

Town of Rensselaerville Comprehensive Plan



**March 8, 2007
Final**

Prepared by

The Town of Rensselaerville Citizens' Land Use Planning Committee

Community Planning & Environmental Associates
The Laberge Group

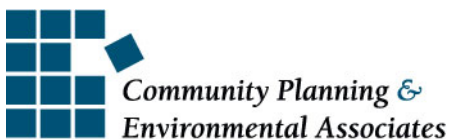


Table of Contents

SECTION	PAGE
I. ACKNOWLEDGEMENTS	3
II. INTRODUCTION	4
A. Rensselaerville’s Comprehensive Land Use Plan	4
B. The Planning Process	8
III. VISION STATEMENTS	11
A. Overall Vision Statement	11
B. Vision Themes by Topic	11
IV. GOAL STATEMENTS	16
A. Listing of all Goals	16
V. RECOMMENDATIONS	20
A. Action Plan and Implementation Priorities	20
B. Land Use Laws and Regulations	22
C. Capital Improvements	42
D. Programs and Policy Initiation	46
VI. RENSSELAERVILLE AND THE HUDSON RIVER VALLEY GREENWAY CRITERIA	67
VII. MAPS	71
VIII. GLOSSARY	73
APPENDIX A: INVENTORY AND ANALYSIS OF RESOURCES	83
Summary of Inventory and Analysis	83
A. Environmental Resources	95
1. Geologic Setting	95
2. Water Resources	98
3. Soils	104
4. Natural Resources	106
5. Open Spaces	115
B. Land Use	129
1. Land Uses and Analysis	129

2. Current Zoning	137
3. Build Out Analysis	139
C. Demographic Profile	142
1. Population	142
2. Regional Growth	150
3. Households	155
4. Housing	157
5. Community Comparison of Demographics	161
D. Economic Conditions	168
1. Labor Force and Occupations	168
2. Income	174
3. Market Conditions	175
E. Municipal Resources	186
F. Infrastructure	196
G. Schools	206
H. Historic Resources	208
APPENDIX B: PUBLIC INPUT	211
APPENDIX C: BIBLIOGRAPHY	254
APPENDIX D: GROUNDWATER REPORT	259
APPENDIX E: SURFACE WATER STUDY	291
APPENDIX F: COST OF COMMUNITY SERVICE STUDY FACT SHEET	305

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II. Introduction

The principal theme of this Comprehensive Plan is to protect the abundant natural features and resources that contribute to those aspects of life in Rensselaerville most valued by residents. Our residents and landowners have been consistent in their overwhelming support for a plan to protect these resources

Maintaining un-fragmented open space while at the same time, ensuring that new growth is compatible with our resources, is critical to their long-term protection. This plan includes many strategies to maintain our rural character and open space such as protection of agriculture, and critical habitats, defining appropriate economic activity, and proposing open space oriented land use regulations.

A. Rensselaerville's Comprehensive Land Use Plan

In 1989, the Town of Rensselaerville prepared a Comprehensive Land Use Plan which was subsequently revised in March of 1990. In order to prepare for the challenges of the next decade the Town Board established a Citizen Committee Land-Use Planning Committee to update the Town's 1990 Comprehensive Plan. Their review has resulted in a substantial expansion of the earlier plan; however, the goals are similar. This is a plan based upon the expressed vision of the people who live here and their desired future for Rensselaerville. This plan details the existing conditions, growth trends, and public needs and lays out land use policies.

The Plan should be re-evaluated every five years to "ensure that it continues to be consistent with the Town's goals and objectives and continues to be responsive to the needs of the Town's residents."

What is a Comprehensive Plan?

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 designed to answer three critical questions:

- Where are we now?
- Where do we want to be?
- How do we get there?

Why Prepare a Comprehensive Plan?

There are many reasons for preparing a comprehensive plan including:

- To establish a community vision.
- To understand your assets and liabilities.
- To protect important resources.
- To improve economic conditions.
- To provide direction for governmental agencies.
- To improve access to financial and technical assistance.

A comprehensive plan is not a law, 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. New York State considers adoption of a comprehensive plan to be a critical tool to promote the health, safety and general welfare of the people of the Town and to consider the needs of the people. A comprehensive plan is the policy foundation upon which communities are built.

In Rensselaerville, protection of rural character and the Town's environment is a primary goal of this comprehensive plan. The question if this protection is good for the fiscal health of the community often arises. Until recently, many communities sought to attract business, industrial, and residential growth for a number of reasons. In rural areas like Rensselaerville, the thought has been that economic growth would raise the property tax base and generate increased revenues for local infrastructure, including schools, public services, roads, and fire/police protection.

When farmland, open space and woodlands are converted to residential development, for example, local tax revenues often increase substantially, since property values increase. But the local government and school district are also required to provide added services to new residents. The question is whether increased revenue balances the increased demand for services. Does this kind of economic development "pay its own way" in terms of local taxation?

That is the question that a "Cost of Community Service Study" sets out to answer. The term, costs of community services (COCS), refers to a growing body of literature which focuses upon how various types of land use affect local government taxation and spending. These studies use

fiscal impact analysis as their primary method of determining whether various forms of land use contribute to or detract from local government budgets. See Appendix F for more details and results of nation-wide COCS.

Virtually all of the studies show that residential land development is a net drain on local government budgets. The average estimate shows that for every dollar collected in taxes and non-tax revenue, between \$1.15 and \$1.50 gets returned in the form of services by the local government and school district.

On the other hand, the opposite happens for commercial/industrial and ag/open space lands. For commercial/industrial, only about 35 to 65 cents worth of services are provided by the local government for every dollar received in taxes. For agriculture and open space, only about 30 to 50 cents worth of services are provided for every dollar received.

The COCS findings indicate that residential development often brings costs to the community that are not fully borne by the new residents, but instead are distributed throughout the community. Residential development in any area invariably leads to increased per capita demand for publicly provided services, placing increased burdens on local infrastructure and public agencies. As a result, increases in local tax rates to provide additional services tend to follow growth. These are critical findings relevant to Rensselaerville and its desire to protect its rural attributes.

The COCS illustrates the often unforeseen circumstances of growth and development in rural communities. Information such as this can help Rensselaerville manage change. And, this management of change is the essence of this Comprehensive Plan.

Comprehensive Plan Implications

Upon adoption, a comprehensive plan, there are several implications:

- All government agencies, including county, state and federal jurisdictions, involved in planning any kind of capital projects within the Town of Rensselaerville must consider this plan before they start the project. That means the Town has a much larger stake in what other governmental agencies want to do when they are proposing a project in Town.

- Community consensus and support can be built on the shared vision, goals, and strategies presented in the Plan.
- Programs and regulations may be adopted to implement the Plan to protect the Town's resources and encourage desired development and growth.
- The Comprehensive Plan is also important to help the Town in obtaining grant monies to implement the Plan.
- In New York State, all land use regulations must be in accordance with a comprehensive plan (Section 272-a). The Plan is the basis for regulatory programs. All land use laws should be reviewed and updated where necessary, to be in accordance with this Plan.

Town Input and Data Collection

The issues, goals and recommended strategies detailed in this comprehensive plan are based upon studies of information and data gathered about the Town of Rensselaerville, as well as from the input of many Town residents coordinated by the Citizens Land-Use Planning Committee. These studies and analyses include:

- Background studies of land use, including a build-out analysis
- A survey of all households
- Three community visioning sessions
- Mapping the distribution of existing agricultural activity
- Population profiles and projections
- Existing housing conditions, affordability, and availability
- Community facilities
- Transportation resources
- Recreation and educational resources
- Public safety programs
- Environmental conditions of the Town, including analysis of groundwater and surface water
- Analysis of the regional growth patterns and trends that have affected, and will continue to affect the area's growth.

This 2006 Comprehensive Land Use Plan update is designed to accomplish the following broad purposes:

1. To evaluate current conditions in order to understand the issues and trends facing the Town of Rensselaerville;
2. To evaluate public sentiment and re-validate, or change as needed, the 1989-1990 Plans' direction with a clearly articulated vision for the future; and
3. To offer additional policies, strategies, actions, details, and programs that could be undertaken over the next ten to fifteen years to meet the needs of the community.

B. The Comprehensive Land Use Plan Update Process

The Town of Rensselaerville Comprehensive Land Use Plan Update (the Plan) is a result of an intense research and planning effort. In April 2006, the Rensselaerville Town Board formed a thirteen-member (plus one alternate) Citizens' Land Use Planning Committee (LUC), representing a cross-section of residents with varied interests, occupations, and perspectives. The LUC met at least once a week, and was tasked to work with the Planning Board to review and update the 1989-1990 comprehensive plan and other planning documents.

With the assistance of experienced consultants, the Citizens' Land Use Planning Committee (LUC) developed and implemented a planning process that included the following tasks:

- Conducted an inventory of town resources (environmental, historical, economic, cultural, recreational, and municipal)
- Initiated a public input campaign to give residents an opportunity to identify their concerns and comment on the plan.
- Formed sub-committees to research and collect data on specific topics.
- Worked with the New York Rural Water Association to conduct a groundwater study.
- Worked with local experts to conduct a surface water assessment.
- Developed a full geographic information system (GIS) of data and maps for the Town.

- Developed the long-term vision statement, goals to attain that vision, and specific recommended strategies included in this Plan.

The specific time line for development of this Plan is:

- June 2006 – Community Survey sent to landowners (See Appendix B for results).
- August 2006 – Town hired planning consultant to assist in development of plan
- August 2006 – Planning and Visioning Workshops held (See Appendix B).
- August 2006 – Water Quality Survey for Private Wells conducted (See Appendix D for results).
- September 2006 – Public presentation of a community survey and draft vision statement.
- September 2006 – Development of goals.
- September and October 2006 – Analysis of all resource data (Appendix A), GIS analysis of mapped data, analysis of build-out conditions (Appendix A), and population projections completed.
- October to December 2006 – Development of plan recommendations.
- November 2006 – Public presentation of draft goal statements and update on process.
- January 2007 – First public hearing on draft plan hosted by the Citizen Citizens’ Land Use Planning Committee (LUC), and refinement of plan as needed.
- February 2007 – Draft Plan submitted to the Town Board for their review and adoption, review by Albany County Planning Board.
- March 2007 – Second public hearing hosted by the Town Board, required environmental review, and – Comprehensive Plan adopted by the Town Board.

Implementing the Plan and Keeping it Current

Upon adoption of the Plan by the Town Board, the next step of the planning process involves implementation of the recommended strategies and actions included in the Plan. Generally, implementation will involve:

- Revision of local land use laws to reflect these goals and strategies.
- Implementation of other initiatives as needed to ensure the vision is met.
- Review of the Plan every five years to ensure changes in the Town of Rensselaerville are consistent with the goals and vision as stated in the Plan.
- Updates to the Plan as needed to reflect current conditions and desires.

III. Vision Statements

Overall Vision for Town of Rensselaerville:

The Town of Rensselaerville is treasured by its residents as a place where landscape, history, and community are tightly intertwined. For over 200 years, the Town has been distinguished by its location in the special environment of the Helderbergs. Settled after the American Revolution, as part of the Van Rensselaer patroonship, the Town was incorporated in 1792, and quickly grew into a typical arrangement of small commercial centers - hamlets, surrounded by farms. This agricultural settlement pattern survives to this day. It is a prized aspect of town life that we are committed to preserving.

Our quality of life is the guidepost we use to direct our community decision-making process, as defined by the valued attributes of rural character; active, sustainable agriculture; scenic beauty; cultural and historic richness; a healthy environment; diverse housing resources; and economic opportunity.

The Town of Rensselaerville is committed to protecting the land and preserving our heritage of small densely populated hamlets surrounded by large parcels of open spaces.

Vision Statements for Critical Topics in the Town of Rensselaerville

Land Use

We value and protect the Town of Rensselaerville's rural character. The Town's land is distinguished by a well-defined, traditional settlement pattern consisting of small hamlets surrounded by agricultural lands, forests and open space. The Town has an extraordinary stock of historic buildings, many unpaved roads and scenic by-ways, beautiful open vistas, hills, woodlands, streams, and creeks with natural habitats that provide rich biodiversity. The hamlets and the natural and working landscape give the Town its rural quality and sense of place, shape its culture and community, help define its attractive quality of life, and thus contribute to its economic vitality.

We seek to recognize these essential qualities identified and embraced when our Town adopted its first Comprehensive Plan in 1989. Fulfilling the promise of that Plan, we acknowledge new challenges by maintaining up-to-date zoning laws and subdivision regulations, to continue

preserving our rural character while planning for rational orderly growth and protecting our quality of life.

We identify locations appropriate for residential and commercial growth, and for open space, agriculture and environmental conservation priorities. We implement new land use planning and zoning tools and update these tools on a regular basis. We accomplish this vision in a fiscally responsible manner, limiting costs to our citizens, and encouraging growth that is both fiscally and aesthetically beneficial to the Town.

Economic Development

The Town of Rensselaerville has a healthy economy consistent with its rural character. The Town understands that its quality of life is the critical factor in attracting and retaining desirable businesses and appropriately growing our local economy. Our policies and regulations acknowledge and support both our traditional and emerging agricultural sector as well as locally owned and operated businesses, our arts community, and a significant number of entrepreneurs, including those who use technology to create employment for themselves. The commercial development that has taken place is concentrated in and around the hamlets, and in existing commercial areas. New businesses are designed to fit into the town's aesthetic character and are protective of the environment. Small, "one of a kind" businesses are the norm. As a result, their environmental impact has been kept low and their visual appeal is consistent with the town's historic, rural character.

The Town is committed to creating a business environment that serves to encourage the kind of economic activity that will best benefit the citizens while consistent with our resource protection goals and objectives. Retail stores serve immediate, local needs. The Town has partnered with surrounding municipalities and local business organizations to encourage and nurture start-ups so that people can find local employment. Town-wide high-speed Internet access permits a high level of entrepreneurial activity, telecommuting, and essential support for local businesses. Other infrastructure improvements promote business activity while fitting within the context of the Town's built history, rural character, and environment.

As a result of the strength and diversity of this economic activity and responsible, planned growth, the Town has stable finances. It benefits from several significant revenue streams, is not overly dependent on the property tax levy, and is not burdened with unplanned expenditures.

Infrastructure

The Town recognizes the role roads and bridges play in rural character. It understands that well-engineered maintenance must be consistent with the rural and agricultural uses for which the roadways are intended. It works to ensure that new or reconstructed roads and bridges respect the rural character while meeting the practical service needs of the residents. Existing roads and bridges are maintained and new ones are constructed and maintained consistent with our rural character.

Traffic is managed and controlled. Wastewater and storm water needs, including road salt runoff, are addressed in cost effective ways that demonstrate an understanding of the historic, rural character. Infrastructure is not an agent for driving further development.

Renewable energy sources that provide a net benefit to the Town are sought and encouraged.

The Town works with the hamlets and other regional governments to strengthen their working relationships and to develop more effective, coordinated infrastructure planning, especially transportation services, drinking water and waste water systems. Regional cooperation is also an agent for upgrading and improving emergency medical services.

The Town handles its household waste disposal according to environmentally sound principles. The recycling center is a secure facility unobtrusive and state-of-the-art. Like all Town buildings, it is considerate of our community's historic character and well maintained.

High speed, robust telecommunication technology is available Town-wide for personal and especially emergency services.

Farming

The Town of Rensselaerville has made a long-term commitment to being and remaining an agricultural community and we make every effort to honor this commitment.

By identifying and preserving the Town's farmland, we protect open rural space, natural resources, and the agrarian, social roots that make The Town of Rensselaerville a special place to live. We continue to commit Town resources to the long-term preservation of farmland and encouragement of agricultural activities.

Farming and ag-related business can be a significant part of the Town's economy. The town is recognized as a farm-friendly community. Policies

and procedures reflect this status and facilitate rather than hinder farming operations as businesses.

We believe in the importance of healthy, fresh agricultural products that are locally grown and produced. We work, often in partnership with other agencies and organizations, to insure a sustainable local agriculture distribution network for our town.

Housing

The residents of the Town of Rensselaerville – both full-time and part-time -- enjoy its beauty, and are appreciative of the personal relationships that are a hallmark of the small town social structure. Open rural space and farms characterize our Town, leading to hamlets containing homes on small lots. We achieve our desirable social atmosphere by maintaining our tradition of hamlet-style communities. New subdivision and development is encouraged in these designated concentrations; outside of the hamlets, it respects the rural surroundings and does not negatively impact the open space, view sheds, or the historic character of the community -- maintaining the historic physical relationships of hamlets, open space, forests and streams.

Housing needs for all economic strata and age groups, especially affordable housing and senior housing needs, are met through planning, adaptive use of existing buildings, and responsible development. In the interest of public health, housing and commerce is closely situated to encourage walking within the community. Public transportation is available wherever possible.

Natural Resources

The Town of Rensselaerville is rich in natural resources. Its residents and visitors know, respect, and protect the land, water, air, wildlife, rural character, scenic views, and its mineral, groundwater, and surface water resources. Our natural resources are an essential part of our rural character, quality of life, and economic viability. Protection and wise stewardship of those natural resources through preservation of natural habitats, careful management of land/water resources, and conservation of existing agricultural lands is a high priority for the Town.

Historic Character

The Town of Rensselaerville cherishes its long and proud history. The residents, through many of their civic/volunteer organizations, work hard to retain our community's historic character because we recognize, as did our predecessors, the importance of our rich, rural, agricultural heritage. We value the special beauty and splendid, historic landscapes; all of

which continue to attract people to our town and contribute to the value of our property and to our quality of life.

The Town's extraordinary number of historic buildings -- some on the State and National Registers of Historic Places --, scenic roadways, places of worship, burial grounds, stone walls, and streams are integral to its beauty, sense of place, sense of community, economy, and attraction as a visitor destination and residential home market.

Residents and businesses are supportive of adaptive reuse of historic structures and of new residential and commercial development that minimally impacts historical, architectural and rural character. We support the traditional settlement pattern of our hamlets, farms, open spaces and beautiful country roads and byways. The Town continues to encourage the identification and maintenance of the built symbols of our heritage, including barns and other buildings.

We have historical societies that assist our local schools in educating our young and advising new residents about our historic character so that they too can appreciate and be better stewards of this important aspect of our community.

Recreation

The Town of Rensselaerville values recreational activities for its residents and visitors. They make use of the many and diverse opportunities available within the Town: baseball, basketball, tennis, and other activities at hamlet parks in Preston Hollow, Medusa, and Rensselaerville; bird watching and hiking on State lands or on the E.N. Huyck Preserve; fishing in the Ten Mile Creek and many other places; cycling, jogging, or walking along our roadways and trails; equestrian activities; and, as permitted, hunting, and snowmobiling activity on public and private lands. Our youngsters enjoy many recreational programs provided by the Town, public schools and other public and private organizations. Residents also benefit from other regional opportunities available nearby such as golfing, skiing, and boating and ice-skating on area lakes and ponds. We especially value the town's rural character and those recreational activities that allow everyone to appreciate its natural beauty. The recreational emphasis in the Town of Rensselaerville is compatible with the town's rural character, minimizing many negative environmental impacts and, more importantly, promoting an appreciation of the land.

IV. Goals

1. To encourage appropriate types of rural land use in an orderly manner to support safety, health and quality of life.

Objective 1: Land use and growth patterns within the town will be based on the lands environmental ability to accommodate such uses, on the growing and changing requirements of the town's residents, and on the desire of the community to retain our rural character.

Objective 2: Promote the importance of hamlets for multiple-unit residential and business development in order to keep hamlets as the vital town centers in Town and to concentrate new development away from important open and agricultural lands. At the same time, recognize that existing hamlets are also located in areas where aquifer protection is needed. Multi—family housing should be allowed in the hamlets provided adequate water and waste water treatment is available and aquifer's are not compromised.

Objective 3: Establish regulations that encourage sound building and site design in new development that is consistent with our environment and rural character.

2. To protect important natural resources in the town such as water bodies and wetlands, water supply and recharge areas, important wildlife areas, natural habitats, stream corridors and scenic views which are an essential part of the rural character, quality of life and economic viability.

Objective 1: Reduce the impact of development on natural resources by use of cluster development as the preferred pattern for major subdivisions, adopt conservation subdivision practices and create a system of incentives to achieve desired land use patterns.

Objective 2: Protect and preserve permanent streams and their corridors, key water bodies, wetlands, vernal pools, and aquifers

Objective 3: Complete an inventory and mapping of important biodiversity features in the Town of Rensselaerville and work to maintain and enhance biodiversity.

3. To promote the aesthetic, cultural and historic character of the town.

Objective 1: Maintain the rural character of the landscape by preserving significant large parcels of undeveloped land and agricultural land.

Objective 2: Protect and foster the town's heritage through the preservation of historic areas, structures and landmarks. Identify local landmarks and resources of historic and cultural importance within the town.

Objective 3: Establish local incentives for historic preservation. Seek funding and work with other organizations to promote historic preservation.

4. To promote and encourage a business environment in and around the hamlets and other designated areas that serve to encourage the kind of economic activity that best benefits the citizens, is protective of the environment, and is consistent with the rural and historic character of the town.

Objective 1: To foster a vital business environment and promote the establishment of new business enterprises to improve the overall economic vitality of the area and enhance the quality of life for residents.

Objective 2: To enhance and promote the Town's resources to cultivate the Town's tourism industry, unique identity and community pride.

Objective 3: To encourage future development that is of quality design and construction, that is consistent with the character and environment of the Town of Rensselaerville, will meet the necessary long-term population needs, and will lead to fiscal stability of the community.

Objective 4: To maintain a viable agricultural economy in the Town as both a source of economic activity and a means of preserving the traditional landscape of the town

Objective 5: To promote historic preservation as an economic benefit.

Objective 6: Promote energy sustainability and renewable resources.

5. To support the safety and functional well being of our residents by developing, maintaining, or improving the following systems:
 - Transportation and communication systems and other utilities
 - Health and emergency services availability and delivery
 - Recreation facilities and services
 - Environmental management systems including, but not restricted to solid waste, recycling, water and sewage treatment.

Objective 1: To provide public water and sewer infrastructure where needs have been identified and protect water quality consistent with smart development principals.

Objective 2: To provide safe and efficient circulation of traffic, while minimizing the impact of traffic on the Town's quality of life.

Objective 3: To retain a balanced mix of municipal services to meet the needs of Town residents at affordable tax rates.

Objective 4: To ensure all Town students have an equal opportunity for a quality education and that Town residents are well-informed and educated on important Town and School District matters.

Objective 5: To ensure that emergency protection services in the Town are adequate and able to meet the needs of the Town's residents and workforce.

Objective 6: To establish parkland throughout the town which will adequately meet the needs of all town residents for both active and passive recreational pursuits?

6. To encourage the growth and economic viability of agriculture as both a source of economic activity and as a means of preserving the important components of the Town's rural character.

Objective 1: Develop a supportive business environment for agriculture and help maintain the economic viability of farming and preserve the traditional landscape of the Town.

Objective 2: Reduce the footprint of new development and its impact on agriculture.

Objective 3: Demonstrate an understanding of the importance of local farms.

7. To meet the housing needs for all economic strata and age groups that maintain our tradition of hamlet-style communities while respecting rural surroundings, open space, view sheds and the historic character of the community.

Objective 1: To provide safe affordable housing to all residents of the Town in appropriate development locations

Objective 2: To preserve and enhance the existing residential neighborhoods in the Town and encourage future development that is of quality design and construction.

8. To support our elderly citizens by encouraging services and businesses that meets their needs.

Objective 1: Expand transportation services for seniors.

Objective 2: Encourage the development of assisted living housing for seniors.

Objective 3: Investigate the feasibility of an in town medical service for seniors

9. To accomplish our goals in a fiscally conservative manner.

Objective 1: Strive to minimize infrastructure costs passed on to residents.

Objective 2: Investigate collaborative purchases and services with other hilltowns and the county.

Objective 3: Examine cost alternatives on all major expenditures.

Objective 4: Develop a comprehensive Capital Improvement Plan.

V. Recommendations

A. Action Plan and Implementation Priorities

The adoption of the Comprehensive Plan is only the beginning. The mere statements of goals, objectives and recommendations of this Plan will not produce the desired results unless the Town implements the concepts through land use regulations, public investment and cooperation, and/or the formation of public – private partnerships. Ultimately, the Town Board has the responsibility for implementing this plan but they can be assisted by a number of staff, agencies, or organizations as outlined below. It is recommended that the Town Board initiate an annual check-list of implementation activities and do an annual implementation audit to check on progress made.

In order to better track this process, a time frame has been designated that projects when the action should be accomplished. It is likely that priorities may change with the availability of funding sources for particular projects. The time frame covers the next five years and is indicated by the following code:

- S** Short-term: 0 – 1 Year – To be implemented by the end of 2007.
- I** Intermediate-term: 1 – 3 Years – To be implemented by the end of 2009.
- O** On-going: 0 – 5 - To be addressed continuously or at any time over the next five years.

The following acronyms are used to indicate potential funding sources for each recommendation:

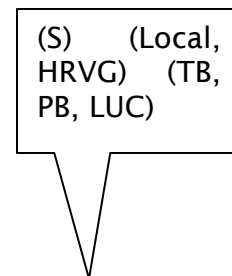
Acronym Full Name

AFGP	Assistance to Firefighters Grant Program
AFT	American Farmland Trust
CCE	Cornell Cooperative Extension
CDBG	Community Development Block Grant
CLG	Certified Local Government
CW/CA	Clean Water/Clean Air Bond Act
EFC-CWSRF	Environmental Facilities Corp. Clean Water State Revolving Fund
ESDC-WCG	Empire State Development Corp, Wireless Communities Grant
GROW-NY	Grow NY through NYS Agriculture and Markets
HHS CSBG	Health & Human Services – Community Service Block Grant
HRVG	Hudson River Valley Greenway
IMLS	Institute of Museum & Library Services

LOCAL	Town of Rensselaerville Local Funding
MANY	Museum Association of New York
NPS - LWCF	National Park Service - Land & Water Conservation Fund
NYSAFP	NYS Agricultural & Farmland Protection Program
NYSAG	NYS Department of Agriculture and Markets
NYSBDC	NYS Business Development Corporation
NYSACA	NYS Council on the Arts
NYSADA	NYS Dept. of Aging
NYSDEC	NYS Dept of Environment Conservation
NYS DHCR	NYS Div. Of Housing & Community Renewal
NYSDOS-QC	NYS Dept. of State, Quality Communities Program
NYS DOT	NYS Dept. of Transportation
NYS DOT/TEP	NYS DOT Transportation Enhancement Program
NYS DOT TIP	NYS DOT Transportation Improvement Program
NYSEDC	New York State Economic Development Council
NYSED	New York State Dept of Education
NYSERDA	New York State Energy Research and Development Authority
NYSHFA	New York State Housing Finance Agency
NYMS	New York Main Street Program
NYSOSC	New York State Office of the State Comptroller
NYSOPRHP	NYS Office of Parks, Recreation & Historic Preservation
PF	Private Funding Source, i.e., Private Foundation
RUS	Rural Utility Service
SAFTEA-LU	Safe, Accountable, Flexible, Efficient, Transportation Equity Act
SARA	State Archives and Records Administration
SBA	Small Business Administration
SBF	Scenic Byways Foundation
SMSI	NYS Dept. of State, Shared Municipal Services Incentive Program
TEA-21	Transportation Equity Act for the 21st Century
USDA	US Dept of Agriculture

The following acronyms are used to indicate staff, boards, or committees that can assist the Town Board in implementing each recommendation. The Town Board may require legal, engineering, or other professional assistance in order to implement some of the strategies.

TB	Town Board
PB	Planning Board
ZBA	Zoning Board of Appeals
HS	Highway Superintendent
CO	Community Organization
CAC	Conservation Advisory Council
LUC	Citizens' Land Use Planning Committee
OC	Other Town Committee



These codes are included in the strategies below and are illustrated in a box such as this.

B. Land Use Laws and Other Local Regulations

These include recommendations related to zoning, subdivision, site plan review or other local land use laws. Implementation of these recommendations requires amendment of existing, or development of new regulations.

(S) (Local,
HRVG) (TB,
PB, LUC),
unless noted

1. Land Use (See Map 23 for Details on Proposed Zoning Changes)

1.1 Amend the use schedule for zoning in the A and RR districts. (See recommendation 4.3, of this section for details on recommendations to split the A/RR zone into two separate ones.) Zoning should create a greater distinction between the hamlet districts and the A and RR districts as they relate to commercial and non-residential uses.

- a. Allow commercial uses related to agriculture in the A and RR districts.
- b. Home based businesses should be allowed in both districts.
- c. Public input has strongly indicated that large-scale commercial uses are not desired, but zoning allows for many large-scale uses. It is therefore recommended that square footage limitations be placed on new non-residential development outside the hamlets while allowing for conversion of any size existing building in the A and RR district, such as a garage or barn to a non-residential use via site plan review and a special use permit. New construction for non-residential purposes should be limited to a footprint of 5000 square feet. An area variance may be issued by the Zoning Board of Appeals provided all aesthetic, rural character, and environmental requirements are met.
- d. New non-residential development in the hamlets should be of a scale consistent with that hamlet. As such, it is recommended that new commercial structures be limited to a footprint of 2000 square feet within the hamlet districts.

1.2 Increase side yard requirements outside of hamlets (where development is not clustered.)

1.3 Update subdivision regulations so that natural boundaries (streams, stone walls, forested edges, hedgerows, etc.) are used wherever possible to configure new lots..

1.4 Place less emphasis on controlling density via minimum lot sizes and more emphasis on use of a true density measurement (# dwellings per acre).

In rural areas, establishing large lots through use of a minimum lot size (5 to 15 acres) often results in an inefficient use of the land, creates rural sprawl, and contributes to the lack of affordable housing (because everyone is forced to buy a large lot).

- a. It is recommended that growth potential of the RC districts be regulated by establishing a density and allowing smaller lot sizes as follows:
 - RC1: 1 dwelling per 15 acres with a minimum lot size of 6 acres
 - RC2: 1 dwelling per 15 acres with a minimum lot size of 5 acres
 - RC3: 1 dwelling per 10 acres with a minimum lot size of 5 acres

Using this technique, larger lots can develop with slightly smaller lots and preserve open space at the same time. For example, a 100 acre lot in the RC3 district would be eligible for 10 dwellings. All ten could be built on 5 acre lots, leaving 50 acres to be set aside as open space, or continued to be farmed. The open space lands would need to be permanently preserved with no further subdividing potential.

1.5 Amend zoning to establish density calculations in the non-hamlet zoning districts on a net acreage basis. Significant agricultural, open spaces and environmental resources exist within these districts. Use of a net acreage approach would allow density in these districts to be modified on a parcel by parcel basis to take into consideration environmental features that limit development potential. Currently density is calculated on a gross basis. For example, if you have a 100 acre lot in a 5 acre zone, then the lot is eligible for 20 lots. Use of a net density approach acknowledges that not all parcels and lands are created equal, nor do all lands of the same size have the same development potential. An example of a net density approach would be a 100 acre parcel that has 20 acres of regulated wetlands on it and 10 acres of floodplain. 100 acres minus 30 acres of environmentally constrained lands results

in 70 acres of buildable land and in a 5 acre zone would be eligible for 14 lots.)

1.6 Amend zoning law and subdivision regulations to require the use of the conservation subdivision practices, net density calculations and clustering for major subdivisions. Conservation subdivision practices should be identified and authorized in zoning law, and the administration, procedures and standards should be outlined in the subdivision law.

Conservation subdivision and clustering both work to preserve significant lands during subdivision. Currently, clustering is a technique allowed on a discretionary basis by the Planning Board. Experience from across the United States however, shows that voluntary or discretionary use of these techniques is not usually adequate. Survey participants had mixed feelings about clustering – presumable because they create concentrations of dwellings on smaller lots. It is important to include performance expectations for clustered subdivisions to address visual concerns, new roads, etc. Further, current law allows clustering only on lots larger than 15 acres. It is recommended that this restriction be removed.

- a. It is recommended that the voluntary/discretionary nature of clustering be changed to mandatory use of conservation subdivisions and clustered subdivisions on all major subdivisions and lots 10 acres in size or larger where unbuildable land and 50% of the buildable parcel is permanently preserved as open space.
- b. Local land use regulations should include criteria for preserved open space lands. Current regulations for clustering do not adequately define open space nor do they give criteria and standards on what and where open space should be. Updated regulations should define unbuildable areas (to be preserved) as those lands having slopes over 20%, regulated and non-regulated wetlands, floodplain areas, stream corridors, hydric soils, and designated aquifers. Regulate development on slopes between 15% and 20%. In addition, other preserved lands should encompass any critical habitats for fish and wildlife, significant scenic views or vistas, and actively (or potentially active) agricultural lands to the greatest extent feasible.
- c. For lands being developed with a clustered or conservation subdivision layout in the A or RR, open space lands should be

oriented to preserving agricultural lands to the greatest extent feasible. In the RC districts, open space lands should be oriented to preserving critical environmental resources and natural features.

1.7 Locate development away from conservation areas. All lots must have useable land in order to be developed. This can be accomplished when land is being developed via the clustering and conservation subdivision techniques. In other cases, the Planning Board can be authorized to place the building envelope on a plat during subdivision review. The Town should reserve conservation areas and stream corridors for their inherent public benefits (via the Stream Protection Overlay). See this section, strategy 6.6 for recommendations related to the Stream Protection Overlay.

1.8 Establish a scenic vistas overlay district which delineate scenic areas of special concern within the Town. Base this overlay on the Scenic Vistas Map but further evaluate these locations with a viewshed analysis and public input.

- a. Review proposed development plans within this overlay district according to site design criteria as adopted by the Town. Siting criteria could include maintenance of open fields where long views exist; maintenance of tree-lined roads where they currently exist, placement of structures so that they do not block views, etc. Use the Shawangunk Ridge Overlay District as a possible model.
- b. Consider establishing a local list of actions that would be considered a Type I action under SEQRA and require the Planning Board to evaluate and mitigate impacts to scenic viewsheds.

1.9 Allow for controlled use of flag lots when they would be advantageous for maintaining open spaces, rural character, or environmental features that should be preserved.

(S,O) (Local, HRVG) (TB, PB, LUC)

1.10 Establish rural siting guidelines (which offer performance standards for siting of uses on a parcel). All subdivisions should follow these guidelines. These include, but are not limited to keeping stone walls as they may exist, not placing new structures in the middle of former farm fields, carefully placing structures away from critical environmental features, reuse

(S,I) (Local, HRVG) (TB, PB, LUC)

of old farm roads, and placement of structures so as not to interfere with adjacent agricultural or woodland operations. Parking lot layout and location also needs to be addressed.

1.11. Establish standards in zoning law to reduce or eliminate noise and light pollution.

1.12 Evaluate existing setbacks, road frontages, lot sizes, and building coverage for each of the designated hamlets. Each of the hamlets is different and new growth should reflect those differences. Zoning should be developed to perpetuate the uniqueness of each of the hamlets. Amend zoning to create distinct hamlet districts - each reflecting the specific development characteristics of that hamlet. Establish the following: H-R (Rensselaerville Hamlet), H-M (Medusa Hamlet), H-PH (Preston Hollow Hamlet), and H-C/PH (Cooksburg/Potter Hollow Hamlet). See Land Use Concept Map (Map 23).

1.13 Add as permitted by special use and site plan review assisted living and other alternative senior housing options in the A and RR districts and in Hamlet districts.

1.14 Consider reducing required road frontage for single and two-family houses in hamlet districts to 50 feet. The current 100 to 150 feet are large for a hamlet.

1.15 Amend zoning to encourage more development within hamlets as shown on the Concept Map and in a manner that protects the aquifers. For these new areas, the maximum recommended density is one dwelling per 2 acres without public water or sewer and one dwelling per ½ acre with public water and sewer. Development in these areas should also be protective of any mapped aquifer (standards should be set in an aquifer protection overlay district).

1.16 Develop and adopt site plan review regulations. Currently the special use permit process has incorporated many components similar to site plan review. It is strongly recommended however, that these two processes be kept separate. This is because site plan review is oriented to establishing performance standards of the structures (buildings, signs, parking lots, roads, etc.) on the parcel no matter what the use is while a special use permit is oriented to establishing performance standards for the use. A special permitted use is an allowed use that has characteristics that may make it more difficult to fit into a specific neighborhood or

area and therefore have special conditions needed to be imposed to make it compatible. It is further recommended that the Planning Board be authorized as the agency responsible for both review processes and that the zoning ensure a coordination of timing and processes between site plan review and special use permits.

1.17 Establish common-sense siting, design and building form standards for new non-residential and multi-family development within zoning to be reviewed during site plan procedures to help the Town maintain its rural character. These standards can be used to enrich the Town by reflecting and promoting traditional built forms and patterns of the Town. The Town should, by reference, use design guidelines outlined in the Building Form Guidelines, Hamlet Design, Rural Design Guidelines, and Rural Development Guidelines published by the New York Planning Federation. The adaptive reuse of existing structures should be encouraged.

1.18 Establish anti-monotony standards for major subdivisions. Exclude developments with fewer than 10 residences, residences exclusively for senior or low income housing, and hamlet residences.

Modern subdivisions can bring many changes to our rural areas. Monotony in appearances and what is called the “monopoly-set house” are both situations that can erode rural character. Monotony is defined as a structure producing a lack of interest in detail or other design elements. Major subdivisions can be monotonous because the same limited numbers of house models are repeated over and over with inadequate differentiation. Monotony comes from not only repetition in design, but use of similar roof trims, roof lines, front facing garages, lack of 360 degree architecture, shallow roof overhangs, and uniform building setback and yard sizes. Major subdivisions can be more sensitive to the character of the area. Zoning and subdivision performance standards can be established for major subdivisions to address monotony and uniformity. Consider the following performance features:

- Use of floor plans to create a significant visual difference in each home.
- Variation of lot width and front setbacks
- Variation in building height
- Variation in roof styles
- Variation in building orientation
- Use of porches

Use of the building envelope approach (the envelope contains all driveways and structures). The Planning Board can be authorized to establish the building envelope during subdivision review.
Use of side-loaded garages or recessed front-loaded garages
Street trees and landscaping

1.19 In the RC3 district prohibit commercial ventures based on a lake use.

1.20 Amend zoning so that lots with lake rights to Crystal Lake have the same side yard setback requirements as existing hamlet lots.

1.21 Create a voluntary Transfer of Development Rights program. A transfer of development rights program involves not only buying the development rights and preserving the land, but then moving those rights from the restricted property to enable additional development (a density bonus) to another property. “The transfer of development rights involves the purchase of development rights by private developers from individual landowners. A government agency, known as a TDR bank, may act as a broker between TDR sellers and developer-buyers to maintain an active market. The TDR program allows the buyer of a TDR to subdivide a parcel into more lots in order to build more houses on that certain parcel of land than the normal zoning regulations would allow. That is the incentive for private developers to buy TDR’s. A local government creates a market in development rights by defining sending areas designated for preservation and issuing transferable development rights “tickets” to landowners in the sending areas. Landowners receive transferable development rights based on the number of acres owned” (*From Holding Our Ground, by Tom Daniels*). In order to make this a feasible approach, the Town of Rensselaerville would need to identify “sending” and “receiving” areas. Sending areas are those lands designated for preservation and receiving areas are those areas receiving the additional density.

(I) (Local, HRVG) (TB, PB, LUC)

2. Economic Development

2.1 Concentrate commercial development in Hamlet areas. See also Economic Development Goals.

2.2. Allow for small-scale residential and commercial development in appropriate areas within the hamlets of Medusa, Preston Hollow, Potter Hollow - Cooksburg and Rensselaerville.

2.3 Encourage the establishment of small home-based businesses that have low environmental and visual impacts on neighboring properties. Ensure that the Town Zoning Code regulates these home-based businesses for issues relating to signs, lighting, landscaping and screening, and traffic impacts. Create two types of home occupations: low impact (permitted with no further review) and intensive (special use with new standards for parking, signage, lighting, noise, odor, screening, etc.)

2.4 Review and update the “use tables” of the Town zoning code to ensure that they allow for the desired retail and professional service uses in specific districts.

2.5 Develop sign and architectural design guidelines to encourage continuity and attractive design in business districts.

(I) (Local, HRVG) (TB, PB, LUC)

- a. Adopt specific regulations for formula stores in the Town of Rensselaerville.

2.6 Explore the revision of the Town Zoning Ordinance and/or site plan regulations to require higher percentages of landscaping on commercial properties within the business districts.

(O) (Local, HRVG) (TB, PB, LUC)

2.7 Seek opportunities for burying utility wires underground or placing overhead lines toward the rear of the properties to protect and enhance the aesthetics of the community.

2.8 Review and amend the Light Industrial Use schedule in zoning for the RC2 district. Manufacturing, printing and publishing, and warehousing for example, are uses that are not compatible with the purposes outlined on page 67 of the original Comprehensive Plan.

2.9 All business activities except for minor home occupations should be required to go through site plan review to ensure that it is compatible and consistent with the Town’s environment and rural character.

3. Infrastructure

3.1 Establish a Cell Tower/Communication District to specifically locate and regulate cell towers. All towers should be bonded to cover the cost of removal when they are no longer in use. These

locations should be based upon a GIS study of locations that provide coverage to meet both Federal Standards and Local public safety and emergency needs for Fire, Ambulance, Police, and other emergency services. Disallow cell towers in any other locations.

- a. The Town will underwrite the development of Cell and other Communications Towers both in order to better control their development, and in order to bring a positive revenue stream source into the community.

3.2 Establish a new zoning district called “Tall Towers District” to specifically locate and regulate wind turbines. Any wind turbine local law should cover not only locations where they would be allowed, but development standards, required safety measures, construction traffic, setbacks, noise easements, abatement, and wind measurement towers. Specifically disallow any large-scale Wind Turbine project unless it provides significant initial and long-term financial benefit to the town in perpetuity.

3.3 Update the zoning law definitions related to “Essential Facilities” to ensure that telecommunication and power companies are included in these regulations. All essential facilities should require site plan review and a special use permit. Review the section in zoning related to Essential Facilities and update. Add definitions for wind mills for personal use, wind towers and meteorological towers and regulated these uses either through the Essential Facilities section or via a separate Cell Tower” zoning district.

3.4 Encourage new commercial and higher density residential development in high traffic areas to manage ingress/egress points to decrease vehicle and pedestrian hazards. Protect the integrity of pedestrian pathways by working with the County and DOT to limit the number of curb cuts along county and state routes.

(S/O) (Local, HRVG) (TB, PB, LUC)

3.5 Work with developers on proposed projects to ensure that new roads are consistent with Town goals regarding connectivity, accessibility and rural character. Retain shale roads where low volume traffic is anticipated. New road standards should be reviewed to ensure that they are consistent with the existing low volume rural roads. The Town Highway Staff should participate in the Cornell Local Roads training

(I) (Local, HRVG) (TB, PB, LUC, HS)

programs and Town roads should be built, and maintained as per low volume rural road standards as established by the Cornell Roads program.

4. Farming

4.1. Preserve a critical mass of farmland by directing development away from productive farmland areas, encouraging residential cluster developments, utilizing donation of permanent conservation easements, the purchase of development rights, transfer of development rights, and agriculture-friendly zoning.

(I)(Local, HRVG, NYSAFP) (TB, PB, LUC)

4.2 Zoning should allow as permitted uses alternative, niche and agri-business operations such as growing bio-fuel crops, fruits and vegetables, u-pick operations, bed and breakfasts, etc.

4.3 Retain large blocks of farmland to the maximum extent. Split the A/RR district into an agricultural zoning district and a rural residential zoning district. Currently, the A/RR zones would allow (outside of the hamlets) the densest residential growth. The build-out shows potential for over 2000 new homes in the A/RR district. Large blocks of land are necessary in order to support agriculture. Larger areas of farmland provide greater opportunities to adapt to changing market conditions. Retaining such large blocks helps ensure a future for farming. Splitting the A/RR district will help the Town of Rensselaerville adopt planning tools more sensitive to the needs of agriculture. A rural residential district should have as its long-term goal rural residences. An agriculture district should have as its long-term goal agriculture. Within the agricultural district, apply appropriate planning tools described in this plan. See land use concept map, Map 23.

4.4 Establish flexible design and development regulations which allow for the continuance of agricultural uses concurrently with other development uses on the same tract of land. Clustering and conservation subdivisions accomplish this. Any clustered or conservation subdivision design should allow for agricultural use on the preserved lands.

4.5 Use of a density measurement, instead of reliance on minimum lot size to regulate development potential will allow some development and preservation of open lands at the same time.

4.6 Subdivision and zoning should be amended to require buffers between new development and existing farms. The new development would be required to incorporate these buffers into their plans when necessary.

4.7 Initiate a Transfer of Development Rights program. See strategy 1.21, above for details.

4.8 Implement all required New York State Agriculture and Markets Laws related to agriculture districts (25-AA) as follows:

- a. Local Ordinances: New York State laws guard farmers from unreasonably restrictive zoning codes and ordinances regarding farm worker housing, manure management and other farm practices.
- b. Agricultural Data Statements: Are required within 500 feet of a farm operation located in an agricultural district. This statement must be included with the application for subdivision or other permit, adjacent farm owners must be mailed a notice of the application, and the Planning Board (and ZBA) is required to evaluate and consider the statement in its review of possible impacts to nearby farm operations. The Town should include in its local land use laws this requirement as well as a policy to review project impacts on agriculture.
- c. Notice of Intent: Requires analysis of public projects that may impact farms in agricultural districts. These notices include a detailed agricultural impact statement must be filed before public funds are spent on certain non-farm projects in agricultural districts.
- d. Disclosure Notices: Requires a landowner in an agricultural district to provide a prospective buyer with a disclosure notice prior to signing a purchase agreement. The notice aims to advise property buyers about the sights, sounds, smells and other aspects of modern agricultural practices before they purchase property in a farming area.

5. Housing

5.1 Encourage higher density housing to locate in or near Hamlet areas, with the densities decreasing outside of hamlets centers.

Add to the use schedule multi-family and townhouse development as permitted uses subject to site plan review in the hamlets.

5.2 Consider use of mandatory inclusionary zoning (requirement that housing developments over a certain number of units must provide a certain percentage of affordable units.) Any such provision should be structured to give preferences for these affordable units to people who currently live in the Town. Any such program should partner with a non-profit housing organization to assist in management of that program. These affordable housing units shall not be designed or used as facilities for drug or alcohol rehabilitation. As an alternative, consider providing for use of a density bonus incentive to developers who voluntarily agree to provide some percentage of affordable housing lots or units within their development.

5.3 Update the zoning law to allow for the use of Planned Unit Districts (PUD) in the Town to encourage a mix of residential development clustered in areas that have, or have the potential to have water, sewer, and roads. PUDs could allow for a variety of housing types, including but not limited to, duplexes, condominiums, townhouses, senior housing and assisted living facilities.

5.4. Enhance and improve current mobile home park standards and add in a minimum lot size for establishing a new mobile home park.

5.5 Update the zoning law to re-define and allow by special use permit, accessory and/or in-law apartments to provide alternative housing opportunities for the citizens of the community. A single-wide mobile home should not be considered an accessory apartment.

5.6 Update the zoning law to re-define Dwelling, Mobile Home, Double-wide, and Mobile Home Park. Designate specific zoning districts in the Town where these housing types will be allowed or allowed by special use permit. Enforce the New York State Building Code with relation to sub-standard or dilapidated mobile homes. Seek funding from the Albany County Rural Housing Alliance (ACRHA), federal and state sources to rehabilitate sub-standard housing, facilitate home-ownership and restore historic homes.

5.7 New housing units in or near existing residential neighborhoods should blend with the existing neighborhoods and

have the same or similar setback distances from the main road and should reflect the historical heritage of the area.

5.8 Develop standards for new residential development in hamlets that will result in more affordable housing by reducing lot sizes, setbacks and road frontage requirements where public health concerns are addressed by sewage and water infrastructure on smaller lots with more development.

5.9 Include in zoning, design standards for multi-family dwelling structures and other affordable housing to create aesthetically pleasing affordable opportunities.

6. Natural Resources

6.1 Amend the zoning map so that the northeastern corner of the Town is re-designated to a RC1 zoning district to reflect the severe limitations for water recharge and waste handling in that part of Town. See also the New York Rural Water Association (NYRWA) report and Land Use Concept Map (Map 23).

6.2. Create a Lake Myosotis Watershed Protection Overlay District. See Land Use Concept Map (Map 23).

- a. Modify the RC1 zoning district boundary in that part of Town to include all parcels with land in this watershed boundary.
- b. Work with the Town of Berne to establish watershed protections for lands in Berne. The actual watershed of the lake crosses the border between the towns and in order to achieve adequate protection of the water resources, lands within the Town of Berne should be included within the overlay.

(I) (Local, HRVG, SMSI)
(TB, PB, LUC)
- c. Within the regulations for this overlay, establish use of Best Management Practices for Agriculture.
- d. Within the regulations for this overlay, establish use of Best Management Practices for Timber Harvesting. Consider establishing a permit system for timber operations on areas greater than 1 acre in size. Clearcutting should not be allowed on steep slopes or within 200' of streams and other water bodies. On steep slopes, a stormwater and erosion control plan may be required.

- e. Modify the Rensselaerville hamlet zoning district to remove lands that overlap with the Lake Myosotis Watershed and rezone those lands to RC1.

6.3 Establish appropriate land use controls to protect significant unconsolidated groundwater aquifers in the Town. Expand upon the groundwater study produced by the Rural Water Association and utilize other engineering resources to identify aquifers and aquifer recharge areas and designate an Aquifer Protection Overlay District over these areas. Ensure that zoning and subdivision regulations for these areas protect groundwater resources and ensure future access to water supplies. Requiring mandatory clustering or conservation subdivisions, moving development away from aquifer areas, minimizing impervious surfaces, and prohibiting uses such as gas stations will help ensure that aquifers are protected. Should any aquifer be tapped for public water supplies in the future, the Town should ensure enact wellhead protection measures to ensure long term water quality.

(S/O) (Local, HRVG, EFC-CWSRF) (TB, PB, LUC)

6.4 Utilize the groundwater study produced by the Rural Water Association and other engineering resources to identify and protect areas in the Town that could potentially serve as future municipal water supplies for the existing hamlets and other future densely populated areas. Establish well-head and watershed protection areas for these important public resources.

(I) (Local, HRVG) (TB, PB, LUC)

6.5 Update subdivision regulations to authorize the Planning Board to require water draw down tests to determine the impact of major subdivisions on existing wells.

6.6 The quality of surface water in the Town of Rensselaerville is nearly pristine. A major factor responsible for good water quality is minimal development adjacent to streams, especially in the area known as the riparian buffer where existing vegetative cover of trees and shrubs exists. Vegetated buffers prevent excessive erosion of stream banks and reduce runoff of pollutants and nutrients. They also provide shade which keeps summer water temperatures cool enough to provide habitat for trout and other cold-water species. Enhance and strengthen the existing stream protection corridor districts in zoning. (See Map 22.)

The following stream corridor protection guidelines should be implemented in zoning and subdivision laws:

- a. This overlay should include enlarged setbacks to protect the entire riparian zone and shall be composed of a buffer and the 100-year flood plane.
- b. Zoning should identify how setbacks shall be measured and is recommended that the setback begin from the center of the stream.
- c. The overlay should require that a natural vegetation strip be maintained.
- d. Certain uses should be prohibited from the stream overlay and include septic tank drain fields, new structures, hazardous waste landfills, roads and other impervious surfaces, clearcutting, and gas tanks.
- e. Regulations should allow commercial harvesting of timber in the riparian zone. A special use permit is recommended for removal of trees within 200 feet of the center of the stream or removal within the 100-year flood plain, whichever is greater. The special permit application will require submission of a harvest plan that conforms to “best forest harvesting practices”, available from the Code Enforcement Officer. The special permit application will be approved by the Planning Board following inspection of trees marked for removal and an on site layout of temporary access roads to be used for logging activities. Site inspection will be the responsibility of the Code Enforcement Officer.
- f. New lots created to include or border streams in the overlay district must have a minimum 400 feet of stream frontage to be approved for subdivision.
- g. Construction of structures will be prohibited in the stream corridor overlay district.

6.8 Identify wetlands not regulated by New York State and establish their significance. Require a 100 foot setback. For regulated wetlands, establish additional setbacks or requirements above that required by New York State in order to protect these important resources.

6.9 Maintain surface water quality at its present level. Ensure that all NY SPDES required stormwater protection standards are met during development. This will require stormwater protection plans to be developed and reviewed as required by New York State. Utilize the NY SPDES General Permit #GP-02-01 for Construction Activities. Minimize use of road salts in areas that are adjacent to critical water bodies. Include use of an impervious surface requirement in zoning (usually measured as the percent of the lot allowed to be in impervious surfaces).

6.10 Protect the water quality of:

- a. Camp Cass water system by establishing well-head protection areas to maintain a safe and sufficient public water supply source.
- b. Crystal Lake by prohibiting public access.
- c. Myosotis Lake by more intensively monitoring water quality at the swimming beach during summer months.

(S/O) (Local, HRVG) (TB, PB, LUC)

6.11 Amend zoning to re-configure the RC2 zoning district. The purpose of the RC2 district is to protect lands with severe physical restraints including steep slopes. However, the existing district does not encompass many of the steepest slopes found in the Town of Rensselaerville. It is recommended that the RC2 district be expanded to include these areas. See Land Use Concept Map (Map 23).

6.12 Promote use of flexible design and development regulations throughout the Town to maximize protection of vegetation and wildlife habitat. This includes use of clustering and conservation subdivisions. Areas of important wildlife habitat should be included on the list of conservation areas to be considered during subdivision review. Incentives such as density bonuses, use of Transfer of Development Rights (TDR), tax incentives and other recommendations offered in this plan also can effectively be used to protect natural resources.

(S/O) (Local, HRVG) (TB, PB, LUC)

6.13 Establish a timber harvesting permit system with reasonable regulations to promote the use of best forest management practices.

6.14 Strengthen the current zoning requirements for Erosion and Sedimentation Control (See Article VII). Add a purpose statement, more detail and require a permit to grade or disturb land. Add more detailed standards for the required Erosion and Sedimentation Control Plan (See Article VII, Section 2D). For areas with 15% or greater slope, require a geologic and engineering analysis to prove that that area will not be un-stable if disturbed. Prohibit disturbance of any kind on areas of 20% slope or greater. Require a stormwater management plan. As part of this, Best management practices (BMPs) should be implemented to protect the quality of the water resources in the Town and minimize soil loss. Best management practices have been developed for agricultural, silvicultural, and urban and construction activities. Agricultural practices, for example, have been developed for cropland, pastures, barnyard or manure management, and pesticide control. Silvicultural practices have been developed for activities such as road construction in timberlands, timber harvest techniques, regenerating forest lands cut or killed by disease or fire, and the use of pesticides. Urban practices (which could be applied to the hamlet areas) have been designed to keep streets and roadsides clean and construction practices have been developed for erosion and runoff control. The implementation of some of the BMPs could be included in local regulations. For instance, many of the silvicultural practices could be included in the timber harvesting regulations. The use of BMPs will protect watersheds by controlling erosion, runoff, nutrients and pesticides, and help maintain the productivity of the land.

6.15 At the parcel level during project development, adopt the following biological standards for habitat protection:

- a. Maintain buffers between areas dominated by human activities and core areas of wildlife habitat.
- b. Facilitate wildlife movement across areas dominated by human activities.
- c. Mimic features of the natural local landscape in developed areas.
- d. Identify conservation areas containing features to be conserved.
- e. Locate development away from conservation areas.

6.16 Protect steep slopes by establishing development guidelines for slopes greater than 15%. Prohibit development on slopes greater than 20%. Authorize the Planning Board to require professional analysis at cost to applicant when development is proposed on steep slopes to ensure that the area will not become un-stable as a result of building.

(S/O) (Local, HRVG) (TB, PB, LUC)

7. Historic Character

7.1 Require clustering and conservation subdivisions in order to preserve historic farms and historic landscapes. Known historic resources should be included as a “secondary conservation feature” when a conservation subdivision is designed. Placement of new houses on a parcel in a way that is sensitive to protection of historic features and landscapes can be accomplished via clustering, conservation subdivisions, and authorization of the Planning Board to identify the allowed building envelope on a new plat or site plan.

(S/O) (Local, HRVG) (TB, PB, LUC, CO)

7.2 Zoning should allow for adaptive reuse of existing, historical structures. Inventory and celebrate the community’s historical and cultural heritage and incorporate it into future development and redevelopment opportunities.

(S/O) (Local, HRVG) (TB, PB, LUC, CO)

7.3 Continue to implement the Rensselaerville Historic Preservation Law to protect local historic structures and sites and provide protection against potential impacts, such as physical modifications or demolition of historic structures.

(S/O) (Local, HRVG) (TB, PB, LUC, CO)

7.4 Review the Historic Preservation Law and amend to provide more specific historic preservation guidelines. Add illustrations and standards that more clearly identify the architectural, layout, or design features consistent with the historic character and that would make the Planning Board most effective in its review. This will also benefit the applicant by clarifying expectations ahead of time.

(I) (Local, HRVG) (TB, PB, LUC, CO)

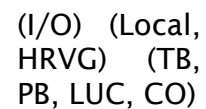
7.5 Understand the applicable laws that can help the Town protect historic resources. These include Section 106 of the National Historic Preservation Act of 1966 which directs federal agencies to consider historic resources in their project planning. New York State has a parallel law for state agencies in Section 14.09 of the State Preservation Act of 1980.

8. Other Recommendations to Enhance Land Use Regulations

8.1 Add in purpose statements for each district in the zoning law. This will establish and clarify the basis for regulating land uses within these districts.

8.2 Update all definitions in both zoning and subdivision and make sure they are consistent with each other.

8.3 Enhance record keeping of parcel development history. The recommended regulations in this Plan are based on the parent parcel as of the time of zoning law amendment adoption. Each parent parcel is allowed a certain density of development. As lots are developed, the allowable density is “used up” over time. The Town needs to keep good track of these subdivisions. It is recommended that notes on total development capacity of each parcel going through subdivision review be added on the plat, and a master map be kept at Town Hall. To aid in this process, consider use of ArcExplorer on a computer accessible by the Planning Board and use all GIS based maps created for this Plan during project review. Consider using the “Virtual Town Hall” software and interface this with the GIS data for the Town. Consider applying for a State Archives Grant for this purpose.



(I/O) (Local,
HRVG) (TB,
PB, LUC, CO)

8.4 Include in zoning and subdivision regulations authorization for establishment of an escrow account and to allow the Planning Board and Zoning Board of Appeals the ability to hire professionals to assist them in their reviews as needed at the applicants’ expense.

8.5 Strengthen the role of the sketch plan meeting in subdivision. It is recommended that this meeting between the applicant and the Planning Board be mandatory and conducted with the comprehensive use of available GIS maps and data base at the very beginning of the review process.

8.6 Require performance bonds for subdivision, site plan, or special use applications which pose a financial or liability risk to the Town due to environmental, health, safety, or other risk significant factors at the discretion of the Planning Board. This ensures that all required improvements will be paid for at the applicants' expense.

(S/O) (Local, HRVG) (TB, PB, LUC, CO)

8.7 Insure all back taxes have been paid by the landowner prior to approving any zoning, subdivision application or building permit.

8.8 Update the subdivision regulations to require a copy of the deed prior to approval of any subdivision. If the applicant is not the landowner require notarized consent from the landowner.

8.9 Update application forms for all development and variance actions. These forms should be more detailed and all land use records entered into the town GIS data base.

C. Capital Improvements

These are recommendations related to any municipal improvement, investment, purchase, equipment, or staffing needed for carrying out Town functions such as purchasing lands, buildings, or maintaining roads.

Implementation codes are listed with each strategy

1. Infrastructure

1.1 Adopt a Capital Improvements Program (CIP), in addition to the operating budget, to better plan for all large and capital projects in the Town. This plan should include budgeting, physical, real estate, staffing and equipment needs related to roads, water and sewer, parks facilities, etc. A CIP is a management and fiscal planning tool used for financing and constructing needed public improvements and facilities. Properly designed, a CIP enables a community to identify its capital needs, rank them by priority, coordinate their scheduling, and determine the best method of paying for them. (S) (NYS DOS-QC) (TB, HS)

1.2 Continue to work with Verizon to upgrade the telephone utility lines in the Town to ensure residents do not consistently lose service. Continue to pursue the possibility of having only one prefix (797 or 239) so residents are not charged long distance to phone their neighbors. (S/O) (Local) (TB)

1.3 Work with utility companies to upgrade infrastructure for electric service lines to serve existing customers. (I) (RUS USDA, PF) (TB)

1.4 Protect the water quality of Myosotis Lake to maintain a safe and sufficient public water supply source: (S/O) (Local, CW/CA EFC-CWSRF) (TB)

- a. Continue the program of upgrades to the public water supply system to maintain a safe and sufficient water source that can be effectively distributed. (S/O) (Local, CW/CA EFC-CWSRF) (TB)

1.5 Continue to investigate opportunities to provide radio and/or telecommunications towers for emergency service and public safety personnel use. (S/O) (Local, PF) (TB)

1.6 Work with the County Planning and Highway Departments to identify county maintained routes in the Town which are not safe

for pedestrians and automobile traffic and encourage upgrades as part of routine maintenance and rehabilitation. (S/O) (Local, NYSDOT, NYSDOT/TIP, NYSDOT/TEP) (TB, HS)

1.7 Continue routine maintenance and rehabilitation of Town roads. Use of the recommended Capital Improvement Plan that identifies all capital programs and outlines funding, staff, and equipment needs for the maintenance of the transportation system as well as time tables for conducting the work is important for road maintenance activities. (S/O) (Local, NYSDOT, NYSDOT/TIP, NYSDOT/TEP) (TB, HS)

1.8 Construct new sidewalks and/or maintain and improve existing bluestone sidewalks in the hamlets and other future densely developed areas of Town. Areas to be considered for sidewalk construction or reconstruction should have a sidewalk district established after determining that existing uses, development patterns, and traffic patterns are supportive of sidewalks. (I) (Local, NYSDOT, NYSDOT/TIP, NYSDOT/TEP) (TB, HS)

1.9 Identify appropriate locations for public parking in the hamlets. (S) (NYSDOS-QC) (TB, OC)

1.10 Work with the Town, County, and State highway departments during road work to prevent inadvertent destruction of historic sites. Establish a policy to maintain the historic character along roads. (S/O) (NYSOPRHP) (TB, HS, CO)

1.11 The Town will own or have a significant ownership stake in any large-scale wind project. (I) (NYSERDA) (TB)

1.12 The Town will accept and support a large-scale wind project only if it is Community Owned and brings a significant long-term financial benefit to the Town. (I) (NYSERDA, NYSBCD) (TB)

2. Economic Development

2.1 Continue to apply for federal, state, county, and private philanthropic organizations grant/loan funding for direct business assistance, façade improvements or other building improvements and/or infrastructure improvements. (O) (CDBG, PF, NYS-DHCR-MSNY) (TB, CO, OC)

2.2 Cooperate with the neighboring hilltowns to establish a rural mobile health care unit. (I) (USDA, CDBG, HHS-CSBG) (TB, CO, OC)

2.3 Establish community-wide services for cell phones and high-speed internet to meet the business and communications needs of our residents. (I) (LOCAL, PF) (TB, CO, OC)

3. Recreation

3.1 Cooperate with neighboring hilltowns to establish a joint community center. (I) (CDBG, SMSI) (TB, CO, OC)

3.2 Improve and enhance the current recreational facilities to provide more recreational opportunities for all citizens. Proceed with urgently needed upgrades and maintenance to enhance the use and safety of playgrounds throughout the Town. (S/O) (CW/CA, NYSOPRHP) (TB, CO, OC)

- a. Create a long range plan for facilities or property acquisition for open space and recreation. This long range plan should include a Capital Improvement Plan (CIP) that sets up long range staff, equipment, property, budgetary and other capital needs. (I) (NYSDOS-QC) (TB, CO, OC)
- b. Establish recreation fees for new subdivisions to fund acquisition of land for recreation purposes. These moneys are dedicated to providing Town-wide recreational resources. (S) (LOCAL) (TB)

3.3 Identify and secure funding to acquire green space and parklands, especially in environmentally sensitive areas. (S/O) (LOCAL, NYSDOS-QC, NPS-LWCF) (TB)

3.4 Protect the natural environment by creating public green spaces, parks, trails, and boardwalks for wildlife viewing. (O) (CW/CA, NYSOPRHP, NPS-LWCF) (TB, CO, OC)

3.5 Explore the feasibility of creating a small, safe, secure lake for recreational uses as well as walking trails at the Town Hall site. (I) (NYSDOS-QC, NPS-LWCF) (TB, CO, OC)

3.6 Develop a multi-use trail network, e.g., hiking, cross-country skiing, or mountain biking that links the Town's natural areas and hamlets to provide additional recreational opportunities and improve access to the Towns' valuable recreational resources. Work with organizations with expertise in open space preservation.

Liability issues are a concern, but special zoning and other solutions exist and the Town should explore these. The Town could start by identifying willing landowners to provide land or access. The New York Recreation Use Statute indemnifies landowners from liability. This process should include education of trail users on trail etiquette, resource protection and user responsibility. (I) (NYSOPRHP, CW/CA, SBF, PF, NYSDOS-QC, NPS-LWCF) (TB, CO, OC)

D. Programs and Policy Initiation

1. Land Use

Implementation codes are listed with each strategy

1.1 Work with the Huyck Preserve and local land trust organizations such as the Catskill Center to continue preserving significant parcels of land that are environmentally fragile, or provide important wildlife and plant habitats. Encourage use and proper assessment of conservation easements. (O) (LOCAL, PF, CW/CA, NYSDEC) (TB, CO, OC)

1.2 Create a system of incentives to achieve desired land-use patterns. To achieve this, adopt an incentive zoning law. This would provide who provide public benefits such as open space, contiguous tracks of prime farmland, park land, affordable housing, infrastructure improvements, energy efficiency, or other facilities that benefit Town residents. Incentives can be effective to retain large undeveloped parcels and to keep lands in agricultural use. Incentives come in a variety of forms and could include density bonuses, sponsoring purchase or transfer of development rights programs, and tax benefits. (S/O) (NYSDOS-QC) (TB, PB)

It is especially recommended that the Town develop a tax incentive program that offers greatly reduced property taxes in exchange for permanent or term easements to provide many of the above public amenities. Consider establishing an annual fund to build matching funds for leveraging state and federal monies available for acquisition of development rights on critical parcels having high intrinsic community values.

- a. Work with Albany County Farmland Protection Board, the American Farmland Trust, the Catskill Center and other land trust organizations to educate the public about conservation easements. (S/O) (AFT, CCE) (TB, CO)
- b. Using priorities identified in this plan, apply for Purchase of Development Rights (PDR) funding (State and Federal programs) to protect critical farmland parcels. (S) (NYSAFP) (TB, CO)

1.3 The Town of Rensselaerville should institute a policy to prevent a solid waste dump from being constructed in the Town for waste generated from locations outside the Town. (S) (LOCAL) (TB)

2. Economic Development

2.1 All economic activity will be consistent with resource and rural character protection in Rensselaerville. (S/O) (LOCAL) (TB)

2.2 Develop a Business Attraction Program aimed at sustaining employment opportunities and providing incentives to businesses that provide services to local residents to locate in and around existing hamlets. The Town Board, together with the county, should investigate the use of tax incentives to encourage the attraction and expansion of appropriate businesses. (I) (LOCAL, CDBG-TA, NYSDOS-QC) (TB, CO)

2.3 Establish a “Buy Rensselaerville First” initiative by creating a directory of local services and products. Promote a community-wide 'buy local' policy. The Town's economy would benefit from having a better understanding of how money circulates within the local economy. A more widespread awareness of this would enable a greater proportion of local dollars to be recirculated. (S/O) (GROW-NY, CCE, USDA) (TB, CO)

2.4 Create a Business-To-Business peer group made up of hill-town business owners to assist each other in assessing local business problems and operating methods. Items that can be reviewed include joint marketing, product presentation, item pricing, etc. (S) (LOCAL) (TB, CO)

2.5 Explore the development of a regional Chamber of Commerce or a joint four-town Economic Development Committee representing the Town of Rensselaerville, the Town of Berne, the Town of Knox and the Town of Westerlo. (I) (LOCAL, SMSI) (TB, CO)

a. Create an integrated antique, arts and crafts shopping, lodging and eateries brochure and map linking these locations in the four towns. (I) (NYSBDC, SBF) (TB, CO)

2.6 Develop informational material that establishes and markets a theme within the business community. (I) (NYSDOS-QC, CDBG-TA) (TB, CO)

2.7 Establish a Tourism Committee to identify, promote, and enhance the tourism opportunities within the Town of Rensselaerville. (S) (NYSDOS-QC, CDBG-TA) (TB, CO)

2.8 Continue to support and promote a variety of local cultural and recreational events in the Town to bring friends and neighbors together. Events and activities could include, but are not limited to, street fairs, food festivals, holiday celebrations, winter festivals, art and craft fairs, historic walking tours, Spring and Fall clean-up days, Town-wide garage sales, flea markets, and farmers markets. These types of events can also attract tourists throughout the year and inspire community spirit and pride. (O) (LOCAL, NYSCA) (TB, CO)

Consider coordinating the present program of events and festivals in the Town, and explore the potential for additional activities, particularly outside the peak season, to augment income and employment.

2.9 Preserve, rehabilitate and strengthen existing hamlet areas as pedestrian-oriented activity centers containing a mix of multi-family residence housing and retail and service businesses that serve local rather than regional needs. (S/O) (LOCAL) (TB)

2.10 Investigate ways for local cottage industries to make use of available resources and sites within the Town. For example, empty buildings could be used for start-up businesses. (I) (CDBG-TA) (TB, CO)

2.11 Investigate opportunities to expand municipal utility infrastructure, such as DSL, high speed internet, and/or cable access connections to enable telecommuting and home-based businesses to thrive. (S/O) (LOCAL, ESDC-WCG) (TB)

2.12 Explore development of wireless antenna hub(s) or WiFi access hotspots within the Town to serve as a compelling technology or economic development tool for attracting the under 40-age group and industry consistent with our resource protection goals and objectives to the Town. (S/O) (LOCAL, ESDC-WCG) (TB)

2.13 Utilize the Town web site for the promotion of existing and forthcoming programs, development initiatives and community events. Be sure to provide links to the Chamber of Commerce, Albany County, school districts and other pertinent websites. (S/O) (LOCAL) (TB)

2.14 Promote policies and ordinances that actively encourage agriculture and do not inhibit or curtail farming operations. Adopt

appropriate tax policies for farmland and farm buildings. (S/O) (LOCAL) (TB, CO)

2.15 Appoint a citizen committee to work closely with the Cornell Cooperative Extension of Albany County Economic Development Program and the New York State Department of Ag & Markets. (S) (LOCAL) (TB)

2.16 Work with Cornell Cooperative Extension of Albany County, Albany County Agricultural and Farmland Protection Board, Albany County Department of Conservation, Planning & Economic Development and New York State Department of Agriculture & Markets to seek grant opportunities for local farmers in order to strengthen the local agricultural economy. Local farmers can benefit from involvement in a regional agri-tourism, eco and/or recreational tourism market, as well as expanded farmers markets and Community Supported Agriculture Programs (CSAs or Co-ops). (S/O) (CCE, SMSI, NYSAG, NYSAFP, AFT, USDA) (TB, CO)

2.17 Encourage existing agricultural producers and processors to participate in the “Pride of New York”, “Grow New York” program and other programs administered by New York State Ag & Markets, and apply for grant funding through these programs to support value-added activities. Support new markets that are emerging for non-traditional agricultural products, such as herbs, organic farming, dried flowers, maple syrup production, heirloom fruit trees, etc. Bring together economic development practitioners from the wider area to identify business opportunities, niche markets, financial incentives and marketing co-operatives that are appropriate to the circumstances found in the Town of Rensselaerville. (S/O) (GROW-NY, USDA, CCE) (TB, CO)

2.18 Encourage local agricultural property owners to pursue small-scale, sustainable production of timber and firewood as well as value-added processing opportunities, including maple syrup, handcrafted furniture or Christmas wreath production. Due to the relatively small scale of agricultural operations, forest management can be a complementary and sustainable activity. . (S/O) (GROW-NY, USDA, CCE) (TB, CO)

2.19 Support the economic development goals and objectives of the Albany County Agricultural and Farmland Protection Plan. (S/O) (LOCAL) (TB, CO)

2.20 Work closely with the Albany County Department of Economic Development, Conservation, and Planning to ensure that the Town of Rensselaerville's farm businesses are included in their promotional programs and initiatives. (O) (LOCAL) (TB, CO)

2.21 Educate the public on the importance of working landscapes and fresh locally grown products to the overall economic condition of the Town (culture, heritage, taxes, and revenues). (O) (GROW-NY, CCE, NYSAG, AFT, USDA) (TB, CO)

2.22 Establish signage, agri-tourism, local markets, written materials, and a local label to help the public understand the breadth of agriculture taking place in Town. (I) (GROW-NY, CCE, NYSAG, AFT, USDA) (TB, CO)

2.23 Enact legislation, as necessary, to allow access to tax incentive programs for the restoration and reuse of traditional agricultural buildings. (S) (LOCAL) (TB)

2.24 Research the feasibility of creating a small business incubator that would allow farmers to process their own commodities, cutting production costs and increasing profitability of their business. (I) (GROW-NY, CCE, NYSAG, USDA, NYSEDC) (TB)

2.25 Enhance the existing farmer's market by attracting more vendors, and include the sale of local crafts, baked goods, etc. Support the local farmers market and encourage its expansion to other hamlets, and possibly the Town Hall site. Local producers should be encouraged to participate on a regular basis. Current insurance/liability problems may be resolved by operating under the Town Boards' insurance coverage. (S) (LOCAL, CCE, GROW-NY) (TB, CO)

2.26 Encourage the local schools to provide youth with an agricultural education program to ensure there will be a next generation of farmers. (O) (CCE, NYSED) (TB, CO)

2.27 Carefully consider the development of wind farms as a source of clean energy where the turbines will not significantly impact the valued scenic views of the Town. (O) (NYSERDA) (TB)

2.28 The Town of Rensselaerville should institute a policy to prevent use of eminent domain by the Town, County or other governmental agency for the purpose of converting private land for economic purposes. (S) (LOCAL) (TB)

3. Infrastructure

3.1 Where feasible, consolidate municipal services and/or cooperate with other government agencies to limit the duplication of services and the costs of providing such services. The Shared Municipal Services Incentive Grant Program through the Department of State provides financial assistance to municipalities interested in investigating opportunities to work together. (S/O) (LOCAL, SMSI) (TB)

- a. Conduct a feasibility analysis and needs assessment to determine whether it makes sense economically, operationally, and administratively to consolidate Town and county highway departments. Utilize the New York State Comptrollers cooperation and consolidation consulting services (3CS) program to assist in this feasibility study. This program offers municipalities consulting services to conduct studies and audits to examine the service improvements and cost savings that can be gained through cooperation or consolidation. (S) (LOCAL, NYSOSC, SMSI) (TB)
- b. Apply for funding through the DOS Shared Municipal Services Incentive Grant Program for the purchase of shared equipment for the Town and County Highway departments. (S) (LOCAL, SMSI) (TB)

3.2 Increase communication and cooperation amongst Town, and School District officials. Create an Education Advisory Committee (EAC) as a standing committee of the Town Board. Appoint a representative to attend School Board meetings. (S/O) (LOCAL, NYSED) (TB)

3.3 Work with the school districts to redraw the district boundaries so that one school district encompasses the entire Town and to unify the school tax rates for all residents. (I) (LOCAL, SMSI) (TB)

3.4 Lobby State Senate and Assembly representatives to continue efforts to school tax reform and equalize the distribution of property taxes and state aid to all school districts in the Town. (S/O) (LOCAL) (TB)

3.5 Increase communication and cooperation amongst hill-town communities and School District officials. Create a steering committee comprised of hill-towns and School District

representatives to address issues of joint concern. (S/O) (LOCAL) (TB)

3.6 Invite representatives of each school district to public information workshops to communicate and introduce residents to the various municipal and school issues of joint concern, budget needs, and governmental functions. (S/O) (LOCAL, NYSED) (TB)

3.7 Encourage youth participation by establishing an annual “youth summit” whereby students hold mock Town meetings to address issues of mutual concern. (I) (LOCAL, NYSED) (TB)

3.8 Add links to the community websites on each of the school district websites. (S) (LOCAL) (TB)

3.9 Continue issuing the Town Newsletter to all residents on the tax roll to ensure that residents are kept informed on community events. (O) (LOCAL) (TB)

3.10 Use the Town website to post timely information on local community happenings and/or events calendar as well as educating public on understanding their tax bills. (O) (LOCAL) (TB)

3.11 Use a Town bulletin board to inform residents of Town activities. (O) (LOCAL) (TB)

3.12 Continue to upgrade and rehabilitate the Rensselaerville Hamlet wastewater treatment facility to reduce potential pollution. (S/O) (EFC-CWSRF, NYSDEC) (TB)

3.13 Investigate opportunities for innovative technologies to provide public sewer disposal to the existing hamlets and other future densely populated areas. (S/O) (EFC-CWSRF, NYSDEC) (TB)

3.14 Move towards a hamlet-based decentralized management of individual on-site septic systems. Create two levels of option: (I) (LOCAL) (TB)

a. A local inspection and permit program.

b. Municipal management of hamlet septic systems.

The vehicle to accomplish this strategy would be through formation of one or more on-site septic districts. Either of these methods

would be less costly and less environmentally intrusive than the creation of centralized sewer systems.

3.15 Require filing of well-logs with the Town Building Inspector and periodically use that information to update water quantity and quality databases and maps. (S) (LOCAL) (TB)

3.16 Identify the most effective communication tower locations, construct towers and lease space to providers to improve emergency services, cell phone coverage and high speed internet services. (S) (LOCAL) (TB)

3.17 Create a National Incident Management System compliant Emergency Services Operations Plan. (I) (SEMO) (TB, CO)

3.18 Create a Fire Safety Committee comprised of a representative of each Fire District and a Town Board liaison. (S) (LOCAL) (TB, CO)

3.19 Pursue funding opportunities such as grants and develop additional mechanisms to provide financial support to the Town's volunteer fire and ambulance squads in order to maintain a high level of public safety. Create an inventory of fire apparatus owned within the Town. Apply for state and federal grants for equipment needed in the Town, and eliminate competition between each fire district. (S) (AFGP) (TB, CO)

3.20 Explore the feasibility of consolidating the fire districts into one Town-wide Fire District. Determine if services can be provided at the same level while reducing cost to the property owners in the various fire districts. (S) (SMSI) (TB,CO)

3.21 Explore the cost/benefits of jointly hiring additional full-time EMS teams with the towns of Westerlo and Berne. Apply for a Shared Municipal Services Grant to provide equipment for the joint EMS. (S) (SMSI) (TB, CO)

3.22 Explore options through the Albany County Sheriffs Office and or the New York State Police to facilitate the larger police presence in the Town. (S) (LOCAL) (TB, CO)

3.23 Partner with existing public safety officials to ensure enforcement of the Town's traffic laws and environmental protection laws. (S) (SMSI) (TB, CO)

3.24 Establish a program of periodic road counts to track traffic growth on Town roads. (O) (LOCAL, CDTC) (TB, HS)

3.25 Establish additional methods of communication between the residents and town officials. (O) (LOCAL) (TB)

3.26 Continue to work with the County Highway Department and State Department of Transportation (New York State DOT) to lower the speed limits on specific roads, consistent with safe travel and multiple uses. (O) (LOCAL, NYSDOT) (TB, HS)

3.27 Establish a sidewalk district and fund for the hamlets to support regular ongoing maintenance and orderly expansion of the sidewalk network. This fund should be proportional to the size of the sidewalk network and the estimated annual need for basic repairs. (S) (SAFETEA-LU) (TB, HS)

3.28 Work with Albany County to increase availability of county-subsidized transportation for residents, especially senior citizens, to provide access to shopping areas and health care facilities. (S) (LOCAL) (TB)

3.29 Establish a new transit service or arrange for additional support to an existing bus service, community minivan or a private service provider in order to cater to the needs of the youth, senior citizens and persons with disabilities throughout the town. (I) (LOCAL, CDTA, NYSDA) (TB)

3.30 Continue to support and expand upon the volunteer senior van driving service to take senior citizens to get groceries, health care services and weekly outings. (S/O) (LOCAL) (TB< OC)

3.31 Improve solid waste and recycling facilities to meet the growing needs of Town and to provide a safe and secure facility. Develop an attractive waste recycling center that is enclosed, secure, and fenced. Enforce waste transfer station regulations to keep roadways clear of trash. (S/O) (LOCAL, NYSDEC) (TB)

3.32 Investigate resources available from higher levels of government to assist with providing better facilities and services in Town. (S/O) (LOCAL) (TB)

3.33 Provide increased Town support for the library's efforts to offer extended services to the entire community. (O) (LOCAL, IMLS, PF) (TB, OC)

3.34 Increase dialogue between the Rensselaerville Institute, the Huyck Preserve and the community to explore opportunities for cooperative activities and projects. (O) (LOCAL, PF) (TB)

3.35 Make information about community needs and support services readily available at publicly accessible locations within the Town. (O) (LOCAL) (TB)

3.36 Review criteria used to draw special district boundaries (water, sewer, and lighting) and develop a rationale for each district to insure efficiency and cost effectiveness of the existing districts and to accommodate changes that might be requested to the level of service provided.

4. Farming

4.1 It is recommended that an ag-advisory group be set up to assist the Town of Rensselaerville in implementing agricultural related policies and work with farmers to apply recommendations from this plan. As Rensselaerville works to implement the recommendations in this plan, it is vital that farmers and farmland owners be involved in the process.

All are (S/O) (LOCAL) unless noted and Town Board should implement with help from the recommended Ag-Advisory group.

4.2 Support tax policies that are fair to farmland owners.

- a. Adopt agricultural assessment values for fire, library or other service districts for farms.
- b. Ensure all agricultural tax incentives are utilized to the maximum extent.
- c. Act as a resource for information about property tax reduction programs aimed at farmers and farmland owners such as Farm Building Exemption programs and the Farmers' School Tax Credit.

4.3 Work with Tax Assessors to ensure that there is proper assessment of specialized agricultural structures such as silos,

greenhouses, etc. The Town does not want to overvalue agricultural structures. The criteria used for all property classifications needs to fully conform to the standards in the state manual for assessors.

4.4 Work with Albany County to write, support, and participate in the county-wide Right-to-Farm law that is currently under development.

4.5 Delineate important agricultural areas in the Town of Rensselaerville. Critical areas include large blocks of active farmland (See Agriculture Map) and areas having prime soils. These are the locations where the Town should support agriculture over the long-term.

4.6 Limit expansion of infrastructure in agricultural areas. Although Rensselaerville currently does not have extensive water and sewer infrastructure, the Town should adopt a policy not to extend water and sewer lines through the critical mass of farmlands (identified in strategies above). Ultimately, critical farmland areas should have a very low residential density and other permitted uses aimed at agriculture. (Densities of 1 dwelling per 20 acres are recognized as one that can allow farming to continue with limited non-farm development. For example, you could have a 1 dwelling per 20 acres with a minimum lot size of 5 acres (for groundwater protection).

4.7 Encourage the use of conservation easements for preservation of agricultural land. Support applications to state or federal programs to purchase agricultural conservation easements.

4.8 Consider providing funding for acquiring conservation easements on farmland (see ideas in Land Use Section). These could be funded through real property transfer taxes, and grants.

(I) (LOCAL, NYSAFP)

4.9 Consider a Farmland Mitigation Program. This is where a pool of landowners interested in conservation easements could sell their development rights to landowners who are developing their agricultural properties. This program would require a developer of agricultural lands to purchase easements on other farmlands to mitigate the loss.

(I) (LOCAL, NYSAFP)

4.10 Work with the County to implement relevant recommendations in the Albany County Agriculture and Farmland Protection Plan.

5. Housing

5.1 Partner with regional non-profit housing organizations to develop and optimize opportunities for affordable housing. (I) (LOCAL, PF, CDBG, NYSDHCR) (TB)

- a. Seek grants to build homeownership opportunities for Town residents. (I) (PF, CDBG, NYSDHCR) (TB)
- b. Seek grants to assist homeowners with rehabilitation of older or sub-standard homes. (I) (PF, CDBG, NYSDHCR) (TB)
- c. Help residents and Town officials understand various state and federal programs that already exist to assist in providing affordable homes such as the tax abatement program on lots that are part of an affordable housing program. (O) (LOCAL, Section 457 RPTL) (TB)

5.2 Encourage the development of additional senior (55+) housing opportunities in the Town. Development is recommended in areas adjacent to resources and services that can easily be accessed by senior adults. This housing should include both affordable units as well as market-rate units, to allow existing residents to downsize. Further market analysis should be conducted to identify other appropriate uses, including assisted living facilities or cooperative housing development. Density bonuses in areas suitable for senior housing can be used for encouragement. (S/O) (PF, CDBG, NYSDHCR, NYSDA) (TB)

5.3 Strongly enforce Town zoning law and building codes. (S/O) (LOCAL) (TB)

5.4 Increase educational opportunities for the building inspector and code enforcement officer and establish a performance review schedule that requires evaluation by the Town Board or their designee at six month intervals accompanied by a review of files and records maintained by the appointee(s). (S/O) (LOCAL, NYSDOS) (TB)

5.5 Establish detailed specific qualifications for the position of code enforcement officer that require prior training and testing to ensure appointment only after a candidate demonstrates by testing comprehensive knowledge of current state, county and town law, as well as Town regulations, standards, forms and procedures as they apply to code enforcement duties. (S/O) (LOCAL) (TB)

5.6 Expand on the existing reporting requirements to include written monthly reports to the Planning Board, Town Assessors and Town Board that include a detailed listing of permit applications, status of permit applications, permits issued as well as violations of any applicable procedure, regulation or law. (S/O) (LOCAL) (TB)

6. *Natural Resources*

6.1 Send ground water protection educational material to residents annually via a brochure or the Town newsletter. (O) (LOCAL)

Natural Resource Strategies implementation should be assisted by the recommended Conservation Advisory Council as in Strategy 6.9

6.2 Send a "get involved in the community" brochure with the newsletter annually and display that brochure prominently at Town Hall for new residents. (O) (LOCAL)

6.3 Identify and map large, intact patches of natural vegetation, rare landscape habitats that may be present, and recommend special zoning requirements for connective linking corridors identified as important habitat connections, and wildlife travel corridors. (I) (LOCAL, PF, NYSDOS-QC, NYSDEC, CW/CA)

- a. Use the Hudsonia Biodiversity Manual to identify and map resources in the Town of Rensselaerville. (S) (LOCAL, PF)
- b. Inventory all streams in the Town for water quality and biodiversity. (S) (LOCAL, PF, NYSDOS-QC),NYSDEC, CW/CA)
- c. Identify vernal pools in the Town and ensure that these areas are protected during development. (S) (LOCAL, PF, NYSDOS-QC, NYSDEC, CW/CA)

6.4 Work to preserve the habitat and biodiversity of the Town stream corridors. (O) (LOCAL, PF, NYSDOS-QC, NYSDEC, CW/CA)

6.5 Encourage the Huyck Preserve and Rensselaerville Institute to place their properties in conservation easements that preclude further subdivision and development inconsistent with their existing missions. (S/O) (LOCAL, PF)

6.6 Inventory and map important habitats along Town stream corridors. Use this information when development projects are reviewed to help limit negative impacts to these areas. (I/O) (LOCAL, PF, NYSDOS-QC, NYSDEC, CW/CA)

6.7 Identify incentives for the maintenance of open land (e.g. Wildlife Enhancement Incentives Program and the Stewardship Improvement Program) and distribute this information to landowners throughout the Town. (S/O) (LOCAL, PF, NYSDOS-QC, NYSDEC, CW/CA)

6.8 Promote the use of conservation easements to protect important wildlife areas. (O) (LOCAL, PF)

6.9 Form a Town Conservation Advisory Council (CAC). This group could implement a number of the policies proposed in the Plan including: (S) (LOCAL, HRVG)

a. draft local natural resources protection ordinances; (I) (LOCAL, HRVG)

b. provide the Planning Board advice regarding the potential environmental impacts of developments proposed in the Town; and (O) (LOCAL, HRVG)

c. create a biodiversity map of the Town. (I) (LOCAL, HRVG, NYSDOS-QC)

Appoint Town residents who have completed the Hudsonia Biodiversity Training to this Council or Board.

Alternatively, the Town can also form a Town Conservation Advisory Board (CAB) that would have authority to review and approve development applications. Either way, the Planning Board should consult the CAC (or CAB) regarding the environmental impacts of proposed developments to determine if an Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) is warranted, and to assist the Town with the SEQRA process.

6.10 Establish inter-municipal agreements with neighboring communities to protect natural resources and open spaces that

cross municipal boundaries such as that recommended for the Lake Myosotis watershed. (I) (LOCAL, NYSDOS-QC, SMSI)

6.11 Town-wide, adopt the following biological principles for habitat protection: (S/O) (LOCAL, NYSDOS-QC, NYSDEC)

- a. Maintain large, intact patches of vegetation by preventing fragmentation of those patches by development. (S/O) (LOCAL, NYSDOS-QC, NYSDEC)
- b. Establish priorities for species protection and protect habitats that constrain the distribution and abundance of those species. (S/O) (LOCAL, NYSDOS-QC, NYSDEC)
- c. Protect rare landscape elements. Guide development toward areas of landscapes containing “common” features. (S/O) (LOCAL, NYSDOS-QC, NYSDEC)
- d. Maintain connections among wildlife habitats by identifying and protecting corridors for movement. (S/O) (LOCAL, NYSDOS-QC, NYSDEC)
- e. Maintain significant ecological processes in protected areas. (S/O) (LOCAL, NYSDOS-QC, NYSDEC)
- f. Contribute to the regional persistence of rare species by protecting some of their habitat locally. (S/O) (LOCAL, NYSDOS-QC, NYSDEC)
- g. Balance the opportunity for recreation by the public with the habitat needs of wildlife. (S/O) (LOCAL, NYSDOS-QC, NYSDEC, NYSOPRHP)

6.12 Consider establishing a wetlands mitigation program. (I) (LOCAL, NYSDEC, CW/CA, NYSDEC)

6.13 Encourage property developers in the Town to take advantage of NY State Energy Research and Development Authority (NYSERDA) staff technical expertise on energy efficiency and green construction. (O) (LOCAL, NYSERDA)

6.14 Work with NYSERDA Energy Efficiency Services program to explore ways the Town buildings may be improved for energy efficiency. (S) (LOCAL, NYSERDA)

6.15 Ensure local building and zoning code enforcement officers are trained or familiar with NY State Green Building Codes and standards as well as the NY State Green Building Tax Credit. (S/O) (LOCAL, NYSDEC)

6.16 Reference the Leadership in Energy and Environmental Design program certification standards and New York State Green Building standards in the local building and zoning codes. (S/O) (LOCAL, NYSDEC)

6.17 Work with Albany County and NYSERDA to establish a local outreach program to home and business owners to improve energy efficiency at their current location. (I) (NYSERDA, NYSDEC)

6.18 Make local residents, businesses, and residents aware of NY State's Green Building Tax Credit program. (S/O) (LOCAL, NYSDEC)

6.19 Consider adding a local property tax credit or footprint or floor-to-area ratio bonus in the zoning codes for buildings that meet highest 'green' and/or efficiency standards. (S/O) (LOCAL, NYSDEC)

7. *Historic Character*

7.1 Appoint a formal historic preservation advisory committee for the Town. The role of this group would be to assist the Town in implementing related strategies of this plan and to promote historic preservation programs and activities. This group could continue to work with landowners and the community to identify eligible structures and districts for the National and State Historic Registers. Eligible districts are not listed on the National or State Historic Register, but leads to many of the same advantages as full listing. The Committee should also work to prioritize historic resources in the Town. (S) (NYSOPRHP, NYSCA)

Historic Resource Strategies implementation should be assisted by historic societies, and groups in Town.

7.2 Inventory and map all historic markers, structures, cemeteries and landmarks via the GIS established in Town. Map historic landscapes and viewsheds as well. This map could be tied to a database of photographs that show the historic features of the property. Create an inventory of family burial grounds and a plan to protect their historic significance. (I) (NYSOPRHP, NYSCA)

7.3 The Planning Board and Zoning Board of Appeals should use the historic inventory and maps to assist in determining new project impacts on historic resources as required by the New York State Environmental Quality Review Act (SEQRA). Both boards should carefully evaluate the impacts of proposed projects on historic resources by conducting thorough SEQRA procedures that give full emphasis to historic resources. (O) (LOCAL)

7.4 Inform residents about the provisions of the Historic Preservation Ordinance, publish supporting guidelines and explain the benefits of the ordinance to the community. (S/O) (LOCAL, NYSOPRHP - CLG, NYSORPHP-ITCP)

7.5 Work to educate residents and landowners about the resources and role of history and historic structures in the community. The newly appointed advisory committee could have education as one of their top priorities. This education should include ways that landowners can rehabilitate and protect historic resources. Other programs that could assist include: (O) (NYSORPHP-CLG, NYSCA)

- Historic exhibits

- Record oral history

- Community interpretive guide

- Community walking tours

- Historic landowner recognition awards (Develop a recognition program for landowners who restore, rehabilitate or otherwise protect a historic resource. Recognize these efforts with a certificate or marker of some kind and publicity.)

- Expanded use of historic markers

- Historic date marker program

7.6 Join with the library to promote historic preservation, through exhibits, disseminating information, or special programs. (S/O) (LOCAL, IMLS, PF, NYSCA)

7.7 Develop a historic slide show of the Town of Rensselaerville so the public can learn about where these places are, and what is in danger of being lost. (I) (LOCAL, PF, NYSCA)

7.8 Fully develop a website to efficiently show local resources and include information on the benefits and methods of historic preservation. (I) (LOCAL, PF, NYSOPRHP, NYSCA)

7.9 Seek grants to implement historic preservation programs. (S/O) (NYSOPRHP, NYSCA, PF)

7.10 Work with area land trusts and willing landowners to facilitate use of historic façade easements. (O) (PF, MSNY)

7.11 Consider property tax rebate incentives to encourage private property owners to carry out rehabilitation, and improvements to historic structures. Other incentives can include the use of façade easement programs. The Town can hold a historic easement on a structure to ensure that the historic qualities are preserved permanently. (O) (NYSORPHP-ITCP)

8. Recreation

8.1 Establish a Town sponsored hiking trail linking state land, and Rensselaerville hamlets to "the long path".(I) (NYSOPRHP, SBF, CW/CA, TEA-21, HRVG)

Recreation Resource Strategies implementation should be assisted by the recommended Recreation Committee as in Strategy 8.4

8.2 Establish a system of greenways in stream corridors for resource protection purposes and suitable recreational uses. (I) (HRVG, NYSOPRHP)

8.3 Expand the summer recreation program and the after school programs for community children and teens and coordinate with the programs offered through the school district. (I/O) (LOCAL, PF)

8.4 Form a committee to represent youth and senior citizens to explore social and recreational needs and express their needs to the Town Board. (S) (LOCAL)

8.5 Explore with willing landowners, other options for enhancing open space and recreational opportunities in the Town of Rensselaerville, including leasing of lands from private owners, and use of preferential tax assessments for provision of amenities that benefit the Town. (I) (LOCAL, NYSDOS-QC)

8.6 Develop more family friendly recreation programs that encourage youth involvement and place youths and seniors together for social activities. (I) (LOCAL)

9. Other Programs and Policies

9.1 Fully use the Town's GIS data produced for this plan. Obtain ArcExplorer software and load GIS data into a Town computer for use by the Town Board, Planning Board and Zoning Board of Appeals. All boards should use this information as needed to make decisions. It should be the policy of the Town to ensure that the Planning Board conducts project reviews using the GIS data and maps. (S) (LOCAL, SARA) (TB)

9.2 Develop a process for the Code Enforcement Officer to follow for reporting, inspecting, notifying and enforcing violations of the code. (S) (LOCAL, NYSDOS) (TB)

9.3 Encourage non-profit organizations and certain other organizations off the tax roles to contribute a payment in lieu of taxes. (O) (LOCAL) (TB)

9.4 Create a position of Grant Writer for the Town of Rensselaerville to research available grants and other sources of available funding and present a list of possibilities to the Town Board. This staff person also writes the grants and follows up on the process through successful receipt of grant. Also, fulfills any post-grant requirements themselves, or in coordination with other Town departments. Alternatively, explore creating this position in conjunction with other towns or county-wide resources. (S) (LOCAL) (TB)

9.5 The Town supports the installation of voting machines that comply with New York State Consolidate Laws § 7-202 (j). The town specifically disallows any voting machine or system which does not produce an individual permanent paper record for each vote cast, which shall be made available for inspection and verification by the voter at the time the vote is cast, and preserved for later use in any manual audit. (S) (LOCAL) (TB)

9.6 Use the Rensselaerville Newsletter to educate our citizens to the importance of supporting local businesses, the direct and indirect benefits to the community, and the hidden costs of supporting large national chains. Run an ongoing "buy local" piece every month that educates citizens to the benefits of buying local, and the costs of placing spending dollars with large global chains. (O) (LOCAL, GROW-NY) (TB)

9.7 The Town should adopt a policy to indemnify all volunteers serving on boards and committees. (S) (LOCAL) (TB)

9.8 Celebrate community: create a symbol & motto that expresses pride in the natural beauty and cultural heritage of the town. (O) (LOCAL) (TB, OC)

9.9 Organize monthly town-wide social events and celebrations. (S/O) (LOCAL) (TB, OC)

9.10 Improve communication among organizations, committees, agencies, and the public and government officials by: (S/O) (LOCAL) (TB)

- establishing regular town meetings that bring these groups together;
- publishing a town-wide calendar of events;
- strengthening the town newsletter, already a very effective communication tool; and
- compiling one phone book for the whole town, and eventually, establishing one phone system.

9.11 Organize public forums and workshops in order to involve a greater cross-section of the community in the hands-on planning and implementation of town-wide projects. (S/O) (LOCAL) (TB, OC)

9.12 Modify the zoning ordinance to comply with this revised comprehensive plan. (S/O) (LOCAL, HRVG) (TB, LUC, PB)

9.13 Publish a summary of the comprehensive plan and distribute it throughout the town. Set up a training program for volunteers serving on town boards and committees. (S/O) (LOCAL, HRVG) (TB, LUC)

9.14 Provide clearly worded guidelines to assist with the preparation of development applications. Compile a directory of the incentives, funding and other assistance available from federal, state, and not-for-profit agencies. (S/O) (LOCAL) (TB, PB)

9.15 Establish a resource center where citizens can access information about planning tools and techniques. (I) (LOCAL) (TB, PB, LUC)

9.16 Exchange information and ideas on planning issues with neighboring towns and set up information sessions with external advisors. Encourage facilities, such as the Huyck Preserve, Rensselaerville Institute, and the Rensselaerville Library, to host

special events with town-wide participation. (S/O) (LOCAL, IMLS, PF) (TB, LUC, PB)

9.17 Support tax incentives, marketing initiatives and changes in zoning regulations which foster job creation, affordable housing, accessible schools, and the involvement of the Town's leadership in farm preservation efforts. (S/O) (LOCAL) (TB)

9.18 Provide a clearinghouse or job mart with local employment information for youth and adults. Support youth initiatives to actively plan and raise funds for a meeting space, cooperative activities (study, music, recreation, sports, plays, travel, art and dance) and transportation that brings them together in the community. (S/O) (LOCAL, NYSCA, PF) (TB)

9.19 Create a strategy to involve part-timers in community activities. (S/O) (LOCAL) (TB)

VI. RENSSELAERVILLE AND THE HUDSON RIVER VALLEY GREENWAY CRITERIA

The Hudson River Valley Greenway is an innovative state sponsored program created to facilitate the development of a voluntary regional strategy for preserving scenic, natural, historic, cultural and recreational resources while encouraging compatible economic development and maintaining the tradition of home rule for land use decision-making.

Through voluntary participation in the Greenway community planning program, communities in thirteen counties in the Hudson River Valley can receive technical assistance and funding for local land use planning projects that incorporate the goals of the Greenway program. The Greenway supports local and regional planning efforts that address natural and cultural resource protection; economic development, including tourism, agriculture and the redevelopment of our urban areas and commercial waterfronts; public access; regional planning; and heritage and environmental education.

The Greenway community planning program is a "bottom-up" approach to community planning and regional cooperation that actively engages citizens in the planning process. Through this participatory planning approach, the Greenway helps communities plan for future growth while preserving those qualities that make the Hudson River Valley a special place to live. The Town of Rensselaerville is a Hudson River Valley Greenway Community.

GREENWAY CRITERIA

The Hudson River Valley Greenway Act describes the "Greenway criteria" as "the basis for attaining the goal of a Hudson River Valley Greenway". The criteria - natural and cultural resource protection, regional planning, economic development, public access and heritage and environmental education - provide the overall vision for voluntary local Greenway programs and projects. The general nature of the Greenway criteria allows communities to develop locally-based projects which address community concerns while contributing to the overall framework of the Hudson River Valley Greenway.

Natural and Cultural Resource Protection

Protect, preserve and enhance natural resources including natural communities, open spaces and scenic areas as well as cultural resources including historic places and scenic roads.

Regional Planning

Communities can work together to develop mutually beneficial regional strategies for natural and cultural resource protection, economic development (including necessary public facilities and infrastructure), public access and heritage and environmental education.

Economic Development

Encourage economic development that is compatible with the preservation and enhancement of natural and cultural resources including agriculture, tourism and the revitalization of established community centers and waterfronts.


























Public Access







Promote increased public access to the Hudson River through the creation of riverside parks and the development of the Hudson River Valley Greenway Trail System.

Heritage and Environmental Education

Promote awareness among residents and visitors about the Valley's natural, cultural, scenic and historic resources.

The following chart shows how this plan helps the Town of Rensselaerville reach these Greenway Criteria.

Goals that Support Greenway Principals*		Greenway Criteria				
Goal and Objective Number**	Topic of Goal	Protect Natural and Cultural Resources	Regional Planning	Enhance Economic Development	Enhance Public Access to Hudson River	Heritage and Environmental Education
1.1 and 1.3	Environmental Protection and Retention of Rural Character					
1.2	Promote Hamlets					
2.1	Use Cluster and Conservation Subdivisions to Protect Environment and Open Spaces					
2.2	Protect Streams, Aquifers and other water resources					
2.3	Enhance Biodiversity					
3.1	Maintain Rural Character					
3.2 and 3.3	Preserve Historic Resources					
4.1, 4.2, and 4.3	Foster New Businesses Consistent with Rural Character and Environment					
4.4, 6.1, 6.2 and 6.3	Maintain Viable Agricultural Economy					
4.5	Tie Historic Resources to Economic Benefits					

Goals that Support Greenway Principals*		Greenway Criteria				
Goal and Objective Number**	Topic of Goal	Protect Natural and Cultural Resources	Regional Planning	Enhance Economic Development	Enhance Public Access to Hudson River	Heritage and Environmental Education
4.6	Promote Energy Sustainability and Renewable Resources					
5.1	Protect Water Quality and Provide for Water and Sewer Where Needed					
5.6	Establish Parkland and Recreational Opportunities					
7.2	Housing Development is Consistent with Environment and Rural Character					

* Not all goals included in the Town of Rensselaerville Comprehensive Plan address Greenway Criteria. This chart includes only those that directly address topics related to the Greenway Criteria.

** See pages 16 through 19 for full details of the Town of Rensselaerville Goals.

VII. MAPS

1. Bedrock Geology
2. Surficial Geology
3. Water Features
- 3b. Major Watersheds
- 3c. Sub- Watersheds
- 3d. Flood Hazards
4. Steep Slopes
5. Topography
6. Aerial Photographs, 2004
7. Property Class
8. Viewsheds
9. Important Environmental Sites)
10. Agriculture (Shows agricultural parcels and location of farms)
11. Farmland (Shows prime farmland soils and soils of statewide importance with location of farms)
12. Build-Out: Buildable Parcels
- 12a. Zoning Districts
13. Build-Out: Environmental Constraints
14. Build-Out: Buildable Area
15. Build-Out: Potential New Residences
16. (Intentionally left blank)
17. Crystal Lake Watershed
18. Roads and Parcels
19. School Districts
20. Historic, Recreation, and Preserved Sites
21. Archeologically Sensitive Sites
22. Water Resource Overlay Districts
23. Zoning Concept Map
24. Mines

See Also Appendix D for the following maps related to the New York Rural Water Association Groundwater Study:

- Figure 1: Physiographic Setting
- Figure 2: Local Topography and Watersheds
- Figure 3: Bedrock Geology
- Figure 4: Estimated Bedrock Well Yields
- Figure 5: Groundwater Quality Data
- Figure 6: Surficial Geology
- Figure 7: Potential Unconsolidated Aquifers

Figure 8: Public Water Supply Wells and Land Uses
Figure 9: Estimated Annual Groundwater Recharge
Figure 10: Probably Groundwater Discharge Areas
Figure 11: Recommended Minimum Lot Sizes
Figure 12: Potentially Insufficient Permissible Minimum Lot
Sizes

VIII. Glossary

In order to clarify the meaning of certain words and phrases used in this document, the following glossary was prepared.

Agribusiness – Any business that provides products or services to agricultural producers to support production, marketing, and distribution of their products.

Agricultural and Farmland Protection – The preservation, conservation, management and improvement of lands which are part of viable farming operations, for the purpose of encouraging such lands to remain in agricultural production. (Agriculture and Markets Law Article 25AAA sec. 322)

Agricultural Data Statement - means an identification of farm operations within an agricultural district located within five hundred feet of the boundary of property upon which an action requiring municipal review and approval by the planning board, zoning board of appeals, town board, or village board of trustees pursuant to article sixteen of the town law or article seven of the village law is proposed, as provided in section three hundred five-a of this article.

Agricultural Structure - any building or structure essential to the operation of lands actively devoted to agricultural use or used and occupied to carry out agricultural operations, including but not limited to a barn, silo, storage building, roadside stand, equipment shed, or other structure used for agricultural purposes.

Agricultural practices – Those practices necessary for the on-farm production, preparation and marketing of agricultural commodities. Examples of such practices include, but are not limited to, operation of farm equipment, proper use of agricultural chemicals and other crop protection methods, and construction and use of farm structures.

Best Management Practices (BMP's) - Standards developed for conducting various land use activities which have become recognized in various industries and professions as minimum performance standards for protecting the quality of soil and water resources. The use of BMPs can help protect these resources by controlling erosion and runoff and by reducing the potential for contamination by nutrients and pesticides, while helping to maintain the productivity of the land.

Clearcutting - The harvesting, in one operation, of seventy-five percent (75%) or more of all trees over 6 (six) inches diameter at breast height (DBH) in a contiguous area or on a lot and which affects more than 20,000 (twenty thousand) square feet of ground surface.

Cluster Development - A subdivision where variation in minimum lot size, yard dimension, and setback requirements are varied to allow development to occur on a smaller area of a given tract of land than would be utilized in a subdivision strictly adhering to area requirements which would otherwise apply. Although development may be relatively denser where it occurs on the tract, the overall density of development of the tract remains the same because undeveloped land is permanently set aside in a clustered subdivision. Deed restrictions or easements are generally used to prevent future development in the undeveloped portion of the tract.

Commercial Horse Boarding Operation - means an agricultural enterprise, consisting of at least seven acres and boarding at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing.

Commercial Logging - The logging of forest products for commercial purposes including site assessments, road construction, harvesting, reclamation or reforestation and does not include the cutting of wood by the owner of the property for:

- a) Personal use;
- b) The routine maintenance of roads, and rights-of-way;
- c) The clearing of a home site for which a building permit has been obtained;
- d) Christmas tree culture;
- e) Clearing of approved subdivision roads and public utility easements.
- f) Tree clearing for farm purposes within agricultural districts established pursuant to New York State Agriculture and Markets Law;
- g) Severe natural disturbances, which include fire, insect infestation, disease, ice and wind;
- h) Ecologically appropriate improvement or creation of wildlife habitat, with accompanying prescription and justification from a certified wildlife professional, a New York State Department of

Environmental Conservation Forester, a member of the New York Institute of Consulting Foresters, or a Cooperating Consultant Forester.

Density of Development - The following terms as used in the Plan refer to varying degrees of density of existing and proposed development.

- a. Higher-density: The densest development found in the town, generally in hamlet areas, where lot sizes typically range from 1/4 acre to one acre and multiple unit housing is allowed.
- b. Moderate-density: Less dense development, generally outside hamlet areas, where lot sizes range from five to fifteen acres.
- c. Low-density: The least dense development found in the town, outside hamlet areas, where development constraints are great and average lot size exceeds fifteen acres.

Farm operation - means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each

Farmer shall mean any person, organization, entity, association, partnership, limited liability company, or corporation engaged in the business of agriculture, whether for profit or otherwise, including the cultivation of land, the raising of crops, or the raising of livestock.

Farmland - shall mean land used in agricultural production.

Home Based Business - A low impact home occupation, Low Impact is any nonresidential use that is secondary and clearly subordinate to an existing residential use, conducted within a dwelling unit or an accessory structure by a permanent resident of that dwelling unit, which does not change the residential character of the dwelling unit or vicinity and where no non-resident employees, customers or clients enter the premises and where no signage, or exterior storage of products or equipment are required. A major home occupation is a when a business activity results in a product or service for financial gain, conducted wholly or partly in a dwelling unit or accessory

structure which is clearly secondary to the use of the dwelling for living purposes and does not change the residential character of the dwelling unit or vicinity or have any exterior evidence of such secondary use other than a sign and where customers, clients or sales representatives enter the premises and in which not more than three nonresidents are employed.

Overlay District - A district overlaid on top of the base land use districts in which proposed development must meet special requirements and standards in addition to those ordinarily required in the underlying base districts.

Land Used in Agricultural Production- means not less than seven acres of land used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more; or, not less than seven acres of land used in the preceding two years to support a commercial horse boarding operation with annual gross receipts of ten thousand dollars or more. Land used in agricultural production shall not include land or portions thereof used for processing or retail merchandising of such crops, livestock or livestock products. Land used in agricultural production shall also include:

- a. Rented land which otherwise satisfies the requirements for eligibility for an agricultural assessment.
- b. Land of not less than seven acres used as a single operation for the production for sale of crops, livestock or livestock products, exclusive of woodland products, which does not independently satisfy the gross sales value requirement, where such land was used in such production for the preceding two years and currently is being so used under a written rental arrangement of five or more years in conjunction with land which is eligible for an agricultural assessment.
- c. Land used in support of a farm operation or land used in agricultural production, constituting a portion of a parcel, as identified on the assessment roll, which also contains land qualified for an agricultural assessment.
- d. Farm woodland which is part of land which is qualified for an agricultural assessment, provided, however, that such farm woodland attributable to any separately described and assessed parcel shall not exceed fifty acres.

e. Land set aside through participation in a federal conservation program pursuant to title one of the federal food security act of nineteen hundred eighty-five or any subsequent federal programs established for the purposes of replenishing highly erodible land which has been depleted by continuous tilling or reducing national surpluses of agricultural commodities and such land shall qualify for agricultural assessment upon application made pursuant to paragraph a of subdivision one of section three hundred five of this article, except that no minimum gross sales value shall be required.

f. Land of not less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more, or land of less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more.

g. Land under a structure within which crops, livestock or livestock products are produced, provided that the sales of such crops, livestock or livestock products meet the gross sales requirements of paragraph f of this subdivision.

h. Land that is owned or rented by a farm operation in its first or second year of agricultural production that consists of (1) not less than seven acres used as a single operation for the production for sale of crops, livestock or livestock products of an annual gross sales value of ten thousand dollars or more; or (2) less than seven acres used as a single operation for the production for sale of crops, livestock or livestock products of an annual gross sales value of fifty thousand dollars or more; or (3) land situated under a structure within which crops, livestock or livestock products are produced, provided that such crops, livestock or livestock products have an annual gross sales value of (i) ten thousand dollars or more, if the farm operation uses seven or more acres in agricultural production, or (ii) fifty thousand dollars or more, if the farm operation uses less than seven acres in agricultural production.

i. Land of not less than seven acres used as a single operation for the production for sale of orchard or vineyard crops when such land is used solely for the purpose of planting a new orchard or vineyard and when such land is also owned or rented by a newly established farm operation in its first, second, third or fourth year of agricultural production.

Large-scale Commercial - Commercial developments which are incompatible with the rural nature of the Town by virtue of their size or type. This category includes shopping centers, discount stores, large supermarkets, etc.

Light Industrial - Light industrial would include establishments employing up to 40 persons such as light manufacturing educational facilities, research and development, testing laboratories, warehousing and other uses not out of character with the town.

Light industrial would exclude most resource and energy intensive industries, with the exception of wood products industries; it would exclude all industries with noxious air or water emissions and high noise or vibration levels.

Performance Zoning - Performance zoning is a system of land use control in which each proposed project is evaluated in terms of the capabilities and constraints of the site in question. Under performance zoning, a scoring or ranking system is set up to evaluate the suitability of a project for a particular site. If the project scores high enough, approval is granted. Detailed evaluation of on-site factors generally includes: soil characteristics, slope, water availability, surrounding land uses, transportation access, and distance to community services and utilities.

Rural Character – See pictorial definition on page 80.

Small-scale Commercial - Commercial uses which are in keeping with the existing rural nature of the town. Within the proposed Hamlet and Resource Conservation Districts, this would include uses up to about 2000 square feet floor area and most uses that would fit into existing structures. Larger floor areas would be permitted in other districts. Small-scale commercial uses would include neighborhood stores, antique shops, gasoline service stations, professional offices, etc.

Stream Protection Corridor - A specific zoning area established for lands adjacent to permanent streams, outside designated hamlet areas, where special development requirements and standards must be met in order to minimize possible detrimental effects of development along those streams

Viable agricultural land – Land highly suitable for agricultural production and which will continue to be economically feasible for such use if real property taxes, from use restrictions, and speculative activities are limited to levels approximating those in commercial agricultural areas

not influenced by the proximity of non-agricultural developments. (Ag. & Mkts. Law 25AA, sec. 301)

Rural Character in Rensselaerville

Throughout the plan, the words “rural character” are used. The following pictures should be referred to as an illustrated definition of rural character in Rensselaerville.





