

Town of Pine Plains



Comprehensive Plan

April 2004

Volume 1

Town of Pine Plains Updated Comprehensive Plan

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The Planning Process

A comprehensive plan is a written document that identifies the goals, objectives, principles, guidelines, policies, standards, and strategies for the growth and development of the community. It is not a law in itself, but state statutes require that all land use laws in a municipality be consistent with a comprehensive plan. The Town is authorized to develop and adopt a comprehensive plan by New York State Town Law Section 272-a. Since decisions and actions affecting the immediate and long-range protection, enhancement, growth and development are made by local governments,

New York State considers adoption of a comprehensive plan to be a critical means to promote the health, safety and general welfare of the people of the town and to give consideration to the needs of the people. It is the policy foundation upon which communities are built. Once a comprehensive plan is adopted, there are several implications:

- 1) All government agencies involved in planning capital projects in Pine Plains must first consider this plan. That means the Town now has a much larger stake in what other governmental agencies want to do when they are proposing a project in town.
- 2) Development of the community inventory, shared vision, goals, and strategies can build consensus and support.
- 3) Programs and regulations may be adopted to implement your plan to protect the town's resources and encourage desired development and growth. Comprehensive plans are also important documents to help the town be successful in finding grant monies.
- 4) In New York State, all land use regulations must be in accordance with a comprehensive plan (Section 272-a). The plan provides the basis for regulatory programs. All land use laws should be reviewed, and updated where necessary to be in accordance with this plan.

The Town Board assigned the task of updating the existing 1987 Master Plan to the Town of Pine Plains Special Board. Master Plan's are now referred to as Comprehensive Plans. The Special Board met monthly, and with help from a planning consultant conducted an organized-planning process that included significant input from residents. The planning process included: developing and implementing a resident and business survey; preparing background studies, gaining additional public input from a planning workshop, public meetings; preparing a

The Planning Process

series of maps and surveying existing land uses and conditions in Pine Plains; outlining issues to be addressed by the plan; defining goals and recommendations based on identified problems, opportunities and public comment; and presenting the draft plan to the public for comments. This Comprehensive Plan for the Town of Pine Plains builds on the prior 1987 Master Plan. Several sections of the text are taken directly or in large part from that plan.

The following public events took place during the Comprehensive Planning process.

- ◆ Monthly meetings of the Special Board (October 2000 through January 2003)
- ◆ Resident Survey (Summer 2001)
- ◆ Planning workshop (September 2001)
- ◆ Business Survey (Winter 2002)
- ◆ Presentation of survey and workshop results (June 2002)
- ◆ Presentation of Draft Comprehensive Plan to Public (January 2003)
- ◆ First Public Hearing on Draft Plan (January 2003)
- ◆ Recommendation of the Comprehensive Plan to the Town Board (April 2003)
- ◆ Town Board sponsored Public Hearing (June 2003, January 2004)

The issues, goals and recommended strategies detailed below are based upon studies of information and data gathered about the Town of Pine Plains, as well as the input of many Town residents. Specific sources of information used to prepare this plan included:

- ◆ Pine Plains Resident and Business Survey.
- ◆ Planning Workshop.
- ◆ Background studies of land use, population and economic profiles, housing, community facilities, transportation, recreation and educational resources, public safety programs, and environmental conditions of the Town and analysis of the regional growth patterns and trends that have affected, and will continue to affect the area's growth.
- ◆ Assessment of Water Supply And Septic Suitability.
- ◆ Information and perspective from the Special Board.
- ◆ Information from the planning consultant.

◆ Coordinated efforts between the Board, the Town CAC, Dutchess Land Conservancy, Friends of Stissing Lake, the Environmental Management Council and the Wappingers Watershed.

◆ Public attendance at the various public meetings hosted by the Special Board.

This Comprehensive Plan attempts to answer four questions for Pine Plains:

- 1) Where are we now?
- 2) Where are we going?
- 3) Where do we want to be? and
- 4) How can we get there?

The profile and public input sections of this plan answer the “where are we now?” and “where are we going?” questions. They describe current conditions, demographics, physical and cultural features, and information from the residents. The Vision for Pine Plains, articulated below, sets the tone and overall direction the Town should take in the future. It was developed directly from the surveys, planning workshop, and public comments received. The vision statement depicts in words and images what the community is striving to become. It should be considered as the starting point for the creation and implementation of action plans. After the vision statement was drafted, the Special Board worked to identify issues that should be addressed by the plan. For each issue, one or more goals have been established. The goals included in this plan are broad statements that reflect “ideal” future conditions desired by the Town. They were identified through a comprehensive planning process that included multiple opportunities for public participation. The goals offer more specific direction and are consistent with the stated vision of Pine Plains. The recommendations are a series of action steps or strategies that the Town can take to accomplish each goal contained in this plan. When put into action, these strategies will help Pine Plains attain its vision.

Implementing the Plan

This plan offers the town options and guidelines that can chart Pine Plain’s future. Because many of the recommended strategies are general, specific standards and precise language will need to be developed during the implementation phase of the planning process. This comprehensive plan is not a local law. It will be implemented however, through local laws and programs. Each time a local law is amended or developed, public hearing(s), review by the county planning board, and an environmental review will be necessary. It is recommended that the Town Board appoint a committee to translate the options and guidelines presented in the plan into specific language needed for local laws. The Town Board should prioritize the strategies so that they can direct implementation efforts and review progress on an annual basis. The whole plan

The Planning Process

should be reviewed and updated by the Town Board, the Planning Board or a special “Ad-Hoc” committee every five years. The update process should include public input to reassess the vision and goals, a review and update on what progress has been made in implementing the various recommendations, and changes made to keep the plan relevant to conditions in Pine Plains at the time. The process for updating the plan is the same as adopting the original plan and would include public hearings, county review, SEQRA review, and adoption by resolution.

CHAPTER 1 COMMUNITY VALUES

INTRODUCTION

An effective Comprehensive Plan expresses and reflects the values of the community. The public policy that a Comprehensive Plan represents should be firmly based on the public will as well as on public needs. Plans that are far removed from community desires have little chance of being implemented. As such, the planning process included numerous opportunities to involve the public. These included a residential survey, business survey, planning and visioning workshop, numerous public meetings and a survey on goals and issues.

During the summer and fall of 2001, the Town of Pine Plains surveyed its residents and businesses, and conducted planning workshops to learn their opinions regarding the town's needs and its future. This public outreach helped lay the groundwork for later work and assisted the Special Board in developing relevant issues for the plan to address. The response to the community survey was 12.5 percent, while 49 business owners participated in the businesses survey. Thirty-three people participated in the planning workshop.

SURVEY METHOD AND ANALYSIS

A written survey was developed by the Special Board and was based upon the resident survey originally conducted in 1987. It was updated and expanded upon and was mailed to 2,040 residents and landowners (see Appendix 1). There were 268 surveys received. Answers from the surveys were compiled in an Excel database and summarized as described in Appendix 1.

COMPARISON OF 2001 SURVEY RESULTS TO 1986 RESULTS

In preparation for the 1987 Comprehensive Plan, the Town of Pine Plains surveyed its residents to learn their opinions regarding the town's needs and opportunities. The survey,



Chapter 1 Community Values

conducted in the summer of 1986, received a high response rate (50% of the town's residents). The 2001 survey received a lower response rate (13%). While the questions and format of the 1986 and 2001 surveys are somewhat distinct, several comparisons and trends are evident.

In both surveys, respondents cited the town's beauty and rural character as its most important assets, and considered recreation facilities and opportunities (excluding activities for teens), emergency services, and roads (town and county) as adequate.

Both surveys showed the desire for small-scale commercial development that does not destroy the town's rural character. These could include small retail shops, bed and breakfasts, home or other professional businesses, and agricultural operations. Neither survey showed support for larger commercial entities or heavy industries.

Respondents to the 1986 survey felt that development was not sufficiently controlled by regulations, especially in regards to protection of water quality, agricultural land, wildlife, wetlands, slopes, and historic structures and areas. Respondents to the 2001 survey specifically cited the loss of agricultural land, due to the absence of zoning, as a threat to the community. Furthermore, both indicated that the town should weigh the benefits of development against the preservation of Pine Plains' rural, small town character, and the provision and access to open space.

Both surveys noted the need for affordable housing as well as the need to control the development and siting of mobile homes. A large number of the respondents in the most recent survey felt that this could be accomplished through zoning or other land use regulations. They also did not feel that existing land development regulations were performing to guide residential development in an appropriate manner.

In terms of vision for the future, respondents to the 1986 survey did not want development to bring an influx of new residents or tourists, and they wanted new construction and development to be compatible with existing town character. Respondents to the 2001 survey stressed a very similar sentiment. They envisioned the town's future to be a historical, residential area with strong agriculture, cultural opportunities and some tourism.

Two of the most significant issues posed in the 1986 survey, disposal of solid waste and the water system, were not as important to respondents to the 2001 survey. According to the 1986 survey, solid waste was the most frequently cited issue. Fifty-

seven percent of the respondents felt the town needed a local transfer station to solve the inadequacy of the existing system. With regard to community services, only 29 percent of the respondents felt the water system was adequate. In 2001, almost half of the respondents had no opinion about the water system, and those that did, rated the service good to excellent. Related to the disposal of solid waste, many respondents felt it was important for the town to sponsor solid waste collection. However, they did not consider the inadequacy of the system a major threat to the lifestyle or quality of life in the community.

PLANNING WORKSHOP

In September 2001, a planning and visioning workshop was held in Pine Plains. The objective of this workshop was to involve residents and landowners in identifying strengths, weaknesses, threats, and opportunities facing Pine Plains. Additionally, a primary objective was to establish consensus on a vision for the future of the Town.

Participants worked in small groups to develop a vision statement for the Town and they identified the a variety of desired elements or characteristics for Pine Plains future including a strong town center, quality town services, maintenance of farming, maintenance of visual beauty and environmental integrity, maintenance of rural character, preservation of open space, a small town atmosphere, community support for businesses, establishment and enforcement of land use regulations, good stewardship of public properties, and community involvement. The full set of vision elements can be found in Appendix 1.

Each group also worked to develop a draft vision statement for their table. The Special Board later compiled these statements into one unified statement. The vision statements developed at the workshop can be found in Appendix 1. A unified vision statement developed from this activity is presented in Chapter 9.

In addition to developing a vision for Pine Plains, participants worked to identify positive and negative features about the Town. These were:

Most Positive Attributes of Pine Plains

Rural atmosphere, open space and agriculture

Scenic vistas



Chapter 1 Community Values

Small town atmosphere

Sense of community

Most Negative Attributes of Pine Plains

Lack of land use regulations and zoning

Poorly kept buildings in the business district

Slum landlords and old houses turned into multi-family dwellings

Absence of overall vision and mechanism to implement it

Lack of garbage pick-up, recycling, transfer station

BUSINESS SURVEY

The Special Board developed a survey specifically to determine how business owners and managers feel about the Town and its economic climate. There were 49 participants in the business survey. A copy of the business survey and its full results can be found in Appendix 2.

SUMMARY OF PUBLIC INPUT

The response to the written community survey was 12.5 percent, while 49 business owners or 41% (out of a potential of about 120 local businesses) participated in the businesses survey. Thirty-three persons participated in the planning workshop. According to the residential survey, 67 percent of the respondents had lived in Pine Plains for over 15 years, 21 percent had been in the town between six and 15 years, and about 8 percent for less than five years. The majority of respondents were between 25 and 64 years old. Similar to the 1986 survey, the 2001 survey under-represented those people who rented, or were part time residents in the community. An additional planning workshop focused on developing a vision statement and understanding the participants' perceptions of the strengths, weaknesses, opportunities, and threats related to the Town of Pine Plains. Finally, the town surveyed local business to solicit their opinions and concerns, and understand why they choose to operate in Pine Plains and how the town can better serve their needs.

Chapter 1 Community Values

Workshop participants and survey respondents generally want to see some, small-scale commercial development especially directed to the hamlet of Pine Plains. However, these businesses should enhance the livability and small town nature of the community without sacrificing the environment, rural character and open space, and recreation opportunities of Pine Plains. Furthermore, residential development should be well planned and coordinated through the enforcement of land use regulations. Zoning was specifically mentioned as a tool that could facilitate the residential and commercial development in the town while maintaining and protecting the area's natural beauty.

While most of the survey respondents were homeowners, they did recognize the need for affordable housing. However, many did not support mobile homes and felt they should be limited to certain areas of the town (similar to the sentiment expressed in the 1986 survey).

The biggest concerns to the community mentioned in the survey were uncontrolled development, loss of open space and agricultural land, absence of zoning, the lack of business opportunities, and unkempt properties.

In general, the surveyed residents and workshop participants want to see controlled, planned growth that does not negate either the town's natural characteristics or reduce the amount of accessible open space and farmland. They feel that the town center should be vibrant, diverse, and enhanced through maintenance, good design and cultural activities.

Among the 49 businesses surveyed, there were 146 full time, 63 part time, and 27 seasonal employees for a total of 236 local workers. Most of the businesses own their place of operation, are not home based, typically hire Pine Plains residents for employment openings, see seasonal or weekend increases in business, and live in the town. The most desired services identified were garbage pickup, an improved library, and recycling services. Eleven respondents felt that the police department was not needed or discouraged visitors by over-concentrating on vehicular speeding.

There was not a significant consensus on the benefits of locating a business in Pine Plains. Some felt the town offered a central location and was easily accessible, while others appreciated a short commute, lack of competition, or scenic beauty. The main drawbacks of locating in Pine Plains were the lack of

Town of Pine Plains Updated Comprehensive Plan

customers due to limited residential density and low through traffic.

Businesses were less supportive than residents of regulatory measures such as zoning and tougher building codes relating to commercial development. Eighty-one percent felt that the current regulations met their needs and 92 percent considered the town as “business friendly.”

CHAPTER 2 NATURAL RESOURCES

INTRODUCTION

In planning for the future needs of our community, the environmental resources and limitations in the natural environment need to be considered. This is especially important given the high value residents place on the beauty, character and environment of Pine Plains. This chapter describes Pine Plains' major environmental features, including bedrock, surficial deposits, aquifers, relief, slope, soil depth and permeability, prime agricultural soils, drainage basins, surface waters, floodplains, and wetlands. A full examination of each natural resource can be found in Appendix 3. Each of these environmental features has characteristics that have different implications for future development. Careful attention to the opportunities as well as the limitations these natural resources represent is necessary to guide future development in a manner that maintains the natural beauty and economic viability of the Town of Pine Plains.

Pine Plains possesses a wide variety of natural features that lend diversity and beauty to the town. They include mountains, rolling hills, rivers, lakes and wetlands, floodplains, agricultural soils, and steep slopes. These features cover large areas of town.

Many of these natural features place constraints on how the town can or should develop. Wetlands cover significant portions of the lowland areas, and floodplains line all of the major streams. Because Pine Plains is at the headwaters of several major streams, including Wappinger Creek, the town's land use decisions can greatly affect surface water quality and flood conditions in downstream municipalities. Shallow soils or soils with low permeability cover much of Pine Plains, as do glacial till deposits which cannot always be relied upon to provide large volumes of groundwater. Productive aquifers underlie many areas but are also extremely vulnerable to contamination. Steep slopes are a common feature in Pine Plains.

Because of these constraints, Pine Plains should carefully tie its development policies to the natural limitations of the land. Several areas of the town have multiple constraints and should not be developed: Stissing Mountain, Thompson Pond and its associated wetlands, and most of Bean River Road. However, it is

Chapter 2 Natural Resources

important to be aware of constraints on a much smaller scale as well. Steep slopes, wetlands, floodplains, and poor soils can occur in small areas on any individual site, and development plans should respect these constraints by utilizing only the more developable lands on the site. Areas with few constraints include the town center as well as several existing hamlets (Mt. Ross, Bethel, Hammertown, Pulvers Corners) and a number of other previously mentioned areas in the town. There are natural boundaries on all sides of the town center: Shekomeko Creek to the north and northeast, steep slopes to the northwest and southeast, and wetlands to the southwest. These should provide a focus for new development.

Natural constraints provide opportunities as well as limitations. The networks of streams and wetlands, mountains and lakes, and hills and valleys with scenic views throughout the town are natural and recreational amenities that cannot be replaced. Stissing Mountain and Thompson Pond have been designated as one of the county's "significant Natural Areas" by the Dutchess County Environmental Management Council and is an area suitable for designation as a Critical Environmental Area. Under the State Environmental Quality Review Act (SEQR), local governments have the ability to designate specific geographic areas within their boundaries as "Critical Environmental Areas" (CEAs). Local agencies may designate as CEAs those areas that are of exceptional or unique character. Once a site has been designated as a CEA, that specific site becomes part of the statewide Type I list under SEQR. Any action occurring "wholly or partially within or substantially contiguous to any CEA (617.12(b)(11)) is considered to be a Type I action for any involved local or state agency. A number of areas in Pine Plains may qualify for such designation.

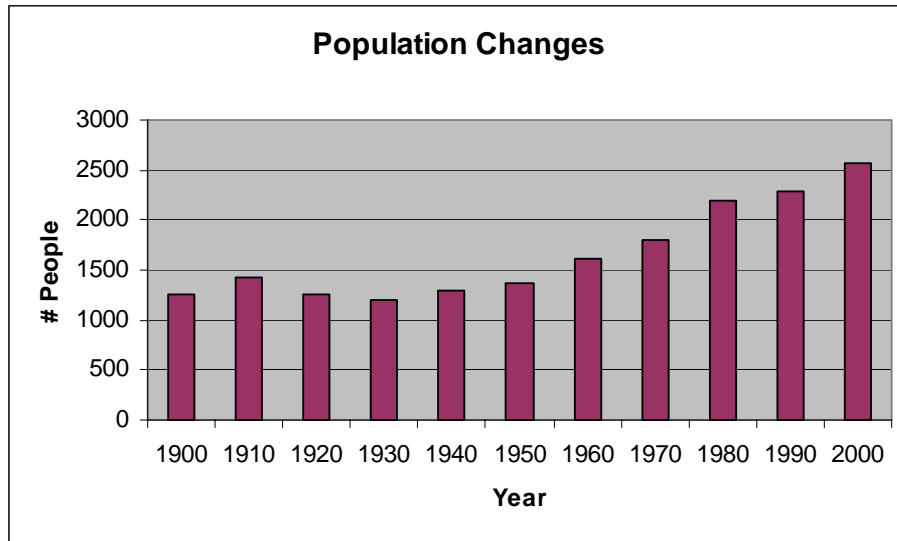
CHAPTER 3 DEMOGRAPHY

INTRODUCTION

An analysis of the size and characteristics of the existing population and an estimate of the future number of people living full-time in the Town of Pine Plains is an important step in the planning process. This population data can help decision makers to anticipate future community needs concerning land use, transportation systems, economic development, housing, and sewer and water facilities. This chapter examines past trends and current characteristics of the population and analyzes the factors contributing to them. Projections of future population are included as well. A full analysis of demographics can be found in Appendix 4.

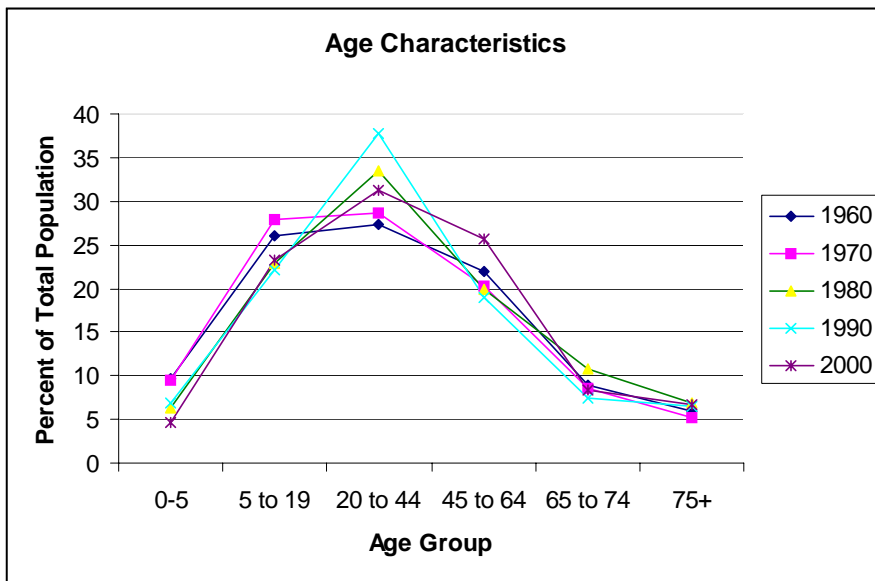
Population in the Town of Pine Plains has continued to grow at a steady rate since the 1930s. From 1950 to 1980, the town's population grew by 62 percent, with the largest increase occurring in the 1970s. This trend was largely a result of in-migration of people. During the 1980's population growth slowed to 4 percent followed by an increase of 12.3 percent in the 1990s. Of the 282 persons added during the 1990s, 68 percent migrated into the town while the remaining 32 percent (91 persons) were a result of natural change (births). Compared to Dutchess County, the rate of change in Pine Plains was almost double that found in the county overall. Compared to other neighboring towns (Milan, Northeast, Stanford, Rhinebeck), only Milan had a higher rate of population increase (18%) than Pine Plains. The other towns showed more modest growth levels of between 1.4 and 2.9%. The most recent projection suggests that the population in Pine Plains could reach between 2,792 and 3,240 persons in 2020.

Chapter 3 Demography



At the same time that total populations were growing, household size continues to decline. The average household size decreased from 3.24 in 1960 to 2.6 in 2000. Similar trends can be seen throughout the county.

Demographic data reflect trends towards more people in the mid-years (20 to 44) in Pine Plains. The percentage of population in the preschool and school age groups has been declining at a slow rate for the past forty years. The number of preschoolers declined from 9.6% of the population in 1960 to 4.6 in 2000. Between 1990 and 2000 there was an increase of persons aged between 45 and 64 and a small increase of those over 65 years of age. The largest gains during the last decade occurred in the 45 – 64 age group. Two hundred and twenty-two (222) persons were added in this category, which, as of 2000, accounted for 25.6 percent of the town's population. There has not been a sizeable increase in those aged over 75 years. Pine Plains has a much lower percentage of those aged 75 and older than the rest of the county.



In spite of substantial in-migration, the residency status of the majority of the population is still quite stable. Sixty-six percent of the town's population over five years of age lived in the same house since 1995. However, this figure is still decreased from 71.5 percent in 1980 (relating to those who lived in the same house since in 1975).

CHAPTER 4 ECONOMY

INTRODUCTION

An understanding of the local economy is important in planning for the needs of our community in the future. This chapter reviews trends in the local economy and presents information on employment, income, and commuting patterns. The intent is to provide a snapshot and perspective on the economy in Pine Plains. A full discussion of economic conditions can be found in Appendix 5.

HISTORY

Agriculture provided the base of Dutchess County's early development. As wheat farmers settled in the area, the agricultural economy grew and prospered. However, the opening of the Erie Canal in 1825 introduced competition from upstate and beyond, and many Dutchess farmers were forced to switch production to dairy. The region's economy flourished once again as the coming of the railroads made the New York City market accessible to Dutchess County's dairy products. At the peak, eighteen daily trains passed through four Pine Plains stations, many of them transporting products from the town's dairy farms.

Non-farm industrial development paralleled the growth of the dairy industry. Textile mills were located along creeks and streams in most settlements in the county. In the early 19th century, Pine Plains was the location of several industries: a tannery, a scythe works, and a mill. But after the civil war, textile production moved to the southern states, and factories in Dutchess shut down, causing migration out of the county. Then, during the Second World War, manufacturing industries developed again in southwestern Dutchess. Although the railroads were discontinued, improved highway transportation to all parts of the county spread out the population as well as the economic benefits. In particular, the Taconic Parkway brought commuters and seasonal residents to Pine Plains.

Manufacturing activities have not expanded into northern Dutchess, and agriculture has remained a major economic activity there. However, the nature of agricultural production has changed. As the means of production are

Chapter 4 Economy

mechanized, smaller farmers have been unable to compete effectively, and many have chosen to sell their land to larger farmers or to developers. The remaining farms have been consolidated.

Today, Pine Plains is a rural residential community. The agricultural base has changed and there are fewer commercial dairies and family farms. However the rural character remains. Horse farms have become more prevalent in the town and Pine Plains is attracting new residents, willing to commute long distances to work, those able to work in Pine Plains due to the Internet, and tourists and seasonal residents. Pine Plains may anticipate a number of changes brought on by these trends.

Pine Plains is continuing its transition from an agricultural, labor-oriented economy to a more professional, service-oriented economy, similar to a trend occurring elsewhere in the county. Incomes in Pine Plains have increased substantially over the past twenty years. However, they are still significantly lower than the county average.

There is only one large local employer, the Pine Plains Central School District. Due to the easy access to highways, many residents commute long distances to work in other towns. Other parts of Dutchess and neighboring counties provide large employment centers for residents who wish to live in a rural area and are willing to commute. These trends will have important implications for land use and facilities and services within the community. In particular the town can expect to be confronted with choices regarding the development of former agricultural lands.

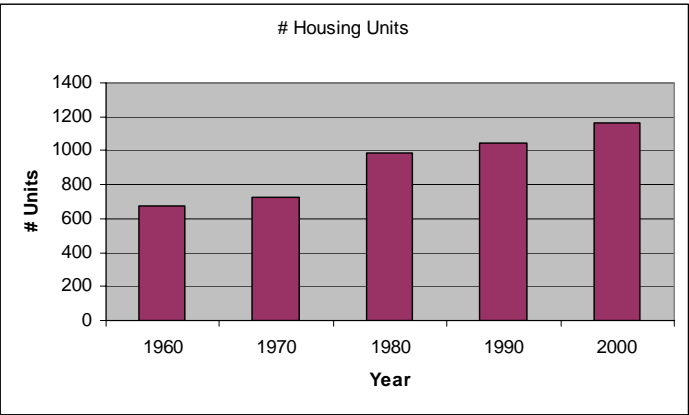
CHAPTER 5 HOUSING

INTRODUCTION

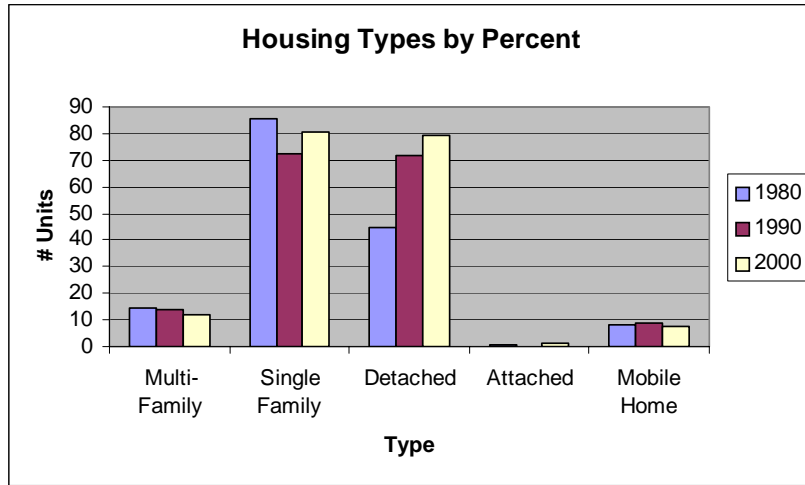
The 1987 Master Plan recognized that the growing demand for housing in Dutchess County and the entire New York Metropolitan area was leading to escalating housing costs for rental and owner-occupied units. The earlier plan suggested that Pine Plains assess its housing situation in terms of the needs of the current and projected population. This chapter examines data from the 2000 census (and earlier) regarding housing supply and characteristics and analyzes current housing costs and affordability and predicts future demand. A full analysis of the housing data can be found in Appendix 6.

Pine Plains had a 10.6% increase in the number of housing units. This is a higher rate than seen in the 1980's and is higher than the 8.7% county rate of increase. Seventy-two percent of all dwellings are single-family units; 14.1% are multifamily units and this is lower than the countywide rate. Pine Plains has double the percentage of mobile homes, as compared to the county as a whole. Fifteen percent of dwellings are considered vacant, but most are seasonal homes and would not be available for renters. The housing values have been relatively stable over the last decade and are significantly lower than other places in Dutchess County.

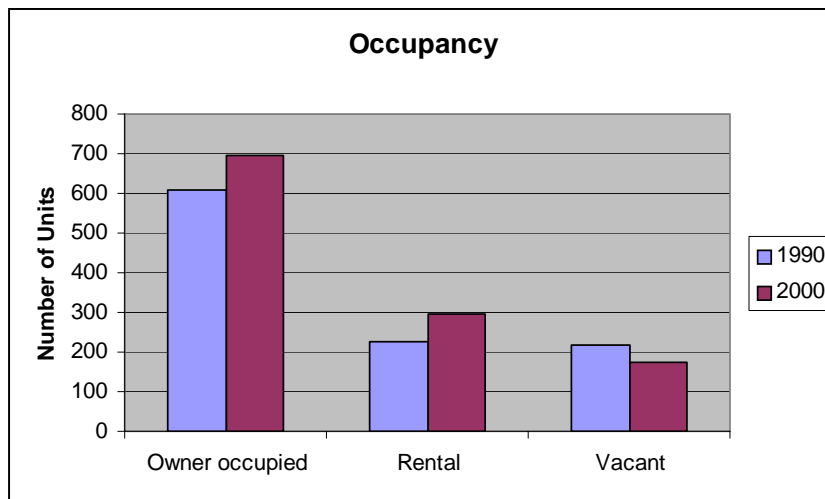
The housing affordability analysis shows that there are affordability issues in town. Pine Plain's affordability index of 2.69 indicates that the average household has to spend 2.69 times their annual income on housing. Nationwide, an index of 2.0 is considered affordable. Twenty-three percent of households have income levels that would not support purchase of an average priced home.



Chapter 5 Housing



Most of the housing units in town are detached, single family homes. There are few multi-family units and mobile homes. The largest percentage of housing units are owner occupied. Compared to 1990, there was a 14% increase in the number of rental units, and the number of vacant units decreased by 3.7%.



CHAPTER 6 COMMUNITY FACILITIES

INTRODUCTION

This chapter evaluates Pine Plains' community facilities and services in relation to current needs and projected demands. Such demands will depend largely on the extent and character of future population growth. Facilities and services examined in this report include: fire, rescue, and ambulance operations, police protection, medical care, the town hall, highway department, post office, library, school, recreation, water, sewer, and solid waste facilities. A water facilities and water needs assessment was done that looked at existing conditions, capacities, well head management areas, safe yield analysis, and aquifer characteristics. Additionally, a sewer facilities and wastewater needs assessment was conducted. This study concentrated on septic systems, and the ability of different areas of the town to support septic systems. See Appendix 7 for a complete discussion and analysis of these community facilities.

Since the 1987 Comprehensive Plan, many of the town's facilities have benefited from investment and relocation. The post office, highway department, and town hall have been moved to different locations and have more space for operations. Although the library is still in need of additional space, the problem is being addressed. Fire, rescue and police services are adequate. Volunteer services face increasing problems due to shortage of volunteer staff. There is no organized recreation plan, although adequate facilities exist. A recreation plan addressing walking and biking would be desirable.

The Town has not designated any wellhead area (as recommended by the county Water Supply Protection Plan) to protect municipal water supplies for the hamlet. The shallow sand layer aquifer is highly susceptible to water quality impacts of land uses and practices within the vicinity of the well. Several potential contaminant threats were identified within a one-mile radius of the drinking water supply wells. Of particular concern are septic system discharges, agricultural chemicals, highway salts, leaking fuel storage tanks and accidental spills. There is currently no management of these uses. The County Water Supply Protection Plan analyzed the potential nitrate loading for the water supply. This showed that at full build-out under current conditions, nitrate concentrations would rise to more than two times the planning goal of the County and in excess of drinking water standards.

Chapter 6 Community Facilities

An analysis of the soils in town shows that many areas have significant constraints for conventional septic systems. The “suitable soils expected for conventional septic systems” comprises about 12% of the surface area of soils in the time, the “limited soils expected” makes up about 19% of soils in town, the “marginal” soils expected comprises about 30% and the “unsuitable” soils make up about 39% of all soils in the town. With fewer than 31% of the soils expected to be either suitable or limited in their use for septic absorption fields, there are many soil limitations that will make construction of conventional septic systems more difficult, or more expensive to build.



CHAPTER 7 TRANSPORTATION

INTRODUCTION

This chapter examines transportation services and facilities in the Town of Pine Plains. Bus, rail, and air transportation are discussed. The road and highway network is examined in terms of regional access, traffic volumes and patterns, accident statistics, and road conditions and improvement plans.

The transportation system was evaluated including bus, railroad, air, pedestrian and bike system, and the road and highway network. Changes in traffic counts were analyzed to determine if any significant trends have occurred related to traffic or accidents. The highest traffic volumes are on Route 82 from Route 83 to the traffic light in the town center. Between 1992 and 2000, traffic on this section increased the most rapidly of all roads in Pine Plains, about 10% per year. Traffic on Route 199 is heavy also. Route 199 east of the town center has higher traffic volumes than the western section.

A downtown parking inventory was done to determine the availability of parking in the Hamlet of Pine Plains. There are about 57 spaces of municipal parking located within the town center with an additional 205 spaces on private properties. The total number of parking spaces has increased since the 1980's.

Pine Plains has reasonable access to bus, rail and air transportation. The road and highway network is the critical component of the transportation system in town. The majority of the workforce drives to work and most all activities must be reached by car. Lack of sidewalks and bicycle routes, particularly in the hamlet of Pine Plains further contributes to a dependence on autos locally as well.

A full set of data can be found in Appendix 8.



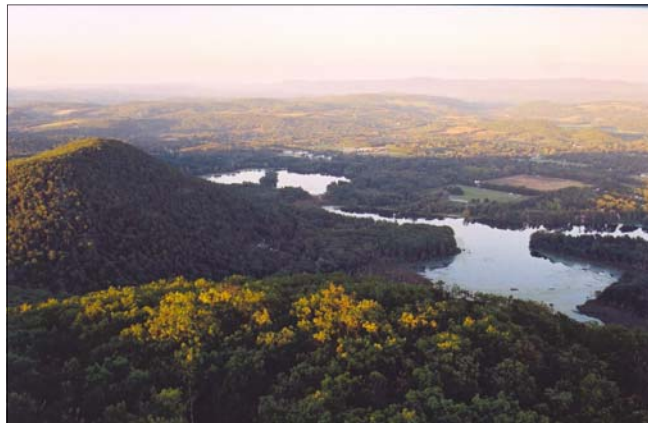
CHAPTER 8 CULTURAL RESOURCES

INTRODUCTION

Cultural resources are the natural and built elements of the landscape that are generally recognized as having significance based upon their historic, cultural, scenic, or environmental value. These resources are important to the community in many ways. They help establish the town's identity and contribute to the enjoyment of its residents. They serve as appropriate examples for future development, and they strengthen the business community by their attractiveness to weekend, summer and other short-term visitors. The special attractiveness of Pine Plains includes the historic homes, churches, and other buildings, the mountains and lakes, the extensive forest and farmlands, and other valued features such as significant monuments and trees.

In the public input phase of the planning process, residents were asked to identify scenic locations within town. A list of 61 locations was identified. Respondents consistently identified the following locations as being scenic. These are (in order from most frequently cited location):

- Stissing Mountain State Forest
- Stissing Lake
- Fire Tower
- Thompson Pond
- Twin Island Lake
- Halcyon Lake and wetlands
- Winchell Mountain Road
- Bethel Cross Road
- Stissing Mountain Road
- Schultz Hill Road – south of Johnny Cake Hollow
- Johnny Cake Hollow Road
- Stissing Lake Road
- Route 83 south of Bethel



Chapter 8 Cultural Resources

Silvernails/Hoffman Roads

Bean River area

Route 199 at Winchell Mountain Road

Shekomeko stream, north of Route 199

East of Bethel

Route 82, south of intersection with Route 83.

In the 1987 Comprehensive Plan, the community values survey conducted by the Pine Plains Planning and Zoning Commission documented historic and special features. Based upon that appreciation, the 1987 Pine Plains Comprehensive Plan encouraged the identification and preservation of those resources. In the most recent survey (2001), 95 percent of the respondents felt that the historic resources of the town should play a significant role in its future. Over 54 percent indicated that the current level of protection given in town regulations to historic resources was good to excellent. However, 20 percent had no opinion on this issue, while 18 percent felt the regulations were poor.

The Planning and Zoning Commission at that time compiled a list of cultural resources, with help from historian Helen Netter. This list includes recognized historic buildings as well as informally valued special features. Although it is not all-inclusive; it serves as a base for future efforts towards identification and preservation of the town's cultural resources. This list includes historical buildings, churches and monuments, the cemetery, the Lake House and the fire tower on Stissing Mountain, among others. See Appendix 9 for a full description of these resources.

Chapter 9 A VISION FOR PINE PLAINS

A vision statement was developed from public input received during the early phases of the planning process. Based on direct input from the survey and planning workshop, the following vision statement was developed:

"Our town's peaceful and rural character continues to make Pine Plains a charming and desirable place to live. Due to an active community and government, our natural assets are protected to maintain a high quality environment for all. Pine Plains remains a community where active agriculture is promoted and preserved. Natural beauty is protected and open lands exist for recreational use. The community is actively involved in preserving its historic sites.

A strong and prosperous town center is a defining feature of Pine Plains. The hamlet is attractive, has well-maintained properties, and is pedestrian-oriented. It caters to small businesses that are compatible with our rural and small town nature. Adaptive reuse of existing buildings in the town center is encouraged and facilitated.

Pine Plains has a strong sense of civic pride and spirit, and the community is involved in town activities and issues. Our responsive government has established, and enforces, local regulations, policies, and programs that work to maintain the character of our community. Quality services such as police, fire, and ambulance protection; solid waste and recycling; an improved transportation system, and an improved library facility exist for all. We have educational, cultural and recreational opportunities, especially for young people and senior citizens. A variety of well-maintained housing opportunities exist for people of all ages and income levels."

Chapter 10 CRITICAL ISSUES

Based on the written survey, the planning workshop, and analysis of data and trends in Pine Plains, the following issues have been identified (not listed in any priority order):

Public Services

- Issue 1: The town's library is insufficient in terms of size and services for its patrons.
- Issue 2: Surveyed residents and businesses both noted the need for town-sponsored recycling and local solid waste collection.
- Issue 3: Local police services may be duplicative due to the presence of both the State Police and the County Sheriff.
- Issue 4: There is a lack of volunteers for emergency services

Recreation:

- Issue 5: There is a need for more recreational programs and facilities. A noted gap in recreation opportunities exists for the town's youth as well as seniors. Specifically, there is a need for playgrounds for the very young. There is a desire for more access to open land and bike/hike paths. Continued access to hiking on Stissing Mountain was the most important recreational opportunity mentioned in the survey.

Town Center:

- Issue 6: Surveyed residents considered sidewalk conditions poor along Main, Pine and Maple Streets.
- Issue 7: The downtown town center area is in need of general repair and enhanced upkeep.
- Issue 8: The health of the town center as a focus point and primary economic location in town is a major concern for surveyed residents. Those surveyed fear that the town center could lose its focus as a center for business and community life.
- Issue 9: There are older buildings needing repair and renovation. Adaptive reuse of these buildings is important to maintain the town center's role.

Chapter 10 Critical Issues

Land Use Controls:

- Issue 10: According to those surveyed, the town's lack of zoning was one of the most negative features in Pine Plains. Most development has occurred outside of the town center, and unplanned or uncontrolled development is contributing to the loss of agricultural land and community character. Specifically, uncontrolled development and lack of proper land use control was perceived as the most significant threat to the rural character and quality of life in Pine Plains.
- Issue 11: There is a need for enhanced enforcement of existing local laws. Existing land use regulations and local laws regarding development do not address many of the issues important to town residents. Both residents and businesses feel that existing local laws are not adequately enforced.
- Issue 12: There is a lack of understanding of the town's site plan review and subdivision processes on the part of the general public. Residents need to understand the local controls in place, how they work, and what the review process entails in order to make efficient decisions that are consistent with the Comprehensive Plan.

Agriculture

- Issue 13: Surveyed residents recognized the town's loss of open space and agriculture as a significant threat to quality of life. There are few existing regulatory measures in place to protect these lands from further development. Furthermore, there are no local measures aimed at assisting in the profitability or viability of farming in Pine Plains.
- Issue 14: Productive and quality farmland is essential for maintaining the town's agricultural activities. However, much of the prime agricultural land is also relatively easy to develop for residential or commercial purposes. There are few existing local support programs (incentives, programs or regulations) to retain these lands as farmland.

Environment:

- Issue 15: There are several threatened, rare, endangered and protected plants and animals in the town.
- Issue 16: Surveyed residents feel that the town's future should be as a "historical, residential area with strong agriculture, culture, and tourism." However, development trends seen in Pine Plains are slowly changing these characteristics. Continued population growth and scattered development could lead to the loss of rural character and agriculture. There are few programs or regulations in place to promote, preserve or enhance the town's

environmental, cultural and aesthetic resources.

- Issue 17: There is a significant amount of vacant land available for development, as well as previously subdivided lands. This is especially true around the lake. Significant use of these lands for residential growth would change both the environment and character of the area. Those surveyed stressed the need for well-planned, controlled growth, rather than uncontrolled haphazard development.
- Issue 18: The town's aquifers do not receive sufficient protection (through land use regulations or otherwise). Inappropriate development in these areas could lead to contamination of the town's drinking water sources. Aquifers in the town's sand and gravel areas and those located in areas with limestone are particularly vulnerable to contamination due to their geologic characteristics.
- Issue 19: Water supplies are governed by the geology of the town and development patterns should reflect availability of water.
- Issue 20: One third of Pine Plains is covered by slopes of 15% or higher. These lands are highly susceptible to erosion, contribute to the town's scenery and vistas, and are locations that are often expensive to develop and install septic systems. Disturbance of ridgelines and steep slope areas of the Town can also contribute to loss of wildlife habitats and travel corridors, and can cause a decrease in water quality due to erosion and sedimentation. The Town has insufficient erosion and sediment control provisions for new development, and does not establish specific standards or practices designed to protect these vulnerable areas.
- Issue 21: A significant portion of the Town of Pine Plains has limitations to future development. Three-quarters of the town have one or more environmental features that are likely to make development difficult including wetlands, slopes, shallow soils, impermeable soils, and floodplains. A significant portion of the town poses limitations for use of conventional septic systems due to poor soils. In these areas, development may be limited, prohibited, or made more costly because alternative disposal systems or construction techniques may need to be implemented. Current town programs and regulations of land use do not adequately ensure protection of these resources.
- Issue 22: Potential sources of water contamination from residential septic systems and agricultural practices within the town's Wellhead Management Areas (WMA) exist. Both sources are managed by the individual landowner and are not directly regulated unless a complaint is filed with a State agency or a State agency otherwise detects a violation. Public water supplies need to be adequately protected in the future.

Population and Demographics:

- Issue 23: The population of Pine Plains grew faster than the county average during the 1990s. Continued uncontrolled growth at these levels could lead to degradation of several highly valued environmental features such as important agricultural lands, open spaces, and scenic areas.
- Issue 24: Following statewide trends, household sizes continue to shrink while the median age of the population continues to rise. The draw of the area as a seasonal or retirement location will have implications in terms of housing types and service needs.

Economy

- Issue 25: While incomes are rising, they are still lower in Pine Plains than the Dutchess County average.
- Issue 26: Low residential density and through-traffic in Pine Plains is considered a primary limitation on retail and commercial growth. There is a desire for enhanced small business and retail growth in Pine Plains. At the same time, however, residents desire to keep Pine Plains rural. Little land use and economic planning has been done to balance these needs.
- Issue 27: The town's residents desire small-scale commercial development and not heavy industry, franchise or retail chain development. However, guidelines or incentives are not in place to promote small businesses or deter larger entities or undesired uses.
- Issue 28: There is a desire for additional commercial growth, but that is done in a manner that is consistent with the traditional and rural character of Pine Plains. Guidelines, standards, or controls need to be strengthened in order to achieve this.
- Issue 29: Both residents and businesses stressed the critical need to maintain the strength of the town center as a focal point for business activity.

Housing

- Issue 30: There is a need for affordable housing in Pine Plains. Difficulty in finding housing makes it difficult to attract and maintain young families and can lead to increased use of mobile and other types of manufactured homes. According to the town's building permit records, there has been a significant increase in the number of mobile homes constructed in Pine Plains during the last few years. This could be a response for the need for more affordable housing. Large-scale use of this type of housing can negatively impact municipal and school tax bases because the amount of taxes received do not cover expenses spent for such properties.
- Issue 31: Many people indicated that unkempt properties and "slum"

landlords are a significant threat to the aesthetic beauty and quality of life of Pine Plains.

- Issue 32: A significant portion (32.6%) of the town's housing stock was constructed before 1940 (over 60 years old). While these structures can be prime opportunities for historical rehabilitation, they may also need substantial renovation, upkeep or replacement. If these units become uninhabitable, there will be an increased strain on housing prices and the availability of affordable units.

Transportation:

- Issue 33: Traffic levels and automobile accidents have increased on most major roads throughout the town.
- Issue 34: Most Pine Plains' residents commute alone to their workplaces outside of town by automobile.

CHAPTER 11 GOALS AND STRATEGIES

Introduction

This chapter outlines community goals and specific strategies that Pine Plains can implement to attain our vision. The following goals and strategies are presented:

Rural Character and the

Environment: The Town's natural beauty and rural character will be protected. This section outlines a variety of policies and programs that could be undertaken to reach this goal including designating critical environmental areas, establishing appropriate development standards to protect critical resources, and implementing a land use program that sets densities and development standards. This section also details recommended strategies to protect drinking water quality, including establishing a wellhead protection area and ways to protect open spaces.



Future Growth is Consistent with Pine Plain's Rural Character: New commercial and residential growth will be consistent with the cultural and environmental conditions of the area as well as with our rural character. This section outlines ways to promote growth that is consistent with the existing character in Pine Plains. Recommendations include strengthening existing design standards for Site Plan Review, implementing a land use program that sets densities based on the land's ability to support development, and using incentives as much as possible to reach the town's goals.

Maintenance of the Hamlet of Pine

Plains as the Town Center: The Hamlet of Pine Plains will be maintained as the town center and principal location for commercial, cultural, and residential uses. This section outlines ways the town can promote and encourage business development in the Hamlet of Pine Plains, protect and restore existing structures and ensure that new building is consistent with the character of the Hamlet, and



initiate a local Main Street program.

Farmland Protection: Productive farmland will exist to support a diversity of agricultural activities. This section outlines ways to reach this goal by ensuring that local laws in Pine Plains are “farm-friendly”, that local farmers take advantage of tax exemption programs, and that land use planning options are implemented to protect farmlands.

Housing Opportunities: A range of housing types in appropriate locations will be provided to meet a variety of housing needs. Housing will meet all public health and safety criteria. This section details ways to accomplish this goal by providing for cluster housing, ensuring that development standards do not prevent affordable residential opportunities, and by encouraging a variety of housing types such as accessory apartments.

Recreational Opportunities: A variety of cultural, recreational, and educational programs, facilities and opportunities exist for all ages. The Town should have a recreation plan that outlines needs and programs. Establishment of a local scenic byway program can promote local viewing routes as well as bike and hike paths.

Waste Management: Town-sponsored recycling and solid waste collection will be available to provide for environmentally sound disposal of wastes. This section recommends development and implementation of a solid waste plan for Pine Plains that includes a multi-town transfer station option.

Transportation: A safe and efficient transportation infrastructure will exist. This section seeks to prevent strip pattern development along the highways, promotes access management to prevent traffic congestion, and recommends highway specifications so that new roads are consistent with the rural character and low volume roads in Pine Plains. Alternative transportations such as bikeways and new trails are also recommended.

Historic Preservation: Historic elements and character, particularly downtown and in the hamlets will be protected. Recommendations to meet this goal include initiating a program to list places on the state and national historic register, consideration of initiating a local historic district review law, and initiate development design standards for new commercial uses that ensure that these structures respect and are compatible with historic settlement patterns, scale and design.

Enforcement and Administration: Local laws and ordinances will be effectively administered and enforced. A variety of ways are suggested to enhance enforcement and administration including using illustrated design guidelines, establishing a special permit procedure, reviewing wording and legal enforceability of local laws to give the code enforcement officer all the tools needed for effective enforcement, and providing for adequate staffing and training of enforcement personnel.

GOAL 1: RURAL CHARACTER AND THE ENVIRONMENT: The town's natural beauty and rural character will be protected.

A. The natural environment will be protected.

1. Development standards will help protect many critical resources in Pine Plains. Currently, existing standards are applied only to projects going through site plan review. The Town should strengthen these design standards as outlined in this plan, apply them to all new commercial development and adopt them as a local law. Existing design standards that are applied to projects undergoing site plan review should seek to avoid development where the following exist:

- ◆ Slopes greater than 15%,
- ◆ Shallow bedrock,
- ◆ High ground water and soils that percolate poorly,
- ◆ Flood hazard areas including the 100-year floodplain,
- ◆ Wetlands,
- ◆ Soil subject to erosion, and
- ◆ Along the fringes of water bodies or streams.

Specific recommendations include:

- ◆ Update and strengthen existing local design standards to protect natural drainage patterns and prevent flooding by controlling runoff rates and volumes. Performance criteria and thresholds for new development should be established to control stormwater runoff.
- ◆ Update and strengthen existing local design standards to ensure that erosion and sedimentation is adequately controlled.
- ◆ Consider adopting performance standards for commercial uses to

prevent pollution of the air, soils, or water, or to prevent other nuisances, such as excessive noise or odor.

2. Designate Critical Environmental Areas in Pine Plains. Designation of Critical Environmental Areas (CEA) in the Town is authorized under SEQRA, Part 617. CEA's are specific geographic areas that have exceptional or unique environmental characteristics. When lands are included in a Critical Environmental Area, any action proposed there that is subject to SEQRA would require a full Type I review and use of the Full Environmental Assessment form. While designation would not prevent development, it does offer the Town an enhanced ability to review proposals. Consider designating lands around Mud and Stissing Ponds, and Stissing Mountain as critical environmental areas. Other areas that could be considered include lands having limestone bedrock, important scenic locations, or areas having important wildlife habitats.
3. To strengthen local implementation of SEQRA, Pine Plains should establish its own Type I list (identification of those actions that are more likely to have negative environmental impacts) and establish appropriate thresholds as provided for by the law. In addition, Pine Plains should also ensure that a vigorous SEQR review is completed for new development proposals. Planning Board and Town Board members should have adequate training on SEQRA and its requirements. The SEQRA legislation, the SEQRA "Cookbook", and the Citizens Guide to SEQRA should all be available as reference materials in Town Hall.
4. Implement a land use program in Pine Plains that has as its primary goal, protection of the environment and rural character. The basic strategies of this program should be to: set appropriate development densities that match both citizen goals and environmental conditions; direct the majority of commercial and residential growth in and adjacent to the hamlets, especially the hamlet of Pine Plains; establish a wellhead protection area and management plan to protect water quality, and use enhanced design and siting standards to ensure that all new development performs to the high expectations of the community. In addition, the following principles should be incorporated:
 - ◆ Density, as measured by number of dwelling units per acre is more important than lot size.
 - ◆ Land use district boundaries, if any are established, should preferably follow ecological lines rather than lot lines.

- ◆ Development should be consistent with the Greenway Guide, as part of the compact signed between the Hudson River Valley Greenway, and the Town.
 - ◆ Future development should strengthen the hamlet areas and encourage higher residential and commercial growth there. Distinct boundaries between built and un-built areas should be maintained, as this is a significant feature of “rural character”.
 - ◆ Regulation should incorporate incentives to reach community goals as much as possible.
 - ◆ Land use regulations should focus on impacts of uses, rather than regulate solely by the type of uses.
 - ◆ Town, County and State highway departments should also make decisions consistent with Greenway goals.
5. Institute a land use program in Pine Plains that establishes appropriate densities and development standards to meet the goals outlined in this plan.

Various land use control techniques were evaluated to accomplish goals 1 through 10. The Special Board discussed the positive and negative impacts of a variety of techniques, including making no change to the current land use regulatory structure in Pine Plains. They evaluated techniques that ranged from methods that incorporated minimal changes to more complex situations, including conventional zoning. The recommended land use control method can, but does not necessarily need to be incorporated into a conventional or non-conventional zoning law. Rather, the guiding principles are that land use should be supported by the environmental conditions in Pine Plains, and that density and site layout, rather than the land use by itself are critical to meeting rural character and open space protection goals. The performance of a land use is critically important. The recommended land use techniques suggest establishing several districts where controls would be established to ensure that performance standards are met regarding location, siting and design, and density of development. For some districts, a structured “use schedule” is recommended to ensure that new commercial uses support, rather than detract from hamlet development and to prevent highway strip-style development. It would be desirable for Pine Plains to develop a comprehensive or unified land use law in the future so that time lines, procedures, and standards can be packaged together and coordinate the site plan review law, subdivision law, land use law, and other regulations that

may exist. The Town recognizes that the full range of zoning techniques should be available in developing its land use laws consistent with this Comprehensive Plan.

The recommended land use program includes, but need not necessarily be limited to, the following components:

A. Update existing subdivision regulations to include provisions that would allow clustering and conservation subdivision techniques. The subdivision review process should also emphasize siting new residences in a manner that optimizes maintenance of open space, the environment, and rural character. This should be formalized and incorporated into the local subdivision law.

B. Update the Site Plan Review Law and enhance design standards. Apply site plan review to all new commercial uses and develop a set of quality design standards that will work to maintain the small town character of Pine Plains. See also Recommendation 3, Page 34.

C. Establish different districts that regulate land use by establishing a development density and development standards. Each district would have a set allowable density and a set of design and performance standards appropriate to that district (see chart on page 37). Design and performance standards are discussed below. Density should be measured as the number of dwellings per acre, rather than a minimum lot size. The recommended districts are:

Hamlet – To include the hamlets of Pine Plains, Pulvers Corners and Bethel. It is recommended that this hamlet area should allow for the development of a schedule of permitted uses to allow for a variety of commercial and residential uses where building scale, massing and layout are be consistent with traditional development patterns.

Wellhead Protection Area – The boundaries of this district should follow that recommended by the county. For this area, establish a Wellhead Protection Management Plan and a regulatory structure. For boundaries, see Future Land Use Concept Map. It is recommended that a schedule of permitted uses be established to allow for development that is consistent with ground water protection.

Agricultural Area –To include areas that are currently being actively farmed or have the reasonable potential for agricultural uses. It is recommended that the agricultural area have development standards that encourage active agricultural use, and maximize open space and prime soils for agricultural use.

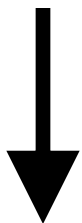
Conservation – The boundaries of this district should be established to include areas of steep slope, stream buffers, exposed bedrock, wetlands, and floodplains. It is recommended that the conservation area establish standards so that open space and critical environmental features are protected.

Non-Constrained – These are locations that have minimal environmental constraints and are not included in the above districts.

The Land Use Concept Map outlines recommended boundaries for these five districts. When density is established, Pine Plains should also offer a variety of incentives to developers in return for protection of open space, maintenance of agricultural areas, or provision of some other resource that would benefit the Town. Incentives such as density bonuses are described in this plan and are authorized under New York State Town Law.

Density of development would be regulated and siting standards as recommended in this plan would be required. It is also recommended that use of mandatory clustering and/or conservation subdivisions be required in certain districts or under certain circumstances. For example, these siting techniques could be mandated for all major subdivisions. Or, another example would be to mandate their use in the Conservation District.

General Density Recommendations by District

<u>Proposed District</u>	<u>Base Density</u>
Wellhead Protection	Lowest Density
Conservation	
Agriculture	
Non-Constrained	
Hamlet	
	Highest Density

Base Density by use of the Environmental Control Formula*

Base Density by use of the Environmental Control Formula*

* The Base Density in each district would be modified on a parcel by parcel basis by use of the Environmental Control Formula. The formula will allow density to be “fine-tuned” based on the specific environmental features of a site that constrain development.

B. High Quality Drinking Water is Available

1. High quality drinking water is available to those in both the water district and to those using private wells.
 - A. Provide for educational workshops, pamphlets or other tools to educate the public about Pine Plains water resources and how water quality can be protected. Some other ideas to promote public education, as suggested by the 1992 Water Supply Protection Plan for Dutchess County, are to place signs at the boundaries of wellhead protection areas, prepare news articles on water issues, and help people understand what Best Management Practices are and how they can be easily used to protect water quality.
 - B. Designate wellhead protection areas (WHPA) and adopt wellhead management plans for them. Use the 1992 Water Supply Protection Plan for Dutchess County and the recommended map as a guide for these tasks. (See Land Use Concept Map) The following are recommended components to be included in a wellhead management plan:
 - ◆ Prohibit some uses such as storage or application of chemicals, sludge, petroleum products, and use of or control of septic systems in designated wellhead protection areas. See page 7-12 of the 1992 Water Supply Protection Plan for Dutchess County for suggested schedule or regulated land uses. Minimize use of road salts along

principal roads within the WHPA's.

◆ Control development in the WHPA's. This can be accomplished by using one or more of the following options:

■ Permit all uses in these areas via a special use permit. A Special Use Permit gives the town the ability to review proposed developments, and set thresholds and standards for various uses.

■ Decrease allowable density of commercial and residential uses in the WHPA.

■ Set standards to protect water quality. This could include reducing the amount of impervious surfaces such as buildings and parking lots, treatment of stormwater, directing road drainage outside of the WHPA, and other performance or design standards. Ensure that Site Plan Review standards address drainage, stormwater and other features that impact water quality.

■ Acquire and protect land within the WHPA's through use of conservation easements, land purchases, or land banks.

C. Work with the Dutchess County EMC, Cornell Cooperative Extension, Dutchess County Soil and Water Conservation Association, the National Resources Conservation Service (formerly the Soil Conservation Service), and local farmers to help farms reduce nutrient and pesticide loading to groundwater from agricultural activities. Encourage use of agricultural best management practices, as well as development of farm-specific nutrient and pesticide management plans.

D. Do a comprehensive study of, and develop a management plan for, the central water system in Pine Plains.

E. Develop a sewage disposal management plan. This plan should include a needs assessment and evaluate the feasibility, advantages, and disadvantages of a variety of sewage management options. The needs assessment should include the capacity of existing on-site systems, identification of how much capacity is needed, and a determination of cost-effective options. Options could include de-centralized management of septic systems, clustered de-centralized systems, small on-site wastewater treatment facilities or package plants, and constructed wetlands.

F. Implement recommendations for either the Wappingers Creek area, or throughout the entire town as per the Natural Resource Management Plan for the Wappinger Creek Watershed. While the plan is for the Wappingers Creek watershed, the recommendations

are valid for all watershed areas in Pine Plains. See the Pine Plains Watershed Map for those watersheds. These could be implemented either in sections included in the design and siting standards, or included in a separate local law. Water quality goals can be achieved through implementation of various best management practices as described in the Wappingers Creek Management Plan.

C. Open space, including farms and forested lands is protected.

1. Discourage higher density housing in areas outside of the hamlet of Pine Plains.
2. Require developers to provide a specific percentage of open space in every project. An open space system for the site or subdivision (no matter how small) should be designed and integrated with adjacent natural areas, trails, or landscaping.

A. Protect prime and important agricultural soils. See also discussion of Farmland Protection Goal.

3. Future growth should be consistent with the Greenway Guide (Greenway Compact Program) for open space. This includes

- ◆ Minimize clearing of vegetation.
- ◆ Retain stone walls, hedgerows, and other rural elements.
- ◆ Place buildings and access roads in treelines or along the edges of fields in order to avoid construction in open fields or on ridgelines.
- ◆ Provide for setbacks from streams, lakes, and wetlands to protect water quality.
- ◆ Re-use farm roads or country lanes whenever possible, rather than constructing new wide roads.

4. Provide for use of conservation subdivisions in Pine Plains. Use of this technique could be



voluntary, mandatory in certain locations or in certain circumstances, a combination of all. This is a subdivision technique that allows development to occur on a site, where important open space features are protected through permanent conservation easements, or dedicated for public parkland. Conservation subdivisions are done in four simple steps:

- ◆ Identify important open space components on the property.

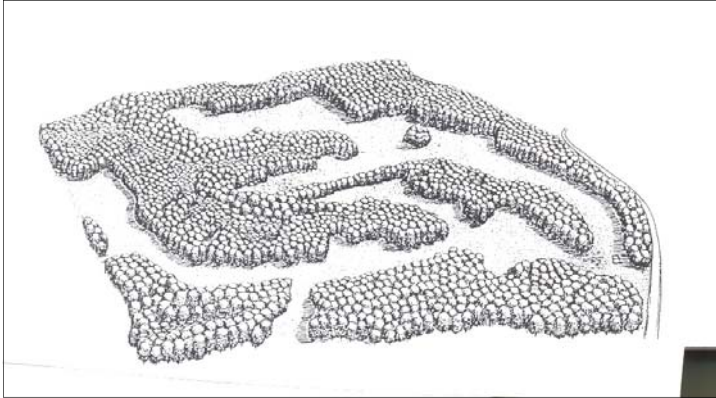
These could include agricultural lands, wetlands, floodplains, steep slopes, mature tree stands, views from the roads, aquifer recharge areas, significant plant and wildlife habitats, cultural features such as stone walls, barns, and other historic buildings. These areas are permanently protected through a conservation easement. Work to link these and other existing preserved open spaces to each other to form a town-wide network of open space.

- ◆ Potential house sites are located so that each one has physical or viewing access to the protected areas on the parcel. For agricultural lands, the most productive portions of the area should be included in the open space component.

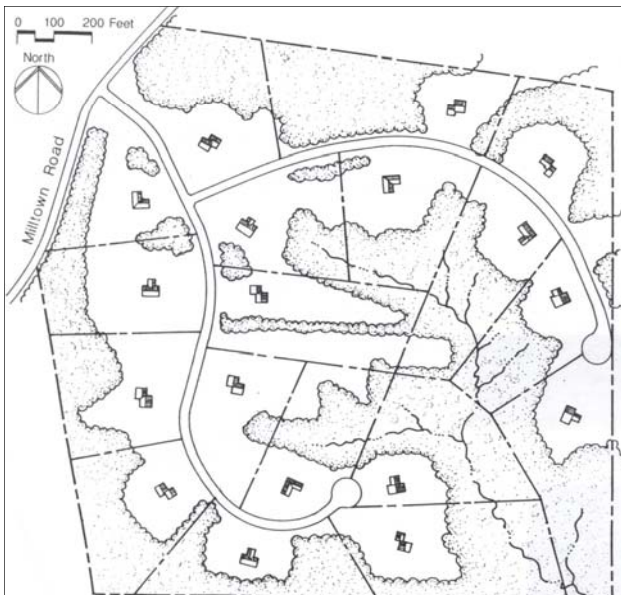
- ◆ New roads are located in such a way to provide access with limited curb cuts and driveways.

- ◆ As a final step, lot lines are drawn. Lot lines and lot size are the least important features of a conservation subdivision. This technique allows a variety of lot sizes and configurations to exist to meet affordable housing and environmental goals.

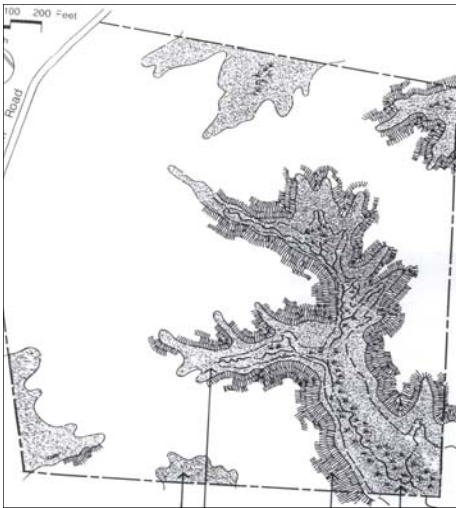
Example of A Conservation Subdivision (all illustrations from *Growing Greener*, by Randall Arendt, published by National Landmark Trust, 1999)



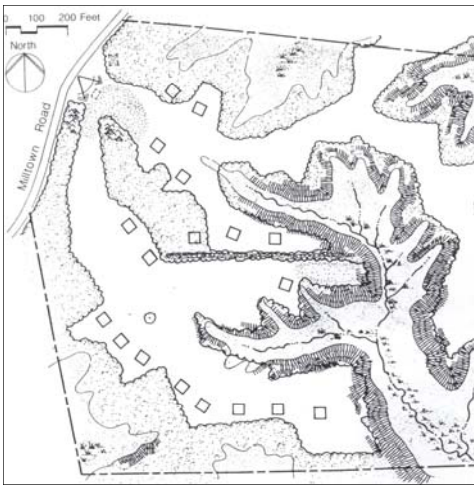
A birds-eye view of the development site before subdivision showing woods and open fields.



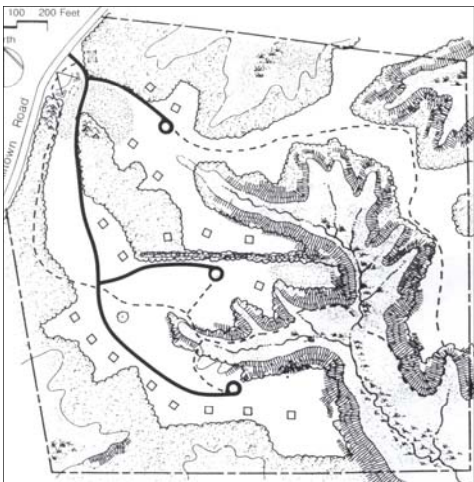
Lot layout of site showing a typical subdivision where no open space is preserved. This lot layout “yields 18 sites for building.”



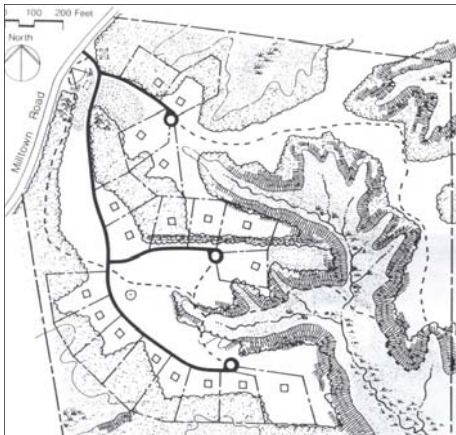
Step 1 of Conservation Subdivision design: identify areas to be conserved. In this example, wetlands, steep slopes over 25% and a 100-year floodplain are identified as critical areas to be preserved on this parcel.



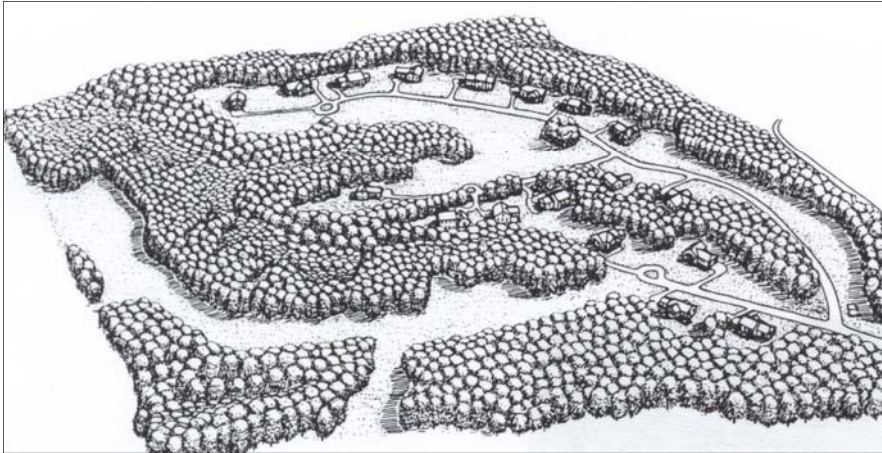
Step 2 of Conservation Subdivision design: locate house sites to maximize the number of homes with a view or direct access to the preserved areas of the parcel.



Step 3 of Conservation Subdivision design: align streets and trails. Streets should minimize new curb cuts from the access road.



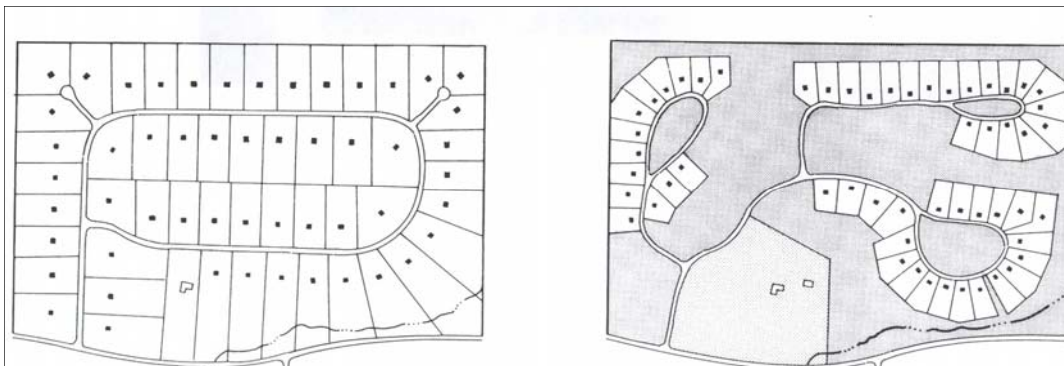
Step 4 of Conservation Subdivision design: draw in the lot lines. In this technique, lot lines are the least important task compared to a conventional subdivision where lot lines are drawn in first. Note that there are still 18 lots created in this subdivision at the same time that at least 50% of the site is preserved in an unbuilt condition.



A birds-eye view of what this site could look like fully developed through a conservation subdivision.

5. Allow clustering in the Town's subdivision regulations. Clustering can be mandated, or allowed on a voluntary basis.

This illustration shows a typical conventional subdivision (left) and a clustered subdivision (right) with three clustered “pods” of homes. At least 50% of the site is preserved as open space and the houses are clustered on slightly smaller lots.



GOAL 2: FUTURE GROWTH IS CONSISTENT WITH RURAL

CHARACTER: New commercial and residential growth will be consistent with the cultural and environmental conditions (such as water availability, steep slopes, wooded ridgelines, soil conditions, and the hydrogeology of the area), as well as with our rural character.

1. Use Map of Important Places as a guide to scenic locations that hold special significance to the residents of Pine Plains. Impacts on these, and other identified scenic areas should be considered when reviewing a proposal for development. The Planning Board should require use of the Visual Assessment Form during project review in order to evaluate impacts on scenic locations. Pine Plains can use guidelines published by the New York State Department of Environmental Conservation on visual resource inventory and assessment.
2. Work to educate the general public and potential developers on the importance of shaping the visual appearance of town. This can be conveyed to people in such ways as meetings, workshops, brochures or school-based programs.
3. Encourage high quality design and construction of new development and ensure that the architecture, site design, and site layout of proposed new structures enhance the character of the town by establishing illustrated building and site design standards. The design standards should have flexibility to meet the needs of specific projects while also insisting that they enhance the character of Pine Plains. See also recommendations made for Rural Character and also those made for the Hamlet of Pine Plains. The existing Design Standards for Site Plan Review should be reviewed and amended to ensure that the following areas are addressed:
 - ◆ Landscape designs
 - ◆ Parking location and arrangements
 - ◆ Sign lighting, styles, and placement
 - ◆ Walkway designs
 - ◆ Connections with adjacent properties
 - ◆ Architectural features such as scale, building materials, height limits, building mass, facades, and roof and window styles.
4. Provide for densities that are compatible with the lands' ability to support

development. The Town should consider one or more of the following methods to accomplish this objective including (see also the options for meeting goals):

A. Use of an environmental control formula to establish site-specific densities that are consistent with local conditions. With an environmental control scheme, a site's density is modified based on the specific environmental conditions found on that site. The premise of this technique is that the capacity of the parcel is based on the environmental characteristics of the site. The overall development intensity should be set by the community but also factor in environment constraints. Two methods for using an environmental control formula can be used.

◆ Identify areas in town that have extremely severe, severe, and moderate limitations, and areas unconstrained for development. Districts are delineated around each of these areas and a specific density is set for each. The development that is allowed on the site must be located away from those features that are considered environmentally sensitive. For example, a density recommendation for those areas having "extremely severe limitations" could be a density of .1 dwelling units per acre to be transferred to the developable portion of the site. Those areas with "severe limitations" could have a 0.1 to 0.2 dwelling unit density per acre, "moderate limitations" to have a density of 0.2 to 0.4 dwelling units per acre, and unconstrained lands could have a density of 2 dwelling units per acre. (Use of this technique would require the town to spend time determining what are extremely severe, severe, and moderately limited lands.) All development is transferred to the most developable portions of the site. For development proposed in areas where agriculture exists or could exist, this could be added to the density calculation. In this case, development should be transferred to those portions of the site that will have the least interference with agricultural activities.

◆ Another type of environmental control formula is when a multiplication factor is used on a site-by-site basis to determine appropriate density levels. **An example** of this multiplication factor, based on environmental features is as follows:

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Environmental Feature	Multiplication Factor
Open Water on Site	0.0 units
Wetlands	0.05 units
Flood Plain	0.2 units
Slopes over 10%	0.2 units
Preserved Historic or Archaeological Site	0.2 units
Aquifer Recharge	0.2 units
Non-constrained Land	1.0 units

The following **example** shows how this system using the environmental control formula could work. Under a conventional system where density was set at .5 dwellings per acre, this would yield 48.5 units:

Site Area is 97 acres and has a base density set at .5 dwelling units per acre (this is a density that is comparable to a two acre minimum lot size)

Site	Area	Density	Multiplication	# units
Characteristics	(Acreage)		Factor	You Get
Open Water	3	.5	.0	0
Wetlands	10	.5	.05	.25
Floodplain	5	.5	.2	.5
Slopes over 10%	10	.5	.2	1.0
Aquifer	1	.5	.2	.1
Historic	1	.5	.2	.1
Non-Constrained	67	.5	1	33.5

TOTAL SITE CAPACITY

35.45 units

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Using the environmental control formula in this example, 36 units would be permitted, with two on environmentally constrained land transferred to the non-constrained portion of the parcel.

B. Establish a Transfer of Development Rights Program. See also discussion on Farmland Preservation Goal.

C. Use incentive-based land use regulations that offer density bonuses in return for provision of a feature desired by the Town. New York State Town law Section 261-b authorizes incentive zoning. Create incentives so that people can “earn” back density by providing the Town with something in return. For example, you can set the density in agricultural areas to be 1 dwelling per 20 acres, but if they provide for cluster housing, or voluntarily place permanent easements on at least 50% of the property, they could be eligible for 1 dwelling per 5 acres. Incentives can be set up for protection of farm lands, open space, steep slopes, stream or wetland buffer areas, provision of creek access, historic preservation, or provision of dedicated affordable housing units, for example.

5. Provide designated areas for commercial development, primarily in or around the Hamlet of Pine Plains.
6. Encourage small businesses that are consistent with the needs of the community by providing tax incentives, solicitation of specific desired businesses, and developing grant-supported funds for façade improvements and revolving loan funds.
7. Encourage home occupations that do not disrupt neighborhood character.
8. Encourage the development of light industry in appropriate locations.
9. Encourage low-intensity tourism that takes advantage of and is compatible with the town’s rural character.

GOAL 3: HAMLET OF PINE PLAINS: The hamlet of Pine Plains will be maintained as the town center and principal location for commercial, cultural, and residential uses.

A. Promote and Encourage Appropriate Business Development in the Hamlet of Pine Plains

1. Promote and encourage business development to occur primarily in the Hamlet of Pine Plains. Through land use programs and regulations, encourage small-scale, non-franchise commercial development. Consider prohibiting trademarked architecture and identifying locations within the Hamlet that should be designated for retail commercial uses. Main Street and Church Street should be maintained as the prime location for retail businesses.



2. To encourage protection and restoration of existing structures to maintain the historic character of Pine Plains and to allow adaptive reuse, the Town should require new commercial development to be compatible with the setting, scale and design of surrounding architecture and landscape.
 - A. Consider establishing a local historic district in the Hamlet of Pine Plains that allows for municipal review of major exterior alterations. Develop an inventory of the historic elements of the downtown.
 - B. Ensure that any new land use regulation allows for new uses in existing buildings.
 - C. Consider adopting the new uniform building code developed by New York State. It offers more opportunities to allow for adaptive reuse than the existing uniform building code.
 - D. Seek all avenues of funding to initiate programs that will result in the renovation and reuse of buildings. Facade improvement programs and setting up a low-interest loan pool are among the most successful options to consider.
 - E. Establish commercial design standards suitable for hamlets. Pine Plains should develop a basic design vocabulary that incorporates those features that characterize the hamlet's architecture and setting.

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This design vocabulary should set out guidelines for buildings and landscape features so that new and old buildings share basic design elements that complement each other. Design standards should also include setbacks, building height, build-to-lines and lot-layout standards for new development that are consistent with traditional patterns. Road standards should be developed so that they are in keeping with rural and small community standards. The Town's site plan review design standards should incorporate these.

3. Any new development in the Hamlet of Pine Plains should be required to include new sidewalks, or ensure that existing sidewalks are maintained.
4. Encourage the use of service roads, common parking lots, parking lot connections, and pedestrian walkways to link commercial sites in order to avoid congestion of the main roadways. Access management techniques would be very beneficial in the hamlet. (See also Goal 8 Transportation for a discussion of access management.)
5. In order to slow traffic speed in the hamlet, work with NYS DOT and the Pine Plains Highway Department to implement traffic calming techniques on Main Street. Successful techniques include use of street trees, delineated pedestrian crosswalks, pedestrian islands, and "bulb-outs" of sidewalks, among others.
6. Consider design requirements (discussed above) that include enhanced sign and lighting standards to ensure that hamlet streets and buildings have a high aesthetic quality.
7. Consider adopting a local property maintenance law.
8. Locate or maintain important facilities such as town offices, the post office, library, and grocery stores in the town center.
9. When appropriate, allow limited, low-intensity, small-scale commercial uses to be located in the other hamlets.
10. Provide for a higher density and a wider variety of housing in the town center than in non-hamlet areas.
11. Create a parking plan and model to predict future parking needs. Consider using "The Parking Handbook for Small Communities" by John Edwards and published by the National Trust for Historic Preservation and the National Main Street Center as a guide to developing this model.

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This will help the Town establish realistic parking requirements for commercial structures and multi-family homes.

12. Develop a Vision for Downtown that captures the community's goals and expectations for the hamlet. This statement will help guide the decision making process to determine which program or programs (i.e. Main Street, business improvement district, or historic district) are appropriate for Pine Plains. The vision should be established through a community effort that includes a variety of age groups representing residents, businesspeople, and landowners.
13. Initiate a Local Main Street Program.

Key components of a Main Street Program:


- ◆ The program should be comprehensive and not concentrate on an individual or disconnected set of projects but rather focus on the whole.
- ◆ Develop “easy-to-achieve” initial steps such as improving window displays or cleaning up litter. These first successes will generate confidence and announce to the community that the program is truly working towards bettering the hamlet and is capable of achieving stated goals
- ◆ Involve a variety of age groups and socio-economic classes to represent residents, business owners, and public officials on committees and projects.
- ◆ Focus on what makes the hamlet / downtown area special and unique. Identify existing assets and liabilities and then expand and enhance assets while rectifying or eliminating liabilities.

While there is no “official” New York State Main Street Program, there are many resources available to local municipalities to develop a successful program. Some of these include:

- ◆ The National Trust's National Main Street Center works with communities to help revitalize historic and traditional commercial areas. The organization offers several step-by-step documents outlining the procedures to implementation, program review, and achieving success. Their staff is also available for local consultation. The National Main Street Center can be contacted at www.mainst.org or (202) 588-6219.
- ◆ The New York State Main Street Alliance, administered through the

Cornell Community and Rural Development Institute (CaRDI), is fashioned on the national program (although there is no official association). The CaRDI program offers a “community and economic development toolbox” that is “intended to connect people with resources and information they need to strengthen the capacity of their communities.” While this program is not directed solely at main streets and downtown areas, the resources and staff do provide substantial support to commercial revitalization efforts. The Main Street Alliance can be contacted at: <http://www.cardi.cornell.edu/nymasa/index.cfm> or (607) 255-9510.

◆ New York’s Empire State Development (ESD): ESD recently initiated a Main Street grant program (administered through the Small cities Office). However, there is no schedule for future rounds of funding opportunities. Pine Plains should keep in contact with both ESD (800) 782-8369 and the Small Cities Office (518) 474-2057 to keep aware of future grants through this program.

14. Initiate a Pine Plains Business Improvement District (BID) for Hamlet businesses. A BID is a downtown management tool that allows commercial districts to develop, fund, and administer programs and services targeted solely within the district. BID’s can provide services such as business retention and recruitment, marketing, professional management, maintenance, safety and security, and streetscape improvements. For more information see Article 19 (a) of New York State’s General Municipal Law. Some of the advantages of local BID’s include the ability to provide additional and enhanced services that will improve the business environment, and the opportunity to take advantage of professional management techniques that can enhance the district and strengthen economic capacity.
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15. Work to connect hamlet businesses with area chambers of commerce. Typically, these organizations can offer technical assistance on a variety of topics such as writing business plans, accessing loan funds, and understanding tax laws.
 16. Work with local small business development centers to ensure that Main Street businesses know how to access their services. Ensure that small businesses have access to funds for business expansion and building

rehabilitation.

17. Develop a micro-enterprise program. Small businesses drive local economies. Typically, they are locally owned and operated, meaning the profits made remain in the community and further enhance the economy. A micro-enterprise program would serve to foster growth of these types of businesses by helping them through the most difficult initial years of operation. Some of the resources that could be provided at low-cost or free of charge include physical resources such as supplies, office space, equipment, money and capital and skills and technical assistance including management, operational, marketing, financial, legal, and administration.
18. Other ideas to achieving an active, vibrant, and economically successful downtown include:

- ◆ Initiate a locally grown or buy local program.
- ◆ Promote downtown as a great place to be. Ensure that there are cafes, libraries or bookstores, and places to sit and enjoy the environment (even open air movies in a park).
- ◆ Ensure that the transition zones between the public areas and private enterprises (such as window displays, porches, and alleyways) are attractive and safe. For example, fill empty windows in vacant buildings with displays such as school artwork, photos, or historic information. Always remember that the main street experience should be enjoyable for the pedestrian – think of the downtown core as an outdoor mall
- ◆ Develop a “Hamlet of Pine Plains” web site and brochure that focuses specifically on the businesses and events in the hamlet. These promotional items should include:
 - Introduction and history of the hamlet and the downtown program
 - Photos
 - List of existing businesses with addresses and phone numbers
 - Available office or retail space
 - Calendar of upcoming events such as concerts, fairs, or festivals
 - Directions and a map of the area that highlight businesses and

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historic locations.

19. Manage downtown professionally and efficiently. Small towns and hamlets will always find difficulty in competing head on with national chains, shopping malls, and big box centers. However, the downtown should learn and borrow some of their best management techniques such as hiring a full-time professional downtown director and maintaining a high standard of maintenance for public spaces. Put in place a financing mechanism that ensures reliable funds to implement revitalization efforts. This could be in the form of a revolving loan fund or small grant program.



GOAL 4: FARMLAND PROTECTION: Productive farmland will exist to support a diversity of agricultural activities.

A. Ensure that local laws in Pine Plains are “Farm-Friendly”

1. Protect agricultural operations from disruptions or constraints associated with adjacent non-agricultural development. Pine Plains should implement a local Right to farm law to enhance protection of agricultural operations and support the local farm community.
2. Promote the use of conservation easements to preserve agricultural lands. Work with non-profit organizations, such as the Dutchess Land Conservancy, Scenic Hudson, the Open Space Institute, or American Farmland Trust to develop a local purchase of development rights (PDR) program that can match County and State funding sources to leverage as much protection as possible.
3. Consider offering additional local tax incentives for landowners who voluntarily protect their farmlands through conservation easements or other mechanisms.
4. Explore possibilities for additional tax incentives for agricultural properties.
5. Ensure that local laws, including any future land use regulations, are “farm-friendly” and do not place undue restrictions on agriculture.
6. Identify and encourage new commercial uses that support the farming industry. Consider working with Cooperative Extension, the County Soil and Water Conservation District, and the County Economic Development Corporation to identify what types of new and transitional farm operations and related infrastructure businesses Pine Plains could seek to attract.
7. Work to educate local farmers and landowners about the NY FarmLink program, which is a state program designed to help transition farms from one person or generation to the next.
8. Ensure that all provisions and procedures of the New York State Agriculture and Markets Law 25AA, Sections 305 and 305-a are followed. This includes requirements for completion, by public agencies, of a “Notice of Intent”. This notice recognizes the important role of agriculture and seeks to avoid adverse farm impacts before public dollars are spent or land acquired for public projects. Section 305-a requires local planning and land use decision making to recognize the policy and goals of the agricultural district’s law and to avoid unreasonable restrictions or

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regulations on farm operations within Ag districts. It requires an agricultural data statement, notice to affected landowners, and an evaluation of the potential impacts of a proposed land use when it is in or adjacent to an agricultural district. Planning Boards are required to fulfill these obligations to ensure that local land use decisions are not at odds with the policies of the Agricultural Districts law.

9. Make sure local farmers know about and take advantage of the farm building exemption portion of the Real Property Tax Law; Section 483; NYS Farmers School Tax Credit; NYS 480A Program for Forestland; NYS Historic Barn Credit Program; and the NYS Barn Rehabilitation Cost Share Program.
10. Ensure that assessors educate farmers, and continue to offer agricultural exemptions to qualifying farmers according to New York State Ag and Markets 25-A. When land is taken out of production, enforce the required tax abatement roll-backs (penalties for farmland conversion to non-farm use).
11. Work with the County to encourage farmers to develop long-term planning options for their properties. Provide an incentive for landowners to do so.
12. Officials, landowners, and real estate agents should be familiar with and work with the New York FarmLink Program. This is a program designed to match new, incoming farmers with those who desire to sell their farms. (FarmLink Program staff can be reached at 1-800-547-3276.)

B. Land Use Planning Options for Farmland Protection:

1. Designate agricultural land use districts to incorporate prime farmland soils, and active agricultural lands in Pine Plains (See Strategies for Goal 1 and 2, above).
2. Consider use of environmental control formulas to determine appropriate site capacity (net density) to establish the number and size of residential parcels allowed to be subdivided from farmlands or open space in agriculture and conservation districts.
3. Develop standards for the local building code and subdivision regulations that ensure that new houses will be optimally placed. Ideally, decisions on siting should involve participation by the owner and the Town, taking in to consideration protection of productive farmlands,



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open space, encroachment either visually or physically on neighboring property and maintenance of a harmonious character for the proposed construction. Siting and layout should take into consideration but is not limited to the following suggestions:

- A. Siting should take into consideration where the most agriculturally productive or potentially productive portions of a parcel are. Optimally, houses should be placed on those portions of the parcel that are the least agriculturally productive locations.
 - B. Siting should consider any existing farm or field roads that are on or near the parcel. Optimally, new development should not prevent farmer's access to fields. Conversely, it may be feasible to incorporate an existing farm access road into the design of the parcel to avoid additional curb cuts from the main road.
 - C. Siting should avoid placement of a structure in a manner that increases the likelihood of negative interactions between new residents and adjacent farms. **New, non-farm uses should be required to provide vegetative or other kinds of buffers between the new structure and the farm to ensure that existing agricultural uses are not negatively impacted by new adjacent uses.**
 - D. Specific characteristics of a parcel that may exist such as hedgerows, stone walls, forested areas, open fields, and important scenic views should be identified and understood. Optimally, siting should avoid placement of a structure in the middle of an open field, and instead should favor edges of fields, and along hedgerows and forests edges. This will result in maintenance of potential agricultural uses as well as overall rural character. Structures placed in a way that does not block important views from the road would help maintain scenic resources for all. Careful placement and setbacks appropriate to each individual parcel can minimize intrusion of new buildings on the landscape and can minimize impacts of new structures on adjacent agricultural operations.
 - E. Siting should avoid wetlands, floodways and floodplains, steep slopes (over 15%), rock outcroppings to meet environmental protection goals.
 - F. Lower topographic locations on the parcel where development will be visually less intrusive is preferred.
4. Revise road frontage, and front and side yard setbacks to allow for flexibility in site design.
 5. Authorize development to utilize clustering or conservation subdivisions for protection of productive farmland and open space.

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6. Consider the agricultural areas as priority locations to apply any purchase of development rights program (PDR) program and protection incentives.
7. Offer tax incentives in these areas for protection of open spaces and farmland.
8. Consider use of a Transfer of Development Rights (TDR) program. A TDR program is when development rights are transferred from one lot, parcel, or area of land to another. Sending areas (the locations that are to remain undeveloped) and receiving areas (the locations that are suitable to be developed) should be delineated.
9. Consider setting a low density to reduce development pressure on farmland. Concurrently with setting this density, offer a density bonus incentive when landowners/applicants provide desired features such as clustering, conservation subdivisions, preservation of agricultural land, significant environmental features, donation of conservation easements, provisions of public access, provision of affordable housing, etc.

GOAL 5: HOUSING: A range of housing types in appropriate locations will be provided to meet a variety of housing needs. Housing will meet all public health and safety criteria.

1. Allow for cluster developments in your subdivision law. These types of developments can meet a variety of housing needs and preserve rural character simultaneously. Should clustering be used, the Town should **not** impose a minimum size parcel where clustering can occur because this tends to increase costs.
2. The Town should ensure that its development standards do not prevent affordable residential opportunities. The Town should recognize that some standards result in higher development costs. Required lot size and dimension standards should:

A. Minimize street-width requirements and right-of-way widths. A right-of-way width of 50', along with a 24-foot pavement width, as currently required, are quite wide and are probably wider than existing town roads. Construction of a wider roadway adds to the cost of purchasing land in a subdivision. Reduced standards not only reduce costs, but also are more consistent with rural character.

B. De-emphasize minimum lot size requirements. A minimum of 20,000 square feet (approximately ½ acre) is currently required in Pine Plains. This size is beneficial because larger minimum lot sizes (such as 3 and 5 acres) are less affordable, tend to not provide for a variety of housing, and do not do an adequate job of protecting rural character. However, setting this small minimum lot size uniformly throughout the Town does not set appropriate

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densities of development that may be needed to meet other goals of this plan. Use of a true density measure of units per acre, is a more appropriate mechanism to set density.

C. Allow for smaller lots. Lot widths and lot frontage requirements can also influence the style, type, and affordability of houses. Smaller lot sizes are more affordable. Current subdivision law requires 50' of road frontage and a 125' width requirement at the building line. This not only influences affordability, but also tends to result in conventional style subdivisions with uniform building placement and lot dimensions. This would likely not meet Pine Plains' goals for preserving rural character.

3. Encourage housing options by creating incentives for provision of low and moderate-income housing as part of a proposed development. Offering developers a density bonus can be an effective incentive.
4. Consider establishing local regulations that concentrate new residential development in areas that can be most economically served by existing roads and services, such as in hamlet areas, and in locations that are environmentally suitable.
5. Local laws should allow for use of one accessory apartment in existing homes, provided it is in keeping with the character of the area. Regulations should also allow for use of elder cottages. Elder Cottage Housing Opportunities (ECHO) are small factory built-housing units that are placed as a secondary residence in the yard of a relative's home. They are similar to an accessory apartment, but are contained in a separate structure. ECHO's are portable, and are moved to another location when the person they were built for no longer inhabits it. They can be placed on temporary foundations in side or rear yards and must have their own utilities. Construction costs for ECHO's are typically much lower than other types of housing, and can range from \$16,000 to \$30,000.
6. Allow for the development of apartments in the Hamlet of Pine Plains through conversion of existing residential and non-residential structures.
7. Limit multi-family attached housing to two, three or four units per building in order to ensure continuity of scale for housing in the community. Ensure that adequate off-street parking is available for all multi-family units.
8. Require developers of large-scale nonresidential uses (office parks or industrial facilities, for example) to build housing, or to pay a fee in lieu of construction into a housing trust fund.

A. Allow a variety of housing opportunities including single, double, and multi-family units, and use of manufactured housing (modular, panelized and pre-cut construction) or factory-built HUD-Code housing (commonly referred to as a mobile home) in local land use regulations.

GOAL 7: RECREATION: A variety of cultural, recreational, and educational programs, facilities, and opportunities will exist for all ages.

1. The Town should develop a recreation plan that considers the needs of all age groups, but especially provides enhanced opportunities for teens and senior citizens. Consider appointing an ad-hoc committee to explore the options and feasibility of new town-sponsored recreational activities. The recreation plan should also actively pursue private-public partnerships in providing for and promoting activities. Of special interest in exploring should be more bike paths, hiking trails, enhanced public access to preserved open lands, and on-going maintenance of Stissing Mountain trails.
2. The Town should promote the coordination of town facilities and services such as the library, town hall, police department, potential indoor recreation facilities and other town offices to allow convenient access to and sufficient space for all activities. Consider establishing regular communication with the school to work towards opening up the school recreational and cultural resources to the entire community.
3. Consider establishing a local scenic byway program and promote viewing routes. Scenic resources could be identified in part from the information contained in this Comprehensive Plan and in part through implementing the NYS DEC's recommendations on conducting visual assessments.
4. Develop a capital improvement program that includes plans and budgets for recreation facilities and programs. This should be tied to the recreational plan described above. Should new publicly owned land be needed to provide for recreational opportunities, the Town should seek funds to acquire land.
5. Consider appointing a recreational committee to develop an inventory of recreational, cultural, and educational opportunities in and around Pine Plains. These opportunities should be actively promoted to all town residents and visitors.
6. Seek to improve coordination and funding of existing recreational programs.



WASTE MANAGEMENT: Town-sponsored recycling and solid waste collection will be available to provide for environmentally sound disposal of wastes.

1. Develop a solid waste management plan that includes provisions for recycling. The options could include a multi-town transfer station. The Town of Pine Plains could join with other adjacent towns to build and operate a solid waste and recyclable transfer station for use by the residents of all participating towns. Smaller communities often find that sharing services among adjacent communities can be beneficial to taxpayers. The Town of Pine Plains could approach the Town of Northeast regarding the possible sharing of a transfer station. The Town of Northeast is to the east and southeast of the Town of Pine Plains. The Hamlet of Pine Plains is only 9 miles by road from the Village of Millerton, which is the major population center in the Town of Northeast. The principal disadvantage of sharing this with the Town of Northeast is that some residents would have to travel farther to reach the transfer station. Potential funding sources to implement this strategy could be the Environmental Protection Fund (EPF): Municipal Waste Reduction & Recycling Program (MWR&R). This program, administered by the NYS DEC has enhanced municipal recycling infrastructure through purchase of equipment or construction of facilities. The Clean Water/Clean Air Bond Act of 1996 (Bond Act): Municipal Recycling Projects has extended the funds available to the MWR&R program to fund eligible recycling capital projects on the MWR&R waiting list. Both the MWR&R grants and the Bond Act loans can assist the Town in building a transfer station or multiple convenience stations. However, the eligible costs would be limited to those portions of such facilities that are dedicated to recycling.

TRANSPORTATION: A safe and efficient transportation infrastructure will exist.

1. Discourage development in a strip pattern along major roadways. Land use patterns that encourage commercial development in the Hamlet of Pine Plains or at specific nodes will prevent strip commercial centers.
2. Access management techniques should be applied through land use regulations and/or subdivision regulations, along all areas of state and county roads. This will limit the number of new driveways and/or curb cuts along these routes. Access management techniques could include use of shared driveways, alleys, and establishment of minimal separation distances of curb cuts. NYS DOT offers assistance in access management through their Arterial Management Team – Mobility Management Group in Albany. The Town should have on file access management guidelines produced by NYS DOT.
3. Review and revise local highway specifications to ensure that new roads are built to rural road standards. This will help slow traffic and ensure that new roads are consistent with the rural character of the Town.
 - A. Local roads should be classified as recommended by the Local Road Classification Task Force of New York State: low-volume collector (collects traffic and channels it to higher level roads such as arterials and interstates); residential access (provides access to residences); farm access (provides access to a farm's center of operations including the residence); agricultural land access (provides access to farm land); resources/industrial access (provides access to industrial or mining operations); and recreational land access (provides access to recreational land including seasonal dwellings and parks).
 - B. Consider reassessing and revising local highway specifications so that new potentially public roads have road widths and posted speed limits that are consistent with rural road standards such as:
 - ♦18 foot wide pavement with 1-2 foot wide gravel and grass shoulders for roads with a posted speed limit of 35 mph and 50 to 400 vehicle trips per day.
 - ♦16 foot wide pavement with 1-2 foot wide gravel and grass shoulders for roads with a posted speed limit of 35 mph and less than 50 vehicle trips per day.
 - ♦16 foot wide pavement with 1-2 foot wide gravel and grass shoulders for

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roads with a posted speed limit of 25 mph and less than 100 vehicle trips per day on cul-de-sacs. Cul-de-sacs should be limited in use, but where allowed, these road standards could apply. Cul-de-sacs also have other standards that should be implemented to prevent over-building and excess costs. These could include: limiting the length to prevent isolation and difficulty in reaching the end in an emergency; limited the number of houses to 20 along a cul-de-sac; and preventing excessively wide turnarounds such as with a 30 foot radius and a 10-foot right-of-way. For very low volume cul-de-sacs that have 10 or fewer homes, consider a T or Y turnaround to limit the road surface needed.

4. The Town's subdivision regulations should take into consideration methods to control future traffic congestion by reducing the number of driveways from a subdivision to an arterial road. These techniques include: restrictions on the number of driveways that are allowed from a subdivision to the arterial; use of shared driveways and/or access roads to the public roadway; setting minimum separation requirements for driveways; and requiring that the subdivided properties will have driveways entering to the lowest classification of road serving the property.
5. Work with the Hudson River Valley Greenway, New York State Department of Transportation, and the County Highway Department to develop alternative transportation opportunities such as shared roadways and bike paths. A bikeway plan should designate roads and new trails that offer safe and convenient bicycle access between residential areas, the downtown in Pine Plains and recreational areas. These bikeways should be actively promoted in all future road improvement plans.
6. Develop a town road improvement plan that is incorporated in a five-year capital improvement plan. This will help plan and budget for road needs in an efficient manner.
7. Support the further development of public transportation in the town.

HISTORIC PRESERVATION: Historic elements and character, particularly downtown and in the hamlets, will be protected.

1. Initiate grant-writing efforts to gain funding for historic preservation activities. Initial funding requests should concentrate on providing assistance for façade rehabilitation and structural rehabilitation that will enable existing structures to be adaptively re-used.
2. Participate in the State and federal programs that exist to help with historic

preservation and restoration.

3. Consider initiating a program to list historic structures, districts, and landscapes in Pine Plains on the National and State Historic Register. A substantial amount of the hamlet of Pine Plains is likely eligible for listing as a National Historic District. The Town should work with the State Historic Preservation Office and local historic groups to identify and inventory appropriate locations. When a property is listed, or determined to be eligible for listing, property owners can take advantage of several benefits including:
 - A. There are **no** restrictions placed on structures or owners of registered properties in a national historic district.
 - B. Owners of certified historic properties may take a 20% federal income tax credit for the costs of substantial rehabilitation.
 - C. Registered properties receive a priority consideration from federal and state agencies in space rental or leasing.
 - D. Registered properties and those determined eligible for the Register receive a measure of protection from the effects of federal and/or state agency sponsored, licensed or assisted projects.
4. Consider developing a local historic district law and designate historic districts, especially in the hamlet of Pine Plains and around important sites such as Mount Ross and Hammertown to protect the exterior facades and historic character of these areas. A local historic district requires establishment of a review process for any action that would alter the exterior of a building included in that district. This is often accomplished through the planning board or through an historic review board. Owners of buildings in a local historic district can also receive a variety of tax benefits and properties in such areas usually have higher property values. National Historic District boundaries and locally designated district boundaries don't have to match, although they can be exactly the same.
5. Require new development located in or adjacent to a town-defined historic site or district to be compatible with the setting, scale, and architecture of existing features.
6. Develop building design standards for new commercial uses that ensure that these structures respect and are compatible with historic settlement



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patterns, scale and design, especially in the hamlet. These design standards should be illustrated, well defined, and based on local standards, patterns and preferences. In the hamlet areas, ensure that setbacks are short to require buildings be placed near the street. This can help conceal parking areas as well as make sign and landscape designs effective at smaller scale. Consider including in the design standards an illustrated summary of the Town's existing architectural and historic heritage.

ENFORCEMENT AND ADMINISTRATION: Local laws and ordinances will be effectively administered and enforced.

The Town should ensure that rigorous reviews of new development are conducted for each proposal. Specifically, all requirements and procedures should be followed.

1. Ensure that all provisions and procedures of the New York State Agriculture and Markets Law 25AA, Section 305 and 305-a are followed. This includes requirements for completion, by either the Town Board, of a "Notice of Intent". This notice recognizes the important role of agriculture and seeks to avoid adverse farm impacts before public dollars are spent or land acquired for public projects. Section 305-a requires local planning and land use decision making boards to recognize the policy and goals of the agricultural district's law and to avoid unreasonable restrictions or regulations on farm operations within ag districts. It requires an Agricultural Data Statement, notice to affected landowners, and an evaluation of the potential impacts of a proposed land use on agricultural uses in or adjacent to a state-certified agricultural district. Planning Boards are required to fulfill these obligations to ensure that local land use decisions are not at odds with the policies of the Agricultural Districts law.
2. Enhance the existing Design Standards For Town of Pine Plains Site Plan Review as outlined in this plan. The Town Board should adopt these updated design standards as a new local law entitled Town of Pine Plains Design Standards.
3. Consider establishing a Special Use Permit local law that is administered by the Town Planning Board. A special use permit is when specific land uses are authorized, but are subject to specific conditions to assure that the proposed use is in harmony with the community and will not adversely affect the neighborhood if the requirements are met. Once a special use permit has been issued, it is not personal to the applicant, but affixes to, and runs with, the

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ownership of the land. The planning board can be empowered to grant special use permits and standards must exist to help them review, condition and approve special uses. Article C (Standards for Specific Uses) of the Design Standards For Town of Pine Plains Site Plan Review already provides for these standards. This section already contains various standards specific to home occupations, general business uses, junkyards, highway commercial uses, shopping centers, mini-malls, mobile home parks, multi-family dwellings, and industrial uses. Establishment of a special use permit strategy would give the town greater ability to provide for a wide variety of uses at the same time ensuring that these uses will not negatively impact the area.

4. Current regulations should be reviewed on a bi-annual basis for consistency with this Comprehensive Plan, the goals of the community, and to identify areas that need procedural improvement or clarification. As a result of this review, local regulations should be regularly updated.
5. To enhance enforcement of local laws, the Town should review the wording, and legal enforceability of all existing local laws, and ordinances including the subdivision regulations and make amendments to clarify and strengthen them. Enforcement sections should:
 - A. Ensure that adequate procedures are detailed in local laws.
 - B. Adding illustrations and pictures to the subdivision and other land use regulations so that the Planning Board, Code Enforcement Officer, and applicant have a clear understanding of the Town's expectations.
6. The Town should provide for adequate staffing for enforcement of its local laws. This should include:
 - A. Development of a scope of work for the code enforcement and police that outlines the Town's expectations for enforcement activities. In this scope, the Town should require that enforcement officer's report on a monthly basis to the Town Board at their regular monthly meeting.
 - B. Providing for additional training to enforcement personnel.
 - C. Development and widespread distribution of a local law procedural and enforcement booklet for citizens. This booklet should summarize regulatory procedures and enforcement mechanisms in the Town, including how citizens can report violations; what procedures are to be followed; and names and contact information for enforcement personnel and Town Justices. Involve enforcement personnel and Town Justices in developing the content of this brochure. The brochure can be widely distributed and

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also be given out with each application for a building permit or other approval issued by the Town.

7. The Town should include options for professional planning consultation support during project reviews of new development in Pine Plains.
8. The Town Board should provide for a review and update of this Comprehensive Plan every five years. In addition, local laws related to topics in this Comprehensive Plan should be reviewed on an annual basis for clarity, consistency, and ease of administration, and amendments made as needed.

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Best Management Practices: State of the art technology as applied to a specific problem or topic. Best Management Practices presents physical or strategic approaches to environmental problems, particularly with respect to nonpoint source pollution control.

Capital Improvement Plan: A timetable or schedule of all future capital improvements to be carried out during a specific period and listed in order of priority, together with cost estimates and the anticipated means and sources of financing each project.

Clustering: A form of subdivision that permits reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, preservation of environmentally sensitive areas, or agriculture. Clustering results in houses being placed in closer proximity to each other on one portion of a parcel.

Conservation subdivision: A form of subdivision where house sites are located specifically to protect open space, environmentally sensitive areas, or agriculture. Conservation subdivisions may result in houses being clustered, but not necessarily so.

Critical Environmental Areas: CEA's are specific geographic areas that have exceptional or unique environmental characteristics. Delineation of CEA's are authorized under New York State Environmental Conservation Law.

DEC: Department of Environmental Conservation, New York State

Density: The number of dwelling units or individual residences per acre

Density bonus: As authorized under New York State Town Law, density bonuses are incentives that may be offered to developers in exchange for the developer providing one or more community benefits including open space or parks, affordable housing, day or elder care, or other specific physical, social, or cultural amenities that benefit the residents of the community. A density bonus allows more residential units than is otherwise permitted under local laws.

DOH: Department of Health

DOT: Department of Transportation

DWSRF: Drinking Water State Revolving Fund

ECHO: Elder Cottage Housing Opportunity. A small, removable cottage in the rear

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or side yard of a dwelling. Echo housing is also known as a “granny” flat or elder cottage housing. It permits an older person to live independently but close to relatives.

EPF: Environmental Protection Fund. This is a pool of money designated by New York State to fund a variety of environmental projects.

FEMA: Federal Emergency Management Agency

Floodplain: The channel and relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater. This is different from a floodway, which is the channel of a stream or river and portions of the floodplain that carry and discharge the floodwater.

GIS: Refers to a Geographic Information System, which is a computer mapping and analysis software tool.

MWR&R: Municipal Waste Reduction & Recycling Program, New York State

NRCS: Natural Resources Conservation Service. This is a Federal agency formerly known as the Soil and Water Conservation Service

NWI: National Wetlands Inventory

PDR: Purchase of Development Rights. Fee simple ownership of property involves a bundle of rights, including the right to develop. These may be sold, dedicated or transferred in their entirety or in part. PDR is when there is a buyer and seller of those development rights.

PUD: Planned Unit Development. This is when a large parcel of land or other specified area is to be planned, developed, operated, and maintained as a single entity and contains one or more residential uses and one or more public, quasi-public, commercial or industrial areas.

Performance Criteria and Thresholds: A set of criteria or limits relating to certain characteristics that a particular use or process may not exceed. The standards may be established by federal, state or local law. The standards usually cover noise, vibration, glare, heat, air and water contamination, traffic, etc. Performance criteria and thresholds define compatibility.

Prime Soils: These are specific soil types that are defined by the federal government. Prime soils have physical characteristics (such as fertility and drainage) that make them the most conducive soil to profitably grow crops. Prime soils need few amendments such as fertilizers to produce crops.

SEQRA: State Environmental Quality Review Act (6NYCRR Part 617)

Site Plan Review: The development plan for one or more lots on which is shown the existing and proposed conditions of the lot.

SWAP: Source Water Assessment Program

Use Concept Map.

TDR: Transfer of Development Rights. Fee simple ownership of property involves a bundle of rights, including the right to develop. These may be sold, dedicated or transferred in their entirety or in part. TDR is when development rights are transferred from one area to another.

Type I Action: An action or class of actions identified in section 617.4 of 6NYCRR Part 617. Type I actions are more likely to have a significant adverse impact on the environment and are more likely to require the preparation of an environmental impact statement according to Part 617 (State Environmental Quality Review Act). Part 617 identifies those specific actions that are by state law, determined to be a Type I action. Local governments are authorized, however, to adopt their own lists of additional Type I actions.

USGS: United States Geologic Service

Wellhead Protection Area (WHPA): The land area surrounding a public well that is delineated to protect municipal water supplies. Water supplies within the well are particularly vulnerable to pollution by land use activities within the area called a wellhead. WHPA are influenced by surficial and bedrock geology, topography, and soil types.

WMA: Wellhead Management Area. This term is synonymous with the WHPA.

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The table below summarizes the major strategies recommended in the plan and references the appropriate section where details can be found. The time frames are:

Immediate = 0 to 1 year

Short term = 1-3 years

Mid term = 3-5 years

Long term = 5-8+ years

Ongoing = projects that take place on a regular and annual basis

Summary of Major Recommendations	Reference to Plan Section	Type of Action	Time Frame
Update and strengthen existing design standards	Rural Character and the Environment Page 33(1); Page 44(3); Page 48 (2); Page 49; Page 61 (5-6)	Amend Site Plan Law	Immediate
Strengthen Use of SEQRA: Designate Critical Environmental Areas under SEQRA, Establish Type I List	Rural Character and the Environment Page 34(2), (3)	Town Board resolution	Medium
Establish Land Use Program by establishing districts, density, special use permits, and other controls	Rural Character and the Environment Page 34(4-5); Page 38 (1-4); Page 44-47 (4-8); Page 48(1)(A-B,E), Page 49; Page 54(2), Page 55(9), Housing Page 57(4-8); Transportation Page 59 (1-2), Page 62 (3)	Adoption of new local land use law	Short
Designate Wellhead Protection Area and Management regulations	Rural Character and the Environment Page 37(1)	Adoption of new local law (or incorporate into land use law, above)	Short
Allow or mandate use of conservation subdivisions and clustering	Rural Character and the Environment Page 39(4); Farmland Protection Page 55(5); Housing Opportunities Page 56(1)	Amend subdivision law	Immediate
Identify scenic locations; Establish local scenic road/viewing routes	Rural Character and the Environment Page 44(1); Recreational Opportunities Page 58 (3)	Study/analysis by Ad Hoc committee or assigned to CAC	Long

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Summary of Major Recommendations	Reference to Plan Section	Type of Action	Time Frame
Require use of Visual Assessment Form during SEQR	Rural Character and the Environment Page 44(1)	Planning Board Procedure	Immediate
Initiate Main Street Program for hamlet	Maintenance of hamlet of Pine Plains Page 50-52 (13 – 19)	Economic Development Program to include funding, education, marketing, regulatory, etc.	Medium
Update local laws to ensure farm-friendliness	Farmland Protection Page 53 (1)	Review and amendment of local laws	Ongoing
Explore use of additional tax incentives and enhance use of existing ones to encourage agriculture	Farmland Protection Page 53 (3-4); Page 54 (9-10)	Study/analysis and changes to tax policies, rates, procedures	Ongoing
Follow all provisions of NYS Ag & Mkts Law	Farmland Protection Page 53 (8)	Planning Board procedures	Ongoing
Optimally site new residences to protect farmlands	Farmland Protection Page 54 (2)	Amend subdivision law	Immediate
Update development standards to encourage affordable housing conditions	Housing Opportunities Page 56(2)	Amend subdivision law	Immediate
Develop recreation plan	Recreational Opportunities Page 57 (1-2,4-6)	Study/analysis to develop plan and programs	Medium
Develop Solid Waste Plan	Waste Management Page 58 (1)	Study/analysis to develop plan	Long
Revise local highway specifications	Transportation Page 59 (3)	Amend highway standard law	Immediate
Control road congestion and traffic during new development	Transportation Page 60 (4)	Amend subdivision law and site plan law	Immediate
Initiate grant writing to obtain funds for historic preservation	Historic Preservation Page 61 (1)	Town Board resolution	Ongoing
Initiate program to inventory and list properties for National and State Historic Registers	Historic Preservation Page 61 (2)	Support program and coordinate with local historical society	Medium

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Summary of Major Recommendations	Reference to Plan Section	Type of Action	Time Frame
Explore establishing local historic district	Historic Preservation Page 61 (4)	Development of new local law	Long
Review existing laws to strengthen enforcement capability	Enforcement and Administration Page 63 (5)	Review and amend existing local laws	Ongoing
Provide adequate staffing and training for enforcement	Enforcement and Administration Page 63 (6)	Town Board action	Ongoing