure or use of land which is nonconforming because of use shall not be enlarged or extended in any manner whatsoever.

B. Alterations. Structural alterations may be made in a building which is nonconforming because it fails to comply with use, height, area, yard, off-street parking or other like requirements of this chapter, so long as the structural alteration does not extend, enlarge or aggravate the nonconformance.

C. Re-conversion. A nonconforming use changed or altered to a conforming use may not thereafter be changed back to a nonconforming use, but nothing herein before stated shall prevent the strengthening or restoring to a safe and lawful condition of any part of any building declared unsafe by the Building Inspector or other city, county or state inspector.

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D. Existing permits. Nothing in this chapter shall require any change in plans, construction or designated use of a structure or building for which a building permit has been heretofore validly issued if construction has been started and diligently pursued at the time of the adoption of this chapter.

E. Previous violations. Nothing in this chapter shall be construed as authorization for an approval of the continuance of the use of a building, structure or premises in violation of any Zoning Ordinances, rules or regulations in effect immediately preceding the time of the effective date of this chapter.

F. Enlargement. Any non-conforming structure that is non-conforming because it fails to comply with height, area, yard, off-street parking or other like requirements of this chapter shall not be changed or altered to enlarge the nonconformance.

**§ 270-43. Damage by fire, flood or act of God.**

A. Damage to a nonconforming use.

- (1) Any building or structure containing a nonconforming use which is damaged by fire, flood, wind or other act of God or man to the extent of fifty percent (50%) or more of its assessed value immediately prior to damage shall not be reoccupied, reused and/or reconstructed, except in conformity with the provisions of this chapter.
- (2) Any building or structure containing a nonconforming use which is damaged by fire, flood, wind or other act of God or man to the extent of more than twenty-five percent (25%) but less than fifty percent (50%) of its fair sales value immediately prior to damage shall not be repaired or reconstructed, except in conformity with this chapter, unless such reconstruction is completed within twelve (12) months of the damage.

B. Damage to a nonconforming building or structure.

- (1) Any nonconforming building or structure which is damaged by fire, flood or other act of God or man to the extent of fifty percent (50%) or more of its fair sales value immediately prior to damage shall not be repaired or reconstructed, except in conformity with the provisions of this chapter.
- (2) Any nonconforming building or structure which is damaged by fire, flood, wind or other act of God or man to the extent of twenty-five percent (25%) or more but less than fifty percent (50%) of its fair sales value immediately prior to damage shall not be re-paired or reconstructed, except in conformity with this chapter, unless such reconstruction is completed within twelve (12) months following the damage.

C. Exemption of dwelling buildings and structures. The limitations of this section shall not apply to a building or other structure utilized as a dwelling which is nonconforming only in respect to yard space or area per dwelling and nonconforming to the district in which located, except that no dwelling building shall be altered, added to or reconstructed to extend further into an already deficient yard space or to reduce an already deficient amount of land area per dwelling.

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**ARTICLE VIII  
Flood Hazard Areas**

**§ 270-44. Findings, purpose and methods for reducing losses.**

**A. Findings of fact.**

- (1) The flood hazard areas of the City of Plattsburgh are subject to periodic inundation which results in the loss of life, property, health and safety hazards; disruption of commerce and governmental services; extraordinary public expenditures for flood protection and relief; and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains, including ice, causing in-creses in flood heights and velocities and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed or otherwise protected from flood damages.

**B. Statement of purpose.** It is the purpose of this Article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health.
- (2) Minimize expenditures of public money for costly flood control projects.
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- (4) Minimize prolonged business interruptions.
- (5) Minimize damage to public facilities and utilities, such as water and gas mains, electric, telephone and sewer lines, streets and bridges, located in floodplains.
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas.
- (7) Ensure that potential home buyers are notified that property is in a flood area.

**C. Methods of reducing flood losses.** In order to accomplish its purposes, this chapter uses the following methods for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities.



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- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Controlling the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters.
- (4) Controlling filling, grading, dredging and other development which may increase flood damage.
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

**§ 270-45. Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

**AREA OF ICE-RELATED FLOOD HAZARD-** The land subjected to seasonal flood hazards due to the obstruction of the Saranac River by ice.

**AREA OF SPECIAL FLOOD HAZARD -** The land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year.

**BASE FLOOD -** The flood having a one-percent chance of being equaled or exceeded in any given year.

**DEVELOPMENT -** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, located within the area of special flood hazard.

**EXISTING MOBILE HOME PARK OR MOBILE HOME SUBDIVISION -** A parcel or contiguous parcels of land divided into two (2) or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed, including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets, is completed before the effective date of this chapter.

**EXPANSION TO AN EXISTING MOBILE HOME PARK OR MOBILE HOME SUBDIVISION -** The preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed, including the installation of utilities, either final site grading or the pouring of concrete pads or the construction of streets.

**FLOOD or FLOODING -** A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD INSURANCE RATE MAP (FIRM) -** The Official Map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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**FLOOD INSURANCE STUDY** - The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Hazard Boundary -Floodway Map, and the water surface elevation of the base flood.

**FLOODWAY** - The channel of a river or other water-course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

**HABITABLE FLOOR** - Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

**MOBILE HOME** - A structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

**NEW CONSTRUCTION** - Structures for which the start of construction commenced on or after the effective date of this chapter.

**NEW MOBILE HOME PARK OR MOBILE HOME SUBDIVISION** - A parcel or contiguous parcels of land divided into ten (10) or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed, including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets, is complete on or after the effective date of this chapter.

**START OF CONSTRUCTION** - The first placement of permanent construction of a structure, other than a mobile home, on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading or filling, nor does it include the installation of streets and/or walkways; nor does it include the excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as gar-ages or sheds, not occupied as dwelling units or not as part of the main structure. For a structure, other than a mobile home, without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within a mobile home park or mobile home subdivision, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed, including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads and installation of utilities, are completed.

**STRUCTURE** - A walled and roofed building that is principally above ground, as well as a mobile home.

**SUBSTANTIAL IMPROVEMENT** Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the assessed value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of

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a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**§ 270-46. Basis for establishing flood hazard areas.**

A. Special flood hazard areas. The areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled, "The Flood Insurance Study for the City of Plattsburgh," dated April 17, 1978, with accompanying Flood Insurance Rate Maps and Flood Boundary - Floodway Maps are hereby adopted by reference and declared to be a part of this chapter.

B. Ice-related flood hazard areas. The areas of ice-related flood hazard have been identified by the City of Plattsburgh based on historic and frequently occurring conditions of flooding. Such areas are delineated as being all land within two hundred fifty (250) feet horizontally of the base flood elevations of the Saranac River, as shown on the Flood Insurance Rate Map, excluding any land within two hundred fifty (250) feet that has an elevation over five and zero-tenths (5.0) feet above the base flood elevation. These areas have not been delineated by the Flood Insurance Study due to the unpredictable occurrence of ice flow and ice-related obstructions.

C. Compliance. No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Article and other applicable regulations.

D. Warning and disclaimer of liability. The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Article does not imply that land outside the areas of special flood hazards or areas of ice-related flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City of Plattsburgh or by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

**§ 270-47. Administration.**

A. Development permit. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in § 270-46A or any area of ice-related flood hazard established in § 270-46B. Application for a development permit shall be made to the Building Inspector on forms furnished by him and may include, but not be limited to, the following plans, in duplicate, drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill and storage of materials; drain-age facilities; and the location of the foregoing. Specifically, the following information is required:

(1) Elevation in relation to mean sea level of the lowest floor, including basement, of all structures.

(2) Elevation in relation to mean sea level to which any nonresidential structure has been flood proofed.

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- (3) Plans showing how any nonresidential flood proofed structure will meet the flood proofing criteria of § 270-49B(2) of this chapter and, after the structure is built, a certification by a registered professional engineer or architect that the structure, as built, meets the criteria of § 270-49B(2) of this chapter.
- (4) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

**B. Designation of Building Inspector; powers and duties.**

- (1) The Building Inspector, or in his absence a designee from his office or the City Engineer, is hereby appointed to administer and implement this Article by granting or denying development permit applications in accordance with its provisions.
- (2) The Building Inspector shall have the following power and duties:

(a) Permit review. He shall:

- [1] Review all development permits to determine that the permit requirements of this Article have been satisfied.
- [2] Review all development permits to require that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.
- [3] Review all development permits to determine if such proposed development is located within the floodway. If the proposed development is to be located in the floodway, a certification shall be obtained in accordance with § 270-49B(4)(a) of this chapter.

(b) Information to be obtained and maintained. He shall:

- [1] Verify and record the actual elevation in relation to mean sea level of the lowest habitable floor, including basement, of all new or substantially improved structures.
- [2] For all new or substantially improved flood-proofed structures:
  - [a] Verify and record the actual elevation in relation to mean sea level.
  - [b] Maintain the flood proofing certifications required in Subsection A(3) of this section.
- [3] Maintain for public inspection all records pertaining to the provisions of this Article.

(c) Alteration of watercourses. He shall:



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- [1] Notify adjacent communities and the New York State Department of Environmental Conservation prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administration.
- [2] Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- (d) Interpretation of FIRM boundaries. The Building Inspector shall make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazards or boundaries of the areas of ice-related flood hazards, for example, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Article.

**§ 270-48. Variances in Flood Zones**

**A. Appeal Board.**

- (1) The Planning Board, as established by the City of Plattsburgh, shall hear and decide appeals and requests for a variance from the requirements of this Article.
- (2) The Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Building Inspector in the enforcement or administration of this Article.
- (3) Any person aggrieved by the decision of the Planning Board or any taxpayer may appeal such decision to the Supreme Court as provided in Article 78 of the Civil Practice Law and Rules of the State of New York.
- (4) In passing upon such applications, the Planning Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter and the following:
  - (a) The danger that materials may be swept onto other lands to the injury of others.
  - (b) The danger of life and property due to flooding or erosion damage.
  - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  - (d) The importance of the services provided by the proposed facility to the community.
  - (e) The necessity to the facility of a waterfront location, where applicable.
  - (f) The availability of alternative locations not subject to flooding or erosion damage for the proposed use.

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- (g) The compatibility of the proposed use with existing and anticipated development.
  - (h) The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area.
  - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles.
  - (j) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
  - (k) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical and water systems, and streets and bridges.
- (5) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half ( $\frac{1}{2}$ ) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that items in Subsection A(4)(a) through (k) above have been fully considered. As the lot size increases beyond the one-half ( $\frac{1}{2}$ ) acre, the technical justification required for issuing the variance increases.
- (6) Upon consideration of the factors listed above and the purposes of this chapter, the Planning Board may attach such conditions to the granting of a variance as it deems necessary to further the purposes of this Article.
- (7) The Building Inspector shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

**B. Conditions for variances.**

- (1) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this subsection.
- (2) Variances shall not be issued within any designated floodway if any significant increase in flood levels during the base flood discharge would result.
- (3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (4) Variances shall only be issued upon the following:
  - (a) A showing of good and sufficient cause.

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- (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant.
  - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or, as identified in Subsection A hereof, victimization of the public or conflict with existing local laws or ordinances.
- (5) Any applicant to whom a variance is granted for a structure in the area of special flood hazard (this clause does not apply to a structure in the area of an ice-related flood hazard) shall be given written notice indicating the elevation below the base flood level, in feet, to which the lowest floor of the structure will be built, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

**§ 270-49. Provisions for flood hazard reduction.**

A. General standards. In all areas of special flood hazards and all areas of ice-related flood hazard, the following provisions are required:

- (1) Anchoring.
  - (a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
  - (b) All new mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
    - [1] Over-the-top ties shall be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate locations, with mobile homes more than fifty (50) feet long requiring one (1) additional tie per side.
    - [2] Frame ties shall be provided at each corner of the home, with five (5) additional ties per side at intermediate points, with mobile homes more than fifty (50) feet long requiring four (4) additional ties per side.
    - [3] All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.
    - [4] Additions to the mobile home shall be similarly anchored.
- (2) Construction materials and methods.
  - (a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

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- (b) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

(3) Utilities.

- (a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
- (c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(4) Subdivision proposals.

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (b) All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize flood damage.
- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- (d) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of fifty (50) lots or five (5) acres.

B. Specific standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in § 270-46A, the following provisions include:

- (1) Residential construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation.
- (2) Nonresidential construction. New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or, together with attendant utility and sanitary facilities, be flood proofed so that below the base flood level the structure is watertight, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyance. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in I 270-47B(2)(b)[2][b].

(3) Mobile homes.

- (a) Mobile homes shall be anchored in accordance with I 270-49A(1)(b).



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- (b) For new mobile home parks and subdivisions; for expansions to existing mobile home parks and subdivisions; for existing mobile home parks and subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or subdivisions requirements shall be as follows:
    - [1] Stands or lots shall be elevated on compacted fill or pilings so that the lowest floor of the mobile home will be at or above the base flood level.
    - [2] Adequate surface drainage and access for a hauler shall be provided.
    - [3] In the instance of elevation on pilings, additional requirements shall include that:
      - [a] The lots are large enough to permit steps.
      - [b] The piling foundations are placed in stable soil no more than ten (10) feet apart.
      - [c] Reinforcement is provided for pilings more than six (6) feet above the ground level.
  - (c) No mobile home shall be placed in a floodway, except in an existing mobile home park or existing mobile home subdivision.
- (4) Floodways. Located within areas of special flood hazard established in 270-46A of this chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions Apply:
- (a) Encroachments, including fill, new construction, substantial improvements and other developments, shall be prohibited unless certification by a professional registered engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
  - (b) If Subsection B(4)(a) of this section is satisfied, All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.
  - (c) The placement of any mobile homes, except in fin existing mobile home park or existing mobile home subdivision shall be prohibited.

**ARTICLE IX  
Administration and Enforcement**

§ 270-50. Designation of enforcing officer; powers and duties. [Amended 12-6-84]

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A. Enforcing officer.

- (1) The provisions of this chapter shall be administered and enforced by the Building Inspector or, in his absence, a person in the office of the Building Inspector designated by him to act in his absence, or the City Engineer, or Assistant City Engineer [referred to in this section as the Building Inspector], who shall have the power to make inspections of buildings or premises necessary to carry out their duties in the enforcement of this chapter.
- (2) The building inspector, housing code inspector, municipal code inspector, police officer or parking enforcement officer may enforce the provisions of section 270-25 (E) of this chapter. [[Added by Ordinance 9-30-93; amended by Ordinance 11-8-95]

B. Powers and duties.

- (1) Records. It shall be the duty of the Building Inspector to keep a record of all applications for permits and a record of all permits issued, with a notation of all special conditions involved. The Building Inspector shall file and safely keep copies of all plans submitted, and the same shall form a part of the records of that office and shall be available for use of the Common Council and other officials.
- (2) Permits and certificates. The Building Inspector shall issue building and zoning permits and certificates of occupancy upon compliance by an applicant with all provisions of this chapter, as well as other ordinances and administrative procedures of the city which require review of plans by other departments, such as police, fire, engineering, etc., and all county, state and federal regulations which require compliance insofar as they apply.

**§ 270-51. Permit requirements; fees; certificates of occupancy. [Amended 12-6-84]**

A. Zoning and building permits.

- (1) Permit required. It shall be unlawful to change the use of any building or structure or to commence the excavation for or the construction of any building or structure, including accessory buildings, or to commence the moving or alteration of any building or structure, including accessory buildings, without a building and zoning permit for such work.
- (2) Permit Application and Issuance. The building and zoning permit application shall include a plan to scale indicating the shape, size, height and location in relation to all property lines and to street or road lines of all buildings or structures to be erected, altered or moved and of any building or structure already on the lot. The application shall also state the existing and/or intended occupancy and use of all such buildings and land and supply other information as may be required by the Building Inspector to ensure that the provisions of this chapter are being observed. If the proposed actions as set forth in the application are in conformity with the provisions of this chapter and other ordinances of the City of Plattsburgh then in force, the Building Inspector shall issue a permit for such actions.
- (3) Refusal. If the application is denied, the applicant shall be notified promptly by regular mail.

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- (a) Fees. The fees for the issuance of zoning and building permits shall be established by resolution of the Common Council and kept on file in the office of the City Clerk and Building Inspector.
- (b) For the purpose of calculating permit fees, the volume of a building shall be calculated using the exterior dimensions and shall include all enclosed space.
- (c) Effect of permit. The issuance of a permit shall in no case be construed as waiving any provision of this chapter.
- (d) Duration of permit.
  - a. A zoning and building permit shall become void six (6) months from the date of issuance unless substantial actual construction has been made by that date on the project described therein.
  - b. Construction must be completed within two (2) years of the date of issuance of the permit, except that construction valued at in excess of five hundred thousand dollars (\$500,000.) shall be completed three (3) years after the date of issuance of the permit. The permit shall be void if construction is not completed in this time period.
  - c. Failure of a developer to meet the construction time requirements specified above shall void the zoning and building permit. In such instances, the Building Inspector shall not issue a new permit unless the developer has secured a variance from this section from the Zoning Board of Appeals.

B. Approval by other departments. No permit issued under this chapter shall be effective unless or until corresponding requirements of the Building Code, sanitary and health regulations, fire regulations and any other local, state or federal regulations shall have been complied with insofar as they apply.<sup>18</sup> Such compliance shall be the responsibility of the developer. The Building Inspector may refuse to issue the permit in cases where approval by a city department has been refused.

<sup>18</sup>Editor's Note: As to building construction, sewers and sewage disposal, and fire prevention, see Chapters 149, 219, and 175, respectively.

C. Certificate of occupancy. No land or building or other structure or part thereof hereafter erected or altered in its use or structure shall be used or occupied until the Building Inspector shall have issued a certificate of occupancy stating that such land, building, structure or part thereof and the proposed occupancy or use thereof is found to be in conformity with the provisions of this chapter.

**270-52. Zoning Board of Appeals.**

A. General provisions

(1) Creation. A Zoning Board of Appeals is hereby established in accordance with General City Law Sec. 81.

(2) Composition. (amended by Ordinance 3-1-84 by L.L 94-5) The Zoning Board of Appeals shall

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consist of seven regular members and two alternate members. The alternate members shall serve only in the absence of a regular member, or where a regular member is unable to vote on an appeal due to conflict of interest considerations.

- (3) **Appointment. (replaced by L.L. 94-5)** The Mayor shall appoint the regular and alternate members of the Zoning Board of Appeals, subject to confirmation by the affirmative vote of three members of the Common Council. The Mayor shall appoint a chairperson of the Zoning Board of Appeals from among the regular members. No member of the Common Council or the Planning Board of the City of Plattsburgh shall be eligible for appointment to the Zoning Board of Appeals.
- (4) **Term. (replaced by L.L. 94-5)** Zoning Board of Appeals members whose terms expire in 1994 shall serve until December 31, 1994. Alternate members. Members whose terms expire in 1994 or thereafter and who are reappointed, or their replacements, shall be appointed to a seven (7) year term.
- (5) **Vacancies.** Vacancies shall be filled by the Mayor. If vacancies shall occur otherwise than by the expiration of the term it shall be filled by appointment for the un-expired term.
- (6) **Chairperson.** The chairperson of the Zoning board of Appeals shall be appointed by the Mayor and shall serve in such capacity at the pleasure of the Mayor.

**B. General procedures.**

- (1) **Meetings.** Meetings of the Zoning board of Appeals shall be held at least once a month, unless there are no appeals to be heard, and at such other times as the Board may determine, or at the call of the Chairman. All meetings of such Board shall be open to the public.
- (2) **Oaths.** The Chairman or, in his absence, the Acting Chairman may administer oaths and compel the attendance of witnesses.
- (3) **Minutes.** The Zoning Board of Appeals shall adopt its own rules of procedure and shall keep minutes of its proceedings, showing the vote of each member upon every question or, upon absence or failure to vote, indicating such fact and shall also keep records of its examination and other official actions. Every rule, regulation, amendment or repeal thereof and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Building Inspector and shall be a public record.
- (4) **Quorum.** A quorum shall consist of four (4) members (a majority). Voting shall be by voice vote or ballot.

**C. Fees.** Application fees shall be established by resolution of the Common Council.

**D. POWERS.** The Zoning Board of Appeals shall have the following powers:

- (1) **ADMINISTRATIVE REVIEW.** The board of appeals may reverse or affirm, wholly or partly, or may



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modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the building inspector or the administrative officer charged with the enforcement of such ordinance or local law and to that end shall have all the powers of the building inspector and the administrative officer from whose order, requirement, decision, interpretation or determination the appeal is taken.

(2) **SPECIAL USE PERMITS.** To hear and decide applications for special permits as specified in this chapter and to authorize the issuance of special permits as specifically provided herein.

(3) **VARIANCES.**

**A. USE VARIANCES.** The board of appeals, on appeal from the decision or determination of the building inspector or administrative official charged with the enforcement of such ordinance or local law, shall have the power to grant use variances, as defined herein.

(1) No such use variance shall be granted by a board of appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

(a) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

(b) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

(c) the requested use variance, if granted, will not alter the essential character of the neighborhood; and

(d) the alleged hardship has not been self-created.

(2) The board of appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

**B. AREA VARIANCES.** The zoning board of appeals shall have the power, upon an appeal from a decision or determination of the building inspector or administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.

(1) In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

(a) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

(b) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;

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- (c) whether the requested area variance is substantial;
- (d) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (e) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

(2) The board of appeals, in the granting of use and area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

(3) Definition of Terms-- As used in this section:

(i) "Use Variance" shall mean the authorization by the Zoning Board of Appeals for the use of land, building, structure or premises for a purpose which is otherwise not allowed & is prohibited by the applicable zoning regulations.

(ii) "Area of Variance" shall mean the authorization by the Zoning Board of Appeals for the use of land, building, structure or premises and signs in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

C. Imposition of conditions. The board of appeals shall, in the granting of special use permits, use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance or local law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

**§ 270-53. General administrative procedures.**

A. Tolling of period of approval heretofore or hereafter granted to an application for development the developer is barred or prevented, directly or indirectly, from proceeding with the development otherwise permitted under such approval by a legal action instituted by any state agency, political sub-division or other party to protect the public health and welfare or by a directive or order issued by any state agency, political subdivision or court of competent jurisdiction to protect the public health or welfare and the developer is otherwise ready, willing and able to proceed with said development, the running of the period of approval under this Article or under any ordinance repealed by this Article, as the case may be, shall be suspended for the period of time said legal action is pending or such directive or order is in effect.

B. Conditional approval. In the event that a developer submits an application for development proposing a development that is barred or prevented, directly or indirectly, by a legal action instituted by any state agency, political subdivision or other party to protect the public health and welfare or by a directive or order issued by any state agency, political subdivision or court of competent jurisdiction to protect the public health and welfare, the municipal agency shall process such application for development in accordance with this chapter, and if such application for development complies with this chapter, the municipal agency shall approve such application, conditioned on removal of such legal barrier to development.

C. In the event that development proposed by an application for development requires an approval by a governmental agency other than the municipal agency, the municipal agency shall, in appropriate instances,

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condition its approval upon the subsequent approval of such governmental agency, provided that the city shall make a decision on any application for development within the time period provided in this chapter or within an extension of such period as has been agreed to by the applicant, unless the municipal agency is prevented or relieved from so acting by the operation of law.

D. Vote of absentee members. When any hearing before the Planning Board or Zoning Board of Appeals, as the case may be, shall carry over two (2) or more meetings, a member of the municipal agency conducting said hearing absent for one (1) or more of the meetings shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his absence from one (1) or more of the meetings; provided, however, that said member has available to him a transcript, recording or minutes of the meeting from which he was absent and certifies to the Board that he has read such transcript or minutes or listened to such recording prior to his voting or participating on any decision on the matter.

**§ 270-54. APPLICATIONS; HEARINGS AND DECISIONS**

A. The following provisions apply to applications for administrative reviews, variances, special use permits, site plan approvals, planned unit development and historic site approval made to the Zoning Board of Appeals or the Planning Board:

1. Meetings, minutes, records. Meetings of such Boards shall be open to the public to the extent provided in article seven of the public officers law. Such Boards shall keep minutes of their proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of their examinations and other official actions.
2. Filing requirements. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Boards shall be filed in the office of the city clerk and the Building Inspector within five business days and shall be a public record.
3. Assistance to the Boards. Such Boards shall have the authority to call upon any department, agency or employee of the city for such assistance as shall be deemed necessary and as shall be authorized by the legislative body. Such department, agency or employee may be reimbursed for any expenses incurred as a result of such assistance.
4. Voting. The concurring vote of a majority of the members of the whole membership of such Boards ( 4 votes) shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to grant a use variance, area variance, special use permit, site plan approval, and any other permit or approval under this Chapter.
5. Appeals. Appeals from reviewing any order, requirement, decision, interpretation, or determination, made by the building inspector or administrative official charged with the enforcement of any ordinance or local law adopted pursuant to this Chapter may be taken by any person aggrieved, or by an officer, department, board or bureau of the city.
6. Filing of administrative decision. Each order, requirement, decision, interpretation or determination of the of the Building Inspector or administrative official charged with the

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enforcement of this chapter shall be filed within five business days from the day it is rendered, and shall be a public record.

7. **Time Limits On Appeal.** An appeal shall be taken within sixty days after the filing of any order, requirement, decision, interpretation or determination of the Building Inspector or other administrative official charged with interpreting or enforcing this Chapter, by filing with such building inspector and with the board of appeals a notice of appeal, specifying the grounds thereof and the relief sought. The building inspector shall forthwith transmit to the board of appeals all the papers constituting the record upon which the action appealed from was taken.
8. At least ten days before a hearing, the authorized board shall mail notices thereof to the applicant and to the county planning board or agency and regional planning council, as required by section two hundred thirty-nine-m of the general municipal law, which notice shall be accompanied by a full statement of, such proposed action as defined in subdivision two of section two hundred thirty-nine-m of the general municipal law. county planning board, which notice shall be accompanied by a full statement of such proposed action.
9. **Compliance with state environmental quality review act.** Such Boards shall comply with the provisions of the state environmental quality review act under article eight of the environmental conservation law and its implementing regulations.
10. **Rehearing.** A motion to hold a rehearing to review any order, decision or determination of a Board not previously reheard may be made by any member of the board. A unanimous vote of all members of the board then present is required for such rehearing to occur. Such rehearing is subject to the same notice provisions as an original hearing. Upon such rehearing the board may reverse, modify or annul its original order, decision or determination upon the unanimous vote of all members then present, provided the board finds that the rights vested in persons acting in good faith in reliance upon the reheard order, decision or determination will not be prejudiced thereby.
11. **Resubmissions.** Where an application is denied by vote of the Board, the same, or substantially the same, application may not be filed until one (1) year after the date of such denial. In cases where the appeal or application is withdrawn by the applicant after public notice of hearing, but before a decision by the Board, the same, or substantially the same, application may not be filed until ninety (90) days after the date of withdrawal.
12. An interested party, as defined herein, may make an apply for administrative reviews, permits or approvals under this Chapter, provided however, that any person applying for an interpretation, decision, permit or approval to improve a property must be the owner(s) of the property, or have the owner(s) written permission.
13. Applications are not considered filed until deemed complete by the Building Inspector. The Building Inspector shall promptly notify applicants if the application is deemed incomplete.
14. **Stays.** An appeal shall stay all proceedings in furtherance of the action appealed from, unless the building inspector or person charged with the enforcement of such ordinance or local law, from



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whom the appeal is taken, certifies to the board of appeals, or the planning board as the case may be, after the notice of appeal shall have been filed with the administrative official, that by reason of facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of appeals, or planning board as the case may be, or by a court of record on application, on notice to the building inspector or person from whom the appeal is taken and on due cause shown.

15. Public notice. Public notice shall be given of applications for variances and special use permits by the publication in the official paper of the City of Plattsburgh of a notice of such hearing, beginning not less than five (5) nor more than ten (10) calendar days before such hearing. The cost of sending or publishing any notices relating to such appeal or application, or a reasonable fee relating thereto, shall be borne by the appealing party and shall be paid to the board prior to the hearing of such appeal.
16. Notice to affected property owners. Notice of an application for a variance or special use permit shall be given by first class mail at least five (5) calendar days prior to the date of hearing to all persons, firms or corporations listed as owner of record on the city tax record within the affected area of the location of the property upon which the use is proposed to be established. For purposes of this chapter, the "affected area" of an application for a variance shall be as follows:
  - a. Use variance. A use variance shall include all applications for variances, except those defined in area variances below. In such cases, notice shall be given to all persons, firms or corporations listed as owner of record on the city tax records within five hundred (500) feet of the applicant for variance property.
  - b. Area variance. An area variance shall include all applications for variance from yard and setback requirements and dimensional calculations for signage. In such cases, notice shall be given to all persons, firms or corporations listed on the city tax records as owners of adjoining property.
  - c. Special Use Permit. Notice of an application for a special permit shall be given to all persons, firms or corporations listed as owner of record on the city tax record within five hundred (500) feet of the location of the property upon which the use is proposed to be established.
  - d. Site Plan in Industrial Zone. Notice of an application for a permit requiring site plan review in an industrial zone shall be given to all persons, firms or corporations listed as owners in the city tax records and who own property located within five hundred (500) feet of the site reviewed. [Added 3-9-89 by Ord. No. 89-1]
17. Representation at Hearing. Upon the hearing, any party may appear in person, or by agent or attorney.
18. Time of Hearing. The Boards shall conduct a public hearing within sixty-two days from the day an application is received on any matter referred to them under this section.
19. Time of Decision. The Boards shall decide upon the application within sixty-two days after the

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hearing. The time within which the Boards must render its decision may be extended by mutual consent of the applicant and the Board.

20. **Filing and Serving Decisions.** The decision of the Board(s) on the application after the holding of the public hearing shall be filed in the office of the city clerk within five business days after such decision is rendered, and a copy thereof mailed by first class mail to the applicant. (see § 27-b Gen. City.) The Board of Appeals shall notify the Common Council and the Planning Board of each special use permit and each variance granted under the provisions of this chapter. The Planning Board shall notify the Zoning Appeals Board of all site plan approvals.
21. **Permit time provisions.** If the special use permit, variance, site plan, planned unit development or historic site approval is granted, a building and zoning permit may be issued by the Building Inspector; however, such zoning approval shall become void six (6) months from the date of building permit issuance unless substantial actual construction has commenced.

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**§ 270-55. Grievance procedure.**

- A. Any person or persons jointly or severally aggrieved by any decision of the Board of Appeals or any officer, department, board or bureau of the city may apply to the Supreme Court for relief by a proceeding under Article 78 of the Civil Practice Law and Rules of the State of New York, and, provided such proceeding is commenced within thirty calendar days of filing the decision in the office of the Building Inspector.
- B. Costs shall not be allowed against the Boards unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

**§ 270-56. Remedies.**

In case any building or structure is erected, constructed, re-constructed, altered, converted or maintained or any building, structure or land is used in violation of this chapter, the proper local authorities of the city, in addition to other remedies, may institute any appropriate actions or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.

**a) § 270-57. Penalties for offenses**  
(replaced by Ordinance 9-30-93)

- A. For a violation of any section of this chapter, except those sections for which a separate fine is herein provided, the owner of a building or lot, or the lessee or tenant of the entire building or lot, or the lessee or tenant of a part of the building or lot where a violation exists or has been committed shall be guilty of a violation punishable by a fine not exceeding two hundred and fifty dollars for conviction of a first offense or violation; for a conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than two hundred and fifty dollars nor more than five hundred dollars; and upon conviction of a third or subsequent offense all committed within a period of five years, punishable by a fine not less than five hundred dollars nor more than seven hundred fifty dollars. Each week's continued violation shall constitute a separate additional violation or offense.
- B. For a violation of section 270-25 M of this chapter, the registered owner or the operator of a vehicle parked in violation of this section, shall be guilty of a violation punishable by a fine not exceeding fifteen dollars for conviction of a first offense, for a conviction of a second offense both of which were committed within a period of one year, punishable by a fine not less than thirty five dollars nor more than seventy five dollars; and upon conviction of a third or subsequent offense all committed with a period of one year, punishable by a fine not less than seventy five dollars nor more than one hundred fifty dollars. Each violation that continues for more than seventy two hours shall constitute a separate additional violation. (amended by Ordinance 11-8-95)
- C. For a violation of Section 270-51 A (1) of this chapter, the person making the improvements shall be guilty of a violation punishable by a fine equal to twice the amount of the permit application fee.

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- D. The enforcing officer may serve a written notice of violation specifying a date by which the violation shall cease, and, if the violation does not cease with the time specified, the enforcing officer may institute such action as may be necessary to terminate the violation. Such notice shall be served personally, or by affixing such notice in a conspicuous place on the premises and mailing a copy by first class mail to the owner, lessee or tenant, or by mailing a copy of such notice by certified mail, return receipt requested, to the owner, lessee or tenant
- E. The enforcing officer may prosecute a violation of this chapter by issuing an appearance ticket pursuant to the provisions of Article 150 of the Criminal Procedure Law.
- F. For a violation of section 270-25 M the enforcing officer may serve an appearance ticket in the manner authorized for issuing an appearance ticket for a traffic infraction relating to parking (amended by Ordinance 11-8-95)
- G. The provisions of this chapter may be enforced by any other court action or proceeding deemed appropriate by the corporation counsel.

**§ 270-58 Amendments.**

The Common Council may refer any request for amendment, supplement, change or repeal of the regulations, restrictions and boundaries established by this chapter to the Planning Board for report as may be provided by General City Law 30. The Common Council may amend, supplement, change or repeal regulations, restrictions and boundaries established by this chapter, as provided by General City Law 83.



**Schedule I**  
**Schedule of Permitted Uses Part A**

Zoning District	Permitted Principal Uses	Accessory Uses	Uses Requiring Special Permit
R-1 Low-Density Residential	<ol style="list-style-type: none"> <li>1. Single family residences.</li> <li>2. Churches or other houses of worship.</li> <li>3. Elementary and high schools.</li> <li>4. Public parks and recreation facilities</li> </ol>	<ol style="list-style-type: none"> <li>1. Home occupations as permitted according to this chapter</li> <li>2. Other uses customarily accessory to permitted principal uses as defined in this chapter.</li> </ol>	<ol style="list-style-type: none"> <li>1. Cemeteries.</li> <li>2. Essential public utility facilities.</li> <li>3. Private Clubs.</li> <li>4. Nursing and rest homes</li> </ol>
RH	<ol style="list-style-type: none"> <li>1. Single Family Residence</li> <li>2. Home Occupation</li> </ol>	<ol style="list-style-type: none"> <li>1. Public Park or Recreation Facility</li> <li>2. Other uses customarily accessory to permit principal uses.</li> </ol>	<ol style="list-style-type: none"> <li>1. Nursing or Rest home</li> <li>2. Conversion of an existing structure creating one accessory apartment<sup>1</sup></li> <li>3. Professional Office</li> <li>4. Photographic Studio or Art Gallery</li> <li>5. Bed &amp; Breakfast Establishment</li> <li>6. Medical or Dental Clinic</li> <li>7. Church or other house of worship.</li> <li>8. Elementary or High School.</li> <li>9. College or University</li> <li>10. Fire Station</li> </ol>
R-2 General Residential	<ol style="list-style-type: none"> <li>1. Single-family residences.</li> <li>2. Two-family residences</li> <li>3. Three family residence</li> <li>4. Multifamily residences.</li> <li>5. Townhouse residences.</li> <li>6. Churches or other houses or worship.</li> <li>7. Hospitals and medical and dental clinics.</li> <li>8. Elementary and high schools.</li> <li>9. Essential public utility facilities</li> <li>10. Public parks and</li> </ol>	<ol style="list-style-type: none"> <li>1. Home occupations as permitted according to this chapter.</li> <li>2. Other uses customarily accessory to permitted principal uses as defined in this chapter.</li> <li>3. Agricultural uses</li> </ol>	<ol style="list-style-type: none"> <li>1. Universities or colleges.</li> <li>2. Neighborhood and convenience-type commercial facilities.</li> <li>3. Cemeteries.</li> <li>4. Hospitals and medical and dental clinics.</li> <li>5. Essential public utility facilities.</li> <li>6. Private Clubs.</li> <li>7. Nursing and rest homes.</li> </ol>

<sup>1</sup> Three Year Renewable Special Permit Required

(1,90)

**Schedule I  
Schedule of Permitted Uses Part A**

Zoning District	Permitted Principal Uses	Accessory Uses	Uses Requiring Special Permit
R-2 ctd.	recreation facilities.		8. Funeral homes. 9. planned unit developments 10. Nursery schools and day-care facilities. 11. Professional offices.
B-1 General Business and B-2 Highway	1. Retail businesses and commercial uses commonly associated with neighborhood and <ol style="list-style-type: none"> <li>Grocery stores, food specialty shops and supermarkets.</li> <li>Drug Stores.</li> <li>Hardware stores.</li> <li>Apparel stores.</li> <li>General department stores.</li> <li>Appliance, home decorating and furniture stores.</li> <li>Book and Stationery stores.</li> <li>Photographic studios and art galleries.</li> <li>Other similar uses</li> </ol> 2. Personal and business service establishments, such as: <ol style="list-style-type: none"> <li>Banks.</li> <li>Professional and administrative offices.</li> <li>Medical and dental clinics.</li> <li>Barber and beauty shops.</li> <li>Laundry establishments.</li> <li>Repair shops for shoes, watches,</li> </ol>	1. Parking and loading areas. 2. Other uses customarily accessory to the permitted principal uses defined in this chapter.	1. Automobile service and repair shops. 2. Liquor stores. 3. Essential public utility facilities. 4. Automobile agencies. 5. Tractor, trailer, and boat sales establishments. 6. Building supply stores. 7. Television and radio broadcast facilities. 8. Hospitals. 9. Shopping centers. 10. Warehouses and storage facilities. 11. Drive-in businesses. 12. Dry-cleaning business. 13. Amusements and recreation areas. 14. Residential uses in B-1 Districts only. 15. Light Industrial Use <sup>2</sup> . 16. Adult use or entertainment establishments. <sup>3</sup> 17. Planned unit developments.

<sup>2</sup> Where a Light Industrial Use is proposed to be established on a lot that abuts or adjoins an R-1 zone, such special use permit may be granted only on the condition that all structures and paving shall be set back 100 feet from the boundary line of the R-1 zoning district and said 100 foot area shall be maintained in a natural state and may be required to be planted with trees or other vegetation to screen the Light Industrial Use from adjoining R-1 lots.

<sup>3</sup> This use is subject to other location requirements and is not permitted throughout the zone.

(1,91)

**Schedule I**  
**Schedule of Permitted Uses Part A**

Zoning District	Permitted Principal Uses	Accessory Uses	Uses Requiring Special Permit
B-1, B-2 ctd.	<p>clocks, appliances, and similar uses.</p> <ol style="list-style-type: none"> <li>3. Eating and drinking establishments</li> <li>4. Hotels and motels.</li> <li>5. Churches and or her houses of worship</li> <li>6. Schools, excluding day-care and nursery facilities.</li> <li>7. Public parks and recreational facilities.</li> <li>8. Governmental, semipublic and or public institutions.</li> <li>9. Private clubs.</li> <li>10. Funeral homes.</li> <li>11. Nurseries and supplies of flowers and/or plants.</li> <li>12. Newspaper publishing facilities.</li> </ol>		

(1,92)

**Schedule I  
Schedule of Permitted Uses Part B**

Zoning District	Permitted Principal Uses	Accessory Uses	Uses Requiring Special Permit
C. Central Business	<ol style="list-style-type: none"> <li>1. Retail businesses and commercial uses commonly associated with neighborhood and community shopping areas, such as:               <ol style="list-style-type: none"> <li>a. Grocery stores, food specialty shops and supermarkets.</li> <li>b. Drug stores.</li> <li>c. Hardware stores.</li> <li>d. Apparel stores.</li> <li>e. General department stores.</li> <li>f. Appliance, home decorating and furniture stores.</li> <li>g. Book and stationary stores.</li> <li>h. Photographic studios and art galleries.</li> <li>i. Other similar uses.</li> </ol> </li> <li>2. Personal and business service establishments, such as:               <ol style="list-style-type: none"> <li>a. Banks.</li> <li>b. Professional and administrative offices.</li> <li>c. Medical and dental clinics.</li> <li>d. Barber and beauty shops.</li> <li>e. Laundry establishments</li> <li>f. Repair shops for shoes, watches, clocks, appliances, and similar uses.</li> </ol> </li> <li>3) Eating and drinking establishments</li> <li>4) Hotels and motels.</li> <li>5) Churches and other houses of worship.</li> <li>6) Schools, excluding nursery schools and daycare facilities.</li> <li>7) Public parks and recreational facilities.</li> </ol>	<ol style="list-style-type: none"> <li>1. Parking and loading areas.</li> <li>2. Other uses customarily accessory to the permitted principal uses as defined in this chapter.</li> </ol>	<ol style="list-style-type: none"> <li>1. Automobile service stations, repair shops and agencies.</li> <li>2. Liquor stores.</li> <li>3. Essential public utility facilities.</li> <li>4. Automobile agencies.</li> <li>5. Boat sales establishments.</li> <li>6. Building supply stores.</li> <li>7. Television and radio broadcast facilities.</li> <li>8. Hospitals</li> <li>9. Dry-cleaning business.</li> <li>10. Amusement and recreation facilities.</li> <li>11. Planned unit developments.</li> </ol>

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Schedule I Part B Page 1 of 5

(1093)

**Schedule I  
Schedule of Permitted Uses Part B**

Zoning District	Permitted Principal Uses	Accessory Uses	Uses Requiring Special Permit
	8) Government, semipublic, and/or public institutional uses. 9) Private clubs. 10) Funeral homes. 11) Efficiency and one-bedroom residential uses above the first floor level.		
I Industrial	1. Manufacturing, assemblage, processing and storage operations that are not offensive by reason of the emission of odor, fumes, dust, smoke, noise and/or vibration or that would have a negative impact on the environment or living conditions within the city. 2. Research laboratories. 3. Warehouses and wholesale and retail distribution centers, including offices and showrooms. 4. Trucking terminals. 5. Food processing, packing and storage operations. 6. Bottling plants. 7. Public facilities. 8. Airports, including all support facilities such as landing fields, control towers, hangers, administrative buildings, and navigation equipment. 9. Airport allied uses, including aircraft and aircraft parts manufacture, air freight terminals, trucking terminals, aviation schools, aircraft repair shops, aviation research and testing laboratories, aircraft sales, equipment and parts storage. 10. Nurseries, greenhouses. 11. Parks and playgrounds.	1. Parking and loading areas. 2. Sale and service of products manufactured or assembled as principal use. 3. Other uses customarily accessory to the permitted principal use as defined in this chapter. 4. Administrative offices and office buildings. 5. Outdoor storage areas.	1. Other industrial uses but not including: a. Junkyards and automobile salvage yards. b. Cement manufacturing operations. c. Petroleum storage facilities. 2. Eating establishments serving the area and not serving alcoholic beverages. 3. Energy production, solid waste and resource recovery facilities. 4. Adult use or entertainment establishments. 5. Concert events 6. Planned unit developments.

(1.94)



**Schedule I**  
**Schedule of Permitted Uses Part B**

Zoning District	Permitted Principal Uses	Accessory Uses	Uses Requiring Special Permit
Industrial ctd.	<ul style="list-style-type: none"> <li>12. Public utility facilities.</li> <li>13. Storage uses, including warehousing, building materials, storage yard or plant, sales of construction equipment, lumber yard, stone monument works, wholesale business, storage buildings, and warehouses, distribution plants, parcel delivery, ice and cold storage.</li> <li>14. Spectator events, to include air shows, balloon shows, and vehicle racing.</li> <li>15. Offices</li> <li>16. Museums, libraries.</li> <li>17. Private Clubs.</li> </ul>		
- RC-1 Recreation and Related Uses	<ul style="list-style-type: none"> <li>1. Multifamily residences.</li> <li>2. Townhouse residences.</li> <li>3. Hotels and motels.</li> <li>4. Eating and/or drinking establishments not serving alcoholic beverages.</li> <li>5. Indoor and outdoor commercial recreation such as:               <ul style="list-style-type: none"> <li>a. Bowling.</li> <li>b. Tennis.</li> <li>c. Paddleball.</li> <li>d. Gymnasiums.</li> <li>e. Skating.</li> <li>f. Assembly facilities.</li> <li>g. Marinas and boat rides.</li> <li>h. Other similar uses.</li> </ul> </li> <li>6. Public recreation and related facilities.</li> <li>7. Retail businesses and commercial uses commonly associated with recreation related and tourist areas, such as:               <ul style="list-style-type: none"> <li>a. Convenience type grocery stores and food specialty shops.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>1. Parking and loading areas.</li> <li>2. Pedestrian walkways, beach and related facilities.</li> <li>3. Retail sales and services incidental to a permitted use.</li> <li>4. Other uses customarily accessory to permitted principal uses as defined in this chapter.</li> </ul>	<ul style="list-style-type: none"> <li>1. Amusement parks, facilities and concessions.</li> <li>2. Essential public utilities.</li> <li>3. Eating and drinking establishments serving alcoholic beverages.</li> <li>4. Drive-in businesses.</li> <li>5. Recreation vehicle campgrounds.</li> <li>6. Planned unit developments.</li> </ul>

11/15/01 edition

(1.95)

**Schedule I  
Schedule of Permitted Uses Part B**

Zoning District	Permitted Principal Uses	Accessory Uses	Uses Requiring Special Permit
RC-1 ctd.	<ul style="list-style-type: none"> <li>b. Drug stores.</li> <li>c. Apparel stores.</li> <li>d. Book and stationary stores.</li> <li>e. Gift and craft shops.</li> <li>f. Sporting goods and camping supply stores.</li> <li>g. Other similar uses.</li> </ul> <p>8. Personal and business service establishments such as:</p> <ul style="list-style-type: none"> <li>a. Banks.</li> <li>b. Professional offices.</li> <li>c. Medical and dental clinics.</li> <li>d. Barber and beauty shops.</li> <li>e. Laundry establishments.</li> <li>f. Other similar uses.</li> </ul>		
RC-2	<ul style="list-style-type: none"> <li>1. Single-family residences.</li> <li>2. Two-family residences.</li> <li>3. Three-family residences.</li> <li>4. Multi-family residences.</li> <li>5. Townhouse residences.</li> <li>6. Churches or other houses of worship.</li> <li>7. Elementary and high schools.</li> <li>8. Public parks and recreation facilities.</li> <li>9. Professional offices, medical and dental clinics.</li> <li>10. Hotels and Motels.</li> </ul>	<ul style="list-style-type: none"> <li>1. Home occupations as permitted according to this chapter.</li> <li>3. Other uses customarily accessory to permitted principal uses as defined in this chapter.</li> <li>4. Agricultural uses</li> </ul>	<ul style="list-style-type: none"> <li>1. Universities or colleges.</li> <li>2. Neighborhood and convenience-type commercial facilities.</li> <li>3. Cemeteries.</li> <li>4. Essential public utility facilities.</li> <li>5. Private clubs.</li> <li>6. Nursing and rest homes.</li> <li>7. Funeral homes.</li> <li>8. Nursery schools and day-care facilities.</li> <li>9. Eating and/or drinking establishments.</li> <li>10. Conference Centers.</li> <li>11. Planned unit developments.</li> </ul>
RC-3	<ul style="list-style-type: none"> <li>1. Churches and other houses of worship.</li> <li>2. Elementary and high schools.</li> <li>2. Public parks and recreation facilities.</li> </ul>		<ul style="list-style-type: none"> <li>1. Universities and colleges.</li> <li>2. Cemeteries.</li> <li>3. Essential public utility facilities.</li> <li>4. Private commercial</li> </ul>

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(1,96)

**Schedule I  
Schedule of Permitted Uses Part B**

Zoning District	Permitted Principal Uses	Accessory Uses	Uses Requiring Special Permit
RC-3 cld.	3. Gymnasium		recreation facilities (e.g. marinas) 5. Planned unit developments.

**Schedule II**  
**Schedule of Area and Bulk Controls**

Zoning District and Land Use	Minimum Lot Size Requirements				Minimum Yard Requirements			Maximum Building Height		Minimum Open Space (Percent)
	Area (square feet)	Area per Dwelling Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side One/Both (feet)	Rear (Feet)	(feet stories)	Coverage (percent)	
R-1 Low Density Residential Single-family residence	7,500	7,500	75	75	25	10/25	30	35/2.5	25	50
Other uses permitted	15,000	Not applicable	50	100	25	10/25	25	35/2.5	30	50
R-2 General Residential Single-family residence	5,000	5,000	50	100	20	10/25	25	35/2.5	30	50
Two-family residence	6,000	3,000	50	100	20	10/25	25	35/2.5	30	45
Three-family residence	7,500	2,500	60	100	20	10/25	25	35/2.5	30	45
Townhouse residence	2,500	2,500	25	100	20	0/0(a)	25	35/2.5	30	50
Multifamily residence Low-Rise	10,000	(b)	(b)	(b)	30	15/35	35	35/2.5	20	45
High-Rise	100,000	(b)	(b)	(B)	35	30/65	60	(b)	15	50
Neighborhood commercial	5,000	Not applicable	50	100	20	10/25	25	35/2.5	30	50
Other permitted uses	10,000	Not applicable	100	100	20	10/25	25	35/2.5	30	50
B-1 General Business All permitted uses	5,000	Not applicable	50	100	20	(c)	(d)	35/2.5	40	15
B-2 Highway Business All permitted uses	10,000	Not applicable	50	100	40	(e)	(d)	30/2	50	15
C Central Business All permitted uses Low-rise	5,000	1,500	50	100	Not applicable	(e)	(d)	36/3	100	Not applicable
High-rise	50,000	Not applicable	70	100	(b)	(b)	(b)	(b)	(b)	(b)
I Industrial All permitted uses	15,000	Not applicable	100	100	40	20/40	20	48/4	50(f)	20

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(1.98)

**Schedule II**  
**Schedule of Area and Bulk Controls**

Zoning District and Land Use	Minimum Lot Size Requirements				Minimum Yard Requirements			Maximum Building Height		Minimum Open Space (percent)
	Area (square feet)	Area per Dwelling Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side One/Beth (feet)	Rear (Feet)	(feet stories)	Coverage (percent)	
RC-1 Permitted residential uses Low-rise	10,000	(b)	(b)	(b)	40(e)	12/24	12	35/2.5	30	45
High-rise	50,000	(b)	(b)	(b)	40(e)	(b)	(b)	(b)	(b)	45
Other permitted uses Low-rise	10,000	Not applicable	(b)	(b)	40(e)	12/24	12	35/2.5	30	45
High-rise	50,000	Not applicable	(b)	(b)	40(e)	(b)	(b)	(b)	(b)	(b)
RC-2 Permitted Residential Uses	15,000	(b)	(b)	(b)	40	24/48	24	49/3.5	25	50 <sup>a</sup>
Other Permitted Uses	15,000	(b)	(b)	(b)	40	24/48	24	49/3.5	25	50 <sup>a</sup>
Recreation and Related Uses-3 Permitted Uses	20,000	Not applicable	150	100	30	30/90	30	49/3.5	15	75 <sup>a</sup>

**Notes:**

- (a) Except end units where one (1) yard must be a minimum of ten (10) feet and both yards must total (25) feet.
- (b) See Schedule III, Calculation Formulas for Area and Bulk Controls, at the end of this chapter.
- (c) None required; however, if a side yard is provided, it must be a minimum of twelve (12) feet in width.
- (d) None required; however, if a rear yard is provided, adequate access to a public right-of-way for service and maintenance must be provided, and the yard must be a minimum of twelve (12) feet in depth.
- (e) Except lakefront parcels located in the city's north end urban renewal project for the duration of currently approved urban renewal plan controls.
- (f) In addition, the Zoning Board of Appeals is authorized to allow building coverage in Industrial Zones to be increased fifty percent (50%) to sixty-five percent (65%) by special use permit.
- (g) The minimum open space requirement shall apply only to proposals that would diminish existing open space, such as the construction of new buildings or additions, or the creation of parking or storage areas or other paved areas. It shall not apply to a change in use of existing buildings or facilities that would not result in diminished open space. Nor shall it apply to building expansions of less than twenty-five (25) percent in floor area.
- (h) All area and bulk control requirements shall exclude land between the waterside property boundary and the high water elevation.

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g

11/15/2001

(1.99)



**City of Plattsburgh  
Schedule III  
Calculations Formulas for Area and Bulk Controls**

**R-2 General Residential District**

**Low-Rise Multifamily Residences**

$$2,500 - \frac{\text{lesser of lot area of } 2000,000 - 10,000}{190,000} \times 1,500 = \text{area per dwelling unit}$$

Square root of lot area in square feet X 0.67 = minimum lot dimension  
Lot area in square feet X 12 = maximum height in feet

**C. Central Business District**

**All Permitted Uses  
(High-Rise)**

$$1,500 - \frac{\text{lesser of lot area or } 2000,000 - 50,000}{150,000} \times 750 = \text{area per dwelling unit}$$

Square root of lot area in square feet X 0.67 = minimum lot dimension  
Height in stories X 3 = minimum required yard (sides, front and rear)  
Lot area in square feet X 0.0001 = maximum height in stories  
Height in stories X 12 = maximum height in feet  
Maximum building coverage = 100% of buildable portion of lot  
Minimum open space = 100% of required yards

**RC-1 Recreation and Related Uses District**

**Permitted Residential Uses  
(Low-Rise)**

$$2,500 - \frac{\text{lesser of lot area or } 200,000 - 10,000}{190,000} \times 1,750 = \text{area per dwelling unit in square feet}$$

Square root of lot area in square feet X 0.67 = minimum lot dimension

**Permitted Residential Uses  
(High-Rise)**

$$2,500 - \frac{\text{lesser of lot area or } 200,000 - 10,000}{190,000} \times 1,750 = \text{area per dwelling unit in square feet}$$

Square root of lot area in square feet X 0.67 = minimum lot dimension  
Height in stories X 5 = minimum required yard (sides, front and rear)  
Lot area in square feet X 0.0001 X 0.5 = maximum height in stories  
Height in stories X 12 = maximum height in feet

$$25 - \frac{\text{lesser of building height in stories or } 12-3}{9} \times 10 = \text{maximum building coverage percentage}$$

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Schedule III Page 1 of 3

(1.100)

**Permitted Other Uses  
(Low-Rise)**

Square root of lot area in square feet X 0.67 = minimum lot dimension in feet

**Permitted Other Uses  
(High-Rise)**

Square root of lot area in square feet X 0.67 = minimum lot dimension  
Height in stories X 5 = minimum required yard (sides, front and rear)  
Lot area in square feet X 0.0001 X 0.5 = maximum height in stories  
Height in stories X 12 = maximum height in feet

20 -  $\frac{\text{lesser of building height in stories or } 12-3}{9} \times 10$  = maximum building coverage percentage

maximum building coverage percentage X 2 = minimum open space percentage

**RC-2 Recreation and Related Uses District**

Where an area dimension is specified in Schedule II, the requirement shall be the greater of: the amount specified in Schedule II or the amount derived by application of the following formula.

**Permitted Residential Uses  
(Low-Rise)**

$2,500 - \frac{\text{lesser of lot area or } 200,000 - 10,000}{190,000} \times 1,750$  = area per dwelling unit in square feet

Square root of lot area in square feet X 0.67 = minimum lot dimension

**Permitted Residential Uses  
(High-Rise)**

$5,000 - \frac{\text{lesser of lot area or } 200,000 - 10,000}{190,000} \times 3,000$  = area per dwelling unit in square feet

Square root of lot area in square feet X 0.67 = minimum lot dimension  
Height in stories X 5 = minimum required yard (sides, front and rear)  
Lot area in square feet X 0.0001 X 0.5 = maximum height in stories  
Height in stories X 12 = maximum height in feet

25 -  $\frac{\text{lesser of building height in stories or } 12-3}{9} \times 10$  = maximum building coverage percentage

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Schedule III Page 2 of 3

(1.101)

**Permitted Other Uses  
(Low-Rise)**

Square root of lot area in square feet X 0.67 = minimum lot dimension in feet

**Permitted Other Uses  
(High-Rise)**

Square root of lot area in square feet X 0.67 = minimum lot dimension  
Height in stories X 5 = minimum required yard (sides, front and rear)  
Lot area in square feet X 0.0001 X 0.5 = maximum height in stories  
Height in stories X 12 = maximum height in feet

20 - (lesser of building height in stories or 12.3) X 10 = maximum building coverage percentage  
9

maximum building coverage percentage X 2 = minimum open space percentage

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Schedule III Page 3 of 3

(1,102)

**Schedule IV  
City of Plattsburgh Waterfront Overlay District  
Area and Bulk Controls**

Zoning District	Land Use	Minimum Lot Size Requirements					Minimum Yard Requirements				Maximum Building	
		Area (square feet)	Area per Dwelling Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear (feet)	Height Coverage (percent)	Minimum Open Space (percent)		
RC-1 Recreational & Related Uses	Other permitted uses	10,000	N/A	70	100	20	10/40%	10	35/2.5	30	50	
	Permitted residential uses	10,000	current formula or 2,000	100	100	12	12/30	10	35/2.5	40	40	
RC-2	Other permitted uses	10,000	N/A	100	100	12	12/30	10	35/2.5	40	40	
	Permitted Residential	15,000	(a)	125	75	15	15/30	20	40/3.5	25	50	
B-2	Other	15,000	(a)	125	75	30	15/30	20	40/3.5	25	50	
	Permitted	10,000	N/A	70	100	30	10/30	10	30/2	50	15	

(a) see schedule III

(1,103)

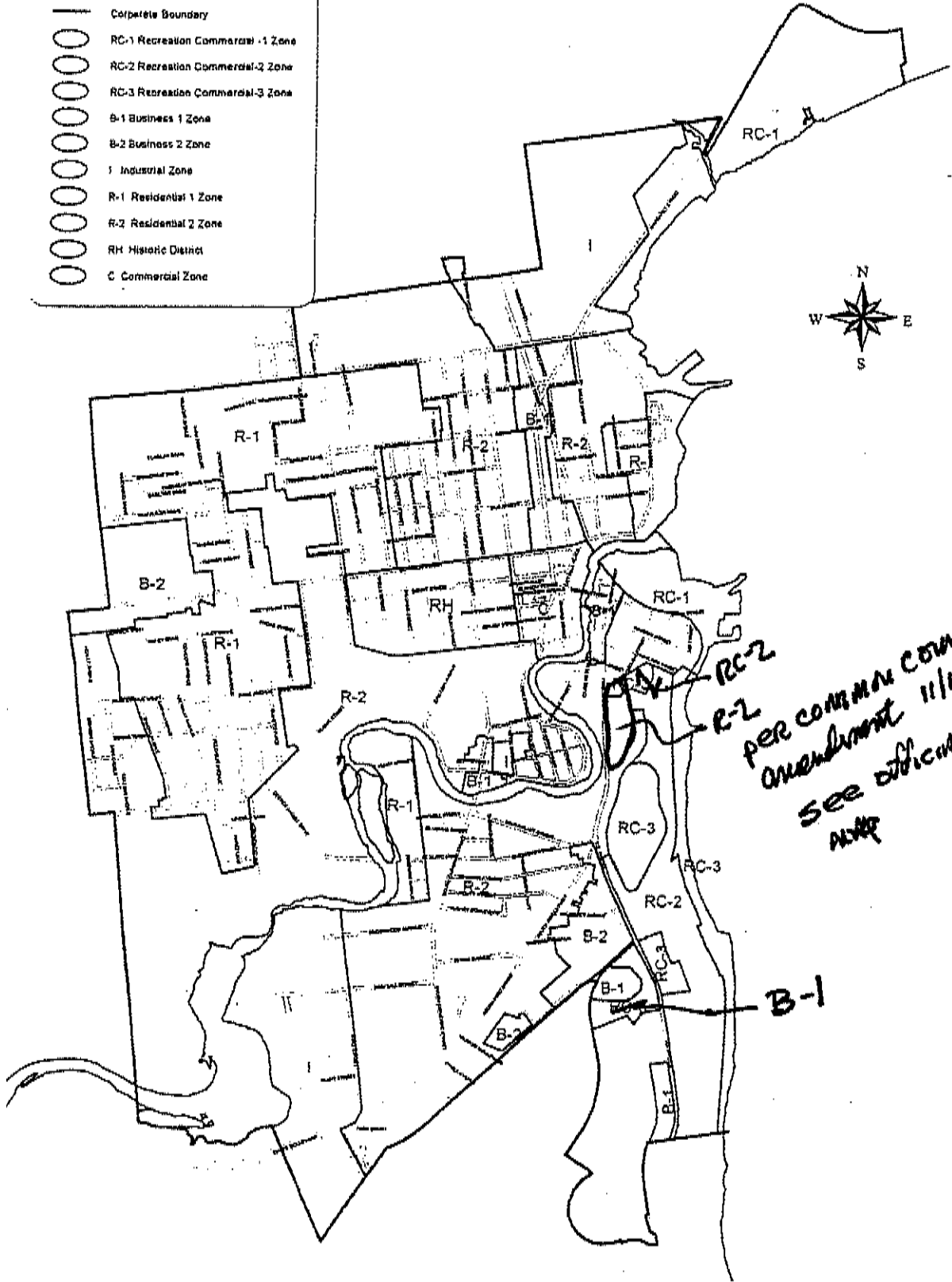
**Schedule IV  
City of Plattsburgh Waterfront Overlay District  
Area and Bulk Controls**

- <sup>3</sup> No, fence, hedge, tree line, structure, or other permanent obstruction of greater height than three feet shall be permitted within the larger of the two side yard areas.
- <sup>1</sup> 20% of setback can be used for parking
- <sup>1</sup> No parking allowed in setback.

(1.104)



- Proposed Zoning Plan
- Corporate Boundary
  - RC-1 Recreation Commercial-1 Zone
  - RC-2 Recreation Commercial-2 Zone
  - RC-3 Recreation Commercial-3 Zone
  - B-1 Business 1 Zone
  - B-2 Business 2 Zone
  - I Industrial Zone
  - R-1 Residential 1 Zone
  - R-2 Residential 2 Zone
  - RH Historic District
  - C Commercial Zone

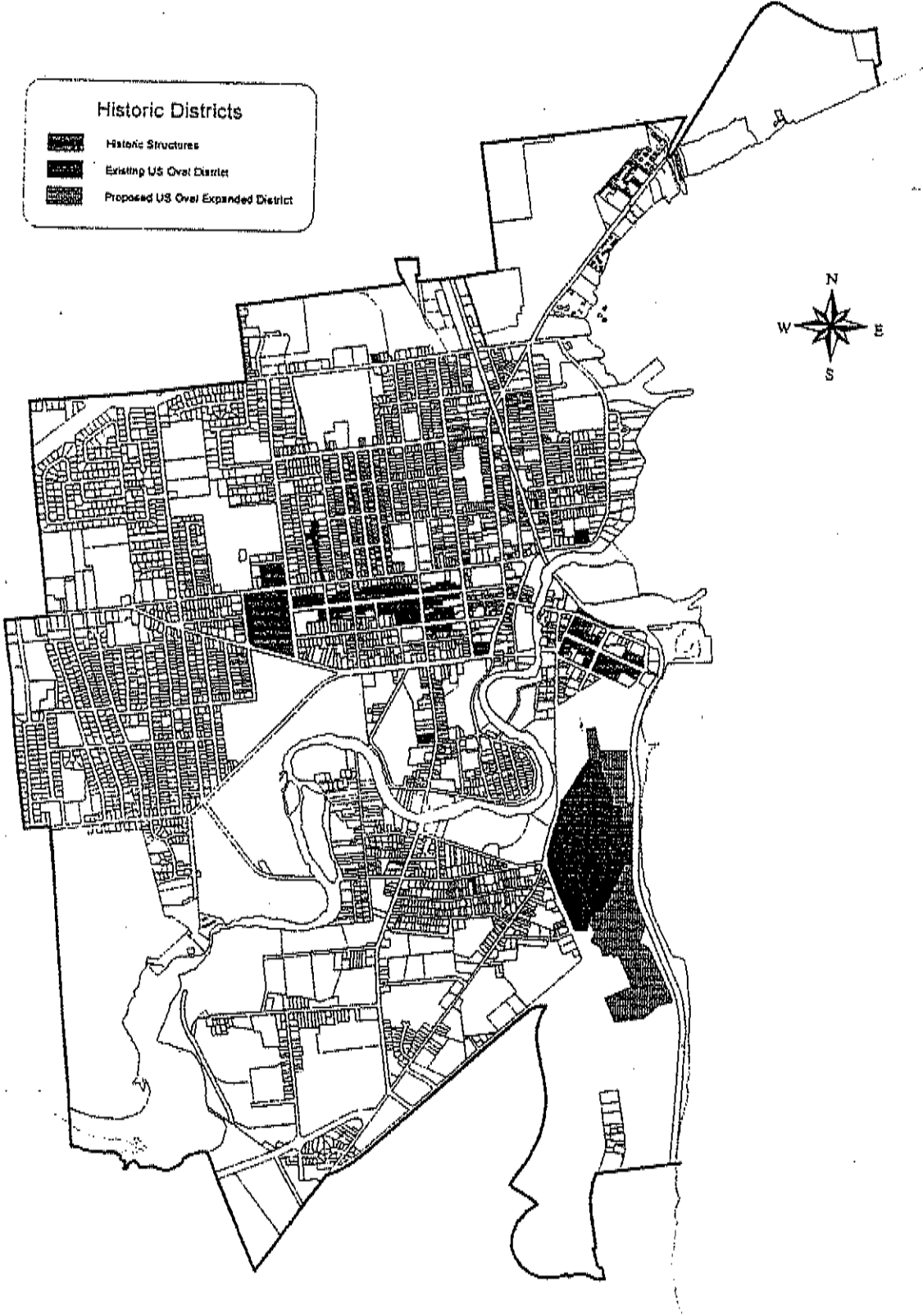


**CITY OF PLATTSBURGH**

(1.105)

**Historic Districts**

- Historic Structures
- Existing US Oval District
- Proposed US Oval Expanded District

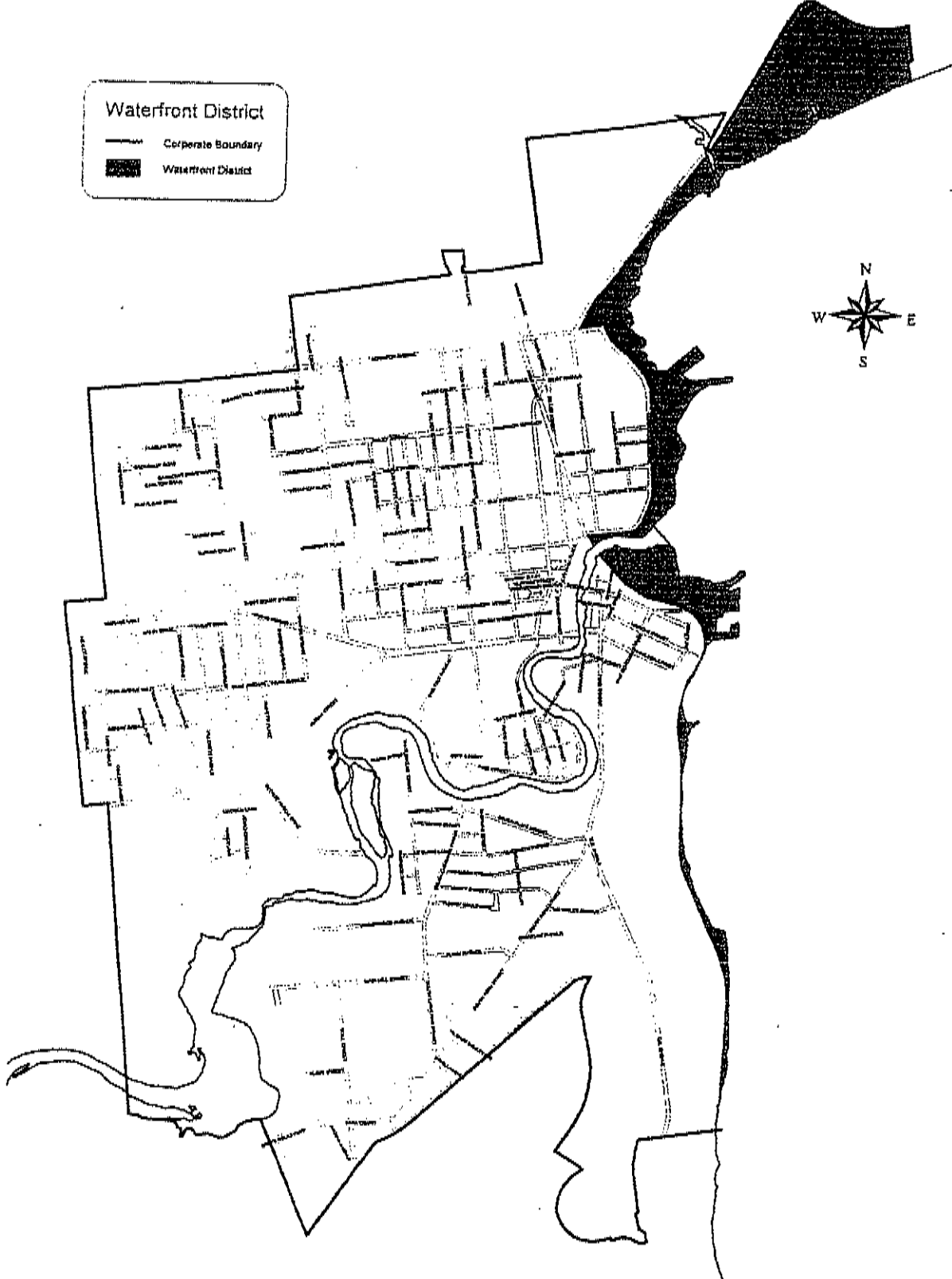


**CITY OF PLATTSBURGH**

(1,106)

**Waterfront District**

- Corporate Boundary
- Waterfront District



**CITY OF PLATTSBURGH**

(1.107)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 5\_\_\_\_\_ of 2001\_\_\_\_ of the ~~(County)~~(City)(~~Town~~)(Village) of \_\_\_\_\_ PLATTSBURGH was duly passed by the \_\_\_\_\_ COMMON COUNCIL on 15 NOVEMBER 2001, and was (approved)~~(not approved)~~(~~repassed after~~ ~~disapproval~~) by the \_\_\_\_\_ MAYOR and was deemed duly adopted on 16 NOV 2001, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

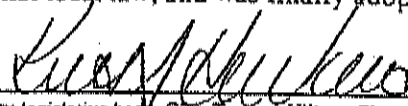
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.



\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk Keith A. Herkalo  
or officer designated by local legislative body

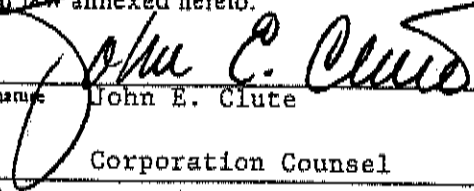
(Seal)

Date: 16 November 2001

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

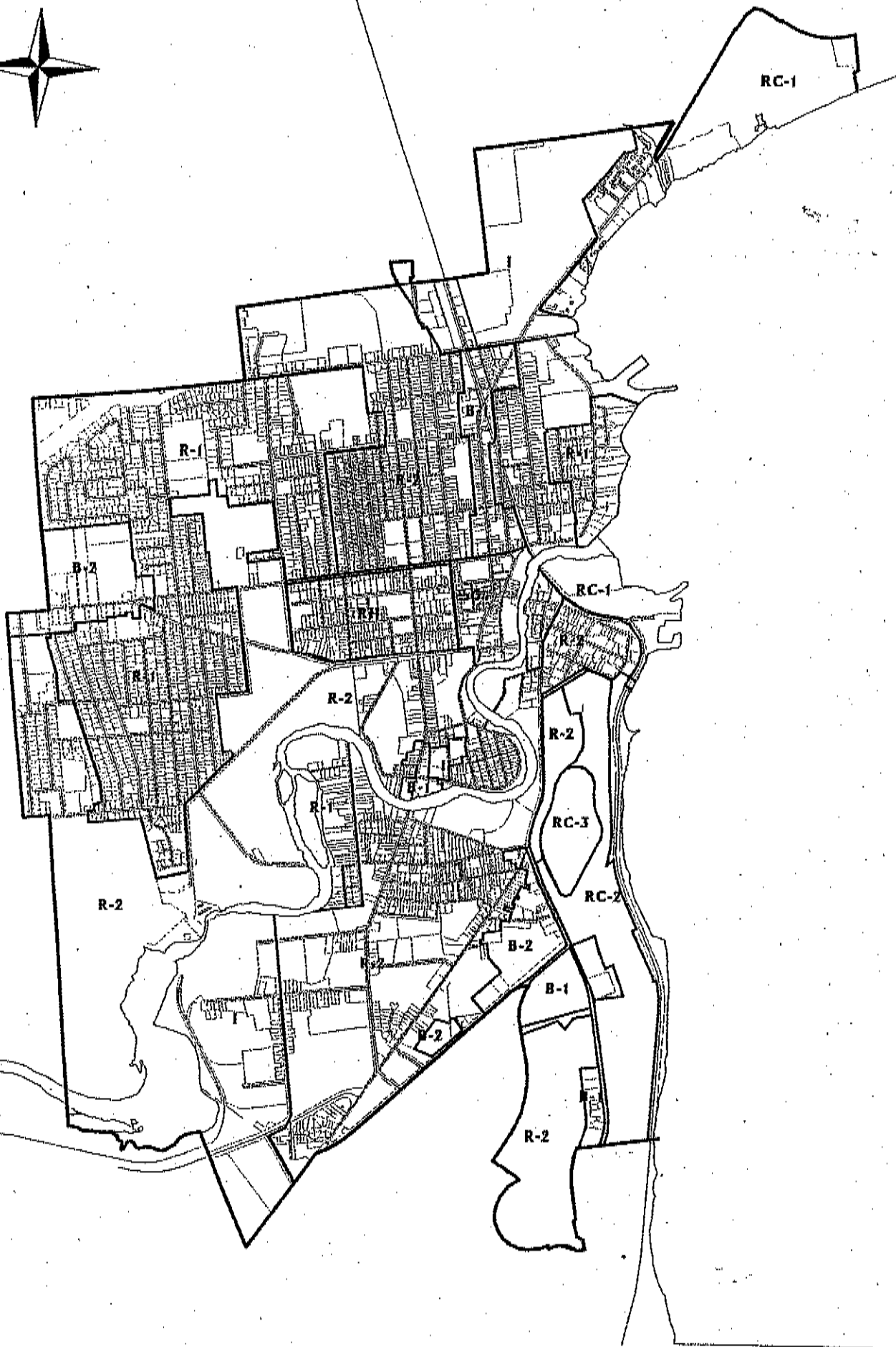
I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature John E. Clute  
\_\_\_\_\_  
Title Corporation Counsel

~~CITY~~  
City of PLATTSBURGH  
~~VILLAGE~~  
~~VILLAGE~~

Date: 16 NOVEMBER 2001





# Official Zoning Map for the City of Plattsburgh

Amendment: Nov. 19, 2001

Moved by: Councilor Hartnett

Seconded by: Councilor Voss

ORDINANCE NO. 2 OF 2002 AMENDING SECTION 206-1 OF THE CITY CODE TO INCLUDE RH ZONING DISTRICTS IN THE DEFINITION OF RESIDENTIAL DISTRICT.

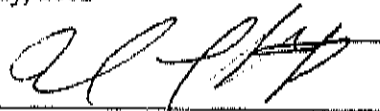
Be it ordained by the Common Council of the City of Plattsburgh as follows:

1. Section <sup>270</sup>206-1 of the City Code is amended to include within the definition of "Residential District" areas designated as RH under the Zoning Ordinance of the City of Plattsburgh.
2. This ordinance shall take effect immediately upon approval by the Mayor and publication in the official newspaper of the City of Plattsburgh.

In favor: All in the affirmative (CARRIED)

Opposed:

The foregoing ordinance is approved this 3<sup>rd</sup> day of May, 2002



Daniel L. Stewart, Mayor

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

City

~~Town~~

~~Village~~

of PLATTSBURGH

Local Law No. 6 of the year 2002

A local law AMENDING CHAPTER 270 OF THE CITY CODE TO CHANGE THE ZONING CLASSIFICATION  
OF A CERTAIN PARCEL OF LAND FROM B-1 TO RC-2

Be it enacted by the COMMON COUNCIL of the  
(Name of Legislative Body)

~~COUNTY~~

City

~~Town~~

~~Village~~

of PLATTSBURGH as follows:

The zoning district classification of the lands surrounding the former Air Force Base hospital, identified as parcel numbers H18 and B2 on the Plattsburgh Air Force Base Re-use Plan, hereby is changed from B-1 to RC-2, and the official zoning map of the City of Plattsburgh is hereby ordered to be changed accordingly.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2002 of the ~~(County)~~(City)~~(Town)~~(Village) of PLATTSBURGH was duly passed by the COMMON COUNCIL on 1 AUG 20 02, and was (approved)~~(not approved)~~~~(repassed after disapproval)~~ by the MAYOR and was deemed duly adopted on 6 AUG 20 02 in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 2\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo

(Seal)

Date: 22 AUG 2002

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature John E. Clute

\_\_\_\_\_  
Title Corporation Counsel

~~County~~  
City of PLATTSBURGH  
~~Town~~  
~~Village~~

Date: 22 AUG 2002



# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

City of Plattsburgh

~~TOWN~~

~~VILLAGE~~

Local Law No. 1 of the year 2003.

A local law APPOINTMENT OF MEMBERS TO ZONING BOARD OF APPEALS AND PLANNING BOARD  
(Insert Title)

Be it enacted by the Common Council of the  
(Name of Legislative Body)

~~COUNTY~~

City of PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

as follows:

1. Section 270-52 A, (3) of the City Code amended to read as follows:

Appointment. The Mayor shall appoint the regular and alternate members of the Zoning Board of Appeals, subject to confirmation by the affirmative vote of three members of the Common Council. At least one regular member or alternate member shall be appointed from each Ward.<sup>(1)</sup> The Mayor shall appoint a chairperson of the Zoning Board of Appeals from among the regular members. No member of the Common Council or the Planning Board of the City of Plattsburgh shall be eligible for appointment to the Zoning Board of Appeals. A Board member may be removed from office by vote of the Common Council if he (she) fails to attend five or more Board meetings out of twelve, consecutive regular or special meetings of the Board.

2. Section 236-1 of the City Code is amended to add the following new sub section:

C. Appointment. The Mayor shall appoint the regular and alternate members of the Planning Board, subject to confirmation by the affirmative vote of three members of the Common Council. At least one regular member or alternate member shall be appointed from each Ward. The Mayor shall appoint a chairperson of the Planning Board from among the regular members. No member of the Common Council or the Zoning Board of Appeals of the City of Plattsburgh shall be eligible for appointment to the Planning Board. A Board member may be removed from office by vote of the Common Council if he (she) fails to attend five or more Board meetings out of twelve, consecutive regular or special meetings of the Board.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the ~~(County)~~(City)~~(Town)~~(Village) of Plattsburgh was duly passed by the Common Council on 30 Jan 2003, and was (approved)~~(not approved)~~~~(repassed after disapproval)~~ by the Mayor and was deemed duly adopted on 7 Feb 2003, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 2\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo, City Clerk

(Seal)

Date: 7 Jan 2003

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature John E. Clute

\_\_\_\_\_  
Title Corporation Counsel

~~County~~  
City of Plattsburgh  
~~Town~~  
~~Village~~

Date: 7 Feb 2003

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

City

of PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

Local Law No. 6 of the year 2003.

A local law AMENDMENT TO CITY CODE CHAPTER 270, SCHEDULE I B PERMITTED USES

*(Insert Title)*

IN RC ZONING DISTRICTS

Be it enacted by the COMMON COUNCIL of the

*(Name of Legislative Body)*

~~COUNTY~~

City

of PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

as follows:

1. Chapter 270, Schedule I B is amended to include the following uses as Uses Requiring Special Permit in RC zoning districts: Museum, Gallery, Performing Arts Center.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*)

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2003 of the ~~(County)~~(City)~~(Town)~~(Village) of PLATTSBURGH was duly passed by the COMMON COUNCIL (Name of Legislative Body) on 6 MARCH 2003, and was (approved)(not approved)(repassed after ~~disapproval~~) by the MAYOR (Elective Chief Executive Officer\*) and was deemed duly adopted on 14 MARCH 2003, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

*Keith A. Herkalo*

Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo, City Clerk

(Seal)

Date: 17 MARCH 2003

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*John E. Clute*

Signature John E. Clute

Title Corporation Counsel

~~County~~  
City of Plattsburgh  
~~Town~~  
~~Village~~

Date: 17 MARCH 2003

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~CANARY~~

City of PLATTSBURGH

~~ROSEN~~

~~YERGENE~~

Local Law No. 9 of the year 2003

A local law ESTABLISHING THE US OVAL PARKING DISTRICT AND PROVIDING FOR A SPECIAL ASSESSMENT ON BENEFITED PROPERTIES.

Be it enacted by the COMMON COUNCIL of the

*(Name of Legislative Body)*

~~CANARY~~

City of PLATTSBURGH

~~ROSEN~~

~~YERGENE~~

as follows:

1. Findings: The Common Council finds:
  - .1 The public parking areas within the US Oval Parking District provide a general public benefit to persons visiting nearby City offices, recreation facilities and bicycle and walking paths.
  - .2 The public parking areas are of special benefit to all lot owners within the US Oval Parking District in that such public parking areas meet the regular and occasional parking needs of lot owners and their tenants and guests.
  - .3 Lots without sufficient land to provide the on site parking required by the City Zoning Law benefit substantially more than lots that that meet such requirements.
2. Establishment of District. There is hereby established the US Oval Parking District. The following lots are deemed benefited by the public parking facilities provided by the City and such lots shall comprise the US Oval Parking District. The benefited lots are described as lots 4, 6, 7, 16, 17, 18, 19, 24 and 26 on a subdivision map entitled PARC Subdivision Phase II, City of Plattsburgh" dated November 8, 2001, prepared by AES Northeast, PLLC, Scott B. Allen, L.S., which plans are recorded in the Clinton County Clerk's Office as Maps PL-B-243 through PL-B-251.
3. Public Parking Facilities. The public parking facilities included within the US Oval Parking District are the paved parking areas owned by the City of Plattsburgh and lying within the lands bounded by US Oval East and US Oval West.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

4. Parking District Costs. The following costs are found necessary and incidental to the ownership and maintenance of the public parking facilities and shall be paid by levying a special assessment against lots within the US Oval Parking District: snow removal, cleaning, refuse removal, striping, signing, re-surfacing, installation of curbs, drainage, crosswalks, lighting, and other costs associated with the improvement and maintenance of the parking facilities. The Common Council may by resolution establish capital accounts and reserve accounts for capital improvements to the parking facilities and include in the parking district levy the cost of funding such reserve accounts and paying bonded indebtedness incurred for such capital improvements. All such costs are referred to herein as "District Costs". The City Engineer and Superintendent of Public Works shall prepare an estimate of the annual District Costs and submit such estimate to the Mayor on or before October 1 of each year.
5. Allocation of Public and Private Benefit: The public is deemed benefited to the extent of twenty five percent (25%) of the Districts Costs and such part of the District Costs shall be paid from City general revenues. The benefit to all land, structures, and parts of structures owned or leased by the City of Plattsburgh shall be deemed to be paid by the amount paid by the City from general revenues. That gross floor area in a structure leased by the City shall be deducted from the total gross floor area of the structure in determining the portion or amount of the special assessment payable on any lot not owned by the City. Seventy five percent (75%) of the District Costs shall be assessed and levied upon the all lots.
6. Determination of Lot Parking Deficiency.
  - .1 For each lot within the District, the Building Inspector shall determine the square foot floor area of each building or structure on the lot using exterior building dimensions.
  - .2 The Building Inspector shall calculate the number of on site parking spaces required under the City Zoning Law based upon the building's occupancy or, if the building is vacant or unoccupied, then upon the permitted use which has the greatest parking requirement. The Building Inspector shall calculate the parking requirement for the building or structure based on the actual or permitted use of the gross floor area and shall not be required to adjust the calculations to take into account storage areas, hallways, bathrooms or other such areas within the structure or building. The resulting calculation is referred to herein as the "Lot Parking Requirement".
  - .3 The Building Inspector shall calculate the number of parking spaces provided on each improved lot as shown on site plan approved by the City of Plattsburgh Planning Board. If a lot does not have an approved site plan, the Building Inspector shall estimate the number of on site parking spaces that could be provided if the lot was developed with the maximum permitted lot coverage. The resulting calculation is referred to herein as the as the "Lot Parking Provided". If the Building Inspector's determination of the Lot Parking Required is based upon an estimate, it shall be revised upon subsequent Planning Board approval of a site plan for the lot.
  - .4 The Lot Parking Provided shall be deducted from the Lot Parking Requirement to arrive at the "Lot Parking Deficiency" for each lot.

.5 Lots with a Lot Parking Deficiency are referred to herein as "Parking Deficient Lot(s)".

7. Adoption of US Oval Parking District Benefit Allocation Schedule. The annexed schedule entitled "US Oval Parking District Benefit Allocation Schedule 11/1/03" is hereby adopted. The percentage of District Costs payable by each lot as set forth in such schedule shall be used by the Assessor to determine the amount of the special assessment levy on each lot. The percentage of District Costs allocable to a lot may be amended by resolution of the Common Council only to reflect a change in a Lot Parking Deficiency, as determined by the Building Inspector in accordance with the provisions of paragraph 5.
8. Assessment of District Costs on Benefited Properties: The Seventy Five percent (75%) of the District Costs assessable to lots shall allocated and assessed among such lots as follows:
  - .1 Twenty Percent (20%) of the District Costs shall be assessed on all benefited lots based on the proportion that the gross square footage of structures on a particular lot bears to the gross square footage of all structures on benefited lots.
  - .2 Eighty Percent (80%) of the District Costs shall be assessed on Parking Deficient Lots proportionately by dividing a lot's On Site Parking Deficiency by the total On Site Parking Deficiency for all parking deficient Lots.
9. Levy of District Costs.
  - .1 The Common Council shall levy a special assessment tax on all benefited lots sufficient to pay that portion of the estimated District Costs payable by the benefited lots and shall appropriate from the general fund that portion of the estimated District Costs payable as a general city charge.
  - .2 A lot shall be not be exempt from the payment of such special assessment by virtue of any Payment In Lieu of Taxes Agreement between the County of Clinton Industrial Development Agency and the owner of the lot.
  - .3 The special assessment(s) authorized to be levied pursuant to this law shall be assessed and levied commencing with the 2004 City real property taxes.
10. Restrictions on Use of Public Parking Areas: The Public Parking Areas shall not be used for:
  - a. Overnight parking of boats, trailers, recreational vehicles, camper trailers and trucks with a gross weight of more than 10,000 lbs.
  - b. Parking of any unregistered or unlicensed motor vehicle.
  - c. Making vehicle repairs.

d. Parking in areas which limit or prohibit parking pursuant to a duly posted sign.

11. Penalties for Public Parking Area Use Violations.

A violation of the preceding section shall be punishable by a fine of fifty (\$50.00) dollars.

12. Effective Date: This Local Law shall take effect upon approval by the Mayor and filing with the Secretary of State.

US Oval Parking District Benefit Allocation Schedule 11/1/03

USAF Bldg. #	Sub-div. Lot #	Lot area	Bldg. area	total bldg. sf.	% all bldg. sf.	Bldg. Use	Req. Parki	Provid Parki	lot parkg in deficiency	% demand on lot
Chapel	450	24 acres	3760 sq.ft.	3,760	1%	Religious	19	0	19	2.62%
406	5.699	4 acres	26,097 by 3.5	94,339	29%	Residntl	90	90	0	0.00%
420	.675	6 acres	20,218 by 3	60,654	19%	Office	242	10	232	32.04%
426	3.961	7 acres	26,712 by 2.5	56,988	18%	Office	228	33	195	26.93%
100	3.039	16 acres	16,122 by 2	32,244	10%	Office	129	129	0	0.00%
102	16 included		1090	1,090	0%	Office	4	4	0	0.00%
104	1.069	17 acres	17,516 by 2.5	52,548	16%	Office	210	0	210	29.01%
108	.347	18 acres	6228	6,228	2%	Office	25	0	25	3.45%
112	Part of 19 PUD		7092	7,092	2%	Office	29	24	5	0.69%
469	1.305	26 acres	4695 by 2	9,390	3%	Office	38	0	38	5.25%
<b>totals</b>				<b>324,333</b>	<b>100%</b>		<b>1014</b>	<b>290</b>	<b>724</b>	<b>100%</b>
						total demand	724			

bldg 426: 68,000 sf. -11,012 sf. Leased for City Court = 56,988 sf.



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. 9 of 2003 of the ~~(County)~~(City)~~(Town)~~(Village) of PLATTSBURGH was duly passed by the COMMON COUNCIL on 25 NOV 2003, and was (approved)~~(not approved)~~(repassed after ~~disapproval~~) by the MAYOR and was deemed duly adopted on 9 DEC 2003, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.



Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body KEITH A. HERKALO

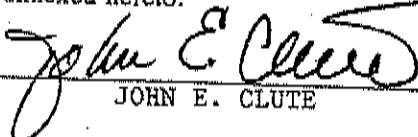
(Seal)

Date: 10 DEC 2003

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature JOHN E. CLUTE

Title CORPORATION COUNSEL

~~County~~  
City of PLATTSBURGH  
~~Town~~  
~~Village~~

Date: 10 DEC 2003

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

City

of

PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

Local Law No. 1 of the year 2004.

A local law AMENDING ZONING DISTRICT BOUNDARY; Sec. 270-25B (b) Location of Parking  
*(Insert Title)*  
Areas; Schedule I Part A Special Permitted Uses in B-1, B-2 Zoning  
Districts

Be it enacted by the COMMON COUNCIL of the  
*(Name of Legislative Body)*

~~COUNTY~~

City

of

PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

as follows:

1. The zoning district boundary that separates the R-2 and B-1 zoning districts in the area bounded by Elm Street on the north, Margaret Street on the east, Cornelia Street on the south and Oak Street on the west is amended to establish and describe the westerly bounds of that part of the B-1 zoning district lying with said streets, as follows:

Commencing at a point in the presumed southerly bounds of Elm Street at the north easterly corner of tax map parcel number 207.15-5-3, thence proceeding southerly in the easterly line of tax map lot numbers 23 and 27 to the south easterly corner of said lot 27;

Thence turning and proceeding westerly in the southerly bounds of lot 27 to the north easterly corner of lot 26;

Thence turning and proceeding southerly in the easterly bounds of lots 26, 30, 25, 24, 23.3, 23.2, 23.1, 22 to a point in the south easterly corner of said lot 22;

Thence turning and proceeding westerly in the southerly bounds of said lot 22 to a point in the presumed easterly bounds of Oak Street;

Thence turning and proceeding southerly in the presumed easterly bounds of Oak Street to the street line intersection of Oak and Cornelia Streets.

The aforesaid lot numbers refer to tax map lot numbers in Section 207.15, Block 5 as shown on the tax maps of the City of Plattsburgh in January, 2004.

2. The official zoning map of the City of Plattsburgh is hereby ordered amended consistent with the aforesaid zoning district boundary description.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

3. Zoning Law Section 270-25 B (b) is amended to read as follows (amendment is underlined):

B. Location of parking areas.

a) In R-1, R-2 and RH zones off-street automobile parking spaces and maneuver areas shall be provided in the rear or side yard, or on a paved driveway in the front yard not more than twelve feet wide for lots under one hundred feet in width, or twenty feet wide for lots more than one hundred feet in width.

b) In all other zoning districts parking spaces shall be provided on the same lot as the principal use. The Zoning Board of Appeals may grant the lot owner a special use permit for off site parking on a lot not more than five hundred feet from such principal use, provided said lot is restricted by deed for use as parking so long as the principal use remains. Said special use permit may permit driveway access from a public street to the off site parking facility over lots located in an R-1, R-2 or RH zoning district.

4. Zoning Law Schedule I, Part A is amended to include within B-1 and B-2 zoning districts a special permitted use called "off site parking facility".

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the ~~(County)~~(City)~~(Town)~~(Village) of \_\_\_\_\_ PLATTSBURGH \_\_\_\_\_ was duly passed by the \_\_\_\_\_ COMMON COUNCIL \_\_\_\_\_ on \_\_\_\_\_ 12 Feb \_\_\_\_\_ 20 04, and was (approved)~~(not approved)~~~~(repassed after disapproval)~~ by the \_\_\_\_\_ Mayor \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 19 Feb \_\_\_\_\_ 20 04, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 2\_\_\_\_, above.

Clerk of the County legislative body, City, Town or Village Clerk, or officer designated by local legislative body Keith A. Herkalo

(Seal)

Date: 27 February 2004

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature John E. Clute

Title Corporation Counsel

~~County~~  
City of Plattsburgh  
~~Town~~  
~~Village~~

Date: 27 February 2004

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

City

of

PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

Local Law No. 5 of the year 2004.

A local law AMENDING ZONING LAW, SCHEDULE II - AREA AND BULK CONTROLS

*(Insert Title)*

Be it enacted by the COMMON COUNCIL of the

*(Name of Legislative Body)*

~~COUNTY~~

City

of

PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

as follows:

Zoning Law, Schedule II - Area and Bulk Controls, is amended to provide that the area requirements applicable to R-1 districts shall apply to land within RH zoning districts.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2004 of the ~~(County)~~(City)~~(Town)~~(Village) of PLATTSBURGH was duly passed by the COMMON COUNCIL on 22 APRIL 2004, and was (approved)~~(not approved)~~~~(repassed after disapproval)~~ by the MAYOR ~~(Elective Chief Executive Officer\*)~~ and was deemed duly adopted on 23 APRIL 2004, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

Clerk of the County Legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo

(Seal)

Date: 30 April 2004

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature John E. Clute  
Title Corporation Counsel

~~County~~  
City of PLATTSBURGH  
~~Town~~  
~~Village~~

Date: 30 APRIL 2004

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

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~~CITY~~

City

of

PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

Local Law No. 6 of the year 2004.

A local law AMENDING ZONING LAW, SCHEDULE OF PERMITTED USES, PART B

(Insert Title)

Be it enacted by the COMMON COUNCIL of the

(Name of Legislative Body)

~~CITY~~

City

of

PLATTSBURGH

~~TOWN~~

~~VILLAGE~~

as follows:

Zoning Law, Schedule of Permitted Uses Part B, Zoning District C, Permitted Principal Use (11) "Efficiency and one bedroom residential uses above the first floor" is deleted and a new subsection (11) is added: "Apartments above the first floor".

(If additional space is needed, attach pages the same size as this sheet, and number each.)



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 6\_\_\_\_\_ of 2004 of the (County)(City)(Town)(Village) of \_\_\_\_\_ PLATTSBURGH was duly passed by the COMMON COUNCIL on 22 APRIL 2004, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ MAYOR and was deemed duly adopted on 23 APR 2004, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

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*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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5. (City local law concerning Charter revision proposed by petition.)

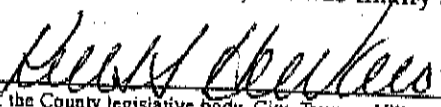
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

  
\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo

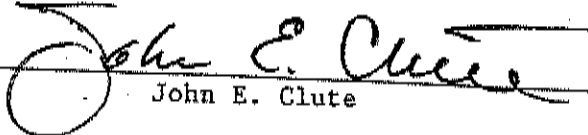
Date: 30 April 2004

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
Signature \_\_\_\_\_ John E. Clute  
Title Corporation Counsel

~~County~~  
City of PLATTSBURGH  
~~Town~~  
~~Village~~

Date: 30 APRIL 2004

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

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~~County~~

City

~~Town~~

~~Village~~

of PLATTSBURGH

Local Law No. 8 of the year 20.04.

A local law ~~AMENDING ZONING LAW, Section 270-6; ZONING MAP~~  
(Insert Title)

Be it enacted by the COMMON COUNCIL  
(Name of Legislative Body) of the

~~County~~

City

~~Town~~

~~Village~~

of PLATTSBURGH as follows:

Zoning Law, 270-6 Zoning Map, is amended to include City tax map parcel 270.15-5-23.3 (2004 Tax Map) as part of the adjacent B-1 zoning district.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 8 \_\_\_\_\_ of 2004 of the (County)(City)(Town)(Village) of PLATTSBURGH was duly passed by the COMMON COUNCIL on 17 June 2004, and was (approved)(~~not approved~~)(repassed after ~~disapproval~~) by the Mayor \_\_\_\_\_ and was deemed duly adopted on 18 June 2004, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

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5. (City local law concerning Charter revision proposed by petition.)

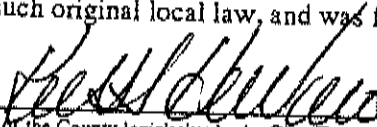
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6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph.....2....., above.

  
\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo, City Clerk


(Seal)

Date: 24 June 2004

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature John E. Clute  
\_\_\_\_\_  
Title Corporation Counsel

~~County~~  
City of PLATTSBURGH  
~~Town~~  
~~Village~~

Date: 24 June 2004



# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~CITY~~  
City of Plattsburgh  
~~TOWN~~  
~~VILLAGE~~

Local Law No. 7 of the year 2005

A local law AMENDMENT OF CHAPTER 270 OF THE CITY CODE (ZONING); DEFINITION  
(Insert Title)  
OF TOWNHOUSE; COMMON DRIVEWAY; SITE PLAN APPROVAL

Be it enacted by the Common Council of the  
(Name of Legislative Body)

~~CITY~~  
City of Plattsburgh as follows:  
~~TOWN~~  
~~VILLAGE~~

1. City Code Section 270-4 is amended to redefine the following terms, as follows:

TWO-FAMILY RESIDENCE – A freestanding detached structure which contains residences separated by either horizontal floors or vertical walls, which are designed for and/or occupied by two (2) families as defined herein. Horizontally separated residences may not be separately owned except as a condominium unit.

THREE-FAMILY RESIDENCE – A freestanding detached structure which contains residences separated by either horizontal floors or vertical walls, which are designed for and occupied by three (3) families as defined herein. Horizontally separated residences may not be separately owned except as a condominium unit.

TOWNHOUSE RESIDENCE – A building designed for occupancy by two (2) or more families living independently of each other and containing two (2) or more residences or dwelling units separated by vertical walls, each with a separate access to the outside.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

2. City Code Chapter 270 Schedule II is amended to incorporate by reference and make applicable to RC-1 and RC-2 zones, the area and bulk control standards that apply to low rise residential uses in R-2 zones, as set forth in the following revised part of Schedule II.

Zoning District and Land Use	Minimum Lot Size Requirements				Minimum Yard Requirements			Maximum Building Height		Minimum Open Space (percent)
	Area (square feet)	Area per Dwelling Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side One/Both (feet)	Rear (Feet)	(feet stories)	Coverage (percent)	
R-2 General Residential Single-family residence	5,000	5,000	50	100	20	10/25	25	35/2.5	30	50
Two-family residence	6,000	3,000	50	100	20	10/25	25	35/2.5	30	45
Three-family residence	7,500	2,500	60	100	20	10/25	25	35/2.5	30	45
Townhouse residence	2,500 Per unit	2,500	25	100	20	0/0(a)	25	35/2.5	30	50
Multifamily residence Low-Rise	10,000	(b)	(b)	(b)	30	15/35	35	35/2.5	20	45
High-Rise	100,000	(b)	(b)	(B)	35	30/65	60	(b)	15	50
Recreation and Related Use-1 Permitted Residential Uses	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)
Other Permitted Uses	10,000	Not applicable	100	100	12	12/42	12	35/2-1/2	30	50
Recreation and Related Use-2 Permitted Residential Uses	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)	Note (i)
Other Permitted Uses	15,000	15,000	125	75	15	30/90	30	49/3-1/2	15	75
Recreation and Related Uses-3 Permitted Uses	20,000	Not applicable	150	100	30	30/90	30	49/3-1/2	15	75

Notes:

- (a) Except end units where one (1) yard must be a minimum of ten (10) feet and both yards must total (25) feet.
- (b) See Schedule III, Calculation Formulas for Area and Bulk Controls, at the end of this chapter.
- (c) None required; however, if a side yard is provided, it must be a minimum of twelve (12) feet in width.
- (d) None required; however, if a rear yard is provided, adequate access to a public right-of-way for service and maintenance must be provided, and the yard must be a minimum of twelve (12) feet in depth.
- (e) Except lakefront parcels located in the city's north end urban renewal project for the duration of currently approved urban renewal plan controls.
- (f) In addition, the Zoning Board of Appeals is authorized to allow building coverage in Industrial Zones to be increased fifty percent (50%) to sixty-five percent (65%) by special use permit. [Amended 3-9-89 by Ord. No. 89-1]
- (g) The minimum open space requirement shall apply only to proposals that would diminish existing open space, such as the construction of new buildings or additions, or the creation of parking or storage areas or other paved areas. It shall not apply to a change in use of existing buildings or facilities that would not result in diminished open space. Nor shall it apply to building expansions of less than twenty-five (25) percent in floor area.
- (h) All area and bulk control requirements shall exclude land between the waterside property boundary and the high water elevation.
- (i) Except where the table specifies otherwise, the area requirements for permitted residential uses in RC-1 and RC-2 zones is the same as the area requirement for the same type of permitted use in an R-2 zone.

3. City Code Section 270-25 is amended to include a new subsection which shall read as follows:

N. Common Driveways. Where the dwelling units in a two family, three family or Townhouse residence are separately owned and served by a common driveway the Planning Board shall require, as a condition of site plan or subdivision approval, that the rights and obligations of the dwelling unit owners to use and maintain such common driveway shall be in the form of a recorded, permanent easement. The Planning Board may require such terms and conditions in such easement (or other recorded instrument) as it finds are necessary to insure access, maintenance and an equitable allocation of costs between the users. Where the lot(s) on which a two family residence is located are of sufficient size to provide separate driveways for each dwelling unit, the Planning Board may decline to approve a common driveway.

4. City Code Section ~~§270-32 E. 1(a)~~ is amended to read as follows:

(a) In R1, B1, B2, C, 1, RC1, and RC2 zoning districts: Application for construction of a single structure designed for residential use and which requires a area for ten (10) parking spaces or less. The foregoing notwithstanding, site plan approval shall be required for the development of a two or three family residence or Townhouse where the dwelling units are under separate ownership and served by a common driveway.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2005... of the ~~(County)~~(City)~~(Town)~~(Village) of Plattsburgh was duly passed by the Common Council on 20 December 2005, and was (approved)~~(not approved)~~~~(repassed after disapproval)~~ by the Mayor and was deemed duly adopted on 21 December 2005, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)


I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph.....2....., above.

  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body: Keith A. Herkalo

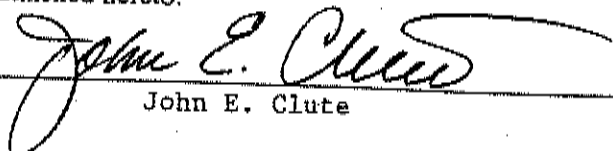
Date: 21 December 2005

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
Signature John E. Clute  
Title Corporation Counsel

~~CITY~~  
City of Plattsburgh  
~~TOWN~~  
~~VILLAGE~~

Date: 21 December 2005



# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

City

of Plattsburgh

~~TOWN~~

~~VILLAGE~~

Local Law No. 3 of the year 2006

A local law AMENDING THE ZONING LAW ESTABLISHING CHILD DAY CARE CENTER AS A  
(Insert Title)  
SPECIAL PERMITTED USE IN RH, B-1 and B-2 ZONES

Be it enacted by the Common Council of the  
(Name of Legislative Body)

~~COUNTY~~

City

of Plattsburgh

~~TOWN~~

~~VILLAGE~~

as follows:

1. Child Day Care Center" shall have the meaning set forth in Social Services Law § 390.
2. City Code Chapter 270, table I (Zoning Law, Schedule of Permitted Uses) is amended to authorize the establishment of a Child Day Care Facility as a special permitted use in zoning districts **RH** – Residential Historic, **B-1** – General Business, **B-2** – Highway Business

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 3 of 2006 of the (County)(City)(Town)(Village) of Plattsburgh was duly passed by the Common Council on 25 May 2006, and was (approved)(~~not approved~~)(repassed after ~~disapproval~~) by the \_\_\_\_\_ Mayor \_\_\_\_\_ and was deemed duly adopted on 1 June 2006, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

Keith A. Herkalo  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo, City Clerk

(Seal)

Date: 1 June 2006

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

John E. Clute  
Signature John E. Clute  
Corporation Counsel  
Title

~~CITY~~  
City of Plattsburgh  
~~TOWN~~  
~~VILLAGE~~

Date: 1 June 2006

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~XXXXXX~~

City of Plattsburgh

~~Town~~

~~Village~~

Local Law No. 8 of the year 2007.

A local law AMENDING THE ZONING DISTRICT DESIGNATION OF LANDS ZONED R-1 TO B-2  
(Insert Title)

Be it enacted by the Common Council of the  
(Name of Legislative Body)

~~XXXXXX~~

City of Plattsburgh as follows:

~~Town~~

~~Village~~

1. The Common Council makes the following findings with respect to the proposed re-zoned lands:
  - a. The land is part of a 3.16 acre lot identified as tax map lot no. 207.17-2-19 which is currently improved and used for a commercial use, to wit the WIRY radio station.
  - b. Part of the land is requested to be re-zoned B-2 to permit commercial development.
  - c. Part of the land, with frontage on Haley Drive, will remain in an R-1 zoning district.
  - d. The re-zoned B-2 land is and will remain separated from existing residential development on the west by a 75 foot wide parcel of land owned by the City of Plattsburgh, and on the south by 150 foot deep strip of currently undeveloped land that will remain within the R-1 zoning district, and Haley Drive. The adjoining land to the East is improved with a commercial building and parking area for a place of worship. The adjoining land to the North is zoned B-2 and improved with commercial uses.
  - e. The B-2 zoning district boundary of the lot will be set back from Haley Drive 150+/- feet.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

2. The Zoning District designation tax map lot no. 207.17-2-19 is hereby changed as follows:
  - a. The zoning classification of said lot or parcel is amended with reference to a Zoning District Line which is described as follows: The Commencing at the south easterly corner of the said tax map lot, being the same premises described in a deed to Hometown Radio Inc. recorded in book 939 of Deeds at page 21, thence proceeding N 05° 22' 09"E a distance of 150 feet to a point which is the place of beginning of the Zoning District Line, thence turning N 83° 22' 06'W and proceeding a distance of 395.53 feet to a point which is the terminus of the Zoning District Line.
  - b. That part of said parcel lying northerly of the said Zoning District Line is hereby zoned B-2.
  - c. That part of said parcel lying southerly of the said Zoning District Line shall remain in its present zoning classification which is confirmed as an R-1 zoning district.
3. The official zoning map of the City of Plattsburgh is ordered to be amended to reflect the aforesaid change in zoning designation.
4. This local law shall become effective immediately upon approval by the Mayor and filing with the Secretary of State.



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 8 \_\_\_\_\_ of 20<sup>07</sup> of the (County)(City)(Town)(Village) of Plattsburgh was duly passed by the Common Council on 9 August 20<sup>07</sup>, and was (approved)(~~not approved~~)(repassed after ~~disapproval~~) by the Mayor and was deemed duly adopted on 22 August 20<sup>07</sup>, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

*Keith A. Herkalo*

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body Keith A. Herkalo

(Seal)

Date: 22 August 2007

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature *John E. Clute*  
John E. Clute  
Title Corporation Counsel

~~COUNTY~~  
City of Plattsburgh  
~~TOWN~~  
~~VILLAGE~~

Date: 22 August 2007

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~CITY~~  
~~TOWN~~  
~~VILLAGE~~

City of Plattsburgh

Local Law No. 10 of the year 2007

A local law AMENDING CITY CODE CHAPTER 270 - FRONT YARD PARKING  
(Insert Title)

Be it enacted by the Common Council of the  
(Name of Legislative Body)

~~CITY~~  
~~TOWN~~  
~~VILLAGE~~

City of Plattsburgh as follows:

1. City Code § 270-25 is amended to add the following:

In R-1 and R-H districts or OL-P Districts, no motor vehicle shall be parked in the front yard of any lot, except on a paved driveway or an approved, paved parking area. No motor vehicle shall be parked on any property owned by the City of Plattsburgh that lies between the improved bounds of a city street and the lot line(s) of any lot.

2. City Code § 270-50 A (2) is amended to read as follows:

A. Enforcing officer.

(2) The building inspector, housing code inspector, municipal code inspector, police officer or parking enforcement officer may enforce the provisions of section 270-25 relating front yard parking.

3. This local law shall take effect immediately upon approval by the Mayor and filing with the Secretary of State.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. 10 of 2007 of the ~~(County)~~(City)(~~Town~~)(Village) of Plattsburgh was duly passed by the Common Council on 13 Sept 2007, and was (approved)~~(not approved)~~~~(repassed after disapproval)~~ by the Mayor and was deemed duly adopted on 13 Sept 2007, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

*Keith A. Herkalo*

Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo

(Seal)

Date: 21 September 2007

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature *John E. Clute*  
John E. Clute

Title Corporation Counsel

~~XXXXX~~  
City of Plattsburgh  
~~XXXXX~~  
~~XXXXX~~

Date: 21 Sept 2007



# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

City

~~XXXX~~

~~XXXX~~

of Plattsburgh

Local Law No. 4 of the year 20 08

A local law AMENDING AND RESTATING THE DEFINITION OF FAMILY IN CITY CODE

*(Insert Title)*

CHAPTER 270

Be it enacted by the Common Council of the

*(Name of Legislative Body)*

~~COUNTY~~

City

~~XXXX~~

~~XXXX~~

of Plattsburgh as follows:

## 1. LEGISLATIVE DECLARATION:

The Common Council of the City of Plattsburgh finds that Zoning Regulations applicable to residential districts, especially single family districts (also known as R-1 districts in the City), rely on the definition of "Family" for their effectiveness. The Council has determined that, in order to increase the effectiveness of the definition and thereby better preserve the character of the City's residential neighborhoods, a rebuttable presumption that four or more unrelated individuals do not constitute the functional equivalent of a family shall be included in the definition; and furthermore, that in order to clarify the definition, broad criteria to rebut the presumption and establish that a group is the functional equivalent of a traditional family be detailed within the definition. The Council concludes that the clarification of the old definition as contained in the new definition, as well as the inclusion of the rebuttable presumption, are reasonable and necessary in order to protect the health and safety of the people of the City and to promote the general welfare.

2. The definition of the term "Family" as set forth in City Code Chapter 270, §270-4 is amended and restated in its entirety to read as follows:

### Family

The term "Family" means:

- a. Any number persons related by blood, marriage, or adoption living together in a single housekeeping unit and using certain rooms and sanitary and cooking facilities in common; or

(If additional space is needed, attach pages the same size as this sheet, and number each.)

b. Up to four unrelated persons living together in a single housekeeping unit and using certain rooms and sanitary and cooking facilities in common; or

c. Five or more persons occupying a dwelling unit and living together as the functional equivalent of a family.

It shall be presumed that five or more persons occupying a dwelling unit do not comprise the functional equivalent of a family. A functional equivalent of a family is a group of persons living together in a dwelling unit who:

1. Share the use of the entire dwelling unit.
2. Share the cost of rent, food, utilities, property maintenance and other household expenses.
3. Intend to reside together on a permanent basis and has a stable relationship.

**The following facts shall be considered in deciding whether a group intends to reside together on a permanent basis and has a stable relationship:**

- a) The presence of minor dependent children regularly residing in the household who are enrolled in local schools.
- b) Whether the group members regularly dine together.
- c) Whether the dwelling is the legal residence of all group member as evidenced by the address listed on their driver's license, motor vehicle registration, voter registration card, income tax return or any other document that lists the member's residence address.
- d) Employment in the local area.
- e) Joint or common ownership of household furnishings.
- f) Other facts relevant to prove that the group functions as a stable household unit and intends to reside together for the indefinite future.

The building inspector shall make the initial determination whether a group of persons living together in a dwelling unit is the functional equivalent of a family. His determination may be appealed to the Zoning Board of Appeals under the procedures for Administrative Reviews in this Chapter.

---

<sup>1</sup> This change requires a person "aggrieved" by the building inspector's interpretation to exhaust his administrative remedy of an appeal to the ZBA. If the ZBA upholds the interpretation, the applicant must then take an Article 78 proceeding which imposes the burden of proof on the aggrieved party.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 4 \_\_\_\_\_ of 2008 of the (County)(City)(Town)(Village) of ~~Plattsburgh~~ ~~Common Council~~ of ~~Plattsburgh~~ was duly passed by the ~~Common Council~~ on 13 Mar 2008, and was (approved)(~~not approved~~)(repassed after ~~disapproval~~) by the Mayor \_\_\_\_\_ and was deemed duly adopted on 14 Mar 2008, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph--2-----, above.

Keith A. Herkalo  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo.

(Seal)

Date: 14 Mar 2008

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

John E. Clute  
Signature John E. Clute  
Title Corporation Counsel

~~XXXX~~  
City of Plattsburgh  
~~XX~~  
~~XXXX~~

Date: 25 Mar 2008

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~CITY~~  
City  
~~TOWN~~  
Town  
~~VILLAGE~~  
Village

of ..... Plattsburgh .....

Local Law No. .... 5 ..... of the year 2008 .....

A local law AMENDING CITY CODE CHAPTER 270 TO CHANGE THE NUMBER  
(Insert Title)  
AND TERMS OF ZONING BOARD OF APPEALS MEMBERS  
.....  
.....

Be it enacted by the ..... Common Council ..... of the  
(Name of Legislative Body)

~~CITY~~  
City  
~~TOWN~~  
Town  
~~VILLAGE~~  
Village

of ..... Plattsburgh ..... as follows:

1. City Code Section 270-52 A and B is amended to read as follows:

270-52. Zoning Board of Appeals.

A General provisions

(1) Creation. A Zoning Board of Appeals is hereby re-established in accordance with General City Law Sec 81.

(2) Composition. The Zoning Board of Appeals shall consist of five regular members and two alternate members. The alternate members shall serve only in the absence of a regular member, or where a regular member is unable to vote on an appeal due to conflict of interest considerations.

(3) Appointment. The Mayor shall appoint the regular and alternate members of the Zoning Board of Appeals, subject to confirmation by the affirmative vote of three members of the Common Council. The Mayor shall attempt to appoint at least one regular member or alternate member from each Ward, but in no event shall more than two regular members be appointed from the same Ward. The Mayor shall appoint a chairperson of the Zoning Board of Appeals from among the regular members. No member of the Common Council or the Planning Board of the City of Plattsburgh shall be eligible for appointment to the Zoning Board of Appeals. A Board member may be removed from office by vote of the Common Council if he (she) fails to attend five or more Board meetings

(If additional space is needed, attach pages the same size as this sheet, and number each.)



out of twelve, consecutive regular or special meetings of the Board.

(4) Term. The terms of regular and alternate members shall expire on December 31<sup>st</sup> in the year when the term for which they were appointed expires. A member whose term expires may continue to serve until a successor is appointed. A person who is appointed to fill a vacancy shall serve until the expiration of the term of the person who vacated the position. The term of a regular member shall be 5 years, however, if two or more terms expire in the same year appointments to one or more of the regular positions shall be made for less than five years so that one position becomes vacant every five years. One alternate member shall be appointed to a two year term; the other alternate member shall be appointed to a three year term.

(5) Vacancies. Vacancies shall be filled by appointment by the Mayor.

B. (4) Quorum A quorum shall consist of a majority of the whole board. Voting shall be by voice vote or ballot.

2. City Code Section § 270-54-4. is amended to read as follows:

4. Voting. The concurring vote of a majority of the whole board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to grant a use variance, area variance, special use permit, site plan approval, and any other permit or approval under this Chapter.

3. Transition Provisions.

When a regular member position becomes vacant it shall not be filled until the whole number of the Zoning Board of Appeals is reduced to five members. Until such time as the whole Board is composed of five members, a majority of the whole number of incumbent members shall constitute a quorum and is required to take any action.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2008 of the (County)(City)(Town)(Village) of Plattsburgh was duly passed by the Common Council on 8 Oct 2008, and was (approved)(not approved)(repassed after disapproval) by the Mayor and was deemed duly adopted on 17 Oct 2008, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

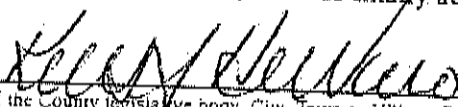
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 2\_\_\_\_, above.

  
\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Harkalo


(Seal)

Date: 21 October 2008

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature John E. Clute  
\_\_\_\_\_  
Title Corporation Counsel

~~COUNTY~~  
City of Plattsburgh  
~~TOWN~~  
~~VILLAGE~~

Date: 21 October 2008

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

City of Plattsburgh

~~TOWN~~

~~VILLAGE~~

Local Law No. 3 of the year 2009

A local law AMENDING CITY CODE CHAPTERS 270 AND 260 TO DEFINE AND ALLOW  
*(Insert Title)*  
COMMUNITY GARDENS AS A SEPCIAL PERMITTED USE AND EXEMPT THE USE FROM  
SUBDIVISION REQUIREMENTS.

Be it enacted by the Common Council of the  
*(Name of Legislative Body)*

~~COUNTY~~

City of Plattsburgh as follows:

~~TOWN~~

~~VILLAGE~~

1. City Code § 270-4 is amended to add the following definition. Community Garden. A lot, or part of a lot, licensed or leased to, or owned by, a not for profit corporation whose members use the property for the sole purpose of the growing fruit, vegetables, flowers, and plants for consumption or use by the members, donation to organizations who give food to people who cannot afford it, but not for sale.
2. A Community Garden shall be a special permitted use in all zoning districts and the table of permitted uses is hereby amended accordingly.
3. A new section, § 270-30 C (1), is added which shall read as follows:  
§ 270-30 C Special Use Permit Conditions. The following special permitted uses shall be subject to the conditions set forth below and such other conditions as the Zoning Board of Appeals may impose.
  - (1) A Community Garden special use permit shall be subject to the following conditions:
    - a) The corporation shall be open to membership by any person who wishes to become a member and meets the corporation's membership requirements.
    - b) The property shall be shall kept in productive use during the growing season.
    - c) At the end of each growing season annual vegetation shall be cut down to a height of not more than 6 inches above ground level.
    - d) The property shall be maintained in accordance with city laws.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

- e) If the property ceases to be used and maintained as a garden for more than one year after it is established, the special use permit shall expire.
- f) No structures shall be erected on the property, except that the Zoning Board of Appeals may permit the corporation to install or erect a building for storing garden tools and supplies and a fence. The location, size, materials, and design of the storage building and fence shall be approved by the Board
- g) The cultivated garden plot shall be set back a minimum distance of five feet from adjoining lots.
- h) The garden plot shall have suitable access to a public street.
- i) The special use permit may be revoked by the Zoning Board of Appeals for a material violation of the permit conditions, following a hearing.

4. A new section, City Code §260-32 Exemptions, is added, which shall read as follows:  
§260-32 Exemptions. The following uses of land shall be exempt from the requirements of City Code Chapter 260 (Subdivisions).

A. A Community Garden when part of a lot is licensed or leased, but not sold, for use as a Community Garden for a term of not more than 5 years. ,



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20<sup>09</sup> of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20<sup>09</sup>, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20<sup>09</sup>, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 2\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body Keith A. Herkalo

(Seal)

Date: 13 May 2009

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature: John E. Clute

Title: Corporation Counsel

~~XXXXXX~~  
County

City of Plattsburgh

~~XXXX~~

~~XXXX~~  
Village

Date: 13 May 2009

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of Plattsburgh

Local Law No. 1 of the year 2014

A local law Amending Chapter 270 of the City Code Concerning Special Permitted Uses in Industrial  
(Insert Title)  
Zones.

Be it enacted by the Common Council of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Plattsburgh as follows:

City Code Chapter 270, Schedule I Schedule of Permitted Uses Part B is amended to:

- a. Include Hotels as a special permitted use
- b. include Eating and Drinking establishments as a special permitted use

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 1 of 20<sup>14</sup> of the (County)(City)(Town)(Village) of \_\_\_\_\_ Plattsburgh \_\_\_\_\_ of 20<sup>14</sup> of \_\_\_\_\_ Common Council was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on 13 March 20<sup>14</sup>, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ Mayor \_\_\_\_\_ (Elective Chief Executive Officer\*) and was deemed duly adopted on 18 March 20<sup>14</sup>, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20\_\_\_\_.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.

*[Handwritten Signature]*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body *Ruth A. Heekalo*

Date: 20 Mar 2014

(Seal)



## **Appendix J Recommended Zoning Changes**

**City of Plattsburgh**

**Recommended Zoning Changes**

**For the Waterfront Overlay District**

**Based on the Local Waterfront Revitalization Plan**

06/01/09

Prepared for:  
City of Plattsburgh  
41 City Hall Place  
Plattsburgh, NY 12901

Prepared by:  
  
ELAN  
PLANNING & DESIGN, INC  
SARATOGA SPRINGS, NEW YORK

## **Recommended Zoning Changes**

The recommended zoning changes related to the Waterfront Overlay District are listed below, according to the location in the ordinance. Language to be added is indicated with an underline; language to be deleted is indicated with an overstrike.

### **§270-4 Terms Defined**

SHORELINE - The mean high water mark at which land adjoins the waters of Lake Champlain within the city.

SHORELINE BUILDING SETBACK – The shortest distance, measured horizontally, between any point of a building and the shoreline of Lake Champlain within the town.

WATERFRONT OVERLAY DISTRICT (OL-W) – The purpose of the Waterfront Overlay District is to allow flexibility in the siting and review of development, above and beyond that set forth by the underlying zoning district, to foster unobstructed views to and from Lake Champlain.

### **§270-14 Height Requirements**

C. Waterfront Overlay District. Buildings and structures within the Waterfront Overlay District may exceed the maximum height allowed in the underlying district when the following conditions are met:

1. The modification in the height requirement is necessary fulfill the purposes of the Waterfront Overlay District, such as retaining views of the waterfront from public travel corridors or public use areas.

a. Applicants wishing to exceed the height requirement must show during the Site Plan Review process, with architectural renderings, building elevations, or accurate photoillustrations, that the desired view cannot be retained under the height requirement.

b. The Planning Board shall make the ultimate decision as to whether the height modification is to be allowed. The Planning Board may require a scenic view easement prohibiting any construction or vegetation other than grasses in the view area. The easement should be enforceable by the City and in form acceptable to and approved by the City Attorney.

2. The Floor Area Ratio does not exceed 1.

### **§270-15 Yard Requirements**

G. Waterfront Overlay District. The yard requirements of the underlying zoning district for buildings and structures within the Waterfront Overlay District may be modified up to the dimensions specified in Schedule IV when the following conditions are met:

1. The modification in the yard requirement is necessary fulfill the purposes of the Waterfront Overlay District, such as retaining views of the waterfront.
  - a. Applicants wishing to modify the yard requirement must show during the Site Plan Review process, with architectural renderings, building elevations, or accurate photoillustrations, that the desired view cannot be retained under the yard requirement.
  - b. The Planning Board shall make the ultimate decision as to whether the yard modification is to be allowed.
2. The Floor Area Ratio does not exceed 1.
3. Transition yard requirements are not subject to the Waterfront Overlay District modification.

### **§270-16 Building Coverage and Open Space Requirements**

- C. Waterfront Overlay District. The building coverage and open space requirements of the underlying zoning district for buildings and structures within the Waterfront Overlay District may be modified up to the dimensions specified in Schedule IV when the following conditions are met:
1. The modification in the Building Coverage and Open Space requirement is necessary fulfill the purposes of the Waterfront Overlay District, such as retaining views of the waterfront.
    - a. Applicants wishing to modify the Building Coverage and Open Space requirement must show during the Site Plan Review process, with architectural renderings, building elevations, or accurate photo-illustrations, that the desired view cannot be retained under applicable requirement.
    - b. The Planning Board shall make the ultimate decision as to whether the modification is to be allowed.
  2. The Floor Area Ratio does not exceed 1.

### **§270-20(4)(H)(3)(a) PUD**

(a) Consistency with approved land use plans.

- (1) When reviewing PUD's and site plans for proposals located within the former Plattsburgh Air Force Base, the Planning Board shall require consistency to the maximum extent practicable with the City of Plattsburgh Comprehensive Plan, City of Plattsburgh Local Waterfront Revitalization Plan and any approved or accepted base reuse plans. Open space and recreation areas on said plans shall be conserved as open space to the maximum extent practicable.
- (2) When reviewing PUD's proposals located within the Waterfront Overlay District (OL-W), the Planning Board shall require consistency with the City of Plattsburgh Comprehensive

Plan and the City of Plattsburgh Local Waterfront Revitalization Plan. A Waterfront Assessment Form should be completed as part of the PUD process.

### **§270-32 Submission**

B. Site plan approval is not required for the following development, unless (1) it is requested by the Building Inspector under subparagraph ~~G-D~~, AND/OR (2) the development is located within the OL-W Waterfront Overlay District.

C. All development in the OL-W Zone requires site plan approval except:

1. Repairs and Improvements, as described in §270-32 (B)(1) above

2. Renovations, as described in §270-32 (B)(2) above

3. Conversions

[NOTE: remainder of section §270-32 to be re-numbered accordingly]

### **§270-36 Guidelines for Review**

C. General Architecture

(6) The design of buildings within the Waterfront Overlay District (OL-W) shall take into account the potential for unobstructed views from public streets or other public lands to Lake Champlain.

D. Streets, pedestrian walks and open space

(6) The design and location of pedestrian walks and open space within the Waterfront Overlay District (OL-W) shall accommodate views and access to Lake Champlain to the maximum extent practicable.

E. Off-street parking and loading.

(3)(a) The landscaping and/or screening of parking and loading facilities within the Waterfront Overlay District (OL-W) shall take into account the potential for unobstructed views from public streets or other public lands to Lake Champlain.

F. Landscape Design

(5) The design, location, and materials for landscape design within the Waterfront Overlay District (OL-W) shall accommodate views and access to Lake Champlain to the maximum extent practicable.

**Schedule IV  
City of Plattsburgh Waterfront Overlay District  
Area and Bulk Controls**

**(a) See Schedule III**

Zoning District	Land Use	Minimum Lot Size Requirements (d)				Minimum Yard Requirements (e)				Building Height (Feet / stories)(b)(e)	Coverage (percent) (f)	Minimum Open Space (percent) (f)
		Area (SF)	Area dwelling SF/unit	Width (ft.)	Depth (ft.)	Front	Side (one/both) <sup>3</sup>	Rear (ft.) (c)	Shoreline (c)			
RC-1	Other permitted uses	10,000	n/a	70	100	<del>0 20</del>	<sup>2</sup> 0/30 <del><sup>1</sup>10/40</del>	10	<u>20</u>	35/2.5	30	50
	Permitted residential uses	10,000	Current formula 2,000	100	100	<del>0 12</del>	<sup>1</sup> 0/30 <del><sup>4</sup>12/30</del>	10	<u>20</u>	35/2.5	40	40
RC-2	Other permitted uses	10,000	n/a	100	100	<del>0 12</del>	<sup>1</sup> 0/30 <del><sup>4</sup>12/30</del>	10	<u>20</u>	35/2.5	40	40
	Other permitted uses	15,000	(a)	125	75	<del>0 15</del>	<sup>1</sup> 0/30 <del><sup>4</sup>12/30</del>	20	<u>20</u>	49/3.5	25	50



Zoning District	Land Use	Minimum Lot Size Requirements (d)				Minimum Yard Requirements (e)				Building Height (Feet / stories)(b) (e)	Coverage (percent) (f)	Minimum Open Space (percent) (f)
		Area (SF)	Area dwelling SF/unit	Width (ft.)	Depth (ft.)	Front	Side (one/both) <sup>3</sup>	Rear (ft.) (c)	Shoreline (c)			
B-1	Other	15,000	(a)	125	75	<del>0/30</del>	<sup>1</sup> 0/30 <del>±12/30</del>	20	<u>20</u>	49/3.5	25	50
	Permitted	10,000	n/a	70	100	<del>0/30</del>	<sup>1</sup> 0/30 <del>±12/30</del>	10	<u>10</u>	30/2	50	15
R-1	No change for underlying district	No change for underlying district				No change for underlying district				No change for underlying district		
R-2												
I												
<p>(b) see Supplementary Regulations</p> <p>(c) all area and bulk control requirements shall exclude land between the waterside property boundary and the high water elevation</p> <p>(d) see §270-15, Yard Requirements</p> <p>(e) see §270-14, Height Requirements</p> <p>(f) see §270-16, Building Coverage and Open Space requirements</p> <p><sup>1</sup> 20% of the setback can be used for parking</p> <p><sup>2</sup> No parking allowed in the setback</p> <p><sup>3</sup> <del>No fence, hedge, treeline, structure, or other permanent obstruction of greater height than three feet shall be permitted within the larger of the two side yard areas.</del></p>												

**Appendix K Chapter 200 of the City of Plattsburgh Code: Mooring Law**

**Chapter 200**  
**CITY OF PLATTSBURGH MOORING LAW**

[Adopted: L.L. 2-2013]

- § 200-1. Title.
- § 200-2. Purpose and Authority.
- § 200-3. Applicability.
- § 200-4. Definitions.
- § 200-5. Permit Requirements, Application Procedures and Fees.
- § 200-6. Number, Placement and Configuration of Moorings.
- § 200-7. Site Plan Approval.
- § 200-8. Determination of Littoral Rights Lines.
- § 200-9. Encroaching Moorings.
- § 200-10. Design, Installation, Inspection and Maintenance of Moorings.
- § 200-11. Fines, Civil Penalties, Enforcement and Other Remedies.
- § 200-12. Severability.
- § 200-13. Effective Date.

**Appendix 1: Littoral Rights Map**

**§ 200-1. Title.**

This local law shall be known as the “City of Plattsburgh Mooring Law” and shall be cited as Chapter 200 of the City Code.

**§ 200-2. Purpose and Authority.**

The purpose of this local law is to regulate the placement, construction and use of moorings in the waters of Lake Champlain adjoining the City of Plattsburgh to a distance of fifteen hundred (1500) feet from shore as authorized by the New York State Navigation Law §46-a and the Municipal Home Rule Law, to protect the interests of waterfront property owners and the general public.

**§ 200-3. Applicability.**

On and after the effective date, this law shall apply to all moorings within the City of Plattsburgh that are located within 1500 feet of the mean high water mark of Lake Champlain. This law does not abrogate the regulatory authority of the New York State Department of Environmental Conservation (hereinafter referred to as the DEC), New York State Office of General Services (hereinafter referred to as the OGS) or the U.S. Army Corps of Engineers (hereinafter referred to as the Corps of Engineers), nor does it release anyone from compliance with regulations issued by these or other Federal or State agencies having jurisdiction over the use of public waterways. All moorings shall comply with this and all other applicable laws and regulations of the City, DEC, Corps of Engineers and any other New York State and federal laws, agencies and authorities having jurisdiction. The provisions of this law do not apply to lakeshore parcels owned by New York State or the United States.

**§ 200-4. Definitions.**

For the purposes of this law the following definitions shall apply:

**Boat** - Any vessel requiring State or Federal registration for use on public waters.

**Lakeshore Owner** - The person or persons holding a fee simple title to the Lakeshore Parcel.

**Lakeshore Parcel** - A parcel of land bordering on the shore of Lake Champlain.

**Marina** - A lakeshore business engaged in the sale or rental of dock or mooring space.

**Mean High Water Level** - The approximate average of the low water level and high water level for Lake Champlain which as of the date of adoption of this law has been determined by the New York State Department of Environmental Conservation to be 99.8 feet.

**Mooring** - means a float, buoy, chain, cable, rope, and anchor that cannot be stowed on the boat and to which a boat can be made fast.

**Mooring Area** - means the water area between a lakeshore parcel's littoral rights lines as limited or circumscribed by a setback requirement.

**Other Land Uses** - All types of land uses on the lakeshore except Marinas.

**Littoral Rights Line** - littoral rights lines are imaginary lines that extend into the lake and define the littoral rights of adjoining lakeshore parcels.

**Tie Line** - The straight line extending between the points where boundaries of a lakeshore parcel intersect the mean high water mark.

**Setback** - means a linear distance from a Littoral Rights Line beyond which moored vessels may not encroach.

**Waterside** - The lakeside of the mean high water mark.

#### § 200-5. Permit Requirements, Application Procedures and Fees.

- A. A mooring permit is not required for a lakeshore parcel with four or less moorings.
- B. All Marinas shall have a mooring permit for existing and new moorings.
- C. The mooring permit application may require the following information:
  1. A Plan drawn to scale showing the location of existing and proposed moorings in relation to littoral rights lines; the depth of the lakeshore bottom at mooring anchor locations; the required setback distances of moorings from littoral rights lines and between mooring anchors; the location of docks, beaches or other landing areas where moored boats may dock or land dinghies; any required channel or mooring lights.
  2. A copy of any required State or Federal permit for moorings, or a certification and explanation as to why none are required.
  3. The identification of moorings reserved for transient boaters, if any.
  4. Such other information as the Code Enforcement Officer determines is necessary for a complete application.



D. Site plan approval, pursuant to Chapter 270 of the City Code, is required for a new Marina with Moorings and to increase in the number of moorings at an existing Marina.

E. The Code Enforcement Officer is authorized to issue mooring permits and enforce the requirements of this Chapter.

F. The annual fee for a mooring permit shall be as follows; which fee may be amended from time to time by resolution of the Common Council.

<u>Number of Moorings</u>	<u>Permit Fee</u>
0-4	None Required for non Marina Uses
5 to 25	\$250.00
Over 25	\$20 for each mooring over 25

**§ 200-6. Number, Placement and Configuration of Moorings.**

A. The boundaries of a lakeshore parcel shall be presumed to be as shown on the City of Plattsburgh Real Property Tax Maps.

B. Marinas. A Marina lakeshore parcel must have a tie line at least 200 feet in length. A Marina whose tie line is 200 to 249.99 feet in length is permitted to have a maximum of 75 moorings, plus 20 moorings for each additional 50 feet of tie line length. Where a lakeshore owner owns adjoining waterfront parcels, the parcels may be considered as one parcel to determine tie lines and littoral rights lines.

C. Other Lakeshore Parcel Uses. For all other lakeshore parcel uses, including residential and commercial uses, the maximum number of moorings allowed is as follows:

<u>Lake Shore Parcel Tie Line Length</u>	<u>Maximum Number of Moorings</u>
1-99.99 feet	4
100 to 199.99 feet	6
Over 199.99 feet	For each additional 50 feet 1 mooring is permitted

D. Moorings shall be located within a lakeshore parcel's mooring area.

E. Marina mooring setback requirements:

1. Moorings must be placed so that in all wind directions no part of a moored boat is closer than thirty (30) feet from a littoral rights line.

2. Moorings must be placed so that in all wind directions no part of a moored boat will be closer than thirty (30) feet from another moored boat.

F. The lakeshore owner shall obtain any required State or Federal permit for the placement of a mooring.

**§ 200-7. Site Plan Approval.**

A. A Marina with a site plan that was approved before the effective date of this law is not required to obtain site plan approval unless the number of moorings is proposed to be increased. An applicant for a Marina mooring permit shall provide a copy of the approved site plan for the marina and note any changes to the site since the date of approval.

B. The design, method of construction, number and placement of moorings, docks and other improvements on or in the water are not subject to Planning Board review.

C. Where Site Plan approval is required, the following requirements and standards shall apply:

1. The purpose of requiring site plan review is primarily to determine the adequacy of parking, marina waste pump out facilities and trash receptacles.

2. The applicant shall certify the number of moorings and boat slips that existed as of the effective date of this Chapter.

3. In determining whether an adequate number of parking spaces is provided, the Planning Board shall apply the following standards:

a. The parking requirements for on-site uses, such as restaurants, retail shops, repair shops shall be calculated based on parking requirements for such uses in Chapter 270.

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b. The parking space requirements for boat slips and moorings shall be as follows:

	<u>Number</u>	<u>Ratio</u>
Wet slips	50 and under	2 slips/lparking space
	51 and over	3 slips/ 1 parking space
Mooring	50 and under	4 moorings/1 space
	51 and over	5 moorings/1 space

c. The Planning Board is authorized to grant variances from the parking requirements of this section in accordance with the standards for granting area variances set forth in Chapter 270.

4. Short term parking or standing areas shall be designated for loading and unloading goods and passengers going to moored boats.

5. Docking or beaching areas shall be designated for mooring dinghies. One space shall be provided for every two moorings or fraction thereof. .

6. To determine the adequacy of parking, the applicant may be required to submit a plan for the entire marina site showing land based improvements, parking spaces, drives and fire lanes.

7. The location and capacity of boat pump out stations and trash receptacles shall be shown to determine if they are of sufficient size for demand generated by the additional moorings.

**§ 200-8. Determination of Littoral Rights Lines.**

A. A lakeshore parcel's boundaries are presumed to be as shown on the real property tax maps of the City of Plattsburgh.

B. The Littoral Rights Lines of a lakeshore parcel shall be determined as follows:

1. Where a lakeshore parcel's shoreline is not an approximately straight line, the shoreline may be segmented to establish base lines that follow the general trend of the shoreline segments. The baseline of a straight shoreline segment shall be a line drawn

between the ends of the straight line segment. The baseline of a cove shall be a line drawn between the headlands of the cove.

2. The littoral rights line shall be established along a line perpendicular to the baseline where it intersects the lakeshore parcel's lateral boundary at the shoreline.

3. The littoral rights lines, extended 1500 feet from the mean high water level of the lakeshore parcel, shall be the lateral boundaries of a lakeshore parcel's mooring rights area.

C. Where the Code Enforcement Officer determines the method of establishing littoral rights lines under section 8 B does not accord reasonably proportionate mooring areas to adjoining lakeshore parcels, taking into consideration each parcel's baseline length, he is authorized to determine the littoral rights lines by applying one of the other methods set forth in New York Office of General Services Rules and Regulations Title 9, Part 274. The Code Enforcement Officer's determination is not appealable to the Zoning Board of Appeals, but may be reviewed in an Article 78 proceeding.

D. The Littoral Rights Lines of Real Property Tax Parcels 194.17-1-2, 194.17-1-1, 270.20-1-2.31, 2.32, 270.20-1-3, 221.8-2-1, 221.12-2-13, 221.16-1-17.3 shall be as shown on the map annexed as Appendix 1. to this law.

#### **§ 200-9. Encroaching Moorings.**

A. A mooring, or any part of a mooring, that is owned, has been installed or is leased by someone other than the lakeshore parcel owner whose mooring area the mooring is located in, shall be removed by the mooring owner, installer or lessee on or before April 15, 2014 unless the lakeshore parcel owner gives his written consent for the mooring to remain.

#### **§ 200-10. Design, Installation, Inspection and Maintenance of Moorings.**

A. The mooring owner is responsible for the design, installation, inspection and maintenance of moorings.

B. The mooring owner shall repair or replace any component that shows wear or other deterioration that might cause a boat to break free from the mooring.

C. The mooring owner shall inspect all mooring components annually and file a report with the Building Inspector's office certifying that moorings were inspected and describing any repairs that were made.

**§ 200-11. Fines, Civil Penalties, Enforcement and Other Remedies.**

A. Classification of Offense. A violation of this Chapter shall be an unclassified misdemeanor for the purpose of conferring jurisdiction and establishing fines for violations. A violation shall not be punishable by a sentence of imprisonment, but shall be punishable by a fine.

B. A violation by a corporation is punishable by a fine under Penal Law §80.10

C. A violation of this Chapter may be prosecuted in a civil proceeding. A violation shall be punishable by a civil penalty.

D. Each week that a violation continues shall constitute a separate violation. A week shall commence at 12:01AM the day after service of Notice of a Violation. A week shall end at 12:00 PM of the eighth day following service.

E. In addition to a fine or civil penalty, the City shall be entitled to recover the cost of any surveying expense incurred in proving a violation and reasonable attorney's fees incurred in prosecuting a violation of this Chapter.

F. Fines; Civil Penalties, A Violation shall be punishable by a fine or civil penalty as follows:

1. Section5; installation of moorings without a mooring permit, \$500.
2. Section 6; installation of a mooring in, or failure to remove an encroaching mooring from a required setback area, \$500.
3. Section9; installation of a mooring, or failure to remove an encroaching mooring, in a lakeshore parcel owner's mooring area, \$500.
4. Fines and Civil Penalties for violations of this Chapter may be amended by Common Council Resolution.

G. Enforcement.

1. The Corporation Counsel, Code Enforcement Officer, Housing Code Inspector, Municipal Code Inspector or a Police Officer is authorized to bring enforcement proceedings for violations charged as a misdemeanor.

2. The Corporation Counsel is authorized to bring civil enforcement proceedings.



**§ 200-12. Severability.**

Section 12. If any clause, sentence, paragraph, subdivision, section or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered.

**§ 200-13. Effective Date.**

This Chapter shall become effective on March 1, 2014

