

**Topic:** Wetlands & Watercourse Protection;  
Natural Resource Protection &  
Conservation; Local Environmental Law  
Regulations  
**Resource Type:** Regulations  
**State:** New York  
**Jurisdiction Type:** Municipal  
**Municipality:** Village of Larchmont  
**Year (adopted, written, etc.):** 1986  
**Community Type - applicable to:** Suburban; Rural  
**Title:** Village of Larchmont Critical  
Environmental Areas Ordinance  
**Document Last Updated in Database:** May 6, 2017

### ***Abstract***

The statute designates specific areas within New York State as critical areas of environmental concern and affords protections to these areas from adverse actions prescribed by law and regulations.

### ***Resource***

Village of Larchmont NY Critical Environmental Areas  
Code of the Village of Larchmont NY  
Chapter 321: Critical Environmental Areas  
General Code  
[http://www.e-  
codes.generalcode.com/codebook\\_frameset.asp?t=tc&p=0851%2D315%2Ehtm%23Section315%2D1%2E&cn=785&n=\[1\]\[747\]\[785\]](http://www.codes.generalcode.com/codebook_frameset.asp?t=tc&p=0851%2D315%2Ehtm%23Section315%2D1%2E&cn=785&n=[1][747][785])

ARTICLE I Pine Brook - Premium Border and Hommocks Border

[Adopted 6-30-1986 by L.L. No. 7-1986]

§ 321-1. Authority; legislative intent.

Under regulations issued by the State of New York pursuant to § 8-0113 of the State Environmental Quality Review Act [Section 617.4(j) of the New York Codes, Rules and Regulations], a local agency may designate specific geographic areas within its boundaries as "critical areas of environmental concern" (also called "critical environmental areas" or "CEA's"). The cited regulations set forth criteria for such designation. The intent of this article is to designate certain areas in the Village of Larchmont which meet those criteria as "critical environmental areas," thereby affording them the protections against adverse

actions prescribed by law and regulations for such areas [Section 617.12(a)(11) of the New York Codes, Rules and Regulations].

#### § 321-2. Findings; enumeration of characteristics.

The Village of Larchmont finds, on the basis of detailed study by the Coastal Zone Management Committee and the Conservation Advisory Commission, that the areas described in § 321-3 below meet the prescribed criteria referred to in § 321-1 in that each of them contains important tidal or freshwater wetlands and an abundance of fish and wildlife, as described in detail in Section II of the Local Waterfront Revitalization Program of the Town of Mamaroneck and the Village of Larchmont, and that each of them has an exceptional or unique character as one or more of the following:

- A. A benefit to public health and public safety through absorption of stormwater and mitigation of pollution.
- B. An important fish and wildlife habitat.
- C. An aesthetically important area of open space in an otherwise highly developed residential area.
- D. A setting for environmental education, quiet recreation and appropriate cultural activities.
- E. An area possessing great sensitivity to ecological change arising from actions in or contiguous to the area.

#### § 321-3. Designation of critical areas.

In accordance with the authority granted by Section 617.4 of Title 6 of the New York Codes, Rules and Regulations, the following geographic areas are designated as "critical areas of environmental concern":

- A. Pine Brook - Premium Border. See Schedule A attached to this chapter for detailed legal description and Map 1 attached to this chapter for visual description.
- B. Hommocks Border. See Schedule B attached to this chapter for detailed legal description and Map 2 attached to this chapter for visual description

#### § 321-4. When effective.

The designation(s) contained herein shall take effect 30 days after filing of notification with the New York State Commissioner of Environmental Conservation that the above areas have been designated as "critical areas of environmental concern."

ARTICLE II East Creek [Adopted 7-6-1987 by L.L. No. 3-1987]

§ 321-5. Authority; legislative intent.

Under regulations issued by the State of New York pursuant to § 8-0113 of the State Environmental Quality Review Act [Section 617.4(j) of the New York Codes, Rules and Regulations], a local agency may designate specific geographic areas within its boundaries as "critical areas of environmental concern" (also called "critical environmental areas" or "CEA's"). The cited regulations set forth criteria for such designation. The intent of this article is to designate an additional area in the Village of Larchmont which meets those criteria as a "critical environmental area," thereby affording to it the protections against adverse actions prescribed by law and regulations for such areas [Section 617.12(a)(11) of the New York Codes, Rules and Regulations].

§ 321-6. Findings; enumeration of characteristics.

The Village of Larchmont finds, on the basis of detailed study by the Coastal Zone Management Commission, that:

- A. The aboveground portion of East Creek, as shown on the map attached to this article and as described in Section II(8) of the Local Waterfront Revitalization Program adopted by the Village of Larchmont and the Town of Mamaroneck in 1986, has an exceptional and unique character as an aesthetically important area of open space adjacent to a highly developed area, as a setting for environmental education and quiet recreation and as an area possessing quiet sensitivity to ecological change arising from actions in or contiguous to the area.
- B. Environmental disturbance in or near East Creek, especially apt to occur where it flows above ground, tends to aggravate problems of siltation and pollution downstream in the Hommocks Marsh, an environmentally sensitive and valuable tidal marsh shared between the Village of Larchmont and the Town of Mamaroneck, their respective portions of which are included in areas designated by them in 1986 as critical environmental areas called, respectively, the "Hommocks Border" (Village of Larchmont) and the "Hampshire - Hommocks Salt Marsh Complex" (Town of Mamaroneck). Protection and restoration of the Hommocks Marsh is called for in the Local Waterfront Revitalization Program under Policies 7 and 7A (fish and wildlife habitats) and under Policies 44 and 44A (tidal and freshwater wetlands).
- C. Section IV(b)(10) of the Local Waterfront Revitalization Program calls for action to correct existing deteriorated conditions in the aboveground portion of East Creek. To have lasting effect, such action should be accompanied by protective legislation to help

prevent such conditions from recurring.

- D. The stream bed of East Creek in its aboveground portion lies partly in the Village of Larchmont and partly in the unincorporated area of the Town of Mamaroneck. Accordingly, CEA status can best be conferred on this area by action of both municipalities. On March 18, 1987, the Town Board adopted a local law conferring CEA status on those parts of the subject area lying within its jurisdiction.

§ 321-7. Designation of critical area.

In accordance with the authority granted by Section 617.4 of Title 6 of the New York Codes, Rules and Regulations, the East Creek Border is hereby designated as a "critical area of environmental concern." See Schedule C attached to this chapter for detailed legal description, and Map 1 attached to this chapter for visual description.

§ 321-8. When effective.

The designation contained herein shall take effect 30 days after filing of notification with the New York State Commissioner of Environmental Conservation that the above area has been designated as a "critical area of environmental concern."