

# Town of New Baltimore Comprehensive Plan Adopted October 10, 2016



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## **Table of Contents**

Introduction	1
A Comprehensive Plan for New Baltimore	1
The Community Planning Process	1
Vision Statement	3
Goals, Subgoals, and Strategies	4
Rural Character and Environmental Quality	4
Economic Development	11
Agriculture	17
Administration and Community Services	23
Future Land Use Map	27
Implementation	29
Blueprint for Action	29
Implementation Matrix	30
Appendices	
CPAG Report Public Meeting Summary	
Map Inventory and Demographic Summary	
Final Generic Environmental Impact Statement	
Response to Public Comment	

# **I. Introduction**

## ***A. A Comprehensive Plan for New Baltimore***

Like many rural communities in New York State, the Town of New Baltimore finds itself at a crossroads to the future. Although the town has a rural character, development pressures are beginning to creep into the community. These pressures stem partially from the town's convenient location on exit 21-B on Interstate 87 (the Thruway). This location, and the presence of an active rail line, makes portions of the town attractive for industrial development. In addition, as the Capital District grows, so does the need for housing. The Town's location is within a convenient commuting distance to Albany, making it viable as a bedroom community. To navigate these changes, and to define a vision for the future, the Town is updating its Comprehensive Plan. The plan represents a community-wide effort to identify and address critical issues and opportunities facing the Town – now and in the future. Although the plan will not solve all of the challenges facing New Baltimore, it is intended to be a useful guide to public and private actions taken on behalf of the Town.

## ***B. The Community Planning Process***

Comprehensive plans are one tool municipalities can use to set a course for the future, by addressing a variety of aspects of community life. Specifically, a comprehensive plan:

- Provides an occasion to formally consider the need for town-wide changes in development patterns on a community-based and community-driven basis;
- Systematically identifies and creates a public record of community assets, opportunities, and needs;
- Produces a vision for the future of the community that is shared across a variety of community perspectives, including neighborhoods, businesses, institutions, and environmental interests;
- Outlines specific actions to achieve that shared vision;
- Establishes a framework for community-wide collaboration for plan implementation.

The Comprehensive Plan was originally written and adopted nearly 30 years ago. In recognition of the need to update the plan to reflect contemporary conditions, the Town Board formed the Citizen's Planning Advisory Group (CPAG) in 2004. The charge of this group included soliciting public input, drafting a vision and goals statement for the town, and presenting findings to the Town Board which outlined methods to update the Comprehensive Plan. As part of this process, the CPAG hosted several public information and input sessions in 2004, as well as conducting interviews with town officials. In addition, a community survey mailed to residents. The results of the CPAG's efforts are detailed in the "Report of the Citizens Planning Advisory Group to New Baltimore Town Board", issued in June 2005.

With this report complete, a committee of volunteers continued the process of updating the Comprehensive Plan. In addition to the extensive work done by the CPAG, detailed inventories of the physical conditions in The Town were completed. The combination of the community input and analysis of existing conditions in the town forms the basis of this plan. The Vision, Goals, and Subgoals closely parallel those in the CPAG report. In addition, the plan contains strategies intended to outline specific actions that can accomplish the Vision, Goals, and

subgoals. These individual strategies may not correspond directly to the subgoals. In some cases, one strategy may apply to several subgoals, or several different actions may be needed to address the CPAG subgoals. Not every recommendation offered in this plan needs to be implemented, nor should the format of the plan imply that any recommendation is important than another. The implementation matrix has been provided to assist the Town to identify the order in which recommendations should be implemented.

It is also important to note that this plan does not circumvent the need public input for subsequent actions. All of the recommendations that are implemented will be subject to the appropriate rigorous public comment process currently undertaken by the town.

## **II. Vision Statement**

*A Vision is an idealized yet realistic picture of what a community would like to be. This vision statement was developed by the Citizens Planning Advisory Group based on input received from public information and input meetings and from the community survey.*

Our town's peaceful, rural, historic character and its natural beauty continue to make New Baltimore a special place to live. Economic prosperity makes New Baltimore affordable. Together these make our community a great place to live for all our citizens - a place where young people grow up then stay to raise a family, and where older residents can enjoy their senior years.

From the hills to the river natural beauty is protected. Active and adaptive agriculture is promoted and preserved. Working landscapes of prosperous farms and productive forests, as well as carefully selected protected areas, provide open lands that offer views, recreation opportunities, and wildlife habitat. The hamlet of New Baltimore National Historic District continues to be an outstanding example of a traditional riverfront community.

The community is actively engaged in preserving and appreciating its natural resources and historic character. Throughout the town, special natural and historic places have been identified and inventoried. Preserving and protecting these resources is a source of pride for their owners and the community.

The Route 9W and thruway corridor is a thriving and attractive commercial area. Businesses are compatible with our small town character. Commercial buildings fit well into their rural surroundings. Careful improvements to the highway maintain traffic flow. Commerce contributes significantly to the town tax base and helps provide economic opportunity and security for all our citizens.

With community input and volunteer support, our local government has established and enforces local regulations, policies, and programs that maintain the character of our community and improve our quality of life.

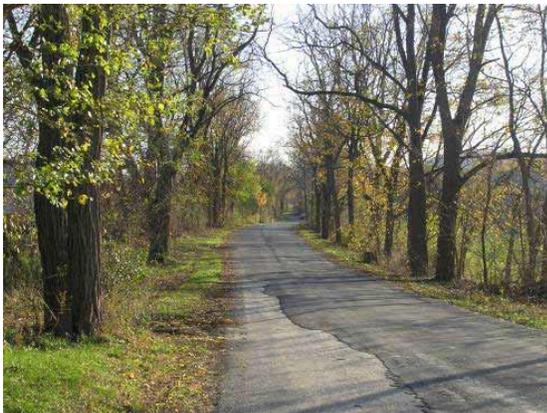
New Baltimore has a strong sense of civic pride and community spirit. Citizens recognize that volunteerism is vital to providing the services and programs we want and need while keeping our small community an affordable place to live. Volunteers provide our excellent emergency services, are a key to the success of youth activities, senior services and other programs.

### **III. Goals, Subgoals, and Strategies**

*A. Preserve and protect the rural character and environmental quality of the town.*

Subgoals:

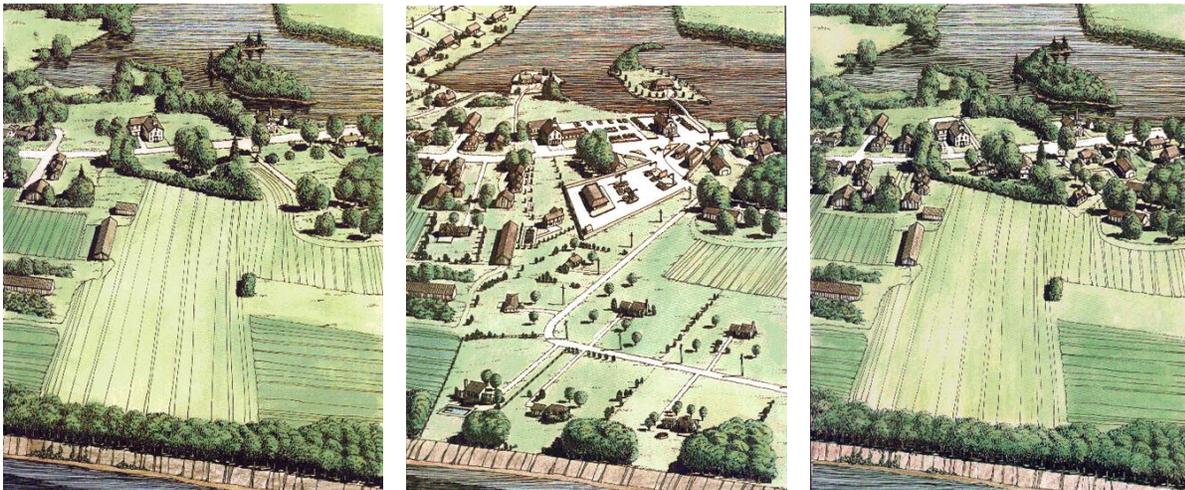
1. Develop clear but flexible tools to regulate major subdivisions in keeping with the rural and historic character of the town.
2. Encourage housing developments that preserve open space over those that do not by adopting concepts of smart growth and conservation design.
3. Limit multi-unit developments (condominiums, apartments, and mobile home parks) to certain parts of town.
4. Give special attention to appropriately regulating development on lots where environmental limitations exist.
5. Seek opportunities to preserve and protect historic buildings and sites, scenic landscapes, sensitive environmental sites, and public access to the Hudson River.
6. Seek ways to protect rural character and environmental quality other than simply increasing the minimum lot size.
7. Conduct an inventory of the places and things that make New Baltimore special, including historic buildings and sites, scenic vistas, active farms, open spaces that are already protected, and natural areas that deserve special attention.



## STRATEGIES

### **a. Revise the zoning ordinance and subdivision regulations to make conservation subdivisions mandatory available and recommended for major subdivisions.**

Traditional zoning dictates the minimum dimensional requirements for all new building lots – minimum size, lot width, building setbacks, and so forth. However, sometimes these requirements do not reflect the land use patterns of rural communities, which frequently feature pockets of development surrounded by large areas of undeveloped land. For example, the application of the standard dimensional requirements of the zoning and subdivision ordinances will create a regular distribution of homes within the landscape. This pattern is usually associated with suburban communities, not rural towns like New Baltimore. To promote rural development patterns, other regulatory techniques can be used to augment or take the place of traditional zoning. The Town should institute a conservation subdivision approach that is available and recommend for consideration for all major subdivisions where appropriate. Conservation subdivision is a tool that allows a flexible approach to development. Unlike traditional subdivisions, where the design is driven by the zoning requirements, conservation subdivisions allow the design of the subdivision to be driven by site features, such as farm fields, historic elements, or ecologically valuable open space. The final dimensions of the lots would be contingent on the site features, such as soil conditions, availability of water, etc. As part of this flexibility, the Planning Board can waive certain dimensional requirements of traditional zoning. In return, the developer sets aside a certain amount of the property as undeveloped open space. Depending on the characteristics of the site, this may be wetlands or forests held with a conservation easement, active farmlands held with an agricultural easements, or recreation areas. This resulting open space is not necessarily public land – the undeveloped portions may be located



**Figure 1 - Graphic depiction of development patterns.** On the left, traditional rural land uses. In the middle, suburban-style development patterns. On the right, a conservation subdivision, which imitates the rural pattern but includes the same number of housing units as the suburban example. Image Source: The Center for Rural Massachusetts, as accessed on [http://www.landchoices.org/Design\\_comparisons.htm](http://www.landchoices.org/Design_comparisons.htm).

Conservation subdivision is a tool that allows a flexible approach to development. Unlike traditional subdivisions, where the design is driven by the zoning requirements, conservation

subdivisions allow the design of the subdivision to be driven by site features, such as farm fields, historic elements, or ecologically valuable open space. The final dimensions of the lots would be contingent on the site features, such as soil conditions, availability of water, etc. As part of this flexibility, the Planning Board can waive certain dimensional requirements of traditional zoning. In return, the developer sets aside a certain amount of the property as undeveloped open space.

Depending on the characteristics of the site, this may be wetlands or forests held with a conservation easement, active farmlands held with an agricultural easements, or recreation areas. This resulting open space is not necessarily public land – the undeveloped portions may be located on one or several large lots owned by private individuals.

As part of this recommendation, the revised regulations should state the specific priorities and goals the Town wants to achieve. By applying this design approach to major subdivisions, the Town can mitigate the spread of suburban residential patterns into rural areas, while still allowing growth. This method allows the same number of homes to be developed as current regulations, so it is tax-neutral for the Town. Also, this design approach sometimes results in a more compact layout of streets and infrastructure, which can potentially lower the cost to the community compared to traditional development. In addition, because the regulations would apply only to major subdivisions, there would be no additional regulations for minor subdivisions.

#### **b. Implement an incentive zoning program.**

This technique provides developers with incentives to conform to community goals for rural character, open space, and the environment. The Town could consider incorporating these incentives into its local zoning law to promote the goals and recommendations of this plan. Typically, an incentive zoning system will provide a developer with the opportunity to develop at a density above the amount allowed by zoning, if the developer provides certain benefits to the community in return. This can be especially effective when combined with Conservation Subdivision regulations. These benefits can include public parks, first-time homebuyer or senior housing, infrastructure enhancements, or even cash payments to a dedicated fund to support public purposes such as recreation, infrastructure, or others identified in the enabling law. However, the ability to establish lots at a higher density than allowed under zoning is dependent on actual site conditions, such as the ability to provide adequate water and septic service.

c. Create a Rural Siting Manual to encourage minimal environmental impact in the design of major subdivisions. Although there are general considerations concerning site layout in the zoning ordinance and subdivision regulations, there are no specific guidelines for site design. Usually, the location of the proposed houses is defined by engineering requirements, without considering the visual and environmental impact these homes impose on the neighbors and community.



**Figure 2 - Examples of rural siting.** The top example is features appropriately sited homes, screened by trees. The bottom example shows



inappropriate siting, with the homes simply placed in the field.

### **RURAL SITING MANUAL:**

A document that sets forth priorities for the placement of structures on a parcel in major subdivisions. These priorities may be environmental, such as the desire to avoid fragmenting sensitive ecosystems. They may also reflect aesthetic or cultural priorities, such as the desire to avoid ridge top house locations or the disruption of historic stone walls. The manual can also address the need to preserve rural road corridors, an important component to the character of the town.

A Rural Siting Manual is a guidance tool to regulate the form and appearance of residential development. ~~These may be mandatory or can be guiding principles.~~ The Rural Siting Manual can also work with the Conservation Subdivision legislation, a natural resources inventory, or a historic resources plan, to provide developers with a visual framework for potential site designs. This manual would be applicable to major subdivisions and could ease the burden on applicants by alerting them to important issues before they begin the review process. It would also provide a concrete, objective framework for the basis of review by the Planning Board.

It is important to note that the guidelines in the manual need not result in a higher cost to the developer or the community. In fact, by considering the existing site features, developers can often save money on engineering and infrastructure. This in turn is more economical for the community, which often shoulders the burden of maintenance on roads and infrastructure.

**d. Further refine the zoning ordinance to take the location of multi-unit developments into account.**

Currently, multifamily housing is allowed by Special Permit in the Commercial and Development District. These areas are served by, or have the potential to be served by, water and/or sewer Facilities

As the zoning ordinance is further refined, the Town should consider adding more detail regarding potential locations for multifamily housing. A more “nuanced” zoning ordinance could prevent housing from being located adjacent to potentially undesirable uses such as manufacturing or industry. In turn, this would increase the viability of the areas zoned for multifamily housing, making them more attractive to developers and more likely to be appropriately developed.

These areas would also provide an ideal location for a receiving area for a Transfer of Development Rights program. However, this system is dependent on a few factors. First, the receiving areas must be capable of supporting the additional development without undue environmental impacts. This often requires the potential for infrastructure for water, sewer, or both. Also, there must be landowners willing to engage in the program. Establishing a transfer of development rights program may be best as a long-term goal for the town, once suitable infrastructure, administrative capacity, and zoning requirements are in place.

Another option is to create a Planned Use Development District for the Town. This is an overlay district that permits land development on one large or several small parcels to be planned as a single unit, which can contain both residential dwellings and commercial uses. This regulatory tool is described in greater detail in section D, “Community Services and Administration.”

**e. Institute stricter engineering requirements for major subdivisions.**

Currently, the engineering standards required for major subdivisions are not adequate to ensure that new residential development will not adversely affect existing homes. For instance, most of the Town lacks access to a municipal water system. In addition, groundwater resources are limited in many areas of the town. As such, most new subdivisions require new wells. However, the subdivision ordinance does not require any examination of how the new wells will affect existing nearby groundwater. The Town’s regulations should be revised to require developers of major subdivisions to provide adequate information to assess these impacts.

**f. Collaborate with Greene County Soil and Water Conservation District for the review of stormwater plans.**

Most subdivisions need to comply with state regulations in order to obtain a Department of Environmental Conservation permit for stormwater and erosion control. However, New Baltimore’s requirements for stormwater plans are not consistent with current New York State regulations for erosion control and stormwater management. The subdivision ordinance should require all major subdivisions to comply with the most recent versions of the *New York Standards and Specifications for Erosion and Sediment Control*, and *New York State Stormwater Management Design Manual*, to ensure that the Town has the same opportunity for input into drainage plans as the State.

In addition, the Town should work with the Greene County Soil and Water Conservation District (GCSWCD) for the review of the stormwater pollution prevention plans (SWPPP). Since the town has no dedicated engineering staff, review of these complicated plans takes place at the applicants' expense. The town contracts with a private engineering firm to review the SWPPP, and then charges the applicant for the cost. However, the GCSWCD has the expertise to review these plans. By collaborating with the town to review SWPPPs, the expense to the applicant could be reduced. In addition, the GCSWCD has extensive local knowledge above and beyond engineering standards, their review may prove more valuable to the town as well.

**g. Encourage the preservation of historic buildings, landscapes, and estates through the preparation of a Historic Preservation Plan.**

New Baltimore's historic buildings, landscapes, and estates all contribute to the Town's unique character and identity. Of particular importance is the hamlet of New Baltimore, which is designated on the National Register of Historic Places. There are three other such designated areas within the Town: the Van Bergen House, on the corner of Route 9W and Scheller Park Road; the Peter Houghtaling Farm on Lime Kiln Road, and a portion of the Cornelius & Agnietje Van Derzee Farm, located on Sawmill Road at the border of Albany and Greene Counties. Although these properties have been preserved through historic designation or easement, there are many other buildings and landscapes important to New Baltimore's character that are not included in the National or State Register of Historic Places. For instance, there are nineteen properties in the Town listed in the Greene County Historical Register.

Since there are numerous technical and financial assistance programs available to communities and property owners interested in historic preservation, the Town should prepare a concise and targeted historic preservation plan. This plan should research which buildings, landscapes, and estates are most important to the Town and should be preserved. In addition, the plan should identify and consolidate the variety of information on financial assistance programs (including local, state, and federal programs) as well as technical assistance programs available to protect those identified historic resources. Finally, the plan should identify ways to adapt properties with historic character, but are not eligible for formal historic designation, for re-use. This could take the form of a cooperative effort with the Greene County IDA's Historic Buildings program, which has accumulated engineering and construction related information, including renovation estimates, technology infrastructure and other building related information, for each of historic sites that are relocation options for technology companies.

**h. Create a Natural Resources Inventory.**

As indicated in the public visioning process, residents are concerned about the preservation of rural character, scenic and natural resources, and open space. The Town should create an inventory of existing natural systems and open spaces, so that the location of these community features can be taken into account in future development decisions.

This inventory usually includes detailed information about existing soil, vegetation, slopes, wildlife, ecosystems, and groundwater resources. The information included in the natural systems inventory can be an invaluable resource for Town officials and developers. Although this inventory has no regulatory power, it provides context for Planning Board and Zoning Board members about conditions surrounding proposed development projects. Conversely, developers can see at a glance the important development constraints on their property and neighboring properties. Also, the Natural Resources inventory provides a framework for the location of

potential open spaces which are part of the conservation subdivision regulations and Rural Siting Manual recommended previously in the plan. These open spaces can be sited to take advantage of existing ecosystems, such as wetlands, or be contiguous to other valuable features, such as forests or farm fields. The inventory allows developers and the Town to make smart decisions about where development is located, so that any remaining undeveloped land can be connected in a useful network.

**i. Continue to investigate opportunities to provide safe and potable water in the area of the hamlet of New Baltimore.**

Over the past five years, the Town has pursued the establishment of a water district in the hamlet of New Baltimore. This has been a somewhat contentious issue in the town; however, this contention does not negate the significance of public health in the area of the hamlet of New Baltimore. Although the pursuit of a public water system in the area of the hamlet of New Baltimore was not directly identified as a goal or subgoal in the CPAG report, the Town should continue to investigate opportunities to provide safe and potable water in the area of the hamlet of New Baltimore.

***B. Promote and encourage business development that is consistent with the rural and historic character of the town and that contributes to the town tax base.***

Subgoals:

1. Concentrate development in the Route 9W Corridor.
2. Provide potential developers with clear expectation for what the community requires for quality development, including requirements for the appearance of businesses.
3. Promote and encourage appropriate home based businesses.
4. Review administrative processes and improve them as needed to assure that they are thorough, prompt, and efficient.

## STRATEGIES

a. Work with the IDA and Greene County Economic Development Department to maximize the benefits to New Baltimore. New Baltimore is fortunate that it can take advantage of the resources of the Greene County IDA and Greene County Planning and Economic Development Department (GCPED), which actively pursue responsible business and industrial development. The Town should collaborate with these groups to market sites in New Baltimore. As part of this effort, the Town should set up a workshop session with the IDA and GCPED, to encourage their efforts to create shovel-ready sites along certain portions of the 9W corridor. This workshop could focus on the following methods:

- Review the uses in the Developmental Zone so that they correlate to the IDA and GCPED initiatives
- Examine the location and boundaries of the Development Zone
- Explore ways to streamline the approvals process, such as minimizing the uses, which require special use permits in the Development Zone.

b. Create a standing Economic Development Committee

The Town Board should establish an Economic Development Committee to consider appropriate types of development in the community. The committee could be made up of local business people, a Town Board member, and interested citizens. Some of the tasks this committee could be charged with include:

- Create a Small Business Retention/Expansion/Attraction Initiative.

To encourage the growth of the Town's existing businesses, the Economic Development Committee could provide the technical resources necessary to establish themselves and grow successfully.

- Establish an economic development ambassador group.

The process of starting a new business can be daunting. Appropriate real estate must be located, a market must be identified, and local, regional, and state regulations must be considered. The Economic Development Committee could appoint an "Ambassador" whose role would be to aid new and existing business owners in navigating this process. This would allow for "one-stop shopping" for people interested in starting a business.

- Participate in ongoing Economic Development efforts with the Town, IDA, and GCPED. Once the committee is formed, it could act as a liaison to the other groups that are pursuing economic development efforts in the Town.

- Implement a Community Recognition program

The committee could create a program that recognizes the effort of businesses in the community. These could be façade improvement projects, property improvement, or other projects. This program could be in the form of a competition centered on a community festival, or facilitated through the chamber of commerce.

c. Review and revise the location of desired land uses along Route 9W.

Currently, the majority of the Route 9W corridor is designated as a commercial district in the Town's zoning ordinance. The purpose of this zone, as stated in the ordinance, is to locate commercial uses in those areas which have the potential to be served by public utilities, as a way to expand the employment and tax base. In general, this is a sound goal from a planning perspective. However, the development that results from this zoning district could pose a conflict with the desires of the community, including the strongly expressed desires to retain rural character and to regulate the appearance of businesses.

Areas along State Highways are often viewed as a less desirable location for residential uses. As such, communities often designate these areas as commercial districts. However, the presence of such a linear corridor of commercial uses could lead to what is commonly known as "strip development".

One way to avoid this would be to create subsets of the commercial zone, each with a more focused list of permitted and special uses. These subsets should be focused in nodes along 9W. This would allow the Town to encourage economic development while maintaining some control over the location of business types. Some examples of these nodes include:

- Mixed-use commercial. This zone would allow a traditional mix of commercial uses, such as retail, service, banks, restaurants, gas stations, and so forth. These areas should be concentrated around the existing nodes in the community, or in areas where public utilities are readily available, so that the zone is economically viable. The advantage to this type of zone is that it is conducive to establishing small commercial centers, usually referred to as hamlets, which would traditionally be found in rural towns. A potential location for this node could be at the intersection of Route 9W and Route 144. This location could serve as a center for the community.

Pockets of mixed-use zoning will encourage the development of traditional commercial uses, such as small shops or restaurants. Currently, there is not much incentive for high-quality commercial establishments, such as restaurants, to locate along much of Route 9W, because an incompatible commercial use, such as warehousing, could move in next door. By focusing compatible uses in close proximity, developers and business owners have a degree of assurance that their businesses will be located near establishments that have a positive economic impact.

- Large-scale commercial. This would allow larger, stand-alone businesses such as office complexes, light manufacturing, small warehouses, large-scale retail, hospitality, entertainment/recreation, or theme restaurants. One advantage of this zone is the potential for local employment. However, the Town should carefully consider the aesthetic impact of this zone; it may be necessary to locate this zone in areas with a limited viewshed, or to apply Design Guidelines to this type of development. A potential location for this node would be around the existing Development Zone between the southern boundary of the Town, north to just beyond the Exit 21-B interchange.

- Professional/Office/Home Occupation. As stated above, the 9W corridor is not a desirable location for residential uses. This is partially due to the uncertainty of maintaining a home in a commercial area –incompatible commercial uses could be developed next door at any time. However, some commercial development is compatible with residential uses. Between these nodes, another zone subset should be located which allows for some commercial development and for certain types of residential uses as well. This will reduce the "threat"

to residential uses. A Professional/Office/Home Occupation zone would allow businesses such as real estate agents, architects, dentists, artists, year-round farm stands, antique stores, and so forth. These businesses could be located in converted residential buildings, barns, or new buildings of a similar scale. The advantages to this zone include a low need for large parking areas, the ability to reuse historic structures, conformance with the existing rural character, and low traffic generation. This type of zone could be located along 9W in areas where residential buildings are likely to be converted, where low-density or small-scale commercial uses are desired, or where rural viewsheds are especially important.

**d. Prepare a 9W Corridor and Connectivity Plan to inform future zoning decisions and identify the desired forms of development patterns and infrastructure improvements.**

New Baltimore is in the enviable position of being able to plan for future development along Route 9W. While there is some development within the corridor, there are also large undeveloped portions. As such, the Town should give extra scrutiny to this area, and should focus an all-inclusive strategy on the corridor to consider land use, physical elements, and infrastructure. This coordination will give the Town a greater say in the type, location, form, and appearance of development in the future, and will provide a framework for healthy economic activity. In particular, the plan should accomplish the following goals:

- Consider the relationship of future infrastructure and transportation improvements to the desired patterns of development.

The Corridor plan should consider the elements of the physical environment that are the responsibility of the Town or State, so that future improvements complement and support the desired vision for the Route 9W corridor. For instance, this plan should examine the feasibility and likely location of public utilities as these services are extended along Route 9W from the north and the south. The plan should also consider future roadway improvements. Although Route 9W is a state highway, the Town should use the plan as an opportunity to set local preferences for future roadway improvements. When planning upcoming roadway improvements, the NYS Department of Transportation consults local planning documents to determine whether the municipality has a stated preference for certain facilities. For instance, the Town may want to call for pedestrian amenities or bicycle lanes the mixed-use nodes. Without a local plan that states the need or desire for certain features, the state will rely solely on its own internal engineering standards, which may not be the most beneficial option for the community.

The corridor plan can also identify potential gateways into the community. The gateways to a community can be likened to the front door of a house. In the same way that front doors are not often located at the property line, gateways to a community are not always found at the municipal boundary. Instead, gateways are often formed by natural or manmade features that form a physical or visual boundary for a community – a curve in the road, a crest of a hill, a bridge or railroad overpass, or a change in land use. Attractive gateways, with welcome signage and landscape plantings, are often a source of pride for a community. This corridor plan can identify the gateways and recommend a unified design approach, which will increase the positive impact of aesthetic improvements.

- *Take environmental features into account when proposing zoning boundary changes and physical improvements.*

Topographical and environmental conditions along Route 9W are varied. As the zoning district boundaries are re-examined, features such as topography, wetlands, and water bodies should be taken into consideration. Care should be taken that the proposed zones do not allow uses which are incompatible with the physical or environmental features of the land. This will minimize the possibility for future development to have a detrimental impact on the environment.

**e. Institute design guidelines or standards for commercial development.**

Most commercial development in the Town is subject to Site Plan Review regulations. The objectives of site plan review include adequate and safe vehicle circulation, accessibility, protection of natural resources, compatibility with surrounding land uses, and mitigation of impacts on environmental or historic resources. These objectives deal with the function, rather than the appearance, of the site features. According to the CPAG report, over 80% of the survey respondents stated that the appearance of businesses is important and that the town should regulate the appearance of businesses. One way the Town could accomplish this is through Design Guidelines.

The Town should commission a set of design guidelines that set appropriate standards to complement the rural character of the Town. A starting point may be the existing standards used by the Greene County IDA in the Kalkberg Industrial Park – however, the final guidelines should reflect the desires of the Town. This will gradually improve the appearance of commercial uses within the Town. In addition, having a set of published guidelines will alert developers to the expectations of the Town and the Planning Board, which can make the site plan review process easier.

**DESIGN GUIDELINES:**

Regulatory tools used by communities to regulate the form and appearance of development. These ~~may be are mandatory or can be merely~~ guiding principles, ~~but should not be mandatory. depending on how tightly the municipality wants to control the development.~~ In addition, different kinds of design guidelines may be implemented:

*Site Standards:* These focus on site standards such as landscaping, signage, and parking.

Site standards can include improved signage controls, awnings, and appropriate curb cut spacing. The placement of the building on the lot is also a common topic.

*Architecture/Façade Standards:* These standards can insure that the appearance or form of new buildings complements the existing character of the community. This can be achieved by controlling the size of the windows, facade material, rooflines, and other architectural features.



**Figure 3 - Examples of Design Guideline graphics.** The top illustration shows site layout standards for parking and building placement. The bottom pictures show bad and good examples of facade treatments.

## **C. Promote agriculture and protect farmland by recognizing the unique role that agriculture can play in supporting economic prosperity and protecting the things that make New Baltimore special.**

Subgoals:

1. Maintain and enhance an understanding in the community, and with elected and appointed officials, of the importance of farming both to enhance prosperity and to protect the things that make New Baltimore special.
2. Actively pursue opportunities provided by major initiatives of the Greene County Agricultural Development and Farmland Protection Plan, especially regarding right-to-farm laws, marketing, new specialty enterprises, and agricultural development such as recreational leasing, Hudson Valley Fresh branding, etc.
3. Explore opportunities with the Thruway Authority to expand the farmers market at the service area, including access to the farmers market from Route 144 so local residents can patronize it as well.
4. Pursue opportunities presented by the State Farmland Protection Program, including pursuing possible grants for purchase of development rights to farmland.



## STRATEGIES:

### **a. Create a standing Agricultural Committee to promote the local application of farming resources in New Baltimore.**

As mentioned in the above subgoals, there are many regional and local agricultural opportunities. However, providing support to the farmers who need it can be difficult. Greene County recently drafted and enacted the Agricultural Development and Farmland Protection Plan<sup>1</sup> to identify ways to help farmers. The plan contains several implementation efforts that could involve the town. To do this, the Town should create an Agricultural Committee. This committee could meet four times a year, or more often as needed. The charge could include:

- Work with Greene County Agricultural and Farmland Protection Board to connect farmers to market niches (e.g., forestry/agro forestry, organic products, etc.) Some of the fastest-growing opportunities for small farms in New York State are niche markets. This may be specially relevant in the Town, because prime agricultural soils are scarce. The Town's location on the NYS Thruway could make small-scale organic produce viable, destined for fine restaurants and farmers markets in the Capital District, New York City, and Boston.

An example of a successful partnership between farmers and niche markets is the Farm-to-Chef Express in Saratoga, Washington, and Rensselaer Counties. This program has two components: a City Marketing Liaison facilitates transactions between farmers and chefs, and shared refrigerated trucks deliver fresh products to restaurants. This simple, inexpensive program has benefited many farmers. A similar program may be appropriate for the Town in the future, if a sufficient supply of produce is harvested by farmers in the Town. The Agricultural Committee could act as an initial point of contact for the farmers and the markets, to provide assistance in establishing these relationships.

Other opportunities for small-scale farmers are local food stores, farmers markets, and community-supported agriculture systems (CSAs). More and more consumers are showing an interest in buying locally-grown or organic produce. However, it may be difficult for farmers to break into this market, given the amount of administrative time needed. The Committee could work with farmers to investigate the possibility of establishing a CSA system. This may be a viable option for several small farmers, who may not be capable of producing enough to support an individual CSA, to collaborate.

<sup>1</sup> Located at: <http://www.shepstone.net/Greene/Greene.html>

○ *Investigate potential for farm-based tourism*

Farm-based tourism (also known as “agri-tourism”) is a growing market that many farmers are beginning to draw on. It involves visiting a working farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in farm activities. Examples include farm tours, pick-your-own operations, petting zoos and hayrides, day camps for children, educational seminars, and lodging opportunities such as bed-and-breakfasts. While agri-tourism will not be feasible for all farm operations, it may be a way to attract new farm-related development, such as orchards that host weddings, or Christmas tree farms with sleigh rides. Equine facilities are also a popular option. This allows for some agricultural activities while still maintaining a viable business model. Because of soil limitations, which may not be able to support many traditional large farms, agri-tourism may be a way to take advantage of the Town’s rural character and proximity to the Albany, Boston, and New York City. The Committee could investigate the viability of this type of operation.

○ *Investigate potential for recreational leasing*

Recreational leasing is another option for farmers to take advantage of their rural location. This involves leasing land for recreational purposes, such as hunting, fishing, and camping, when those portions of the property are not being actively used by the farmer. Although this is a good opportunity to create revenue from fallow land, it is sometimes difficult for farmers to locate people who want to lease the land, and vice versa. The Committee could investigate this option, and perhaps maintain a list of willing farmers and potential lessees, to foster these transactions.

○ *Coordinate with the Greene County Cornell Cooperative Extension for product information*

As the business of agriculture changes, so do the types of products which allow farms to remain viable. One charge of the Agricultural Committee could be to work with the Greene County Cornell Cooperative Extension to develop new product information, based on economic demand and soil/climate conditions in the Town. The Committee could then circulate the results to agricultural operations in the Town.

○ *Circulate information about agriculture in New Baltimore*

One of the challenges of modern farming is making sense of the many informational resources available. The Committee could create an organized library of these resources, which could include:

- Information for farmers about taxes, marketing, and other resources
- Information for the general public about agricultural resources in the Town
- Directory of farms in town
- Information for people seeking to start farms or set up commercial partnerships with farmers

*b. Adopt Right to Farm/Right to Forestry Law*

As part of the effort to support agriculture, the Town should adopt a right-to-farm law, based on the model Right to Farm Law included in Appendix 3 of the Greene County Agricultural Development and Farmland Protection Plan. The purpose of this Local Law is “to maintain and preserve the rural traditions and character of the county, to permit the continuation of agricultural practices, to protect the existence and operation of farms, to encourage the initiation and expansion of farms and agribusinesses, and to promote new ways to resolve disputes concerning agricultural practices and farm operations.” To do this, the law limits the circumstances under which farming is considered a nuisance and allows agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction.

Similarly, a Right-to-Forestry law recognizes the importance of responsible forestry practices to the rural economy and way of life. A Right-to-Practice Forestry law creates a mechanism to provide support to landowners practicing forestry. The New York State Right-to-Practice Forestry Law ensures that sustainable and legitimate forestry activities are not restricted or banned by local regulations.

*c. Consider zoning changes that protect and promote farming*

Zoning regulations are often drafted to consider commercial, industrial, and residential needs over agriculture. As a result, there may be requirements in the ordinance that are burdensome to farmers. For instance, agricultural uses are allowed in the Rural Residential/Agricultural district. However, “Commercial” uses are only allowed with a special permit. This creates ambiguity for some uses, such as farm stands, which are not specifically defined as either commercial or agricultural. The Town should review the ordinance in terms of the needs of agricultural operations. The American Farmland Trust’s Guide to Local Planning for Agriculture in New York lists some zoning regulations which can make it easier for people to begin and continue farming, including:

i. Adopt language which allows seasonal, non-permanent farm stands in some or all zones. This includes small, non-permanent structures as well as informal, “back-of-the-truck” operations.

ii. Revise definitions of farm operations and products in zoning ordinance to be broader and to allow flexibility for non-traditional agriculture (including agro-forestry, nurseries, maple production, horse boarding, Christmas trees, and non-traditional livestock.) A good starting point is the definition of “Agricultural Products” included in the model Right-to-Farm Law in the Greene County Agricultural Development and Farmland Protection Plan.

iii. Consider allowing additional uses supplementary to farming in agricultural zones, such as bed-and-breakfasts, farm equipment repair, commercial composting, on-site storage, etc. These uses could be allowed in conjunction with active farming. In some cases, farm structures may no longer be associated with agricultural operations. However, these barns and other farm buildings are often an important part of the landscape of the Town. It may be a good idea to allow certain other commercial uses which can utilize empty farm buildings, such as storage, fabrication shops for craftsmen, or special event halls, as a way to preserve these important cultural icons within the rural landscape even if not associated with active farm operations.

iv. Consider revising the zoning ordinance to be more flexible concerning direct market

farm businesses, especially regarding seasonal or year-round on-site commercial operations. This option could allow small, farm-related commercial operations in agricultural or residential zones.

v. Consider revising sign regulations to allow off-site signage for farm operations with on-site retail operations. The ability to provide off-site signage is often important for farmers with on-site commercial components, such as pick-your-own operations. However, many sign ordinances disallow these signs as billboards. Allowing off-site signage (with restrictions on size, color, and material, if desired) can increase the viability of some agricultural operations without harming the rural quality of the Town.

**d. Research the feasibility of a conservation easement program to provide tax relief to large landowners and farms.**

Property taxes are one of the biggest burdens shouldered by today's farmers. Although state and federal programs, such as the NYS Agricultural Assessment Program, can relieve some of this obligation, these tax reductions are often associated with strict penalties if the land goes out of active agricultural production or if revenue from the farm is less than \$10,000. Despite this, farming often costs significantly less in terms of community services (such as schools and infrastructure) than residential development.

Some municipalities, in recognition of the importance of agriculture and open space to the character of the community, are exploring local ways to provide tax relief to farmers and other large landowners. One method is to make conservation easements available to farmers, either through the Town, the Greene Land Trust, or other agencies. In New York State, landowners whose land is restricted by a conservation easement are entitled to an annual refund of 25% of the property taxes paid on that land, up to \$5,000 per year. This benefit comes in the form of a tax credit from income taxes, so there is no financial drawback for the local municipality. With this option, property tax revenues to the town remain the same. Also, this tax credit does not require the land under easement to be actively farmed, further reducing the burden on small agricultural operations.

Some communities also provide a local conservation easement program, which reduces the property taxes on the land. Because the program is local, the community can choose to offer a greater incentive for certain land uses. For example, an active farmer may be entitled to a larger reduction than a large landowner seeking simply to conserve the land as open space. Also, the length of the easements can be relatively short, with a minimum duration of 10 or 15 years. As the length of the easement increases, so does the benefit to the landowner. This allows landowners flexibility for the future, and allows the Town to return parcels to the tax rolls. These easements can be offered to anyone with a certain amount of acreage.

To help decide whether to incorporate such a program, the Town should engage in a thorough research effort or sponsor a financial study that closely examines the benefits, costs, and risks. As stated previously, undeveloped open space and active agricultural lands often cost the community far less than residential development, which makes a local conservation easement program affordable in some communities. Further study would be necessary to see if this is the case, however. The feasibility of a conservation easement program may be dependent on responsible commercial or industrial growth elsewhere in the Town.

## **D. Advance the administration and understanding of local laws and ordinances.**

Subgoals:

1. Continue to inform residents of local laws and ordinances through a town newsletter, website, informational booklets, and/or public information forums. Involve enforcement personnel and town justices in developing the content of the information distributed.
2. Review wording and legal enforceability of local laws to give code enforcement personnel the tools needed for effective enforcement. Current laws regarding trash, litter and debris, and property maintenance, are ambiguous, lacking in specific definitions, and/or have inadequate penalties.
3. Provide adequate staffing and training of enforcement personnel.
4. Retain laws banning landfills. Review current town laws banning waste management facilities to ensure adequacy to support this issue.
5. Review local Codes (Zoning Ordinance, Subdivision Regulations, Street & Roadway Ordinance, etc.) for consistency, clarity, and legibility.
6. Consider updates or supplemental regulations to Town Codes that address complex land use issues such as planned unit development and cluster development (see Rural Character and the Environment section for specific strategy for clustering).
7. Conduct periodic ongoing review of Town Codes to insure that they remain current.
8. Promote a “Good Neighbor Policy” for the Town, to decrease reliance on code enforcement for disputes between neighbors.

## STRATEGIES:

**a. Update the Town's website to contain application forms, town ordinances, meeting agendas and minutes, comprehensive plan and maps, and contact information. These items should be kept upto-date.**

The Town maintains an attractive and user-friendly website. To make the most of this resource, the Town should add planning and development-related materials. This will help keep residents up-to-date on the most current regulations and development projects and may decrease some of the administrative burden for the Town.

**b. Use training resources available from Greene County Planning, Department of State, and local conferences.**

**c. Continue to include Planning Board, Town Board, Zoning Board of Appeals, Building Inspector, and Code Enforcement Officer in training efforts.**

There are many useful training resources available for municipal officials. Municipal employees, such as the Building Inspector and Code Enforcement Officer, should attend training sessions on a regular basis. The Town should encourage Planning, Zoning, and Town Board members to attend relevant conferences, perhaps by offsetting attendance fees, and should make low- or no-cost publications available as well. Also, the chairs of these boards can schedule "mini" training sessions, such as presentations by local speakers or video seminars, which can be conducted before, during, or after regular meetings. This allows the entire board to benefit, while minimizing the amount of time outside of regular meetings spent on training.

**d. Retain laws banning landfills and waste management facilities.**

The current laws banning landfills and other solid waste management facilities are sufficient and should be retained, as the other ordinances are updated.

**e. Create a Citizen's Guide for zoning and/or other codes.**

A Citizen's Guide can be an effective way to increase residents' knowledge about Town regulations. They provide an overview of the important points of the Zoning Ordinance, Subdivision Ordinance, or any other regulations in the Town. They can also be a useful tool for promoting business development, by allowing developers to review the larger land use issues before bringing a project before the Town.

The Citizen's Guide should also include a Good Neighbor policy, which states that the Town Codes are not promulgated for the sole purpose of resolving disputes between neighbors. Rather, the character and culture of the Town should foster civility among residents, so that the

first course of action when conflicts arise should be to open discussions with one's neighbor, not rely on the Town to resolve the dispute.

#### **f. Create Planned Unit Development Regulations**

In communities such as New Baltimore, which have a mixture of rural and suburban residential, commercial, and industrial uses, a Planned Unit District can be a good option. Like a conservation subdivision, a Planned Unit Development (PUD) takes a flexible approach to the design of large lots. However, unlike in a conservation subdivision, where the goal is usually to balance residential development with open space preservation, the goal of a PUD is also flexible. For instance, the PUD may combine residential and commercial uses in one lot. Finally, having a PUD district is a good way for the town to create flexibility for the future.

Planned Unit Developments can be particularly effective in semi-rural areas, like the Town, where a strategically placed PUD could influence development patterns in the surrounding area. The PUD legislation permits the Town to review the plans for large areas in their entirety, which can help prevent conflicts with neighboring uses.

Most PUD legislation establishes a few types of districts – a residential PUD, mixed-use PUD, commercial PUD, and sometimes industrial and recreation/tourism PUDs. This provides the maximum flexibility to the town and to the developer. The town can choose to institute PUDs in certain locations as overlay zones. It may be beneficial to define some areas as PUDs when updating the zoning ordinance and map. This would insure that the PUDs are located in areas with sufficient capacity (or potential) for infrastructure.

#### **Planned Unit Development:**

Planned unit development (PUD) zoning allows a more flexible approach to development than traditional zoning. PUD ordinances often allow a mix of land uses, such as residential and commercial, on the same parcel. In addition, the parcel can be developed with more design flexibility, and sometimes at greater densities, than otherwise allowed by the underlying zoning district. PUD provisions often require some compensation for the impacts of these projects, perhaps through setting aside significant and usable open space, providing infrastructure needed to service the development, or offering other community facilities and services.

#### **g. Explore Methods to Improve the Effectiveness of the Town's Zoning Ordinance**

Many of the recommendations in this plan require the zoning ordinance to be revised. The town should therefore perform a thorough review and revision of the ordinance, so that it is consistent with the vision, goals, sub-goals, and strategies of this plan. In some cases, this may result in zoning which is very similar to the current ordinance, depending on the previous recommendations of this plan. The zoning update should include the following tasks:

- Review the Zoning Map: The Town should review the Zoning map to ensure the Zoning Districts and District boundaries are consistent with the intent of the Comprehensive Plan. Consideration should be given to revising existing districts as well as creating new districts as recommended in this Plan. The Future Land Use Map should play a key role in defining the boundaries of the zoning districts.
- Districts and District Purpose: Refine and/or re-define the "Purpose" of each Zoning District to be consistent with the Comprehensive Plan. Add districts as recommended.
- District Uses: Refine and/or change the allowable/compatible uses for each district.
- Design Guidelines: Draft and adopt the Architectural and Site Design Guidelines proposed

in this plan. ~~Depending on the final form of these guidelines, they may to~~ be included as mandatory suggested components of zoning, or references within the ordinance.

- Supplemental Regulations: Determine whether specific additional regulations for certain uses are needed or desired. A consolidated supplemental article, which contains regulations for specific uses that do not merit a dedicated chapter in the Code, can be a helpful tool for municipalities.
- Site Plan Review/Special Permit Regulations: Review the process for site plan review and special permits to ensure compatibility with the other updates to the zoning ordinance.

After this revision is complete, the Town should review its zoning ordinance annually to make sure that it is still in accordance with the policies and recommendations of this plan.

#### **h. Review and revise the Town Subdivision Ordinance:**

In addition to the zoning ordinance, the subdivision regulations should be updated for consistency with the plan. In particular, the following should be considered:

- Procedure: Review and revise the major subdivision procedure to take into account any comprehensive plan recommendations, such as conservation subdivisions for major subdivisions.
- Materials to be filed: Review and revise the material submitted by applicants for major subdivisions, so that it takes into account the strategies in this plan, including engineering and natural resource information.
- Design standards: Review the street and lot layout requirements, to make sure they are not outdated. This is an often-overlooked municipal standard, which sets forth the width, geometry, and configuration of new roads and lots within the Town. It is important to determine whether they are appropriate for current development patterns. A review and update of the design standards can help to minimize or eliminate any conflicts.

Unlike the zoning ordinance, the subdivision regulations do not need to be reviewed and/or updated on a frequent basis. However, the town should review the subdivision ordinance every five years, to make sure they are current and relevant.

## **IV. Future Land Use Map**

In addition to the vision, goals, and recommendations, the Future Land Use Map provides a graphic depiction of how the suggestions in the plan will shape development patterns in the Town. The boundaries shown on this map are general and do not conform to specific property boundaries. Note that this map does not denote zoning changes – it merely depicts the concepts of the plan graphically. These concepts include:

- **Mixed-Use:** This designation identifies the existing and proposed areas that are recommended to be nodes of mixed-use activity, including residential, retail, and commercial land uses and community services. These areas provide logical locations for these land uses.
- **Agricultural/Residential:** This area encompasses the majority of the western portion of the Town. Farmland retention and low density residential uses are encouraged uses in this area.
- **Planned Unit District:** This designation is used for areas appropriate for mixed-use development, but needing the extra design scrutiny required by the PUD process.
- **Commercial:** This would allow larger, stand-alone businesses such as office complexes, light manufacturing, small warehouses, large-scale retail, hospitality, entertainment/recreation, or theme restaurants.
- **Professional/Office:** This zone would allow businesses such as real estate agents, architects, dentists, artists, year-round farm stands, antique stores, and so forth. These businesses could be located in converted residential buildings, barns, or new buildings of a similar scale.
- **Development:** This zone would largely replicate the existing development zone; however, the uses and boundaries may be refined to reflect the recommendations of the plan.

## **V. Implementation Plan**

### ***A. Incremental Implementation***

Section III, “Goals and Recommendations”, lists a series of suggestions that build upon the vision for the Town. Some of these recommended actions should be implemented immediately, while others can be accomplished over a ten-year period.

Toward this end, the following implementation chart provides a framework for the completion of each recommendation. The chart is intended to function as a stand-alone document, for those who want a quick reference to the actions recommended by the plan. For each strategy, the implementation leader, involved groups, starting point, and action item is listed.

Another issue for consideration when outlining an implementation strategy is the capability to assemble the funds required to complete certain strategies. Potential funding sources are listed following the implementation matrix. However, the implementation of the Comprehensive Plan need not rely on the acquisition of grant funds.

### **B. Blueprint for Action**

As shown in the implementation chart, there are several new committees proposed as implementation leaders, including the Economic Development Committee, Zoning Update Committee, and Agricultural Committee. These groups were described previously in detail. The Town Board should form these groups as the first step towards implementing the plan.

Having a yearly list of action items builds accountability. Citizens, business owners, and community organizations can clearly see how the Town intends to carry out the plan. Initial successes will ensure that this plan continues to be a focus for successful action in the future. At the beginning of each year, the Town Board can review progress during the calendar year, describe the status of current projects, and identify projects needing additional action.

Over time, conditions in the Town and region will change and new opportunities to achieve the goals of the plan will arise. For this reason, a broader view of the plan and its implementation should occur every five years (or sooner if changing circumstances warrant). A “report card” can be generated that provides a checklist of achievements, a list of recommendations yet to be undertaken, and a summary review of accomplishments. This review provides the flexibility to ensure that the plan continues to reflect the most effective and appropriate means to maintain the distinctive character of the Town in the face of change.