

# Village of Bayville Local Waterfront Revitalization Program

***Adopted:***

Village Board, October 28, 2002

***Approved:***

NYS Secretary of State Randy A. Daniels, February 11, 2003

***Concurred:***

U.S. Office of Ocean and Coastal Resource Management, May 16, 2003

This Local Waterfront Revitalization Program (LWRP) has been adopted and approved in accordance with provisions of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42) and its implementing regulations (19 NYCRR 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a routine program change has been obtained in accordance with provisions of the U.S. Coastal Zone Management Act of 1972 (P.L. 92-583), as amended, and its implementing regulations (15 CFR 923).

The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management, under the Coastal Zone Management Act of 1972, as amended. Federal Grant No. NA-82-AA-D-CZ068.

The New York State Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, Division of Coastal Resources, 41 State Street, Albany, New York 12231.



STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
41 STATE STREET  
ALBANY, NY 12231-0001

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GEORGE E. PATAKI  
GOVERNOR

April 17, 2003

Honorable Victoria Siegel  
Mayor  
Village of Bayville  
34 School Street  
Bayville, NY 11709

Dear Mayor Siegel:

I am pleased to inform you that I have approved the Village of Bayville Local Waterfront Revitalization Program, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the Village's valuable waterfront resources.

I am notifying state agencies that I have approved your Local Waterfront Revitalization Program and am advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

I look forward to working with you, as you endeavor to revitalize and protect your waterfront.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy A. Daniels". The signature is stylized with a large, sweeping initial "R" and a long, horizontal flourish extending to the right.

Randy A. Daniels

RAD:mo\gn

REGULAR MEETING OCTOBER 26, 2002

Trustee Horgan MOVED BE IT RESOLVED to adopt proposed Local Law 2002-7 as Local Law 2002-7, the Village of Bayville Waterfront Consistency Review Law.  
 Poll of Board: Trustee Watson, aye, Trustee Laurine, aye, Trustee Kennedy, aye, Trustee Horgan, aye, Trustee McBride, aye, Mayor Siegel, aye.

**RESOLUTION 2002-138**

Trustee Watson moved BE IT RESOLVED that the Board accept the following Resolution,

WHEREAS, the Village of Bayville initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, preparation of the Local Waterfront Revitalization Program was financed through an Environmental Protection Fund grant awarded to the Village of Bayville by the Department of State; and

WHEREAS, a Draft Local Waterfront Revitalization Program (DLWRP) and related local laws were prepared under the guidance of a Citizen's Advisory Committee and the Village's Board of Trustees; and

WHEREAS, a Full Environmental Assessment Form was prepared and considered for the DLWRP in accordance with the requirements of Part 617 of the implementing regulations for Article 8 of the Environmental Conservation Law; and

WHEREAS, a Negative Declaration was subsequently issued by the Village Board as Lead Agency in accordance with the requirements of Part 617 of the implementing regulations for Article 8 of the Environmental Conservation Law; and

WHEREAS, a DLWRP was circulated by the Department of State to appropriate regional, county, state, and federal agencies in accordance with the requirements of Executive Law, Article 42 and Part 617 of the implementing regulations for Article 8 of the Environmental Conservation Law; and

WHEREAS, all meetings of the Village's Local Waterfront Revitalization Program Advisory Committee were open to the public, and a public hearing was advertised and held by the Village Board on July 29, 2002 to receive and consider comments on the DLWRP; and

WHEREAS, modifications were made to the DLWRP in response to comments received; and

WHEREAS, the Village has enacted all local laws necessary to implement the Local Waterfront Revitalization Program,

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Bayville, New York, that the Village of Bayville Local Waterfront Revitalization Program is hereby adopted.

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Bayville hereby directs the Mayor of the Village to formally transmit the adopted LWRP, and all related local implementing laws, to the New York State Secretary of State for approval pursuant to Article 42 of the NYS Executive Law -- the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Seconded by: Trustee McBride

Poll of Board: Trustee Watson, aye, Trustee Laurine, aye, Trustee Kennedy, aye, Trustee Horgan, aye, Trustee McBride, aye, Mayor Siegel, aye.

**RESOLUTION 2002-138**





**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Silver Spring, Maryland 20910

Mr. George R. Stafford  
Director, Division of Coastal Resources  
New York Department of State  
41 State Street  
Albany, New York 12231

MAY 16 2003

DEPARTMENT OF STATE  
COASTAL PROGRAMS

MAY 22 2003

RECEIVED

Dear Mr. Stafford:

The Office of Ocean and Coastal Resource Management (OCRM) concurs with your request to incorporate the Village of Bayville Local Waterfront Revitalization Program (LWRP) into the New York State Coastal Management Program as a Routine Program Change (RPC). We did not receive any comments objecting to incorporating the LWRP as a RPC. This approval assumes you will make no further changes to the document in addition to the ones submitted.

Pursuant to your RPC submission, OCRM has identified the following new or revised enforceable policies: 1, 3, 4, 5, 6, 9, 10, and 11. Other changes to the state's enforceable policies based on the LWRP are essentially the same as those found in state law under 19 NYCRR, Part 600.5.

In accordance with the Federal Coastal Management Regulations, 15 CFR 923.84, Federal Consistency will apply to the enforceable policies contained in the revised Village of Bayville LWRP after you publish notice of our approval.

Sincerely,

John R. King  
Acting Division Chief

