

A. INTRODUCTION

This Section presents specific waterfront revitalization policies to be applied to the Village of Patchogue coastal zone (see Figure I-1). These policies are based upon the Long Island Sound Coastal Management Program policies, in accordance with guidance from the New York State Department of State (DOS). The Long Island Sound Coastal Management Program policies take the place of the statewide policies of the New York State Coastal Management Program. The regional policies of the Long Island Sound Coastal Management Program have been refined using the South Shore Estuary Reserve (SSER) Comprehensive Management Plan to reflect local conditions in the Village of Patchogue.

The waterfront revitalization policies presented in this chapter consider the economic, environmental, historic preservation, and cultural characteristics of the Village. The policies are comprehensive and reflect existing State laws and authorities. If approved, the policies can serve as the basis for local, State, and federal consistency determinations for activities affecting the Village of Patchogue coastal zone. Specific projects and uses to implement these policies are discussed in greater detail in subsequent sections of the LWRP/HMP.

The policies are organized under four general headings: developed coast policies, natural coast policies, public coast policies, and working coast policies. Each of the 13 policy statements promotes the beneficial use of coastal resources, prevents their impairment, or deals with major activities that substantially affect numerous resources.

B. LOCAL WATERFRONT REVITALIZATION POLICIES**INTRODUCTION**

The use of the Long Island Sound Coastal Management Program policies was determined by DOS. For the Village of Patchogue, the SSER Comprehensive Plan was referenced for more specific regional applications. The SSER Comprehensive Plan is the result of the Long Island South Shore Estuary Reserve Act passed by New York State Legislature. The Act created the SSER, which makes up Long Island's South Shore bays and the adjacent upland areas draining to them. The SSER Act calls for the reserve's protection and management. The Act also created the SSER Council (Council). The Act charged the Council with preparation of a comprehensive management plan for the reserve. The SSER is viewed as three subregions: the western bays, Great South Bay, and the eastern bays. The Village of Patchogue is part of the Great South Bay region.

Great South Bay is the largest shallow estuarine bay in New York State, with extensive back barrier and tidal creek salt marshes, eelgrass beds, and intertidal flats. Most marshes in the subregion are ditched, with many mainland marshes impaired by fill and bulkheads or restrictions to tidal flow.

The Long Island Sound policies, although generally applicable to the Village, have been altered to reflect environmental conditions unique to the Village of Patchogue. It is further determined that Policies 7, 12, and 13 below are of limited applicability to the Village.

SUMMARY OF POLICIES

The following is a categorized list of the Village of Patchogue LWRP/HMP policies:

DEVELOPED COAST POLICIES

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

Policy 2: Preserve and enhance historic resources of the Village of Patchogue.

Policy 3: Improve visual quality and protect scenic resources throughout the Village of Patchogue.

NATURAL COAST POLICIES

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

Policy 5: Protect and improve surface and groundwater quality and supply in the Village of Patchogue.

Policy 6: Protect and restore ecosystem quality and function in the Village of Patchogue.

Policy 7: Protect and improve air quality in the Village of Patchogue.

Policy 8: Minimize environmental degradation from solid waste and hazardous substances and wastes in the Village of Patchogue.

PUBLIC COAST POLICIES

Policy 9: Provide for public access to, and recreational use of, coastal waters, public lands, and public resources of the Village of Patchogue.

WORKING COAST POLICIES

Policy 10: Protect the Village of Patchogue's 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 Village of Patchogue.

Policy 12: Protect agricultural lands in the Village of Patchogue.

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

VILLAGE OF PATCHOGUE COASTAL POLICIES

DEVELOPED COAST POLICIES

Policy 1: Foster a pattern of development in the Village of Patchogue that enhances community character, preserves open space, makes efficient use of infrastructure, makes

beneficial use of the Village's coastal location, and minimizes adverse effects of development.

The community character of the Village of Patchogue is largely defined by its maritime history, which has resulted in the current patterns of development. Patchogue possesses a distinctive character, reflecting this maritime heritage, which serves as the focus for its commercial, cultural, and recreational activities. Existing land uses within the Village are therefore a mix of residential, industrial, commercial, recreational, and institutional. The majority of land use in the LWRP study area is residential. However, along the Patchogue River waterfront and Main Street, the predominant land uses are commercial and industrial, interspersed with residential. Along the river, the commercial and industrial uses are a mix of water-dependent uses such as marinas and water-enhanced uses such as restaurants. There are also condominiums and townhouse complexes. For example, a new residential development, Copper Beech Village, is located near downtown Patchogue and the Long Island Rail Road (LIRR) station. Copper Beech, which includes a mix of market-rate and affordable next-generation housing, was designed using smart growth principles and encourages pedestrian activity. Community facilities, such as Shorefront Park, are another predominant feature throughout the study area.

With the recommendation of the plan, commercial and industrial uses within the LWRP study area will generally continue along their established land use patterns, although there will be exceptions when large industrial/commercial properties become vacant. Reuse of underutilized commercial and industrial uses along the Patchogue River should be redeveloped with a mix of uses that include water-dependent or water-enhanced uses along the Patchogue River. With continued development pressure, uses along the river will be further challenged to remain as water-dependent uses, and it is important for the Village to preserve these maritime uses.

Residential land use includes a variety of housing types, including single-family, two-family, and multifamily residential uses. New multifamily residential uses are encouraged within walking distance of downtown Patchogue, the LIRR station, and as part of new mixed-use developments.

In addition to maritime uses, open space and recreational uses must be retained and enhanced. These spaces provide vital recreational activities along the waterfront in addition to preserving natural features and providing benefits. For these spaces, future water-related recreational uses are encouraged, such as non-motorized boat launches, and improved beaches and parks. Public access to the Patchogue River, Tuthills Creek, and Patchogue Bay, as well as Great Patchogue, Pine, and West Lakes, for public use and enjoyment of the water and waterfront, are priorities.

Development, public investment, and regulatory decisions should preserve open space and natural resources and sustain Patchogue as a center of activity. Water-dependent uses should be located in Patchogue, supporting the maritime base of the Village and maintaining the historic maritime character of the riverfront.

This policy seeks to facilitate a development pattern in the coastal zone that provides for beneficial use of the Village's environmental, historical, and cultural waterfront resources, while maintaining and building on its traditional economic base. The primary components of the desired development pattern are strengthening traditional waterfront communities as centers of activity, encouraging water-dependent uses to concentrate in existing locations of maritime centers, enhancing upland residential areas, and preserving open space and environmentally sensitive waterfront areas. Development that does not reinforce this traditional land use pattern could adversely affect the community character of the Village.

Specific policies intended to meet these objectives follow.

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

- Maintain Patchogue’s traditional waterfront uses and ensure that development supports and is compatible with the maritime character of Patchogue when located along the waterfront.
- Focus private and public investment, actions, and support in waterfront redevelopment areas to reclaim deteriorated, underutilized, inappropriately developed, and vacant waterfront land and brownfields for new purposes.
- Locate new development where infrastructure is adequate or can be expanded and upgraded to accommodate new development.

1.2 Ensure that development or uses take appropriate advantage of their coastal location.

- Reserve coastal waters for water-dependent uses and activities.
- Accommodate water-enhanced uses along the Patchogue River waterfront that are compatible with upland development, do not displace or interfere with water-dependent uses, and reflect the unique qualities of the coastal location through appropriate design and orientation.
- Allow other uses that derive benefits from a waterfront location, such as residential uses, at appropriate locations and when they can support water-dependent and water-enhanced uses.
- Avoid uses on the waterfront that cannot by their nature derive economic benefit from a waterfront location.
- Expedite permit procedures and approvals to facilitate the siting of appropriate water-dependent uses.

1.3 Protect traditional historic residential areas.

- Maintain traditional residential neighborhoods and allow for continued compatible residential and supporting development in or adjacent to such areas.

1.4 Maintain and enhance natural areas, recreation, and open space.

- Avoid adverse impacts, including economic, environmental, and aesthetic impacts to natural areas, recreational areas, and open spaces.
- Avoid expansion of infrastructure and services that would promote conversion of these areas to other uses.
- Maintain natural, recreational, and open space values.
- Seek public/private finance opportunities to maintain and enhance these areas or to purchase additional properties that support these uses.

1.5 Minimize adverse impacts of new development and redevelopment.

- Minimize potential adverse environmental and community impacts from new development, through appropriate review procedures (e.g., site plan review, State Environmental Quality Review Act and the *Code of the Village of Patchogue*, Chapter 43, “Environmental Quality Review,” and Chapter 93, “Zoning”).
- Minimize the potential for adverse impacts of development types that individually may not result in a significant adverse environmental impact, but taken together could cumulatively lead to or induce significant adverse impacts.

Policy 2: Preserve and enhance historic resources of the Village of Patchogue.

Historic structures and sites are tangible links to the past development of the Patchogue community—both its cultural and economic life—and provide a connection to past generations and events. According to the New York State Historic Preservation Office online Geographic Information System, the Village of Patchogue and the area encompassing the LWRP boundary is located within an archaeo-sensitive area for historic and prehistoric resources.

Retention of historic maritime uses such as Frank M. Weeks Boatyard and Leeward Cove Marina, as well as historic structures, is an important goal of this LWRP/HMP. These resources, taken together, should continue as important icons in the maritime culture of the Village of Patchogue.

The intent of this policy is to preserve the historic cultural resources of the Village of Patchogue, with a focus on its maritime and coastal industrial heritage. This policy addresses not only the specific site or resource, but the area adjacent to and around specific sites or resources. The quality of adjacent areas is often critical to maintaining the quality and value of the resource. Effective preservation of historic resources must also include active efforts, when appropriate, to restore or revitalize these resources. While the Village of Patchogue waterfront revitalization policies address all such resources within the LWRP area, they actively promote preservation of historic, archaeological, and cultural resources that have a maritime history.

2.1 Maximize preservation and retention of historic resources.

- Preserve historic resources by protecting historic structures.
- Provide for compatible reuse of historic resources, while limiting and minimizing alterations to resources.
- Minimize loss of historic resources or historic settings when it is not possible to completely preserve the resource.
- Relocate historic structures if it is determined that the resource cannot be preserved in place.
- Allow demolition only where alternatives for preservation are not feasible.
- Avoid potential indirect (contextual) impacts from development on nearby historic resources.
- Memorialize historic resources through photographs and journal logs when loss or demolition is unavoidable.

2.2 Protect and preserve archaeological resources.

- Minimize potential adverse impacts by redesigning projects, reducing direct impacts on archaeological resources, recovering artifacts prior to construction, and documenting archaeological sites.
- Prohibit appropriation of any object of archaeological or paleontological interest situated on or under lands owned by New York State, except as provided for in Education Law, § 233.

2.3 Protect and enhance resources that are significant to the maritime culture of the Village of Patchogue.

- Protect historic shipwrecks.
- Protect Patchogue's historic maritime character through legislation or other available means.

- Preserve and enhance historic navigational structures by providing for their long-term protection.

Policy 3: Improve visual quality and protect scenic resources throughout Village of Patchogue.

Visual quality, design, and landscaping are major contributors to the character of the Village of Patchogue. The Village's coastal zone includes marine frontage, such as areas along the Patchogue River, Patchogue Bay, and Tuthills Creek, as well as freshwater lakes, including Pine, West, and Great Patchogue Lakes. Due to the generally flat topography of the Village, there is limited visual access to scenic waterfront areas from major thoroughfares. Views of the water are generally limited to the immediate waterfront, and those arriving by train do not have a sense of the nearby waterfront. Therefore, accessing the visual features of the coastal area is limited, yet scenic resources play a vital role in attracting people to the Village.

Some areas are in need of visual enhancement in order to support the character of the waterfront, as discussed in the Scenic Resources and Visual Character subsection of Section II of the LWRP/HMP. In addition to many highly scenic natural resources, such as Tuthills Creek, Shorefront Park, and the Patchogue River, the variety of cultural elements in the landscape and the interplay of the built and natural environments are of particular importance to the visual quality of the Village. Linkages between these various elements should be provided.

The intent of this policy is therefore to protect and enhance visual quality and protect recognized scenic resources within the Village's waterfront areas, as discussed in Section II.L of the LWRP/HMP.

3.1 Protect and improve visual quality throughout waterfront areas.

- Enhance existing scenic features of the shoreline.
- Encourage a physical connection between the downtown business district and the waterfront using wayfinding signs.
- Restore deteriorated and remove degraded visual elements, and screen uses that detract from the visual quality of the coast.
- Preserve existing scenic landscapes and establish new native plantings to enhance scenic quality of the coast, with an emphasis on the shoreline.
- Improve the visual quality associated with historic maritime features.
- Recognize water-dependent uses as important visual elements of the waterfront.
- Protect scenic values associated with public lands, including public parks, as well as trust lands and waters.

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

- Protect aesthetic and scenic values associated with the waterfront.
- Prevent impairment of scenic components that contribute scenic resources.

NATURAL COAST POLICIES

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

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

Erosion protection structures often contribute to erosion both on and off site due to poor design and siting, and can impact downdrift locations. These impacts can include tree loss, aesthetic impairments, loss of public recreational resources, loss of habitats, and impacts to private property. Before a permit is granted to allow construction of erosion protection structures, the purpose, function, impact, and alternatives need to be carefully evaluated to determine that the structures are necessary and to avoid adverse impacts.

There are few areas of the Patchogue waterfront that remain vacant. These areas, particularly along Tuthills Creek, should generally be utilized in a manner that responds to the natural coastal processes. Tuthills Creek, as described in Section II.D of the LWRP/HMP, has a natural edge mainly on its eastern side. The western Tuthills Creek shoreline is bulkheaded and has several docks.

Development and redevelopment in hazard areas needs to be managed to reduce exposure to coastal hazards. Hardening of the shoreline is to be avoided except when alternative means, such as soft engineering alternatives, are not effective. Beach nourishment, revegetation, offshore bar building, or inlet sand bypassing are preferred approaches to control erosion because of fewer environmental impacts than hard structures. Tree plantings are necessary to replace the loss of trees and natural resources. Hard structures may be more practical to protect principal structures or areas of extensive public investment.

Soft structural protection methods are to be used to conform to the natural coastal processes. Sea level rise relative to the shore is another significant factor in the incidence of erosion and flooding over time. For the Village, sea level rise should be considered when projects involving substantial investments of public expenditures are designed.

Deteriorated bulkheads along the Patchogue River negatively affect the visual appearance of the shoreline, allow increased amounts of sediment to enter the water, damage the value of waterfront property, and generate floating debris, impeding navigation. These failing structures should be repaired. The New York State Department of Environmental Conservation (NYSDEC) has already approved plans for piers and bulkheads at the ends of Laurel, Brightwood, and Campbell Streets.

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

- The following flood prevention and erosion management measures can be implemented to minimize or prevent losses: 1) avoid development other than water-dependent and water-enhanced uses in coastal hazard areas; 2) locate or move development and structures as far away from hazards as practical; 3) use vegetative non-structural measures that have a reasonable probability of managing flooding and erosion, based on shoreline characteristics including exposure, geometry, and sediment composition; 4) enhance existing natural protective features and processes, and use non-structural measures that have a reasonable probability of managing erosion; and 5) use hard structural erosion protection measures for control of erosion only where the above measures are not sufficient to protect the principal use, or the use is water-dependent or reinforces the role of the maritime center and waterfront redevelopment area.
- Mitigate the impacts of erosion control structures.
- Manage development in floodplains outside of coastal hazard areas so as to avoid adverse environmental effects, to minimize the need for structural flood protection measures, and to meet federal flood insurance program standards.

4.2 Preserve and restore natural protective features.

- Prevent development in natural protective features except development as specifically allowed in Article 34 of the New York State Environmental Conservation Law, which addresses coastal zone erosion hazard areas, 6 NYCRR Part 505.8, coastal zone erosion management regulations.
- Maximize the protective capabilities of natural protective features by avoiding alteration or interference with shorelines in a natural condition; enhancing existing natural protective features; restoring impaired natural protective features; and managing activities to minimize interference with, limit damage to, or reverse damage that has diminished the protective capacities of the natural shoreline.
- Minimize interference with natural coastal processes by providing for natural supply and movement of unconsolidated materials; minimizing intrusion of structures into coastal waters and interference with coastal processes; and mitigating any unavoidable intrusion or interference.

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

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

4.4 Manage navigation infrastructure to limit adverse impacts on coastal processes.

- Manage navigation channels to limit adverse impacts on coastal processes by designing channel construction and maintenance to protect and enhance natural protective features and prevent destabilization of adjacent areas; and make beneficial use of suitable dredged material.
- Manage stabilized inlets to limit adverse impacts on coastal processes.

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

- Give priority in expenditure of public funds to actions that protect public health and safety; mitigate flooding and erosion problems caused by previous human intervention; protect areas of intensive development; and protect substantial public investment in land, infrastructure, and facilities.
- Limit expenditure of public funds to those circumstances where public benefits exceed public cost, and prohibit expenditure of public funds for the exclusive purpose of protecting private development, except where actions are undertaken by an erosion protection district.

4.6 Consider sea level rise when siting and designing projects involving substantial public expenditures.

- Use the best available data for predicting future conditions when siting a project or providing infrastructure improvements.

- Anticipate impacts of sea level rise on localized groundwater conditions when considering installing septic systems.

Policy 5: Protect and improve surface and groundwater quality and supply in the Village of Patchogue.

The purpose of this policy is to protect the quality and quantity of water resources in the LWRP study area. Water quality protection measures include management of both point and nonpoint sources of pollution. Point sources within the LWRP study area include discharging into Great South Bay; and the Village of Patchogue plant that discharges into the Patchogue River. Point sources also include other discharges regulated by the State Pollutant Discharge Elimination System (SPDES), inactive hazardous sites, and inactive and active solid waste sites.

Point sources of pollution, while not as widespread as and comparatively less significant than nonpoint sources, can still cause water quality degradation in their immediate areas. Vessel waste discharges and waterfowl are also contributors to the bacterial load of nutrients, sediment, and coliform bacteria. Elevated levels of coliform are responsible for the year-round closure of shellfish beds in Great South Bay and the periodic closure of bathing beaches. Nutrients and sediments in stormwater runoff threaten fishing, fish propagation, and fish survival in the subregion's tributaries and coves.

Surface water quality impairments reflect the intensity of upland and water uses in the Village coastal area, and result from both point and nonpoint sources. Consequences of water quality impairments include eutrophication; reduced availability of crustaceans and certified, marketable shellfish; increased closure days for beaches; and reduced enjoyment of the waterfront.

Due to the geologic and soil characteristics of the region, surface water pollution can readily contaminate groundwater resources. The sandy, highly porous soils of Long Island allow nutrients and other pollutants to pass with little filtration into aquifers. Since Long Island is served by a sole-source aquifer, activities that introduce pollutants to surface waters must be controlled. In addition, nutrient input from groundwater flow into embayments is, in some cases, a significant factor in water quality impairment. For these reasons, land use, even in upland areas, can have permanent adverse effects on water quality, and polluted stormwater runoff from urban areas have been identified as the primary pollutant responsible in nearly all of the SSER waterbody segments listed with impaired uses in its 2004 Priority Waterbody List.

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

5.1 Prohibit direct or indirect discharges that would cause or contribute to contravention of water quality standards.

- Restore the Village's water quality by reducing impairments caused by major point and non-point sources of pollution, as discussed in Section II.N of the LWRP/HMP. This is dependent on federal, State, and local governments, and private sector partners, implementing a strategy that: 1) identifies opportunities and develops schedules to protect lands that provide significant pollutant abatement functions; 2) designs and undertakes projects that retrofit existing storm sewer and other conveyance systems to remove pollutants from storm water; 3) adopts nonpoint source pollution best management practices; and 4) increases education and outreach to modify resident and user behavior.

- Prevent point source discharges into coastal waters and avoid land and water uses that would: 1) exceed applicable effluent limitations, 2) cause or contribute to contravention of water quality classification and use standards, 3) adversely affect receiving water quality, or 4) violate a vessel waste no-discharge zone prohibition.
- Ensure effective treatment of sanitary sewage and industrial discharges by upgrading the operation of treatment facilities, providing tertiary treatment of sanitary sewage, improving nitrogen removal capacity, incorporating treatment beyond secondary for new wastewater treatment facilities, reducing demand on facilities, reducing loading of toxic materials, reducing or eliminating combined sewer overflows, and managing on-site disposal systems.

5.2 Manage land use activities and use best management practices to minimize nonpoint pollution of coastal waters.

- Minimize turf and impervious surface coverage on adjacent upland properties.
- Use best management practices when applying herbicides and pesticides.
- Require buffers between surface water and adjacent upland uses, utilizing indigenous plant species that do not require fertilization.

5.3 Protect and enhance the quality of coastal waters.

- Protect water quality based on 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).
- Minimize disturbance of streams, including their beds and banks, in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and level of water.
- Protect water quality of coastal waters from adverse impacts associated with excavation, fill, dredging, and disposal of dredged material.

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

- Protect water quality by ensuring that watershed development protects areas that provide important water quality benefits, maintains natural characteristics of drainage systems, and protects areas that are particularly susceptible to erosion and sediment loss.
- Limit the impacts of individual development projects to prevent cumulative water quality impacts upon the watershed that would result in a failure to meet water quality standards.

5.5 Protect and conserve the quality and quantity of potable water.

- Prevent contamination of potable waters by limiting discharges of pollutants and limiting land uses that are likely to contribute to contravention of surface and groundwater quality classifications for potable water supplies.
- Utilize appropriate erosion and sediment control measures to ensure protection of water quality.
- Prevent depletion of existing potable water supplies by limiting saltwater intrusion in aquifers and estuaries through conservation methods or restrictions on water supply use and withdrawals and allowing for recharge of potable aquifers.
- Limit cumulative impacts of development on groundwater recharge areas to ensure replenishment of potable groundwater supplies.

Policy 6: Protect and restore the quality and function of the Village of Patchogue ecosystem.

Most of the Village is developed as a maritime center. However, its ecosystems include environmental factors such as both marine and freshwater water bodies and wetlands. The biological components include vegetation and wildlife associated with these systems.

Certain natural resources that are important for their contribution to the quality and biological diversity of the Village of Patchogue's ecosystem have been specifically identified by the State for protection. These natural resources include regulated tidal and freshwater wetlands; designated Significant Coastal Fish and Wildlife Habitats; and rare, threatened, and endangered species.

This policy also recognizes and provides for restoration and enhancement of natural resources and protection consistent with the objectives of the SSER.

6.1 Protect and restore ecological quality throughout the Village of Patchogue.

- Avoid significant adverse changes to the natural systems such as the physical loss, degradation, or functional loss of habitats.
- Maintain values associated with natural ecological communities.
- Remove non-indigenous plant species, especially in areas where they are threatening the natural ecosystem, such as Great Patchogue Lake.
- Encourage utilization of indigenous plants in landscaping.
- Avoid fragmentation of natural ecological communities and maintain corridors between ecological communities. Maintain structural and functional relationships between natural ecological communities to provide for self-sustaining systems.
- Avoid permanent adverse change to ecological processes.
- Reduce adverse impacts of existing development when practical.
- Mitigate impacts of new development; including the reduction or elimination of adverse impacts associated with existing development.

6.2 Protect and restore Significant Coastal Fish and Wildlife Habitats.

- Protect the Village of Patchogue's designated Significant Coastal Fish and Wildlife Habitats (e.g., Great South Bay) from uses or activities that would destroy habitat values or significantly impair the viability of the designated habitat beyond its tolerance range, which is the ecological range of conditions that supports the species population or has the potential to support a restored population where practical.
- Where destruction or significant impairment of habitat values cannot be avoided, minimize potential impacts through appropriate mitigation. Wherever practical, enhance or restore designated habitats so as to foster their continued existence as natural systems.

6.3 Protect and restore tidal and freshwater wetlands.

- Comply with statutory and regulatory requirements of the State's wetland laws. Use the following management measures, presented in order of priority: 1) prevent the net loss of vegetated wetlands by avoiding fill or excavation; 2) minimize adverse impacts resulting from unavoidable fill, excavation, or other activities; and 3) provide for compensatory mitigation for unavoidable adverse impacts. Provide and maintain adequate buffers between wetlands and adjacent or nearby uses and activities to protect wetland values.

- Restore tidal and freshwater wetlands wherever practical to foster their continued existence as natural systems.

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

- Develop strategies for the protection of threatened or endangered plant and animal species and rare ecological communities.

6.5 Protect natural resources and associated values in identified locally important natural areas.

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

Policy 7: Protect and improve air quality in the Village of Patchogue coastal area.

This policy provides for protection of the Village of Patchogue coastal area from air pollution generated within or outside of the coastal area. It is recognized that the Village is served by multiple means of transit, including train, bus, and ferry services, all of which provide the opportunity to minimize the use of vehicle travel, both locally and regionally.

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

- Encourage and provide incentives for development that encourages pedestrian use and minimizes vehicular travel.
- Limit pollution resulting from new or existing stationary air contamination sources consistent with applicable standards, plans, and requirements.
- Minimize air contaminants using best available air cleaning technologies.
- Limit pollution resulting from vehicle or vessel movement or operation.
- Limit actions that directly or indirectly change transportation uses or operation, resulting in increased pollution.
- Restrict emissions of air contaminants that are potentially injurious or unreasonably interfere with enjoyment of life or property.
- Limit new facility or stationary source emissions of acid deposition precursors consistent with achieving final control target levels for wet sulfur deposition in sensitive receptor areas, and meeting New Source Performance Standards for the emissions of oxides of nitrogen.

Policy 8: Minimize environmental degradation from solid waste and hazardous substances and wastes in the Village of Patchogue coastal area.

Most, if not all, Long Island communities have solid waste management plans approved by NYSDEC. In addition, all significant Long Island landfills have been assigned monitors employed by NYSDEC to ensure that adverse impacts, such as leachates to groundwater, are mitigated. The New York State Department of Health is implementing a gas monitoring system. Smaller and more incremental solid waste problems arise from littering.

The Village of Patchogue exports its solid wastes to other Long Island-based landfills. There are two sewage treatment plants (STPs) that currently discharge treated effluent into local surface waters. In 2007, the Village of Patchogue received a grant from the 1996 Clean Water/Clean Air Bond Act to improve operations of its wastewater treatment facilities and upgrade the plant to tertiary treatment.

The intent of this policy is to protect people from sources of contamination and to protect the Village of Patchogue's coastal resources from degradation, through proper control and management of wastes and hazardous materials. In addition, this policy is intended to promote the improvement of operations of wastewater treatment facilities. Attention is also required to identify and address sources of soil and water contamination resulting from hazardous waste sites in the Village of Patchogue.

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

- Plan for proper and effective solid waste disposal prior to undertaking major development or activities generating solid waste.
- Reduce solid waste through reuse and recycling material, and using approved methods to dispose of solid waste that is not otherwise being reused or recycled.
- Prevent the discharge of solid wastes into the environment by using proper handling, management, and transportation practices.
- Operate solid waste management facilities to prevent or reduce water, air, and noise pollution and other conditions harmful to the public health.

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

- 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 that cannot be reduced, recovered, reused, or recycled; and 4) use land disposal as a last resort.
- Ensure maximum public safety through proper management of industrial hazardous waste treatment, storage, and disposal.
- Remediate inactive hazardous waste disposal sites (e.g. brownfields).

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

- Prevent release of toxic pollutants or substances hazardous to the environment that would impact fish and wildlife resources.
- Prevent environmental degradation due to persistent toxic pollutants by limiting discharge of bioaccumulative substances, avoiding resuspension of toxic pollutants and hazardous substances and wastes, and avoiding reentry of bioaccumulative substances into the food chain from existing sources.
- Protect public health, public and private property, and fish and wildlife from inappropriate use of pesticides.
- Take appropriate action to correct all unregulated releases of substances hazardous to the environment.

8.4 Prevent and remediate discharge of petroleum products.

- Develop plans for prevention and control of petroleum discharges in place at any major petroleum-related facility.
- Ensure marinas have appropriate permits, utilize proper methods for dispensing of fuels, and have adequate health and safety plans for dealing with an accidental discharge, to be enforced by the Village in accordance with Chapter 91, “Waterways and Watercraft,” of the Village of Patchogue Code.
- Prevent discharges of petroleum products by following approved handling, storage, facility design, and maintenance principles as defined in Chapter 91, “Waterways and Watercraft.”

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

8.6 Site solid and hazardous waste facilities to avoid potential degradation of coastal resources.

- Avoid siting solid and hazardous waste facilities in the coastal zone and ensure that appropriate management and containment measures are in place to protect coastal resources.

PUBLIC COAST POLICIES

Policy 9: Provide for public access to, and recreational use of, coastal waters, public lands, and public resources of the Village of Patchogue waterfront area.

The Patchogue Village shoreline is mostly developed. Existing development, particularly along the Patchogue River and lakes, has made much of the shoreline inaccessible to the public. In addition to loss of opportunities for physical access, visual access is limited to certain vantage points. Access along public trust lands of the shore has also been impeded by long docks, and shoreline fortification has led to physical loss of access.

Existing public access and opportunities for recreation should be expanded to meet the needs of the residents of the Village, region, and State. This policy incorporates measures needed to provide and increase public access throughout the Village of Patchogue. The need to maintain and improve existing public access and facilities is among these measures, and is necessary to ensure that use of existing access sites and facilities is optimized in order to accommodate both existing and future demands. Another measure is to capitalize on all available opportunities to provide additional visual and physical public access, along with appropriate opportunities for recreation. Recreational uses are encouraged at sites that provide physical or visual access to the coast.

9.1 Promote and protect appropriate and adequate physical public access and recreation throughout the coastal area.

- Provide incentives to private development that supplies convenient, well-defined, physical public access and/or water-related recreational facilities, including non-motorized vessels.
- Require public access through an easement, right-of-way, or dedicated public property whenever an approval is provided for private development along the waterfront.
- Provide a level and type of public access and recreational use that takes into account proximity to population centers, public demand, natural resource sensitivity, accessibility, compatibility with on-site and adjacent land uses, and needs of special groups.

- Restrict public access and water-related recreation on public lands only where incompatible with public safety and protection of natural resources.
- Ensure access for the general public at locations where State or federal funds are used to acquire, develop, or improve parkland.

9.2 Provide public visual access from public lands to coastal lands, waters, or open space at all sites where physically practical.

- Avoid loss of existing visual access by limiting physical blockage by development or activities. Minimize adverse impacts on visual access.
- Mitigate loss of visual access by providing for on-site visual access or additional and comparable visual access off-site.
- Increase visual access wherever practical.

9.3 Preserve the public interest in and use of lands and waters held in public trust by the federal government, State, Suffolk County, Town of Brookhaven, and Village of Patchogue.

- Limit grants, easements, permits, or lesser interests in lands underwater to those instances where they are consistent with the public interest in the use of public trust lands.
- Determine ownership, riparian interest, or other legal right prior to approving private use of public trust lands under water.
- Limit grants, including conversion grants, in fee of underwater lands to exceptional circumstances.
- Reserve such interests or attach such conditions to preserve the public interest in use of underwater lands and waterways that will be adequate to preserve public access, recreational opportunities, and other public trust purposes.
- Evaluate opportunities to reestablish public trust interests in existing grants that are not used in accordance with the terms of the grant, or are in violation of the terms of the lease, or where there are significant limitations on public benefits resulting from the public trust doctrine.

9.4 Assure public access to public trust lands and navigable waters.

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

WORKING COAST POLICIES

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

The intent of this policy is to protect existing water-dependent commercial, industrial, and recreational uses and to promote suitable use of the Patchogue maritime center. It is also the intent of this policy to enhance the economic viability of water-dependent uses by ensuring adequate infrastructure for water-dependent uses and their efficient operation. There are many water-dependent uses located along Patchogue's waterfront. These uses are vital to the economic health of the region.

10.1 Protect existing water-dependent uses.

- Avoid actions that would displace, adversely impact, or interfere with existing water-dependent uses.

10.2 Promote the Village of Patchogue maritime center, as designated by the SSER, as the most suitable location for water-dependent uses.

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

10.3 Allow for the continuation and development of water-dependent uses outside of maritime centers.

- New water-dependent uses may be appropriate outside marina centers if the use: (1) should not be located in a maritime center due to lack of suitable sites; or (2) has unique location requirements that necessitate its location outside maritime centers; (3) would adversely impact the functioning and character of the maritime center if located within the maritime center; or (4) is of small scale and has a principal purpose providing access to coastal waters.

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

- Site new and expand existing marinas, yacht clubs, boat yards, and other boating facilities where there is adequate upland area for support facilities and services; sufficient waterside and landside access; appropriate nearshore depth to minimize dredging; suitable water quality classification; minimization of effects on wetlands and marine habitat; and adequate water circulation.
- Maintain existing ferry services and promote new ferry services to increase the transportation efficiency of passengers and cargo in the Village.
- Improve protection of natural resources when importing, transshipping, or storing petroleum products by promoting inland storage and offshore transshipment of product.

10.5 Provide sufficient infrastructure for water-dependent uses.

- Protect and maintain existing public and private navigation lanes and channels at depths consistent with the needs of water-dependent uses.
- Provide new or expanded navigation lanes, channels, and basins when necessary to support water-dependent uses in a manner that is compatible with the protection of wetlands and habitats.

- Use suitable dredged material for beach nourishment, dune reconstruction, or other beneficial uses.
- Allow placement of suitable dredged material in nearshore locations to advance maritime or port-related functions, provided the material is adequately contained and its placement avoids negative impacts on vegetated wetlands and significant coastal fish and wildlife habitats.
- Avoid shore and water surface uses that would impede navigation.
- Give priority to existing commercial navigation in determining rights to navigable waters.
- Provide for services and facilities to facilitate commercial, industrial, and recreational navigation.
- Foster water transport for cargo and people.
- Maintain stabilized inlets at Tuthills Creek, Patchogue Bay, Patchogue River, and Great Patchogue, Pine, and West Lakes.

10.6 Promote efficient waterway operation.

- Limit congestion of waterways and conflicts among users, foster navigational safety, and minimize obstructions in coastal waters to reduce potential hazards to navigation.
- Prohibit any increase or additional use of coastal waters if such an increase or addition poses a public safety hazard that cannot be mitigated.
- Prohibit intrusions or encroachments upon navigation channels and other identified vessel use areas.
- Utilize navigational aids and signage to promote safe boating.

Policy 11: Promote sustainable use of living marine resources in Village of Patchogue.

The living marine resources of the Village play an important role in the social and economic well being of the people of Patchogue. Commercial and recreational uses of the Village's living marine resources constitute an important contribution to the economy of the region.

Continued use of the Village's living resources depends on maintaining long-term health and abundance of marine fisheries resources and their habitats, and on ensuring that the resources are sustained in usable abundance and diversity for future generations. This requires the Village's active management of marine fisheries, protection and conservation of habitat, restoration of habitats in areas where they have been degraded, and maintenance of water quality at a level that will foster occurrence and abundance of living marine resources. Allocation and use of the available resources must: 1) be consistent with the restoration and maintenance of healthy stocks and habitats, and 2) maximize the benefits of resource use so as to provide valuable recreational experiences and viable business opportunities for commercial and recreational fisheries.

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

- Ensure that commercial and recreational uses of living marine resources are managed in a manner that results in sustained useable abundance and diversity of the marine resource; does not interfere with population and habitat maintenance and restoration efforts; uses best available scientific information in managing the resources; and minimizes waste and reduces discard mortality of marine fishery resources.
- Ensure that management of migratory species is consistent with interstate, state, Federal, and interjurisdictional management plans.

- Protect, manage, and restore sustainable populations of indigenous fish, wildlife species, and other living marine resources.
- Foster occurrence and abundance of Patchogue's marine resources by protecting spawning grounds, habitats, and water quality; and enhancing and restoring fish and shellfish habitat.
- Search for funding sources for long-term management initiatives.

11.2 Provide for commercial and recreational use of the Village's finfish, shellfish, crustaceans, and marine plants.

- Maximize the benefits of marine resource use so as to provide a valuable recreational resource experience and viable business opportunities for commercial and recreational fisheries.
- Where fishery conservation and management plans require actions that would result in resource allocation impacts, ensure equitable distribution of impacts among user groups, giving priority to existing fisheries in the State.
- Protect the public health and marketability of marine and fishery resources by maintaining and improving water quality.
- Promote development of and maintain existing artificial reefs to improve marine resources habitat and expand nearshore fishing opportunities.

11.3 Maintain and strengthen a stable commercial fishing fleet in the Village of Patchogue.

- Improve and expand commercial fishing operations and facilities.
- Protect commercial fishing from interference or displacement by competing land and water uses.
- Strengthen the economic viability of the commercial fishing fleet through appropriate domestic and international marketing.

11.4 Promote recreational use of marine resources.

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

11.5 Promote managed harvest of shellfish originating from uncertified waters.

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

11.6 Promote aquaculture.

- Encourage aquaculture of economically important species.

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

Policy 12: Protect agricultural lands in the Village of Patchogue.

The Village of Patchogue contains no agricultural lands and therefore this regional policy is not applicable.

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

Challenges that face Patchogue and the entire region include dependence on imported oil (both national and international) and gas for electric generation and home heating. Strong reliance on motor vehicle transportation has also resulted in an overdependence on imported petroleum.

Creation of a pedestrian-friendly, walkable community and energy conservation are key strategies for addressing these energy supply issues. As a result, energy efficiency in transportation, site design, and development are the best means for reducing energy demands. Reduced demand for energy reduces the need for construction of new facilities that may have adverse impacts on coastal resources.

In addition, greater use of sustainable energy resources, such as solar, wind, and hydroelectric power is appropriate. In addition to the impacts of construction of new energy generating facilities, the potential impacts of oil and gas extraction and storage must be considered as they relate to use and protection of the coastal zone.

13.1 Conserve energy resources.

- Promote and maintain energy-efficient modes of transportation, including rail freight and intermodal facilities, waterborne cargo and passenger transportation, mass transit, and alternative forms of transportation.
- Plan and construct sites using energy-efficient design.
- Improve energy-generating efficiency through design upgrades of existing facilities.

13.2 Promote alternative energy sources that are self-sustaining, including solar and wind-powered energy generation.

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

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

- Site major energy generating facilities in a coastal location where a clear public benefit is established.
- Site major energy generating facilities close to load centers to achieve maximum transmission efficiency.
- Site and construct new energy generating and transmission facilities so they do not adversely affect natural and economic coastal resources.

13.4 Minimize adverse impacts from fuel storage facilities.

- Regional petroleum reserve facilities are inappropriate in the Village of Patchogue.

- Liquefied Natural Gas facilities must be safely sited and operated.
- Protect natural resources by preparing and complying with an approved oil spill contingency plan.

13.5 Minimize adverse impacts associated with mineral extraction.

- Commercial sand and aggregate mining is generally presumed to be an inappropriate use in the Village of Patchogue.
- Preserve topsoil and overburden using appropriate site preparation techniques and subsequent site reclamation plans. *

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