

## **WATERFRONT VISIONING GUIDELINES 10-15-10**

The purpose of the Tivoli Waterfront Park is to secure permanent access to the Hudson River for the Village. Until our purchase, both the riverfront and the railroad crossing have been private property belonging to the railroad. It has been both within their rights and in their interest to prevent public access to their property.

The conditions of our purchase agreement are that we must build a fence to prevent people and vehicles from crossing the tracks. As a result, the existing railroad crossing must eventually be closed and we will need an alternative way to access the river.

Although the size of the park will be very small, there are a great number of issues that must be taken into account in order to develop it:

- The desires and needs of the Village
- Conditions of our purchase agreement with the railroad
- Crossing alternatives
  - All options must conform with New York State Building Codes (ICB) and the Americans with Disabilities Act (ADA).
- Shoreline development
  - All shoreline development must be approved by the both the Department of Environmental Conservation and the Army Corps of Engineers.
- Facilities, landscaping, and parking
- Security and maintenance

### **Desires and Needs of the Village**

The purpose of the Waterfront Committee is to form a consensus, within the Village, on a practical vision for the development of Tivoli's waterfront. To that end, we will hold a series of town meetings. Initially, these meetings will be to provide information and to seek suggestions from the village residents as to how we want to use the park and what it will look like.

Later meetings will be held to select and refine the most practical and popular ideas and form a coherent vision for the waterfront. The village government will then seek proposals from engineering firms and architects, using this vision as a guideline. Village residents are encouraged to submit written proposals, drawings, or models. All of your ideas will be displayed at the Village Hall. Proposals can be either emailed to [clerk@tivoliny.org](mailto:clerk@tivoliny.org) or brought to the Village Clerk's Office.

### **Conditions of Our Purchase Agreement**

- Once construction begins, we must build a fence to prevent access to the railroad tracks.
- The fence will be on both sides of the tracks, 30 feet from the center of each track.
- We have been permitted an easement to pass over the tracks for a structure that would be 30 feet above the tracks and 8 feet wide. The piers must be outside the railroad's 30-foot right of way.
- Any structure that we build must be approved by the railroad.
- The property consists of the shoreline approximately 430 feet to the south of the Diana Street crossing and 230 feet to the north of it. It also includes a parcel that begins near the end of the pavement of Route 78 and extends to the entrance of Rose Hill Lane. It extends to 30 feet from the center of the northbound tracks and along the dirt road that leads back to Diana Street.
- We have provided an easement for Rose Hill Lane.

### **Crossing Options**

All options must comply with the New York State Building Code (ICB) and the Americans with Disabilities Act (ADA) and be approved by CSX.

### **Overpass with Stairs**

This has the smallest footprint of any of the options for crossing over the tracks. However, an elevator would be required on both sides to comply with ADA requirements. The smallest elevator enclosure would be 15-foot square and rise approximately 8 feet above the overpass. Stairs would make it difficult to carry small boats across; an elevator suitable to that purpose would have to be considerably larger.

### **Overpass with Ramps and Stairs**

This option would have a ramp on the east side of the tracks, where there is more room, and a gain in elevation and stairs and an elevator on the west side. It would eliminate one elevator but still limit our ability to bring small boats across.

### **Vehicular Overpass**

Due to the small size of the park, a vehicular overpass is impractical. This option would require a structure similar in size to the overpass at the Rhinecliff train station and would have a significant impact on the adjoining properties to provide room for ramps and vehicles on the west side. We would have to fill in a substantial amount of the shore line. This would require permits from both the Department of Environmental Conservation and the Army Corps of Engineers.

### **Pedestrian Tunnel**

A tunnel would necessarily pass well below the level of the river and also be very close to the shoreline. It would require us to negotiate a new easement with the railroad—something that the railroad may have very little incentive to provide.

### **Shoreline Development**

Our deed includes the underwater rights that extend to the pre-existing bulkhead that is visible at low tide. It also includes the underwater rights to two piers that extend out from the bulkhead. To reclaim the bulkhead, we

would have to fill in a significant portion of the shoreline. To do this, we would need permits from both the Army Corps of Engineers and the Department of Environmental Conservation.

In preliminary discussion with them, they have indicated that it is their policy to maintain a "soft edge" on the shore in order to preserve wildlife habitat. They would in principle oppose any plan that would include reclaiming the bulkhead. This is a legal issue and, to some extent, a political issue that will require more negotiation. In our favor, we are proposing a project that has substantial public benefit.

We will, in any case, have to stabilize the shoreline to prevent further erosion.

### **Docks and Piers**

There are numerous options that will depend on what we want to use the park for, the initial expense, and the cost of maintenance. Again, they will require permits from both the Department of Environmental Conservation and the Army Corps of Engineers.

**Tivoli Waterfront Park Boundaries**

