

4. ENVIRONMENT

Community Goal

Protect and enhance the character of the Village, as defined by its water resources, steep slopes, trees and rich history, for present and future generations to enjoy.

Wappingers Falls' natural environment has been a major force in shaping the Village's development pattern. The Village is located on the banks of the Wappinger Creek. This settlement location did not occur by accident, but reflects a strong historic reliance on water resources. The Village is situated where the Creek makes a dramatic plunge over a series of falls, which lent the Village its

name, into a gorge that funnels its water into the Hudson River. The power generated by the falls gave the Village its industrial start in the early 1700's. The great hydropower resources of the Village attracted heavy industrial development at the beginning of the nineteenth century, and Wappingers Falls was one of the first sites established for cotton textile manufacture in the Hudson Valley. Well drained soils in the area accommodated densely concentrated development, and the early factory owners erected hundreds of frame housing units in the Village. The majority of these units remain as one of the largest concentrations of workers' housing in the region. After two centuries of development, Wappingers Falls survives as one of the most extensive historic factory villages extant in New York State. A 90 acre section of the Village has been listed on the National and State Registers of Historic Places as the Wappingers Falls Historic District.

The Village's rich history indicates the complex interplay between the natural and the built environments. This interplay continues today. Wappinger Lake, Creek, and the dramatic Falls are the Village's most striking natural features and its greatest environmental assets. While no longer the center of industry, these water resources enhance the small town character of the Village, and present unique opportunities for commerce, recreation and tourism development.

However, these resources have also been negatively affected by the built environment, both locally and upstream. The Village is located in the lower basin of the Wappingers Creek watershed (Dutchess County's largest), a complex natural system that ignores political and jurisdictional boundaries. Runoff from intensively developed areas upstream has already seriously impacted Wappinger Lake, and has the potential to contaminate the groundwaters beneath it. Soil erosion from development activities, both upstream and within the Village itself, has also been a contributing factor. Thus, the future of Wappingers Falls is inextricably linked to the interplay between people and the

environment that occurs both within upstream watershed communities and in the Village's boundaries.

Environment is a term that encompasses both natural and man-made elements. This section of the *Comprehensive Plan* inventories the existing environmental conditions in the Village, including:

- Village Water Supply and Aquifer
- Wappinger Lake
- Wappinger Creek and Wappinger Falls
- Historic Districts
- Community Character
- Wappinger Greenway Trail
- Topography and Soils
- Contaminated Sites

It also recommends appropriate actions to ensure that future development and land use in the Village is consistent with the community's goal to protect and enhance its environmental resources.

4.1 EXISTING CONDITIONS

4.1.1 Village Water Supply and Aquifer

The Village of Wappingers Falls owns and maintains a wellfield located on an eight acre site adjoining Wappinger Lake off West Main Street. The Village partially depends on this wellfield as its primary source of water supply and, at present, well quality is considered good. Approximately 40 to 45 percent of the Village's water supply is supplemented with Hudson River water from the Poughkeepsie water plant. Estimates by the US Bureau of Census indicate that 4,507 people were living within the Village in 1998. Virtually all of these people depend on the water supplied in part by the Village wellfield. The Village also supplies water to the Wappinger Central School District, and to users within the Towns of Poughkeepsie and Wappinger. Furthermore, these communities have been projected to grow in population through the year 2015. Thus, a significant current and projected population depends upon clean, non-polluted water supplies from the Village wellfield.

Water supply for the Village wellfield originates in the groundwaters below Wappinger Lake. In 1993 the Dutchess County Water and Wastewater Authority identified Wappinger Lake as being located in a Zone 1 Aquifer Protection Area. Zone 1 areas contain "*Permeable deposits directly overlying the aquifer. Contaminants can move directly downward to the underlying aquifer with little or no natural filtration by the soil because the water is moving too quickly.*" Portions of the Lake are also located within Authority

identified Primary and Secondary Wellhead Protection Management Areas. A Primary Wellhead Protection Management Area (PMA) is that part of the aquifer which contributes water to the wellfield. Secondary Wellhead Protection Management Areas (SMA) are those areas which, on the basis of topography, drain into the PMA.

➔ Important Planning Concern: *Stormwater runoff that enters Wappinger Creek or Wappinger Lake directly, has the potential to affect water quality of the Lake, the aquifer that intersects the Lake, and potentially the Village's water supply.* Wappinger Lake is located in the lower Wappinger Creek watershed and the Wappinger Creek flows through it. The Wappinger Creek and its tributaries drain approximately 210 square miles, or roughly one-quarter of Dutchess County. According to the "Dutchess County Natural Resources Inventory", the lower Wappinger Creek basin "receives runoff from the County's most intensely developed areas."

4.1.2 Wappinger Lake

Wappinger Lake is one of the Village's most significant natural resources. In a Public Opinion Survey of Village residents conducted in 1998 for this *Comprehensive Plan*, over 84 percent of the residents responding indicated that Wappinger Lake was an important natural resource to maintain and enhance. The Lake has been designated in the *Dutchess County Natural Resource Inventory* as one of the County's 34 Significant Natural Areas. According to the *Inventory*, Wappinger Lake is important because it is a well used, publicly owned open space area which is remarkable for its aesthetic and scenic qualities. As the only surface water body within the Village of Wappingers Falls, Wappinger Lake is an important open space and recreational resource.

Approximately one-half of Wappinger Lake lies within the municipal boundaries of the Village of Wappingers Falls and the remainder of the Lake is split between the Towns of Poughkeepsie and Wappinger. However, the Village of Wappingers Falls owns the entire lake bed, an area encompassing 121.5 acres. The Village purchased the Lake in the early 1960s with State funding assistance for the purpose of recreational use.

The Village also owns and maintains two parks on the Lake's banks for use by the public: Veteran's Memorial Park on Mesier Avenue, which contains ball fields; and a pedestrian park and lake access site on Liss Road known as Fisherman's Park. Wappinger Lake contains Largemouth bass, Pickerel, Carp, and panfish, and is used by anglers, although use has significantly dropped as a result of weed overgrowth. Boat rentals are still available on the Lake for anglers and pleasure boating, and access is also available from two of the Village's parks and U.S. Route 9. However, the unappealing aesthetics of weed growth has limited use of the Lake.

Wappinger Lake is also located within an area designated, by the New York State Office of Parks, Recreation and Historic Preservation and the New York State Education

Department, as sensitive for archaeological sites on the New York State Site Inventory. Portions of the Lake at the dam about the Village's National Register of Historic Places Multiple Resource District.

→ Important Planning Concern: *Stormwater runoff from upstream areas in the watershed has limited recreational opportunities on Wappinger Lake.* Despite public ownership of this significant natural resource, public use of the Lake for recreational purposes has been limited by sedimentation, nutrient loading and pollution. Sedimentation resulting from erosion and stormwater runoff from intensive development upstream and from development occurring too close to the Lake's banks locally has made the Lake very shallow. Pavement on Route 9 and the massive parking lots in the malls along that roadway have compounded such problems. This problem is also affected by the dam at the southern tip of Wappinger Lake. The use of fertilizers on lawns, septic failures in upstream development and other causes have produced nutrient loading which has resulted in excessive algae and aquatic growth in the Lake. This problem is now compounded by the Lake's severe shallow condition, which allows more sunlight to penetrate the water and accelerates growth. These conditions have also encouraged the growth of waterchestnuts, an invasive exotic import that chokes out native species. Finally, pollution has resulted in a decline in fish stocks in the Lake.

4.1.3 Wappinger Creek and Wappinger Falls

Wappinger Creek is Dutchess County's major Hudson River tributary. A large, perennial, and for the most part warmwater stream, the Creek drains approximately one-quarter of the County, and is an important recreational resource for fishing and canoeing as well. The upper reach of Wappinger Creek is on the Nationwide Rivers Inventory, and is a potential wild and scenic river under both the State and Federal programs. The lower two miles of Wappinger Creek are a designated Significant Coastal Fish and Wildlife Habitat. The coastal designation extends up the Creek from the Hudson River to the bridge at Main Street in the Village, and includes the steep wooded uplands on both sides of the Creek. The designation is intended to protect coastal fish and wildlife habitats of significant value to coastal communities.

The tidal portion of the Creek, which extends into the Village, is part of the Hudson River estuary and is an important habitat for plant and animal species. Osprey, a rare species, feed in the Creek during spring migrations, and the Creek is also a productive feeding area for herons, waterfowl, and turtles. Bald eagles have been sighted nesting near the Reese Audubon Sanctuary on the north side of the lower Creek. Known rare plant life includes Grassleaf arrowhead, Subulate arrowhead, Kidney leaf mud plantain and Maryland bur-marigold. The Creek is also an important spawning area for anadromous fish including Alewife, American shad, Blueback herring, Tomcod, and Striped bass as well as warmwater fish such as Black bass (both Smallmouth and Largemouth) and White perch.

➔ Important Planning Concern: *Competition among potentially incompatible uses contrasts with the recognized need to protect the Wappinger Creek corridor so that it continues to serve its natural function in flood control and ecological productivity, and its cultural function for active and passive recreation.* Over the years, extensive disturbance has reduced the quality of the Wappinger Creek corridor's habitat. Limited protection is afforded this habitat through the consistency review process of the federal Coastal Zone Management Act and the State Waterfront Revitalization and Coastal Resources Act. The latter allows communities in a coastal zone to develop their own Local Waterfront Revitalization Plan (LWRP). Although Wappingers Falls does not have an LWRP, the area is still subject to the State's coastal zone management review.

Wappinger Creek bisects the Village and makes a dramatic plunge over a series of Falls, totaling 75 feet in height, in the Village's Central Business District. While no longer the center of industry, the Creek and the Falls make a significant contribution to the village setting and have the potential for economic renewal as a key tourism attraction. Two parks, Galucci Park and Falls View Park, have been proposed to allow pedestrians a closer view of the Falls and the unique iron penstock, nine feet in diameter, that runs through the gorge and transports water from the impounded Wappinger Lake to the Market Street Industrial Park at the Falls' base. Capitalizing on the Falls' recreational and tourism opportunities will support and further encourage commercial development in the Village's Central Business District.

Much of the land along Wappinger Creek is subject to flooding. This is particularly true in the lower Wappinger basin, where greater urbanization, with expanses of land sealed by pavement or buildings, has aggravated flood hazards. The increased volume and speed of stormwater runoff in these areas overloads storm drainage capacity of lowlands along the Creek. Persistent growth has also placed significant pressures on the Creek. Runoff and erosion have contributed to widespread pollution and contamination of sediments, which have resulted in a decline in fish stocks.

4.1.4 Historic Districts

The Village of Wappingers Falls contains a nationally significant historic district. In 1990, a 90 acre section of the 768 acre Village was listed on the National and State Registers of Historic Places as the Wappingers Falls Historic District. The District contains 130 historic structures which reflect the growth of a significant industrial community over more than two centuries of development. The Village retains significant examples of industrial and commercial buildings, working-class houses, stylish residences, and public structures and parks directly linked to the Village's industrial economy. These structures are preserved to a degree rarely encountered in the region. In addition to the Wappingers Fall Historic District, three properties have also been individually listed on the National Register. Two of these properties, the Mulhern House and the Dutchess

Company Superintendent Residence, are related directly to the industrial history of the Village. The third structure, the Bain Commercial Building, is a distinctive example of a Second Empire style freestanding commercial building.

Wappingers Falls is significant as one of the most extensive historic factory villages surviving in New York State. The hydropower generated by the Falls, which lent the Village its name, gave the Village its industrial start in the early 1700s and attracted heavy industrial development at the beginning of the nineteenth-century. The Village's well-drained soils accommodated densely concentrated development, and the early factory owners erected hundreds of frame housing units. The majority of these units survive as one of the largest concentrations of workers' housing in the region. While the Falls determined the placement of industrial structures at their base, the Village's graduated topography also provided for echelons of status within the community. The commercial district and worker's housing were sandwiched between the factory at the base of the Falls and the ornate, stylish residences of mill owners and businessmen situated on the higher ground. This settlement pattern reflects the economic and social stratification typical of a nineteenth-century industrial village.

The variety of historic buildings in the Wappingers Falls Historic District span from the 1740's to the 1930's, but the predominate building types date from the last half of the nineteenth-century when industrial activity was at its peak. Notable structures include the picturesque 18th century Brewer-Mesier House, the distinctive shingle-style Grinnell Library, the 19th century industrial complex known as the Bleachery (Market Street Industrial Park), the Art Deco movie theater owned by County Players, and the Depression era Colonial Revival Wappingers Falls Post Office, currently the Village Hall. Also remarkable, because of its historic importance, are two blocks of tall, attached commercial buildings located along East Main Street and built in the post Civil-War period in an Italianate style typical of small-scale mercantile architecture in the region. These three-story brick structures are gradually stepped to the declining topography and survive essentially intact. On the west side of the Creek, West Main Street turns abruptly north. An intact, attached facade of historic buildings, including the theater, the old Farmers and Mechanics Hotel of the 1860's, and the Bain Commercial Building, face the roadway. The canyon-like quality of the streetscape in its descent into the gorge, and the abrupt turn of the street at the bridge crossing evokes the appearance of a classic industrial village of the period.

➔ Important Planning Concern: *In the Public Opinion Survey conducted in 1998, 83 percent of the residents responding said the Village should protect its historic buildings, and 86 percent rated maintaining and enhancing historic buildings as either important or very important.* Over the years relatively few alterations have been made to the physical plan and appearance of the Village. Because the population of Wappingers Falls has remained relatively stable, the community has not been affected by the wholesale demolition which has occurred with the urban renewal of other Hudson River Valley cities. Many incompatible alterations to historic buildings have taken place though. Fortunately,

modern highway construction bypassed the Village to the east, thereby contributing to the preservation of an historic village setting. Village residents continue today to appreciate their cultural history.

4.1.5 Community Character

➔ Important Planning Concern: *In the Public Opinion Survey conducted in 1998, 70 percent of residents responding said they were not in favor of encouraging new commercial development in the Route 9 corridor. Sixty-nine percent said they were in favor of more stringent regulation of commercial signs and lighting to provide a more aesthetically pleasing business environment. Seventy-three percent felt that, as the Village continues to grow, maintaining and enhancing trees was important or very important, and 85 percent felt that maintaining and enhancing streets was important or very important. Clearly the visual environment of new development in the Village is important to Wappingers Falls residents.*

A community's character is determined not just by its historic buildings, but by modern development as well. As Wappingers Falls continues to grow, it must ensure that new development is in keeping with the character it wishes to present. Garish signs, obtrusive lighting, vast expanses of asphalt, standard franchise design, and a proliferation of telecommunications towers can quickly turn a charming village into "Anywhere USA." *Greenway Connections*, a publication of the Dutchess County Department of Planning and Development in conjunction with the Hudson River Valley Greenway, has been developed as a guide to integrate new development with the natural and cultural environment. As discussed in detail in the next section, the Village should use this important guide to preserve and enhance its community character.

4.1.6 Wappinger Greenway Trail

A greenway is essentially a linear park under public and private ownership. The greenway concept can be found in the 19th Century public park and parkway projects of Frederick Law Olmstead in cities such as Boston, Buffalo, and Chicago. Although the concept of establishing a "park" out of public and private lands originated in the English Lake District in the early 19th Century, New York State became a leader in the "greenline" concept of managing public and private lands to protect open space and other important resources when it established the Adirondack Park. A greenway is simply a type of a "greenline" park. Trails along a greenway can provide additional park space in largely developed communities, such as Wappingers Falls, by linking local public properties and other points of interest in the community.

➔ Important Planning Concern: *Greenways preserve rivers, trails and other important open space corridors for their environmental and recreational values and are widely recognized for their economic benefits as well. Many studies demonstrate that greenways and trails increase nearby property values, which in turn can increase local tax revenues and help*

offset greenway acquisition and development costs. Spending by local residents on greenway related activities helps support recreation-oriented businesses, as well as other businesses which are patronized by greenway and trail users. In addition, greenways are often major tourist attractions which generate expenditures on lodging, food and recreation-oriented services. Greenways help improve the overall appeal of a community to existing and prospective new residents.

In the 1980's, the President's Commission on Americans Outdoors stated that:

Across the country, when people were asked where they would prefer to live, work, shop, and recreate, they invariably select communities or neighborhoods that have an abundance of trees, open spaces, and uncluttered pedestrian ways. These preferences translate into clear economic terms: if a community is to succeed in attracting new residents and businesses, it must be concerned about its appearance, physical character, livability, and 'feel'.

Three participating Hudson River Valley Greenway communities, the Village of Wappingers Falls, and the Towns of Wappinger and Poughkeepsie, have been working cooperatively to implement a Wappinger Greenway Trail. These municipalities have been coordinating the project through the Wappinger Greenway Trail Committee, with the support of member highway and recreation commissions as well as partnerships with local businesses and business associations, nonprofit and civic organizations.

The mission of this unique public/private partnership is to develop a key segment of the Hudson River Greenway Trail System linking the resources of the Village of Wappingers Falls with those of the adjacent communities, with a focus on the Wappinger Creek and the Hudson River. A key element of the trail vision is to develop sites in the Village center for users of the trail, both tourists and community residents, to enjoy views of the Wappinger Creek and its magnificent natural falls.

The Wappinger Greenway Trail Committee has planned a ten mile figure "8" loop of on- and off-road trails encircling the lower Wappinger Creek and Wappinger Lake. This unique trail will link historic, cultural, natural and economic resources of local and regional significance. It will connect village, town and county parks, the Central Business District of the Village of Wappingers Falls, the Wappinger Historic District, the Grinnell Public Library, County Players Community Theater, the Wappinger Creek and Wappinger Falls, and the 19th century industrial facility, formerly known as the Bleachery, which has undergone adaptive reuse as the Market Street Industrial Park. The trail will also connect two proposed new Village parks, Galucci Park and Falls View Park, designed to allow pedestrians a close view of the Village's unique gorge and Falls. The proposed trail passes within one block of the Metro North train station in New Hamburg, allowing tourists who arrive by train to hike or bicycle from the station to the Village. The on-road parts of the trail include Routes 9 and 9D and Village sidewalks. A

map of the Wappinger Greenway Trail can be found in the back pocket of this *Comprehensive Plan*.

The Wappinger Greenway Trail Committee has inventoried existing conditions along the proposed route and has drawn up an Action Plan to complete the 40 segment trail. The Action Plan is included in the *Background Studies Supplement* to the *Comprehensive Plan*.

4.1.7 Topography and Soils

➔ Important Planning Concern: *The proximity of certain soils to the Wappinger Creek and Falls make them prone to erosion, which is a contributing factor to the sedimentation of these water resources.* The bulk of Wappingers Falls is now either urban land, covered by buildings, streets, parking lots and other impervious surfaces which obscure soil identification, or made land, which has been altered by cutting and filling. Urban land complexes of the Dutchess-Cardigan soil type prevail east of Wappingers Creek, with slopes of 1 to 6 percent in the southern three-quarters of the Village, and slopes of 5 to 16 percent in a band of land that follows the outline of the eastern side of Wappinger Lake. The area west of Wappinger Lake is primarily Knickerbocker Urban land complex, which is nearly level with 0 to 2 percent slopes. Hoosic soils, with slopes ranging from an undulating 2 to 6 percent, to a hilly 15 to 30 percent, to an extremely steep 25 to 45 percent, predominate in the area immediately adjacent to the Creek and on the western side of Wappinger Lake. Hoosic soils are very deep, somewhat excessively drained sandy over gravelly soils with rapid permeability.

4.1.8 Contaminated Sites

The Village of Wappingers Falls has only one identified contaminated site. Three Star Anodizing is a metal plating operation located in the Market Street Industrial Park on Market Street. In 1991, the DEC listed the property as one of the State's inactive hazardous waste disposal sites. The site has a priority classification code of 2, which means it is a "*significant threat to the public health or environment and action is required.*"

The site operated as a coal gasification facility during the late 1800's and early 1900's. Approximately 16 acres at the site and in the immediate vicinity have been filled with coal cinders. From 1832 to 1954, the site operated as a print works. The practice of discharging wastewater into Wappinger Creek began with Cambric Print Works, which built a raceway for the discharge. Three Star Anodizing began operation in 1958 and added a lagoon to the raceway in 1962. Their wastewater/rinsewater from plating operations were discharged to the raceway/lagoon until 1981, when it was found that this discharge contained copper and nickel. Since then all wastewater is discharged into the Village sewer system under a State Pollution Discharge Elimination System (SPDES)

permit. The raceway/lagoon is still used today by the Village for stormwater drainage discharges.

A Phase I investigation of the site was completed in 1986. Sampling conducted during an EPA site investigation in November 1986 showed that on-site groundwater was contaminated with high levels of metals and lower levels of chlorinated solvents which exceeded NYS groundwater standards. These contaminants may discharge into Wappingers Creek during periods of high flow, and from there into the Hudson River. The Creek flows through the site and into the Hudson one and one-half (1½) miles downstream.

➔ Important Planning Concern: *Some private wells may still be used in the area of Three Star Anodizing, and private residences are located within 300 feet of the site. Wappingers Creek is heavily used for fishing, and fish could potentially be contaminated by exposure to contaminated surface water and sediments. Moreover, there are no controls to limit access to the site, and children have been observed skating on the lagoon. However, no public water supplies are likely to be affected by the site, and most residences are served by public water.*

4.2 RECOMMENDATIONS

4.2.1 Village Water Supply and Aquifer

- ✓ Recommendation:
 - ➔ Ensure that groundwater in the Village meets Safe Drinking Water Act quality standards and that an adequate amount of water will be available to provide for current and future needs.

The Wappinger Creek watershed is the largest watershed in Dutchess County. New land uses and expansions of existing land uses within the watershed, particularly those land use activities that affect stormwater runoff into the Creek and Lake, have the potential to cause contamination of the groundwaters beneath the Lake which the Village depends upon for its water supply. Therefore, it is important for such land use activities to be reviewed under SEQR for their potential effects on the Wappinger Lake and its aquifer. In 1998, the Village designated Wappinger Lake and the adjoining municipal parks and lands a Critical Environmental Area (CEA). Boundaries for the CEA are shown on Figure 16 in shading and heavy outline. This designation creates an additional layer of concerns to be addressed during the environmental review of all State or local agency actions that would affect the Lake or its water.

Community Actions

- Encourage intermunicipal cooperation to improve water quality in Wappinger Lake.
- Designate the Wappinger Creek a Critical Environmental Area and create an overlay district to protect this significant ecological area.
- Encourage restoration of historic properties in the Wappingers Falls Historic District.
- Create Landmark or Conservation Districts to preserve historic structures outside the National Register Historic District.
- Expand Planning Board responsibilities to include architectural reviews of historic structures.
- Use the Greenway Compact design recommendations to improve the overall appearance of the Route 9 corridor.
- Participate with the State DOT in the design of widening Route 9.
- Examine Zoning regulations pertaining to design issues, and strengthen where necessary to conform with the Greenway Compact guides.
- Facilitate the work of the Village Economic Development Committee to revitalize the Central Business District.
- Consider zoning modifications to strengthen control over Adult Uses and Tattoo and Body Piercing Parlors.
- Regulate telecommunications towers for their visual and aesthetic effect.
- Create an inventory and management plan for significant trees in the Village.
- Seek funds to continue development of the Wappinger Greenway Trail, trail maintenance and related park development, including Falls View Park and Galucci Park.
- Ensure groundwater in the Village meets Safe Drinking Water Act quality standards and that an adequate amount of water will be available to provide for future needs.
- Encourage the DEC to cleanup contaminated sites.

✓ Recommendation:

- ➔ The Village should continue to participate in the recently formed Watershed Intermunicipal Council.

Since Wappinger Lake is affected by runoff from Route 9 and its associated commercial areas as well as upstream development, intermunicipal cooperation will be required to improve the quality of the Lake's water. Prior to the formation of the Watershed Intermunicipal Council (WIC), an informal watershed association had been created by the Dutchess County Environmental Management Council. However, as the recent \$50,000 grant to the WIC from the State's Environmental Protection Fund indicates, a formal organization of municipalities in the Wappingers watershed will have greater success in securing the funding necessary to restore the Lake's water quality and ecology. Improving the Lake's water quality is necessary to ensure the future provision of a safe and adequate water supply to Village residents.

In addition to securing funding for specific cleanup projects for Wappinger Lake, the WIC should define intermunicipal watershed protection measures and coordinate the regulation of lands sharing the watershed. The New York State legislature has made it abundantly clear that villages, towns, cities, and counties have extensive authority and great flexibility to cooperate in the adoption and enforcement of their land use plans and regulations. New York State General Municipal Law Article 5-J (GML § 119-u) allows cities, towns, villages and counties to enter into intermunicipal agreements for the joint performance of their respective functions and to encourage intermunicipal cooperation in land use planning and regulation.

4.2.2 Wappinger Lake

Improving water quality is necessary to ensure future use of Wappinger Lake as a recreational resource. The provision of a high level of recreational opportunities is very important to the health and well-being of the community. Since most of the Village is already developed, provision of future recreational space is restricted. Full advantage should be taken of the unusual recreational opportunity presented by the Wappinger Lake in the midst of the Village.

✓ Recommendation:

- ➔ The Village should continue cooperative efforts with neighboring municipalities to restore the water quality of Wappinger Lake.

The Village currently operates an aquatic plant harvester to control algae and water chestnut growth on the Lake. However, given the pace of development that is occurring upstream, this remediation measure is inadequate to improve, let alone maintain, the Lake's water quality. To realize the recreation potential of Wappinger Lake, the Village should continue to seek intermunicipal cooperation and funding to dredge the Lake.

4.2.3 Wappinger Creek and Wappinger Falls

✓ Recommendation:

- ➔ To protect Wappinger Creek, the Village should adopt a stream corridor overlay district with additional, more stringent review standards for development that occurs along the corridor, such as increased setbacks and design requirements that would preclude inappropriate uses fronting directly on the Creek.

Wappinger Creek will continue to be pressured to serve complex and often competing uses. The overlay district should include measures that address advanced stormwater and non-point source pollution control, monitor and control runoff from nearby highways, maintain bank vegetation, protect habitats, and protect significant views. Most importantly, the overlay district should require a building and construction setback to buffer the stream environment from ground disturbance. Shoreline erosion is a major factor in contaminating the Creek with sediment. A reasonable buffer width should be set after an evaluation of the natural and cultural features of the portion of the Creek that runs through the Village. A similar buffer should be adopted for Wappinger Lake. Design requirements should be devised that would allow and encourage desirable uses to front on the Creek and take advantage of their proximity to it.

✓ Recommendation:

- ➔ Participate in the development of an intermunicipal corridor management plan, with highest priority given to stormwater management, setbacks for buildings and construction, and habitat and viewshed protection.
- ➔ Create and implement an intermunicipal agreement to designate the entire Wappinger Creek a Critical Environmental Area, beginning with the lower Wappinger Creek.
- ➔ Designate the lower Wappinger Creek an Estuary Conservation Area.

Local protection of the Wappinger Creek will be ineffective without regional watershed based cooperation. Rivers ignore political and jurisdictional boundaries. They reflect activity not just within one municipality or the immediate shoreline but throughout the entire watershed. Protecting Wappinger Creek will require a coordinated effort within multiple municipalities. Recommended management strategies to protect water resources include but are not limited to stormwater management, setbacks, and special areas protection. The management plan should also identify resources in need of protection, define compatible uses, establish intermunicipal boards or committees to review projects with regional impact, create incentives for land trusts to become involved in land use protection efforts, identify key land acquisitions by public agencies, manage growth, and encourage recreational development along the Creek. Appropriate river management boundaries for activities that have the potential to degrade the Creek, such as clearcutting, water impoundments and land subdivision, should also be defined. Development of a corridor management plan should be undertaken by the recently

formed intermunicipal Watershed Intermunicipal Council, which might also consider designating the Wappinger Creek a Critical Environmental Area, and the lower Wappinger Creek an Estuary Conservation Area. The Village should also consider preparation of a Local Waterfront Revitalization Program Plan under the State's Coastal Resource program. Zoning changes and/or performance standards in the vicinity of the lower Creek may be required.

4.2.4 Historic Districts

Historic structures greatly contribute to the visual appearance and quality of life in Wappingers Falls. The *Comprehensive Plan* recommends that additional areas of the Village be studied to determine if they are eligible for inclusion in the Wappingers Falls Historic District or would be appropriate in a local historic district designation. The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) inventory of historic properties in the Village should be verified and supplemented, if necessary. The OPRHP has completed a database on all identified cultural resources in the Village. A listing of the identified resources can be found in the *Background Studies Supplement*. Housing resources, which are the predominant use of such historic structures, is discussed in Chapter 3.

✓ Recommendations:

- ➔ Create an Historic Overlay District, with supplemental review standards for historic structures to cover the Wappingers Falls Historic District.
- ➔ Create a Landmark or Conservation District to encompass areas of the Village which are locally significant and which support the Historic District but which do not contain all the resources to be considered eligible for inclusion on the National listing.
- ➔ Expand Planning Board responsibilities to include historic architectural reviews.

These steps would give the Planning Board the preservation tools necessary to oversee alterations to historic buildings. In the 1998 Public Opinion Survey, the majority of residents responding said that the Village should have control over the alteration or demolition of historic buildings. Restoration of historic structures within the Village, both listed and otherwise, should also be encouraged.

4.2.5 Community Character

✓ Recommendation:

- ➔ Use the Greenway Compact design recommendations to improve the overall appearance of the Route 9 corridor.

Route 9 is the most heavily traveled corridor in the Village and special attention should be given to how it looks and develops. The Greenway Compact guides in *Greenway Connections* for commercial strip redevelopment, highways into greenways, landscaping, lighting, and street trees should be used by the Planning Board when reviewing new business development along this corridor. The Greenway Compact guides should also be used by the Village and the State Department of Transportation during the design of the project to widen Route 9 from Liss Road to Myers Corners Road.

Specific steps to “zip up the strip” and improve the appearance of the Route 9 corridor, as recommended by *Greenway Connections*, include:

- ➔ Consolidate entrances along the road to a few main driveways with internal service roads based on a block system to connect nearby uses and parking lots. Multiple driveways for each use lead to traffic back-ups, more accidents, and the eventual need for expensive road widenings.
- ➔ Unify the streetscape with continuous street trees, high quality landscaping, and, where possible, generously planted medians to prevent unlimited left hand turns.
- ➔ Build sidewalks and crosswalks throughout the area to encourage connections to shared parking, public transportation, walking between stores and to nearby housing.
- ➔ Fill in the fronts of large parking lots with small, closely spaced storefronts to build a street frontage with courtyard parking behind.
- ➔ With buildings up front, attractive architecture, wall signs and sidewalks can be featured along the frontage, not parking lots and pole signs.
- ➔ Encourage a mix of housing and other uses adjacent to shopping to begin to build a walkable neighborhood rather than a strictly highway commercial district.

In addition, the Village should require, where possible:

- ➔ Placement of parking at the rear of buildings.
- ➔ Improved design and control of signage and lighting.
- ➔ Underground burial of all utility lines provided safety is ensured where Village water and sewer lines are involved.
- ➔ Coordination of site layout and design in designated commercial zones.

- ✓ Recommendation:
 - ➔ Participate with the State DOT in the design of widening Route 9 from Liss Road to Meyers Corners Road.

The DOT plans to widen Route 9 from Liss Road to Meyers Corners Road. The Village should participate with the DOT in the design of this road widening to ensure it is in keeping with the recommendations made above for improving the overall appearance of the Route 9 corridor. The Greenway Compact guidelines for converting “Highways into Greenways” should be used in the design of this road widening.

- ✓ Recommendations:
 - ➔ Examine the Zoning regulations pertaining to landscaping, lighting, street trees, and signage, and strengthen where necessary to conform with the Greenway Compact guides to improve the visual character throughout the Village and reflect the quality of life desired by its residents.
 - ➔ Use recognized lighting standards during Planning Board reviews.

Good design in these areas can have a tremendous positive effect on community character. Open space standards for landscaping should be established. Existing natural features, such as mature trees and stone walls, should be included in landscaping plans. Generous use of low maintenance native plants should be used to reinforce the character of the region. Lighting should be adequate but never excessive, and should be shielded to prevent glare off-site and into the night sky. Human-scale lighting (10-15 feet high) is almost always preferable. Use of standards, such as those published by the Illumination Engineering Society of North America, the International Dark Sky Association, or New England Light Pollution Advisory Group’s should be implemented as soon as possible by the Planning Board. Street trees should be spaced close together, 20-30 feet in areas with slow speed limits, and farther apart (30-40 feet) on roads with higher speeds. Signs should be uncluttered, easily legible, lighted externally, if at all, and attractively designed. Building and monument signs are preferred over pole signs for Route 9.

- ✓ Recommendations:
 - ➔ Ensure that infill development in residential areas conforms to existing setbacks to maintain the streetscape .
 - ➔ Amend the Zoning to regulate telecommunications towers for their visual and aesthetic effects.
 - ➔ Inventory significant trees in the Village and create a replacement , supplementation, and management program for them.

These recommendations will improve the overall visual character throughout the Village. New development that fills in vacant lots along existing developed streets should conform to existing setbacks to maintain the streetscape design. A uniform streetscape will maintain the historic character of the Village’s streets and encourage walking. Telecommunications towers should be regulated to ensure their presence does not mar

the historic character of the Village; ideally, new communications antennae should be placed on already existing tall structures, such as water towers. New exclusive use telecommunications towers should be avoided.

The Village is blessed with numerous mature trees, particularly in Mesier Park. However, many of these trees need ongoing management to ensure their survival, while others are reaching the end of their natural life and will need replacement. Some areas of the Village would be substantially improved by additional street trees. A tree inventory, tree supplement, and management program will ensure the Village maintains and enhances its “urban forest.”

✓ Recommendations:

- ➔ Facilitate the work of the Village Economic Development Committee to revitalize the Central Business District and create a marketing strategy to promote economic development and tourism in the Village.
- ➔ Secure grants to prepare and implement a streetscape plan to make the downtown more inviting and livable.

The Village Economic Development Committee is working to enhance the Central Business District through improved streetscape design, marketing the Village to attract new businesses, and encouraging tourism in the Village center. Many of these strategies will be supported by other recommendations in this *Comprehensive Plan*, such as improving pedestrian conditions in the Village, installing traffic calming techniques at key intersections, and developing the Wappinger Greenway Trail. The Village should work closely with the Economic Development Committee to achieve these goals. Private-public partnerships often have greater success in securing funding to make improvements. The Village should also explore the feasibility of instituting a trolley service connecting the New Hamburg train station to various points along the Wappingers Trail to encourage tourism in the Village during the summer months.

✓ Recommendation:

- ➔ Consider zoning modifications to strengthen control over Adult Uses and Tattoo and Body Piercing Parlors.

Adult uses include adult bookstores, adult video and/or novelty stores, topless/bottomless bars, adult hotels and motels, adult movie theaters, escort agencies, massage parlors, peep shows, and the like. The concerns with adult uses are the secondary effects that these businesses could have on the residents of Wappingers Falls and the character of the Village. Numerous studies, conducted by a wide variety of municipal planning departments across the nation, have found a direct relationship between the presence of adult uses in a neighborhood and secondary adverse effects, such as increased crime rates and depreciated property values. Local governments have used land use controls, based on the planning studies, to regulate the locations of adult uses in order to minimize

secondary adverse effects, and the courts have consistently sanctioned the use of land use regulations that are directed at those secondary impacts.

Adult uses are appearing with increasing frequency in Hudson Valley communities. There is currently one adult use business in Wappingers Falls. The Village should consider the land use issues associated with adult uses before it is faced with more proposals. While the First Amendment prohibits banning adult uses outright, the Village can set specific minimum distances between locations of adult uses (to prevent the concentration of adult uses in any one neighborhood) and between land uses that are particularly sensitive to their secondary impacts, such as residential developments and places where children congregate like schools, parks, churches, and playgrounds. The US Supreme Court has affirmed the authority of local government to restrict the locations of adult uses based upon their known secondary adverse impacts. The *Comprehensive Plan* recommends that the current zoning be amended to regulate adult uses to minimize their secondary adverse effects.

Tattoo and body piercing parlors can also have objectionable impacts on a community. This use has been found to contribute to the blighting of surrounding residential and commercial areas, which can undermine a community's economic, physical and social welfare. Moreover, tattooing and body piercing can have serious health risks. The American Academy of Dermatology (AAD) favors strict regulation of tattoo artists to prevent non-sterile tattooing practices that have led to the transmission of syphilis, hepatitis B and other infectious organisms. There is also the potential for transmission of blood-borne pathogens, such as HIV and hepatitis C, with both tattooing and body piercing. Allergic reactions to tattoo pigments are also common.

Municipalities such as New York City have found that regulatory measures have proved ineffective in eliminating these health risks because of the inability to supervise tattooing establishments at all times. Many municipalities lack the resources and personnel to supervise tattooing and body piercing establishments on an ongoing basis. For these reasons, states such as Massachusetts, Oklahoma and South Carolina have banned tattooing outright. Individual municipalities, such as Ocean City, Maryland and, more locally, Beacon NY, have also prohibited tattoo and body piercing parlors as the only feasible means of protecting the public against disease from this source. Wappingers Falls should consider legislation to ban tattoo and body piercing parlors. The legislation should contain a provision for the discontinuation of existing parlors based upon the amount of capital investment involved in the conversion of the premises into a tattoo and/or body piercing parlor.

4.2.6 Wappinger Greenway Trail

✓ Recommendations:

- ➔ Continue municipal support for the Wappinger Greenway Trail Committee.

- ➔ Work with DOT to create a pedestrian walkway along the west side of Route 9 crossing Wappinger Lake to complete the Greenway Trail loop around the Lake.
- ➔ Adopt an Official Village Map, in accordance with § 7-724 of New York State Village Law, showing the location of the Wappinger Greenway Trail.

The Wappinger Greenway Committee has made significant progress in defining a plan for the Wappinger Greenway Trail and in developing portions of it. The trail will achieve many of the goals of the *Comprehensive Plan*. It will increase local recreational opportunities, provide public access to the Lake and the Creek, spur economic development and tourism, protect natural and cultural resources, and provide opportunities for interpretation of the historic uses of the Falls' power and the ecological significance of Wappinger Creek. Establishment of the trail will also create opportunities for local residents (especially those older and younger residents who do not have access to cars) to walk to significant community destinations along a scenically inspiring path. Perhaps most significantly, the greenway trail provides an opportunity for the kind of intermunicipal cooperation that will be needed to protect Wappinger Lake and Wappinger Creek.

- ✓ Recommendation s:
 - ➔ The Village should support the Committee's ongoing efforts to seek funding for further development of the trail and related park development, particularly Galucci Park and Falls View Park in the gorge.
 - ➔ Secure easements to connect the Market Street Industrial Park with the Scenic Hudson property.

Funding from the Hudson River Valley Greenway's small grant program, and from grant sources such as Furthermore, the Hudson River Estuary Management Program, and others, could be used to assist in marking the trail and creating a booklet promoting it. An intermunicipal application to the Greenway would be particularly effective in securing funding. A small portion of the Village budget could be allocated to add shoulders and complete sidewalks where necessary. Design work for the portion of the trail that runs over steep slopes from the Market Street Industrial Park to property owned by Scenic Hudson is currently underway. An annual intermunicipal-sponsored Trail Day might encourage volunteerism necessary to maintain the trail.

4.2.7 Topography and Soils

- ✓ Recommendation:
 - ➔ Draft a stream corridor overlay district which requires additional setbacks for buildings and construction, to buffer water resources from ground disturbance along their banks, as recommended previously in Section 4.2.3.

Shoreline erosion is a factor in contaminating the Wappinger Creek and Wappinger Lake with sediment. An appropriate buffer width can be determined by evaluating the natural features of the Creek and the Lake. Advanced stormwater control measures should also be adopted to reduce erosion in these areas.

4.2.8 Contaminated Sites

- ✓ Recommendation:
 - ➔ Encourage the DEC to ensure cleanup of the Three Star Anodizing site at the earliest possible time.
 - ➔ Request that the owner of Three Star Anodizing fence the site to prevent people, especially children, from entering it.

The status of Three Star Anodizing remains the same as when it was listed as one of the State's inactive hazardous waste disposal sites in 1991. According to Glen Angel of the DEC, the 1986 EPA investigation was inadequate to determine the full extent of the site's contamination and the required remediation measures, if necessary. The DEC has determined that the site needs further investigation, and has initially called for a soil gas survey and a proper engineering study. The site has been referred to the Division of Environmental Enforcement for negotiation of a consent order for a Remedial Investigation/Feasibility Study. The DEC has requested that the site owner fence the property to keep out trespassers. The Village should work with DEC to encourage fencing the site, particularly to prevent children from entering it.