

1. Overview

Hempstead Harbor is an arm of Long Island Sound located in the north-central portion of Nassau County. The shoreline of the harbor includes parts of two towns, one city, and five villages: Towns of North Hempstead (which includes Port Washington and the southerly portion of Glenwood Landing) and Oyster Bay (which includes the northerly portion of Glenwood Landing); City of Glen Cove; and Villages of Sands Point, Flower Hill, Roslyn, Roslyn Harbor, and Sea Cliff.

In recognizing their shared interests and the benefits that can be derived from inter-municipal and inter-agency cooperation, the Hempstead Harbor communities established the Hempstead Harbor Protection Committee (HHPC) in 1995. The HHPC has overseen and obtained outside funding for a wide range of projects throughout the harbor area and, in conjunction with the New York State Department of State, served as the advisory/steering committee for the preparation of the Harbor Management Plan.

2. Historical Context

Hempstead Harbor's abundant natural resources attracted indigenous peoples, who first may have appeared in this area as early as 3500 B.C. Later, the harbor became an important focal point of colonial settlement, with bustling centers of maritime commerce springing up at Roslyn and Glen Cove. Although shoaling in the lower harbor caused a dramatic decline in the status of Roslyn as a maritime center, other portions of the harbor — notably including Glen Cove Creek, Glenwood Landing, and the western shoreline in the Port Washington area — continued to support a booming maritime commercial/industrial base.

Over the last few decades, the Hempstead Harbor shoreline has experienced the demise of many once-prominent industries and the gradual transformation of derelict industrial sites to generally less intense uses. While the harbor communities have welcomed this trend, the reuse of many of these sites has been hindered by significant contamination.

Hempstead Harbor remains well-suited to water-dependent uses which are concentrated in areas of deep waters at Glenwood Landing, Port Washington, and in the federally-maintained Glen Cove Creek channel. These uses provide important marine-related services and make significant contributions to the local economy.

Hempstead Harbor is a popular location for recreational boating and for other recreational activities, including beaches, parks, and historic landmarks. Significant public monies have been expended in recent years in expanding and enhancing the harbor's recreational

assets, as well as in restoring ecological resources in and around the harbor in an effort to reverse damages that have resulted from past activities.

The primary challenge for the future of Hempstead Harbor will be to achieve an appropriate balance among the diverse interests that benefit from the harbor's myriad assets. This can only be attained by means of a coordinated program of actions by the harbor's municipalities, in cooperation with other involved agencies, to address issues that are hindering achievement of harbor management goals and to take advantage of available opportunities for advancing these goals. The August 2004 Harbor Management Plan is directed at advancing this overarching purpose.

3. Harbor Management Plan Scope

The August 2004 Harbor Management Plan (HMP) report consists the following main components:

Chapter 1 – HMP boundary, summary of the HMP planning process, HMP goals, and benefits of a completed HMP

Chapter 2 – Roles of public agencies and private organizations in implementing the HMP

Chapter 3 — Comprehensive inventory of existing conditions in the HMP study area

Chapter 4 — Report prepared under the New York State Quality Communities program, providing a more detailed analysis of several properties which possess significant development potential, and which collectively will play a critical role in the future economic vitality and community quality of the Hempstead Harbor area

Chapter 5 — Analysis of issues of concern in the HMP study area

Chapter 6 — Harbor management recommendations, including a table of implementation priorities based on analysis by the HHPC's member municipalities

4. Harbor Management Planning Process

The preparation of this HMP was initiated when the Hempstead Harbor communities realized that there is a common need to address issues affecting the harbor and that only through a comprehensive planning process embodied in an HMP can effective solutions be achieved to the mutual benefit of all. Individual municipalities have undertaken waterfront planning to address local concerns; however, this can only provide solutions that are applicable to the limited waterfront area of an individual community, and may

not fully consider harbor-wide issues. The HMP provides an effective tool for addressing issues that affect the entire harbor across municipal boundaries.

The contents of the HMP reflect input provided by the HHPC members, including comments regarding draft versions of the report. In order to help members of the HHPC obtain a comprehensive view of relevant conditions in and around the harbor, a shoreline survey by boat and a follow-up bus tour of the harborfront were conducted in August 2001. On July 11, 2002 a special “stakeholders” meeting was convened by the HHPC for local business and agency representatives, and a public information meeting was held on September 26, 2002. The participants at these two meetings received a draft version of harbor management goals and issues to guide the discussion; additionally, a slide presentation was given at the public meeting in order to illustrate key conditions around the harbor. Additionally, a questionnaire survey was distributed to both groups. The stakeholders were mailed their surveys prior to the July 2002 meeting. The residents were given the surveys on the evening of the September 2002 meeting, and allowed time to complete all of the questions. The resident survey subsequently was circulated to a wider audience via targeted mailings and other means of distribution by the HHPC, the Town of Oyster Bay, and local civic organizations.

A draft Harbor Management Plan report was accepted by the HHPC on February 11, 2004 and subsequently was issued for public review. A public hearing on the draft HMP report was held on March 2, 2004. Thereafter, the HMP report was finalized based on comments received at the public hearing, as well as comments provided by the Department of State. The final HMP report (dated August 2004) has been accepted by the HHPC and the Department of State, and has been adopted by the HHPC’s member municipalities.

5. Harbor Management Plan Goals

HMP goals were developed to provide the overall framework for identifying key issues and formulating recommendations to address these issues, and will be used for evaluating whether future actions are consistent with the HMP. The guiding principle of the HMP is to provide a mechanism for the various municipalities that share Hempstead Harbor to work cooperatively in an effort to address priority issues related to the wise use and protection of the harbor’s surface waters, natural resources, underwater lands, and shorefront. With this principle in mind, the following goals have been established for the Hempstead Harbor HMP, not necessarily listed in order of importance:

Goal #1: Ensure efficient and safe navigation and operating conditions in Hempstead Harbor.

Goal #2: Protect Hempstead Harbor's water-dependent uses, and promote the siting of new water-dependent uses at suitable locations, without impacting important natural resources.

Goal #3: Redevelop vacant and underutilized waterfront land on Hempstead Harbor with appropriate uses.

Goal #4: Increase water-related recreational opportunities within Hempstead Harbor and along the harbor's shoreline, and increase public access to the waterfront.

Goal #5: Protect and enhance Hempstead Harbor's natural environment and open space resources, including surface water quality, wetlands, coastal fish and wildlife habitats, upland natural areas, and important viewsheds.

Goal #6: Preserve important historical resources along the waterfront of Hempstead Harbor.

Goal #7: Improve linkages between the Hempstead Harbor waterfront and adjacent downtown areas.

Goal #8: Engage in a collaborative effort among the municipalities surrounding Hempstead Harbor, by means of innovative inter-municipal planning and community development techniques that link environmental protection, economic prosperity, and community well-being, so as to ensure effective long-term community, regional, and watershed vitality.

Goal #9: Recognize and build upon the unique characteristics and circumstances of Hempstead Harbor and its watershed in developing approaches to the following concepts: revitalizing existing communities and promoting livable neighborhoods; preserving open space and critical environmental resources; encouraging sustainable economic development; improving partnerships, service-sharing arrangements, and collaborative projects; and heightening public awareness.

The HHPC, with public input, identified a series of issues that represent problems to be addressed or opportunities to be taken advantage of in order to advance each of the nine HMP goals listed above. The recommendations that have been formulated to address these issues are summarized in Section 7, below.

6. Summary of HMP Inventory

6.1 Summary of Land-Side Conditions

Land use around the rim of Hempstead Harbor is governed independently by the harborfront municipalities, primarily through their respective zoning codes. In many cases, the existing pattern of land use along the harborfront reflects zoning that was instituted many years ago. However, redevelopment in certain areas (e.g., Glen Cove Creek and the Town of Oyster Bay portion of Glenwood Landing) is being or will be guided by zoning amendments that have been enacted in the recent past.

Distinct differences in the pattern of land use are clearly evident as one travels along the shoreline of Hempstead Harbor. Mixed residential development and recreation/open space occupy most of the land in Sands Point, Roslyn Harbor, Sea Cliff and the portion of the City of Glen Cove to the north of the creek. Open space lands dominate along the western shoreline of the lower harbor. Mixed uses occur in the Village of Roslyn. More intensive waterfront uses, including most of the marine-commercial facilities in the harbor, are concentrated in Glen Cove Creek and Glenwood Landing, where very little natural vegetation or areas providing suitable wildlife habitat remain.

Overall, public open space and recreational uses comprise the largest portion of the upland area along the harborfront, at about 82 percent of the total. These uses serve both passive and active recreational needs, and include both facilities that are water-dependent (e.g., marinas, fishing piers, swimming areas, boat launching ramps, etc.) and those which do not require a location on the waterfront (picnic areas, ball fields, playgrounds, golf courses, etc.), as well as properties that are undeveloped but which serve open space purposes (e.g., wildlife habitat, visual relief from the built environment, informal pedestrian access, etc.). Residential is the next most common use, at about 8 percent of the total. Private recreation comprises about 4 percent of the total, private vacant/unutilized 2 percent, general commercial 2 percent, industrial and institutional 1 percent each, and marine-commercial and mixed use less than 1 percent each.

As noted previously, the shorefront of Hempstead Harbor historically has been heavily used for industrial purposes. Although some of these uses still are in operation (e.g., Exxon-Mobil terminal in Glenwood Landing, and sand and gravel trans-shipment facilities in Port Washington and Glen Cove Creek), several such facilities have become idle or have fallen into disrepair. Some of these sites are on either the Federal or State Superfund list, or both, and a number of additional properties have undergone voluntary cleanup or are expected to be remediated in the future. The redevelopment of these sites will play a pivotal role in the future of Hempstead Harbor and its surrounding communities.

6.2 Summary of Water-Side Conditions

Hempstead Harbor covers a total water area of approximately 7.4 square miles at mean high water, extending out to the study area boundary between Prospect Point and Matinecock Point. The mean tidal range in Hempstead Harbor is approximately 7.4 feet, such that even areas of extensive shoaling (as occurs throughout most of the lower harbor) are accessible by boat during high tide. The entire area in Hempstead Harbor has been designated by New York State as a Significant Coastal Fish and Wildlife Habitat, due to its extensive tidal wetlands, use by waterfowl as a wintering area, and productivity with respect to shellfish and finfish.

Hempstead Harbor contains two federal navigation channels. An active channel is present in Glen Cove Creek, connecting to naturally deep waters in Mosquito Cove. A federally-designated channel also extends along the entire north-south length of the lower harbor; however, authorization for maintenance dredging of this channel was allowed to expire in 1960 due to the lack of water-dependent activity in this area.

Hempstead Harbor presently supports, and historically has accommodated, a wide variety of in-water uses. The current uses of the harbor range from relatively passive activities such as swimming and non-motorized vessel operations (e.g., canoe, kayaks, and small sailboats), to fairly intensive activities associated with deliveries to industrial facilities (e.g., petroleum and aggregate barges), with a vibrant recreational boating community. Fishing also is popular throughout the harbor.

7. Summary of HMP Recommendations

The *Recommendations* section of the HMP report represents the culmination of the HMP planning process, and provides a program of actions to address each issue, either by mitigating problems that hinder the harbor management goals or by taking advantage of opportunities that advance the harbor management goals. Implementation of these recommendations will require a series of actions by the nine member municipalities which share the Hempstead Harbor shoreline, in conjunction with the HHPC.

The HMP recommendations have been placed into six distinct categories of actions – i.e., general recommendations, projects, local laws, investigations, procedural actions, and policy standards – which were ranked by overall priority, based on compiling and averaging rankings assigned to each recommendation by the nine member municipalities. Some of the recommended implementation strategies have already been subject to grant applications, or have been initiated or even completed by the HHPC and its member municipalities.

The full HMP report should be reviewed for a more detailed discussion of the individual recommendations, the priority rankings, and agency responsibilities for implementation.

The following is a listing of the recommendations of the HMP for Hempstead Harbor, grouped under the six different types of actions:

7.1 General Recommendations

- Adoption of HMP by all involved municipalities.
- Harbor Management Map.
- Comply with task requirements of Phase II Notices of Intent.
- Pursue non-point mitigation strategies recommended in *Water Quality Improvement Plan*, including local laws for the protection of steep slopes, stormwater management, and erosion and sediment control, as well as continuing studies to identify and characterize stormwater outfalls.
- Develop and implement program of enhanced public education.
- Redevelop Glenwood Landing waterfront area in the Town of Oyster Bay consistent with the *Glenwood Landing Waterfront Redevelopment and Revitalization Plan*.
- Redevelop Glen Cove Creek waterfront with mixed uses, consistent with *The Glen Cove Creek Revitalization Plan*.

7.2 Recommended Projects

- Span gaps in existing trail/walkway system; maximize length of continuous trailway.
- Undertake wetland restoration.
- Augment public access.
- Provide waterfront promenade as part of redevelopment of Glen Cove Creek area.
- Restore deteriorated public access facilities.
- Acquire remaining parcels for Hempstead Harbor Trailway, and continue this trail through Flower Hill and Roslyn.
- Provide additional vessel waste pumpout facilities. Obtain funding for the proper maintenance of existing facilities.
- Provide continuous pedestrian access along Glenwood Landing waterfront in Town of Oyster Bay.
- Provide new facilities for hand-launched boats.
- Provide enhanced signage regarding prohibition on personal watercraft operation in lower harbor.
- Dredge Glen Cove Creek, as needed.
- Install informational signage regarding historic resources.
- Provide enhanced linkages to downtown areas.

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- Provide standardized signage.
 - Dredge shorefront facilities of water-dependent uses, as needed, with costs borne by facility owners/operators.
 - Seek to acquire Sea Isle property.
 - Pursue re-contouring of lower harbor.

7.3 Recommended Local Laws

- Adopt special waterfront zoning in Town of Oyster Bay portion of Glenwood Landing, as recommended in *Glenwood Landing Waterfront Redevelopment and Revitalization Plan*. **This rezoning was enacted by the Oyster Bay Town Board in January 2004.**
- Adopt Waterways Local Laws.
- Rezone North Shore Country Club parcel in Town of Oyster Bay. **This rezoning was enacted by the Oyster Bay Town Board in January 2004.**
- Consider possible local laws governing replacement and maintenance of subsurface sewage disposal systems.
- Institute “need-based” mechanism for evaluating applications for shoreline structures, and ensure adequate long-term maintenance of such structures.
- Amend existing local laws, as necessary, to enhance protection of historic resources.

7.4 Recommended Investigations

- Continue water quality monitoring in harbor. Obtain funding to analyze water quality data.
- Investigate scope of water quality impacts caused by subsurface sewage disposal systems.
- Undertake comprehensive planning analysis of North Hempstead waterfront in Glenwood Landing.
- Identify land acquisition priorities, focusing on 21 Quality Communities parcels.
- Investigate feasibility of public sanitary sewage collection in Sea Cliff, Glenwood Landing, and Beacon Hill Colony.
- Examine appropriateness of current residential zoning of aggregate trans-shipment site on west side of harbor.
- Review local vessel regulations.
- Address deficiencies in moorings for barges associated with aggregate trans-shipment facilities on west side of harbor.
- Investigate jurisdictional responsibility for navigation aids in harbor.
- Develop program of improvements for parking and roadway facilities.
- Undertake comprehensive inventory and analysis of historic resources.

7.5 Recommended Procedural Actions

- Undertake timely clean-out of storm drainage systems.
- HHPC to continue interaction with key harbor users.
- HHPC to work with communities to identify projects to enhance public access.
- Deploy contaminant booms whenever practicable.
- HHPC to serve as facilitator during implementation phase of HMP.
- Provide suitable oil spill contingency plans.
- Seek federal No-Discharge Zone designation for entire harbor.
- Whenever practicable, employ dredged material for beneficial reuse.
- Promote use of native species during site plan review.
- Improve inter-municipal notification of proposed actions.
- Execute inter-municipal agreements to expand and coordinate patrols in harbor.
- HHPC to participate in public review for any remediation project in harbor area.
- HHPC to maintain ongoing dialogue with operators of petroleum transfer/storage facilities.
- Evaluate consistency with HMP as part of SEQRA review process for development applications involving 21 Quality Communities parcels.
- Provide adequate waste collection receptacles.
- Step up surveillance of derelict structures in harbor and along shoreline.
- Require visual mitigation for water-dependent uses during site plan review; provide adequate long-term maintenance of water-dependent facilities.
- Open historical resources to the public, whenever practicable.
- Continue to monitor new/expanded docking structures.
- Continue to seek re-establishment of ferry operation in Glen Cove Creek.

7.6 Recommended Policy Standards

- Provide sufficient stormwater storage for new paved surfaces.
- Maintain existing public access facilities. Provide compensatory access in cases where existing access is lost.
- Require vessel waste pumpout facility for new or expanded marina.
- Base public land acquisition on identified need for expanded public access.
- Seek early public input regarding significant expansions to public access facilities.
- Provide public access in connection with development of 21 Quality Communities parcels.
- Restore deteriorated visual elements.
- Ensure that improvements to public access facilities are compatible with surrounding uses.
- Balance economic revitalization and environmental impacts in evaluating application for development/redevelopment of 21 Quality Communities parcels.

- Overall, balance public land acquisition with revenue-generating uses.
- Base contaminant remediation objectives on intended end use.
- Minimize environmental impacts of development of Sea Isle property.
- Ensure that new docking structures do not interfere with pedestrian passage along shoreline.
- Closely scrutinize sanitary wastewater disposal provisions for development in areas that are unsewered.
- Avoid activities that introduce visual interruptions to natural landscapes.
- Seek participation of baymen in any effort to reopen shellfish beds.
- Preserve vacant parcels that contribute to visual quality.
- Comply with ADA for new trailway segments.
- Maintain original landforms.