

APPENDIX A – LOCAL WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW LAW AND WATERFRONT ASSESSMENT FORM

TOWN OF BETHLEHEM LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) CONSISTENCY REVIEW LAW

Local Law # ___ of the Year 20__

Be it enacted by the Town Board of the Town of Bethlehem as follows:

General Provisions

I. Title.

This law may be known as the Town of Bethlehem Local Waterfront Revitalization Program (LWRP) Consistency Review Law.

II. Authority and Purpose.

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

III. Definitions.

- A. "Actions" include all the following, except minor actions:
1. projects or physical activities, such as construction or any other activities that may affect natural, manmade, or other resources in the waterfront revitalization area, or the environment, by changing the use, appearance, or condition of any resource or structure, that:
 - i. are directly undertaken by an agency; or
 - ii. involve funding by an agency; or
 - iii. require one or more new or modified approvals, permits, or review from an agency or agencies;
 2. agency planning and policymaking activities that may affect the environment and commit the agency to a definite course of future decisions;
 3. adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect waterfront resources or the environment; and
 4. any combination of the above.
- B. "Agency" means any board, agency, department, office, other body, or officer of the Town of Bethlehem.
- C. "Code Enforcement Officer" means the Building Inspector and/or Zoning Enforcement Officer of the Town of Bethlehem who issues building permits and stop work orders.
- D. "Consistent" means that the action will fully comply with the LWRP policy standards, conditions and objectives and, whenever practicable, will advance one or more of them.
- F. "Direct Actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rulemaking, procedure making and policy making.
- F. "Environment" means all conditions, circumstances, and influences surrounding and affecting the development of living organisms or other resources in the waterfront revitalization area.
- G. "Environmental assessment form" or "EAF" means the form used by an agency to assist it in determining the environmental significance or non-significance of an action, pursuant to Article 8 of the Environmental Conservation Law (SEQR).
- H. "Environmental impact statement" or "EIS" means a written draft of final document prepared to provide a means for agencies, project sponsors and the public to systematically consider significant adverse environmental impacts, alternatives and mitigation to an action, pursuant to Article 8 of the Environmental Conservation Law (SEQR).
- I. "Local Waterfront Revitalization Program" or "LWRP" means the Town of Bethlehem Local Waterfront Revitalization Program approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of the Executive Law), a copy of which is on file in the Office of the Clerk of the Town of Bethlehem.
- J. "Minor actions" include the following actions, which are not subject to review under this law:

- (1) maintenance or repair involving no substantial changes in an existing structure or facility or to existing infrastructure;
- (2) replacement, rehabilitation, or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures in areas designated by local law, specifically; Town code Chapter 69, Flood Damage Prevention, 69-12 Development Permit, where structures may not be replaced, rehabilitated or reconstructed without a permit;
- (3) repaving of existing paved highways not involving the addition of new travel lanes;
- (4) street openings and right of way openings for the purpose of repair or maintenance of existing utility facilities;
- (5) maintenance of existing landscaping or natural growth;
- (6) granting of individual setback and lot line variances, except in relation to a regulated natural feature (such as a State-regulated wetland);
- (7) minor temporary uses of land having negligible or no permanent impact on waterfront resources or the environment;
- (8) installation of traffic control devices on existing streets, roads and highways;
- (9) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (10) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- (11) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
- (12) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (13) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (14) collective bargaining activities;
- (15) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (16) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (17) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;

- (18) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
 - (19) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
 - (20) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
 - (21) adoption of a moratorium on land development or construction;
 - (22) interpreting an existing code, rule or regulation;
 - (23) designation of local landmarks or their inclusion within historic districts;
 - (24) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to waterfront resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
 - (25) local legislative decisions such as rezoning where the Town Board determines the action will not be approved.
- K. "Waterfront Assessment Form (WAF)" means the form, a sample of which is appended to this local law, used by an agency or other entity to assist in determining the consistency of an action with the Town of Bethlehem Local Waterfront Revitalization Program.
 - L. "Waterfront Coordinator" means the person responsible for overall management and coordination of the implementation of the LWRP as designated by the Town Board and as created pursuant to this law.
 - M. "Waterfront revitalization area" or "WRA" means that portion of New York State coastal waters and adjacent upland as defined in Article 42 of the Executive Law which is located within the boundaries of the Town of Bethlehem, as shown on the coastal area map on file in the office of the Secretary of State and as described and mapped in the Town of Bethlehem Local Waterfront Revitalization Program (LWRP).

IV. Management and Coordination of the LWRP.

- A. A Waterfront Coordinator is created and shall be the Director of the Department of Economic Development and Planning. The Waterfront Coordinator shall advise the Town Board and other town agencies, boards and departments on LWRP implementation and on policy, project and budget priorities, as well as on the need for preparing an amendment to the LWRP. The Waterfront Coordinator may also perform other functions regarding the waterfront revitalization area as the Town Board may assign to it from time to time.
- B. The Waterfront Coordinator shall be responsible for overall management and coordination of the LWRP. In performing this task, the Waterfront Coordinator shall:

- (1) Inform the Town Board on implementation, priorities, work assignments, timetables, and budgetary requirements of the LWRP.
 - (2) Make applications for funding from State, Federal, or other sources to finance projects under the LWRP.
 - (3) Coordinate and oversee liaison between Town agencies and departments, including Planning Board, Zoning Board of Appeals, Planning staff, Police Department, Highway Superintendent, Department of Public Works, Parks and Recreation Department, Building Department and Engineering Department to further implement the LWRP.
 - (4) Prepare an annual report on progress achieved and problems encountered in implementing the LWRP and recommend actions necessary for further implementation to the appropriate Town Board.
 - (5) Provide adequate and timely feedback to the New York State Department of State and other State agencies on the consistency of state and federal agencies actions proposed within the Bethlehem WRA. If no conflicts are identified between the proposed action and the applicable policies and purposes of the approved Bethlehem LWRP, written notification will be provided to the state agency. If conflicts are identified, then the specific policies and purposes of the LWRP with which the proposed action conflicts shall be sent to the Secretary of State at the time when the state agency is notified.
 - (6) Perform other functions regarding the waterfront revitalization area and direct such actions or projects as are necessary, or as the Town Board may deem appropriate, to implement the LWRP.
- C. In order to foster a strong relationship and maintain an active liaison among the agencies responsible for the implementation of the LWRP, the Waterfront Coordinator shall schedule at least semi-annually a LWRP coordinating council/assembly, including but not limited to representatives of the Town Board, Planning Board, Zoning Board of Appeals, and such other Town departments or individuals involved with LWRP implementation.

V. Review of Actions.

- A. Whenever a proposed action is located in the waterfront revitalization area, each Town agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards summarized in Section I below. No action in the waterfront revitalization area shall be approved, funded or undertaken by an agency without such a determination.
- B. The Waterfront Coordinator shall be responsible for coordinating review of actions in the Town 's waterfront revitalization area for consistency with the LWRP, and will advise, assist and make consistency recommendations for other Town agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative, and other actions included in the program. The Waterfront Coordinator will also coordinate with NYS Department of State and other directly involved State agencies the town's input, based on the town's knowledge of the local conditions and purposes of the LWRP, regarding consistency review for actions by State or Federal agencies.

- C. The Waterfront Coordinator will assist each agency with preliminary evaluation of actions in the waterfront revitalization area, and with preparation of a WAF. Whenever an agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the waterfront revitalization area, the agency shall refer to the Waterfront Coordinator for preparation of a WAF, a sample of which is appended to this local law. The Waterfront Coordinator will coordinate their preliminary evaluation with permitting or other review by each agency or the agencies considering an action.
- D. The Waterfront Coordinator shall require the applicant to submit all completed applications, EAFs, and any other information deemed necessary to its consistency recommendation. The recommendation shall indicate whether, in the opinion of the Waterfront Coordinator, the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and objectives and shall elaborate in writing the basis for its opinion. The Waterfront Coordinator shall, along with its consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards and objectives or to greater advance them. Such recommendation shall go to the agency within thirty (30) days of receipt of the completed information submitted by the applicant.
- E. If an action requires approval of more than one agency, decision making will be coordinated between agencies to determine which agency will conduct the final consistency review and make a consistency determination, and that agency will thereafter act as designated consistency review agency. Only one WAF per action will be prepared. If the agencies cannot agree, the Waterfront Coordinator shall designate the consistency review agency.
- F. Upon recommendation of the Waterfront Coordinator, the agency shall consider whether the proposed action is consistent with the LWRP policy standards summarized in section I. herein. Prior to making its determination of consistency, the agency shall consider the consistency recommendation of the Waterfront Coordinator. The agency shall render a written determination of consistency based on the WAF, the Waterfront Coordinator recommendation and such other information as is deemed necessary to its determination. No approval or decision shall be rendered for an action in the waterfront area without a determination of consistency. The designated agency will make the final determination of consistency.

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

- G. Where an EIS is being prepared or required, the draft EIS must identify applicable LWRP policies and standards and include a discussion of the effects of the proposed action on such policy standards. No agency may make a final decision on an action that has been the subject of a final EIS and is located in the waterfront revitalization area until the agency has made a written finding regarding the consistency of the action with the local policy standards referred to in Section I. herein.
- H. In the event the Waterfront Coordinator's recommendation is that the action is inconsistent with the LWRP, and the agency makes a contrary determination of consistency, the agency

shall elaborate in writing the basis for its disagreement with the recommendation of the Waterfront Coordinator and explain the manner and extent to which the action is consistent with the LWRP policy standards.

- I. Actions to be undertaken within the waterfront revitalization area shall be evaluated for consistency in accordance with the following summary of LWRP policies, which are derived from and further explained and described in Section III of the Town of Bethlehem LWRP, a copy of which is on file in the Clerk's office and available for inspection during normal business hours. Agencies which undertake direct actions shall also consult Section IV- Proposed Land and Water Uses and Projects of the LWRP, in making their consistency determination. The action shall be consistent with the policies to:
 - (1) Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses. (Policy 1).
 - (2) Retain, develop and promote water-dependent uses and facilities on or adjacent to coastal waters (Policy 2).
 - (3) Further develop the State's port of Albany as center of commerce and industry and encourage the siting of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people. (Policy 3)
 - (4) Strengthen the economic base of small harbor areas by encouraging traditional uses and activities (Policy 4).
 - (5) Ensure that development occurs where adequate public infrastructure is available. (Policy 5).
 - (6) Streamline development permit procedures (Policy 6).
 - (7) Protect, preserve and, where practical, restore significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies 7, 8).
 - (8) Expand recreational use of fish and wildlife resources by increasing access to existing resources, supplementing existing stocks, and developing new resources. (Policy 9).
 - (9) Maintain, promote and expand commercial fishing opportunities (Policies 10).
 - (10) Minimize flooding and erosion hazards through non-structural means, protecting natural protective features, construction of carefully-selected, long-term structural measures and appropriate siting of structures (Policies 11, 12, 13, 14, 16, and 17).
 - (11) Public funds shall be used for erosion protection structures only where necessary and in an appropriate manner (Policy 16).
 - (12) Safeguard economic, social and environmental interests in the waterfront revitalization area when major actions are undertaken (Policy 18).
 - (13) Maintain and improve public access to the shoreline and to water-related recreational facilities while protecting the environment and being compatible with adjoining uses (Policies 19 and 20).
 - (14) Encourage, facilitate and give priority to water-dependent and water-enhanced recreation (Policy 21).

- (15) Encourage development, when located near the shore, to provide for water related recreation where compatible (Policy 22).
 - (16) Protect and restore historic and archeological resources (Policy 23).
 - (17) Prevent impairment to, protect, restore or enhance scenic resources (Policy 24, and 25).
 - (18) Conserve and protect agricultural lands (Policy 26).
 - (19) Site and construct energy facilities in a manner which will be compatible with the environment and contingent upon the need for a waterfront or water location (Policies 27, 29, and 40).
 - (20) Undertake ice management practices in a manner that avoids adverse coastal impacts (Policy 28).
 - (21) Protect surface and groundwater from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, 32, 33, 34, 35, 36, 37, and 38).
 - (22) Ensure that dredging and dredge spoil disposal is undertaken in a manner protective of natural resources (Policies 15 and 35).
 - (23) Ensure that any transportation, handling or disposal of hazardous wastes and effluent is undertaken in a manner which will not adversely affect the environment (Policies 8, 30, 36, and 39).
 - (24) Protect air quality (Policies 41, 42 and 43).
 - (25) Preserve and protect tidal and freshwater wetlands (Policy 44)
- J. If the agency determines that an action will be inconsistent with one or more LWRP policy standards or objectives, such action shall not be undertaken unless modified to be consistent with the LWRP policies.
- K. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Waterfront Coordinator. Such files shall be made available for public inspection upon request.

VI. Enforcement.

In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Waterfront Coordinator shall inform the Building Inspector, or any other authorized official of the Town, that a stop work order shall be issued and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect.

VII. Violations.

- A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this law shall have committed a violation, punishable by a fine not exceeding three-hundred fifty dollars (\$350.00) for a conviction of a first offense and punishable by a fine of seven hundred dollars (\$700.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.

- B. The Town Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

VIII. Severability.

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

IX. Effective Date.

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

**Town of Bethlehem
WATERFRONT ASSESSMENT FORM**

A. INSTRUCTIONS

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

B. DESCRIPTION OF SITE AND PROPOSED ACTION

- 1 Describe the nature and extent of action:

1. Type of Town agency action (check appropriate response):

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

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

- c. Permit, approval, license, certification

- d. Agency undertaking action:

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

- a. Name of applicant

- b. Mailing address:

c. Telephone number:

(____)_____

d. Property tax number:

e. Application number, if any:

3. Will the action be directly undertaken, require funding, or approval by a State or federal agency?

Yes _____ No _____

If yes, which State or federal agency?

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

5. Size of site (acres):

6. Amount (acres) of site to be disturbed:

7. Present land use:

8. Present zoning classification:

9. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations):

10. Percentage of site that contains slopes of 15% or greater:

11. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

(a) Name _____

(b) Size (in acres) _____

12. Is the property serviced by public water? Yes ___ No ___

13. Is the property serviced by public sewer? Yes ___ No ___

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

- | | | |
|---|------------|-----------|
| 1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the waterfront revitalization area as identified in the LWRP? | <u>YES</u> | <u>NO</u> |
| a) Significant fish or wildlife habitats? | _____ | _____ |
| b) Scenic resources of local or State-wide significance? | _____ | _____ |
| c) Important agricultural lands? | _____ | _____ |
| d) Natural protective features in a coastal erosion hazard area? | _____ | _____ |
| 2. Will the proposed action have a significant effect upon | <u>YES</u> | <u>NO</u> |
| a) Scenic quality of the waterfront environment? | _____ | _____ |
| b) Development of future or existing water-dependent uses? | _____ | _____ |
| c) Operation of the State's major ports? | _____ | _____ |
| d) Land or water uses within a small harbor area? | _____ | _____ |
| e) Designated State or federal freshwater wetlands? | _____ | _____ |
| f) Commercial or recreational use of fish and wildlife resources? | _____ | _____ |

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|--|------------|-----------|
| g) Existing or potential public recreation opportunities | _____ | _____ |
| h) Structures, sites or districts of historic, archaeological or cultural significance to the Town, State or nation? | _____ | _____ |
| i) Stability of the shoreline? | _____ | _____ |
| j) Surface or groundwater quality? | _____ | _____ |
|
3. Will the proposed action involve or result in any of the following | <u>YES</u> | <u>NO</u> |
| a) Physical alteration of land along the shoreline, underwater land or surface waters? | _____ | _____ |
| b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area? | _____ | _____ |
| c) Expansion of existing public services or infrastructure in undeveloped or low-density areas of the WRA? | _____ | _____ |
| d) Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law? | _____ | _____ |
| e) Mining, excavation, filling or dredging in surface waters? | _____ | _____ |
| f) Reduction of existing or potential public access to, or along the shoreline? | _____ | _____ |
| g) Sale or change in use of publicly-owned lands located on the shoreline or underwater? | _____ | _____ |
| h) Development within a designated flood or erosion hazard area? | _____ | _____ |
| i) Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion? | _____ | _____ |
| j) Construction or reconstruction of erosion protective structures? | _____ | _____ |
| k) Diminished or degraded surface or groundwater quantity and/or quality | _____ | _____ |
| l) Removal of ground cover from the site? | _____ | _____ |
|
4. Project | <u>YES</u> | <u>NO</u> |
| a) If a project is to be located adjacent to shore: | | |
| (1) Does the project require a waterfront location | _____ | _____ |
| (2) Will water-related recreation be provided | _____ | _____ |
| (3) Will public access to the foreshore be provided | _____ | _____ |

- | | | |
|---|-------|-------|
| (4) Will it eliminate or replace a water-dependent use | _____ | _____ |
| (5) Will it eliminate or replace a recreational or maritime use
or resource | _____ | _____ |
| b) Is the project site presently used by the community
neighborhood as an open space or recreation area? | _____ | _____ |
| c) Will the project protect, maintain and/or increase the level and
types or public access to water-related recreation resources or
facilities? | _____ | _____ |
| d) Does the project presently offer or include scenic views or vistas
that are known to be important to the community? | _____ | _____ |
| e) Is the project site presently used for commercial or recreational
fishing or fish processing? | _____ | _____ |
| f) Will the surface area of any local creek corridors or wetland
areas be modified by the proposal? | _____ | _____ |
| g) Is the project located in a flood prone area? | _____ | _____ |
| h) Is the project located in an area of high coastal erosion? | _____ | _____ |
| i) Will any mature forest (over 100 years old) or other locally
important vegetation be removed by the project? | _____ | _____ |
| j) Do essential public services or facilities presently exist at or
near the site? | _____ | _____ |
| k) Will the project involve surface or subsurface liquid waste
disposal? | _____ | _____ |
| l) Will the project involve transport, storage, treatment or disposal
of solid waste or hazardous materials? | _____ | _____ |
| m) Will the project involve shipment or storage of petroleum
products? | _____ | _____ |
| n) Will the project involve the discharge of toxic, hazardous
substances or other wastes or pollutants into coastal waters? | _____ | _____ |
| o) Will the project involve or change existing ice management
practices? | _____ | _____ |
| p) Will the project alter drainage flow, patterns or surface water
runoff on or from the site? | _____ | _____ |
| q) Will best management practices be utilized to control storm
water runoff into waterfront waters? | _____ | _____ |
| r) Will the project affect any area designated as a tidal or
freshwater wetland? | _____ | _____ |

s) Will the project utilize or affect the quality or quantity of sole source or surface water supplies? _____

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

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

*

Please submit completed form, along with one copy of a site plan and any other supporting documentation to the Town of Bethlehem Planning Department

Preparer's Name (Please print): _____

Affiliation: _____

Telephone Number: _____

Date: _____