

**TOWN OF RED HOOK
COMPREHENSIVE PLAN**

1993

TOWN OF RED HOOK
COMPREHENSIVE PLAN AMENDMENTS

The third full paragraph on page 20 of the Town of Red Hook Comprehensive Plan (or "Master Plan"), which begins "To reflect the established development pattern," is hereby revised through the addition of the following sentence at the end of the paragraph:

For lands within the Conservation/Rural Development area which are suitable for agriculture (as determined by a land evaluation assessment consistent with rating systems developed by the USDA and other recognized organizations), these densities should be lowered for the purposes of conserving irreplaceable agricultural land resources and prime and important agricultural soils for this and future generations, and to minimize conflicts between agricultural and incompatible non-agricultural uses, as discussed in the Statement of Land Use and Development Policy, Section 3.i, and Section 5.

The second full paragraph under the heading "Residential Use" on page 21, which begins "Opportunities should be encouraged," is hereby revised by deleting the second, third and fourth sentences of said paragraph and substituting in lieu thereof the following new sentences:

Preferred density is one dwelling per 1 to 1.5 acres. In order to support and expand the emerging commercial center in the area south of the Village of Red Hook, and to encourage the development of municipal or municipally-approved central water and sewer facilities as discussed in the Statement of Land Use and Development Policy, Section 7. d, lands located within a ¼ to ½ mile radius of the Old Farm Road/US Route 9 intersection should be identified as a "receiving area" for the transfer of building potential from agricultural lands in the Town. An increase in density, consistent with village-scale development, should be allowed in this area through the use of incentive zoning whereby a developer is allowed adjustments to the permissible building potential in exchange for providing the community benefit of preserving agricultural lands in other areas of the Town.

**REPORT
OF THE
TOWN OF RED HOOK
MASTER PLAN COMMITTEE**

OCTOBER 1990

Adopted with the modifications noted as
the Town Comprehensive Plan by the Town of
Red Hook Planning Board on January 18, 1993.

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INTRODUCTION

Issuance of this Report of the Town of Red Hook Master Plan Committee culminates a year-long effort to present an overall "comprehensive plan" for the Town-outside-Village areas of the Town of Red Hook and outline the techniques that the Town should employ, in cooperation with other public jurisdictions and the private sector, to cause its implementation.

The Land Use Plan component seeks to balance conservation and development objectives consistent with the consensus desires of the Town's people, as assessed by the Master Plan Committee through the September 1989 Master Plan Survey results and the previously-recommended Statement of Land Use and Development Policy.

Due to their importance in providing direction to the Master Plan Committee in formulating the Land Use Plan, both a summary of the Master Plan Survey results and the previously-recommended Statement of Land Use and Development Policy have been included in this Report. A Technical Supplement providing a variety of background data has also been compiled; the Committee has, however, recommended that the Planning Consultant defer finalizing the Supplement until more complete 1990 Census data is available.*

The Master Plan Committee appreciates the interest that the community has taken in its efforts to formulate a long-term "comprehensive plan" for the Town. The Committee welcomes continued participation both as its recommendations are reviewed by the Planning Board and as the Committee embarks in the near future on the second phase of its task, i.e. the refinement of the Town's Zoning Law and Land Subdivision Regulations to dovetail with the Statement of Land Use and Development Policy and the Land Use Plan described in this Report.

* The Technical Supplement was revised in June 1992 to incorporate available 1990 census data as background information and for pertinent analysis.

STATEMENT OF LAND USE & DEVELOPMENT POLICY

The principal objective of the Town of Red Hook, as a unit of general local government, is to preserve and enhance the quality of life experienced and enjoyed by the residents of the community. Accordingly, the Master Plan Committee recommends that the Town direct and coordinate its planning activities, its land use and development controls, its capital expenditures, and its intergovernmental initiatives to efforts which contribute to the overall, day-to-day achievement of the following goals and objectives:

1. **THE MAINTENANCE AND PROTECTION OF THE RURAL CHARACTER AND THE SCENIC RESOURCES OF THE COMMUNITY.**

Although it is experiencing moderate population growth, the Town of Red Hook remains predominantly rural in character, with many distinguishing scenic resources, including country roads; open views of agricultural fields, mountains and woodlands; streams and other waterways; and its Hudson Riverfront setting. The rural character and scenic features are identified as important elements contributing to the sense of place and the quality of the living environment within the Town. The community's objective is to maintain this overall sense of rural character while accommodating the inevitability of growth and change by:

- a. Providing incentives for new development to locate within the Village of Tivoli and within, or adjacent to, the Village of Red Hook and other established areas of the Town, such as the hamlet of Upper Red Hook, while discouraging a land use pattern that might be characterized by an inefficiently-serviced and environmentally-insensitive uniform dispersion of development throughout the Town.
- b. Encouraging the preservation of existing landscape elements, including vegetation and landforms, to integrate new development with its surrounding land mass.

- c. Requiring that significant open space consistent with the Town's rural character be preserved and appropriately maintained in every development, whether residential, commercial or institutional.
 - d. Inventorying the principal scenic and open space resources of the community and developing an action plan for the preservation of the most significant of these resources, e.g. the promotion of opportunities for the maintenance and expansion of public access to the Hudson Riverfront at locations such as Cruger Island, Tivoli Bays, the hamlet of Barrytown and the Village of Tivoli.
 - e. Promoting, as part of that overall plan, the use of innovative land use techniques, such as conservation easements, transfer of development rights (TDR) and cluster development, to preserve scenic resources and to focus development toward either the less sensitive areas of the particular development parcel or, in the specific case of TDR, to transfer permitted development density to less sensitive acreage elsewhere in the Town.
 - f. Encouraging building design which gives appropriate recognition to compatible building forms and materials indigenous to the community and its rural character.
 - g. Encouraging careful design of signage and exterior lighting to ensure that it similarly is appropriate in scale, material and form to the community and its rural character.
 - h. Discouraging highway commercial or franchise modern architectural styles, and associated signage and lighting design, more appropriate to urban and suburban environments.
 - i. Deterring the proliferation of unattractive and unsafe highway strip development, whether commercial, residential or institutional, along the principal highways in the Town.
 - j. To the extent practicable, encouraging voluntary efforts to improve the function and appearance of existing properties through the introduction of suitably-landscaped and maintained buffer areas, more restrained signage and lighting, and better-designed access control and parking layout.
2. **THE RECOGNITION AND PROTECTION OF THE HISTORIC AND CULTURAL RESOURCES OF THE COMMUNITY.**

The Town of Red Hook is fortunate to have extensive historic and cultural resources which are significant to the community

and, in fact, help shape the character of the community and the quality of life experienced by its residents.

Fine examples of period architecture, stone walls, Hudson River estates and historic hamlets all contribute to the unique physical quality and diversity of the community. Through its participation in the formation of one of the largest historic districts in the country and in its development of a local waterfront revitalization program, the Town has clearly recognized the importance of its Hudson Riverfront location and the historic features associated with its heritage.

The Town is equally endowed with a diversity of cultural resources, including the educational and arts-oriented facilities and programs of Bard College and Montgomery Place.

The Town will continue to recognize, support and maintain historical and cultural elements which contribute to the character of the community by:

- a. Establishing design and review criteria to ensure that new development within, or adjacent to, Town-recognized historic sites or districts is compatible with the setting, scale and architecture of existing resources.
- b. Encouraging the continuing study, identification and recognition of significant historic and cultural resources, including, but not limited to, historic buildings, sites, roads, stone walls, cemeteries and monuments.
- c. Promoting the appropriate adaptive reuse of historic buildings throughout the community to avoid the loss of structures which may no longer be needed, or functional, for their original use.
- d. Promoting the use of innovative land use techniques, such as conservation easements, transfer of development rights and cluster development, to protect significant historic and cultural resources, while ensuring that intrusions do not occur which would adversely affect the character, setting or integrity of these resources.
- e. Encouraging support for cultural and artistic endeavors and the enhancement or development of related facilities and programs, with fundamental considerations in extending support being the availability of such facilities or programs to members of the Red Hook community and their overall compatibility with the Town's Comprehensive Plan objectives.

3. **THE CONSERVATION OF THE COMMUNITY'S NATURAL ENVIRONMENT, INCLUDING THE PROTECTION OF ITS UNIQUE NATURAL FEATURES AND THE WISE USE OF ITS LAND RESOURCES.**

Human activities depend on, and must be sensitive to, vital natural resources and the natural environment in which people live. Activities which degrade natural resources ultimately diminish the quality of life experienced by the residents of the affected area. The Town of Red Hook will strive to ensure the careful stewardship of the natural environment for the enjoyment of present and future generations by:

- a. Protecting surface and groundwater resources, particularly existing and potential public water supplies.
- b. Restricting land use and development activities within sensitive aquifer recharge areas that could pollute the groundwater resource.
- c. Protecting natural drainage areas by carefully regulating development within and adjacent to wetlands, streams and floodprone areas.
- d. Preventing increased flooding in downstream areas by controlling increased runoff rates and volumes that may be associated with changes in land use and development activities through project-specific requirements for effective stormwater management techniques.
- e. Preventing erosion and sedimentation by controlling the quality of runoff through project-specific requirements for the installation and maintenance of effective soil erosion and sedimentation controls, particularly in areas with erodible soils and/or moderate-to-steep slopes.
- f. Limiting development density within areas not served by municipal and/or municipally-approved central water and sanitary sewer service to levels which will neither impair the quality or reliability of the groundwater resource nor exceed the capability of the soils to assimilate sanitary wastes.
- g. Reviewing, monitoring and otherwise regulating both existing land uses and proposed development activities with the potential to pollute the community's air, soil or water, or to cause other environmental nuisances, such as excessive noise, light or odor.
- h. Developing an inventory of important wildlife and plant communities and habitats within the Town, so as to protect these communities through the preservation of undeveloped areas and open space corridors.

- i. Conserving prime (USDA Soil Conservation Service Class 1 through 4) and other important agricultural soils.
 - j. Identifying, designating and protecting other critical environmental resource areas.
 - k. Controlling the indiscriminate disposal of wastes and providing for their safe and effective disposal.
 - l. Carrying out the community's responsibilities under the State Environmental Quality Review Act (SEQRA), including the consideration of more restrictive, or locationally-specific, Type I thresholds appropriate to the Town to classify proposed actions that would more likely be expected to have a significant impact on the environment and, thus, require the preparation of an Environmental Impact Statement.
 - m. Encouraging the use of innovative land use techniques, such as conservation easements, transfer of development rights and cluster development, to both protect significant, irreplaceable natural resources and to focus new development interest towards either areas of the particular development parcel or of the community where less disturbance to the Town's natural resource base would occur.
4. **THE PROVISION OF OPPORTUNITIES FOR THE DEVELOPMENT OF A VARIETY OF HOUSING TYPES TO MEET THE HOUSING NEEDS OF THE COMMUNITY'S RESIDENTS.**

Housing type, cost and availability have important implications for providing quality shelter to existing and future residents of the Town. Experience shows that as development pressures and constraints increase, so do the relative costs of acquiring and maintaining housing. Furthermore, the development constraints which are imposed may limit the type of housing units that can be produced. Accordingly, an increasing segment of the population may find both the traditional goal of single-family home ownership to be less attainable than it has been during the past several decades and the supply of adequate rental housing or other more affordable ownership opportunities to be quite limited.

In order to maintain a balanced community, the Town of Red Hook will work toward encouraging a range of housing types in locations which meet community planning objectives and the housing needs of Town residents in a range of income levels, age groups, household sizes and housing preferences, by:

- a. Monitoring the housing needs of the community's residents.

- b. Ensuring that all housing meets acceptable public health and safety criteria.
- c. Encouraging the delivery of housing in suitable residential environments and within the economic reach of all Town residents through the cooperative efforts of both the public and private sectors.
- d. Concentrating higher-density residential development in areas which can be most efficiently served by existing and prospective municipal or municipally-approved central water and/or sanitary sewage facilities, highways and other services.
- e. Permitting the development of accessory apartments on residential premises as long as appropriate public health, safety and design standards are met and neighborhood character is maintained.
- f. Providing appropriately-zoned lands, suitable water and/or sanitary sewage facilities and appropriate review standards and procedures to allow a reasonable supply of moderately-priced housing to be built within the community, while ensuring that the Town's overall land use and development objectives are satisfied and quality is observed in the design and construction of both buildings and related site improvements.

5. THE CONTINUATION AND DIVERSIFICATION OF AGRICULTURAL ACTIVITIES.

Historically, agriculture has played an important role in the economy of the Town of Red Hook and has contributed significantly to the maintenance of its rural landscape. Recently, increasing land values and lower profit margins for agricultural activities have contributed to a general decline in the number of farms and other agricultural businesses operating in the community. This has led in turn to a reduction in the amount of acreage kept in production. Open agricultural lands which earlier contributed jobs, crops and scenic vistas to the community, are being converted by nature to brush or forest lands or by developers to home sites.

The Town of Red Hook believes that it is vital to maintaining the character of the community and the quality of life found here that this trend be halted and that there be strong encouragement provided to the agricultural community for the maintenance of agricultural activities and the associated preservation of the irreplaceable agricultural land resource. The Town can assist in maintaining the traditional viability of agriculture for this generation, and future generations, by encouraging the conservation of areas with prime

agricultural soils, segregating agriculture and incompatible non-agriculture uses in the interest of the agricultural pursuit, reducing pressures to convert agricultural land to other uses, and implementing programs which encourage and support farm operations.

The Town will endeavor to support this goal by:

- a. Protecting agricultural operations from disruptions or constraints associated with adjacent non-agricultural development, including the adoption of a "Right to Farm" law.
- b. Requiring appropriate buffers between established agricultural and proposed non-farm uses.
- c. Requiring non-agricultural activities proposed in areas designated for continued agricultural uses to be clustered on marginal agricultural soils, with prime agricultural, and other higher productivity, soils reserved for continuing agricultural use.
- d. Promoting the strict application of the State Environmental Quality Review Act and the use of innovative land use techniques, such as conservation easements, transfer of development rights, conservation density subdivisions, average density subdivisions and cluster development, to preserve agricultural lands while permitting appropriate, small-scale residential development.
- e. Encouraging a cooperative working relationship among members of the agricultural community, local land trusts, and local government in the discussion and application of limited development techniques, such as those earlier cited, both in the matter of physical planning and estate planning with regard to large agricultural parcels.
- f. Appointing to the Planning Board an eighth member, as authorized by Section 271(2) of the Town Law, to represent the unique interests of the agricultural community in matters related to community-wide land use planning and the review of site-specific development projects.
- g. Providing real property tax incentives to the full extent authorized by State legislation to lessen the burden upon the agricultural community for costs principally associated with expanded governmental services for residential and commercial populations.
- h. Permitting the cost-efficient retail sale of agricultural products both on the farm property and at local farmers' markets.

- i. As an adjunct to the earlier-stated housing goals, permitting affordable on-premises housing for farm workers and their families, consistent with acceptable public health and safety standards.

6. THE CREATION OF OTHER ECONOMIC DEVELOPMENT OPPORTUNITIES CONSISTENT WITH THE CHARACTER OF THE COMMUNITY.

Economic development is important to maintain a healthy community capable of providing goods, services and jobs to existing and future residents. The Town of Red Hook is, however, vitally concerned about the location, type and scale of economic development activity that could be promoted and encouraged within the community. The clear preference of the Town is for limited economic activity which addresses the day-to-day needs of the resident population and is in keeping with the community's overall rural, small-town character. The Town also seeks to focus primary business activity in concentrated nodes, while curtailing opportunities for highway strip development elsewhere in the community. The Town of Red Hook does not seek to become either a regional commercial or employment center or a "point of destination" for tourists.

The Town of Red Hook will strive to attain this goal by:

- a. Limiting the extent of commercially-zoned land area and the scale and intensity of permitted commercial land uses to that required to serve the reasonably-anticipated day-to-day needs of existing and future Town residents for goods and services while providing for some expansion in local employment opportunities.
- b. Maintaining the Village of Red Hook as the primary commercial center of the community, while allowing controlled commercial expansion in carefully-defined areas outside the center, such as within the Village of Tivoli, immediately adjacent to the Village of Red Hook and near the hamlet of Upper Red Hook, where such activity would be compatible with both existing land use and the rural character of the community.
- c. Encouraging the expansion of local employment opportunities, to the extent consistent with the Town's other land use and development objectives.
- d. Encouraging the creation of small retail and service businesses that are consistent with the day-to-day needs of the community's population.
- e. Encouraging the conduct of home occupations which do not disrupt neighborhood residential character due to the

presence of significant increases in traffic or environmental nuisances, such as air, noise, light or other visual pollution.

- f. Encouraging the development of light industry and small-scale office/research facilities in appropriately-serviced locations, and where consistent with the Town's stated land use and development objectives regarding the scale, intensity and character of such commercial facilities.
 - g. Providing the maximum opportunities available under State legislation to assist new or expanding businesses in their early years, including industrial revenue bond financing and partial real property tax exemptions.
 - h. Encouraging appropriate levels of tourism activity that would not alter the Town's historic and rural character by attracting substantial numbers of visitors, generating significant traffic within the Villages of Red Hook or Tivoli or the community's residential neighborhoods, or causing the development of major tourism or tourist-support facilities.
7. **THE PROVISION OF ADEQUATE LONG-TERM SUPPLIES OF CLEAN WATER AND THE ENVIRONMENTALLY-SOUND DISPOSAL OF SANITARY WASTES.**

The provision of safe and dependable sources of potable water and the proper disposal of sanitary and other wastes are critical to existing and future development. The two concerns are closely related for improper disposal of sanitary and other wastes can adversely affect water quality while denial of recharge to an aquifer, which can occur when properly-treated effluent is discharged to a stream or other location, can result in a reduced production capability for the aquifer and a restriction upon its capacity to meet water demand.

Limited areas of the Town of Red Hook, generally the Villages of Red Hook and Tivoli, Bard College, and residential developments within the Town to the northwest, and immediately to the south, of the Village of Red Hook, are served by existing central water supply systems. The entire community, except for the Village of Tivoli and Bard College, depends on private, on-site sanitary sewage disposal facilities.

The Town will strive to address the long-term implications of providing appropriate water supply and waste disposal facilities commensurate with the needs of its residents by:

- a. Limiting permitted development density within areas not served by central municipal or municipally-approved water and sewer service to levels which will neither impair the quality or the reliability of the groundwater resource nor exceed the capability of the soils to assimilate sanitary wastes.
- b. Conducting an engineering feasibility study in cooperation with potentially-benefitted landowners to delineate more precisely the potential central water and wastewater (i.e. sanitary sewage) service areas proposed in the Dutchess County Water and Wastewater Study, consistent with the Town's other land use and development objectives.
- c. Defining as part of that feasibility study a phased program for the delivery of both water and sewer service within potential service areas and for commensurate increases in permitted development density within those service areas upon the installation of such municipal or municipally-approved central facilities.**
- d. Defining, as part of that phased program, a less expensive program for the continued upgrading and expansion of central water service and for commensurate increases, though far less in magnitude, in permitted development density in areas where central water systems either exist or will be installed to service intended development prior to its occupancy.**

**For example, under a hypothetical condition where 2-acre minimum lot area is appropriate with an individual on-site well and sanitary sewage disposal system, a reduction to a 1-acre minimum lot area may be appropriate upon installation of a central water system while a much greater density, e.g. 1/4 acre lots or smaller, could be safely supported from solely a public health viewpoint if both central water and sewer were provided.

- e. Requiring that central water and sewer systems be "state of the art" in initial design and be deeded to a municipally-approved entity to ensure dependable long-term ownership, operation and maintenance.
- f. Ensuring the protection of all surface and groundwater resources.
- g. Requiring efforts which provide for the maximum practicable reduction in the overall quantity of wastes generated and the maximum practicable recycling of those waste materials which are generated.

**8. THE PROVISION OF COMMUNITY SERVICES AND FACILITIES
COMMENSURATE WITH THE NEEDS AND DESIRES OF THE TOWN'S
RESIDENTS.**

The fundamental purpose of government is to provide for the protection of the public health, safety and welfare, and, consistent with this purpose, to deliver to the government's constituents services which can more efficiently and effectively be provided on an area-wide basis, rather than by individual residents, households or property owners. In accordance with this responsibility, and consistent with the Town's other land use and development objectives, the Town of Red Hook will strive to work cooperatively with the Villages, the School District, the community's emergency services organizations and its other private and public institutions to meet the needs and desires of the Town's residents by:

- a. Emphasizing the efficient and effective delivery of basic services to the Town's residents, including road maintenance and traffic circulation and safety improvements, education, police and fire protection, other emergency services, and land use control and related code enforcement activities.
- b. Locating community facilities, to the extent practicable, at convenient locations near or within established Village and hamlet centers and maintaining these facilities in a manner that does not diminish the value or quiet enjoyment of neighboring properties or the integrity of the area in which the facility is located.
- c. Anticipating future needs and reserving appropriate locations for either the expansion of existing facilities or the development of new facilities due to either increases in Town population or the changing demographic characteristics of that population.
- d. Emphasizing the need for the effective use of capital programming and budgeting techniques to ensure that the necessary resources are available to maintain, upgrade and expand community facilities.
- e. Promoting the development of publicly-accessible open space and recreational opportunities for all age groups, consistent with the Town's open space preservation, land use and transportation objectives.
- f. Maintaining an on-going community planning and land use program based upon the principle of accommodating growth only when consistent with the rural, small-town character of the Town of Red Hook, neighboring land use, and the ability of the community to provide essential services without undue burden upon existing residents and property owners.

- g. Emphasizing, as part of the on-going community planning and land use program, zoning and subdivision criteria which respect, among other factors, the previously-noted balance that must occur between permitted land use densities and the availability of in-place central water and/or sanitary sewer service.
 - h. Further emphasizing, as part of that on-going community planning and land use control program, the timely, thorough and consistent administration and enforcement of all relevant local, County, State and Federal laws, rules and regulations supportive of the Town's land use and development policy.
 - i. Regularly monitoring the delivery of community services and, when possible, exploring the full range of opportunities which may exist to plan and provide services jointly with the Villages of Tivoli and Red Hook or other municipalities, thus either eliminating overlap which may exist or taking advantage of economies of scale which may be achieved.
9. **THE PROVISION OF SUITABLE TRANSPORTATION FACILITIES AND SERVICES TO ACCOMMODATE AUTOMOBILE, BUS, RAIL, PEDESTRIAN AND BICYCLIST TRAVEL BOTH WITHIN THE COMMUNITY AND TO REGIONAL EMPLOYMENT AND SERVICE CENTERS.**

The ability to transport people and goods in a safe and efficient manner is constantly challenged by intensification of land use and the introduction of further development activity. Without an adequate and balanced transportation system, including properly-designed and maintained roads, sidewalks, pedestrian trails, bikeways, parking areas, and, where appropriate, mass transportation facilities, to accomplish this task, the quality of life diminishes, and the costs of moving people, goods and services increases, whether measured in terms of dollars, time and convenience, or safety. The Town of Red Hook seeks to ensure that such transportation improvements and facilities are provided consistent with the character of the community and the needs of the Town's residents by:

- a. Monitoring existing traffic conditions and movements, both vehicular and pedestrian, throughout the community, identifying existing traffic problems, and devising action-oriented strategies to correct or alleviate identified capacity or safety deficiencies.
- b. Basing access and related decisions on the concept of developing a roadway system which clearly distinguishes the functions of local, collector and through roads.

- c. Encouraging project design and/or related highway improvements which maintain or improve the capacity of major and collector roadways to accommodate current and projected traffic volumes without fundamental changes in the appearance and character of these roadways.
- d. Minimizing the number of authorized access points on major and collector roadways.
- e. Requiring safe pedestrian access in the design of all commercial sites, and further requiring service roads, combined parking areas, and strong pedestrian linkages between individual establishments within areas of concentrated business activity.
- f. Ensuring that adequate off-street parking is provided for all developments, both residential and non-residential.
- g. Supporting the best possible design of all transportation facilities to enhance the appearance of the community and to serve local needs, while complementing, to the extent essential, the regional system.
- h. Supporting the further development of bus service within the Town and to regional employment and service centers, including the installation of necessary appurtenances, such as a bus shelter within a Village or hamlet center.
- i. Encouraging the restoration of passenger rail service at viable locations within the Town of Red Hook, i.e. Barrytown and/or Tivoli, consistent with the prospective efforts to extend Metro North commuter rail service northward from its presence terminus in Poughkeepsie.
- j. Providing a local network of sidewalks, paths and multi-use trails for day-to-day pedestrian movements within and between developed areas of the community.
- k. Supporting the development of a community-wide park system, including a multi-modal network of bikeway, equestrian and pedestrian facilities, connecting residential neighborhoods and community centers, recreation sites and other publicly-accessible open spaces.
- l. Encouraging the concentration of development near established land uses, and the use of cluster development and related techniques throughout the community, to reduce the extent of new roadway construction within the Town.
- m. Maintaining and developing a road system that remains sensitive to the historic and scenic resources of the

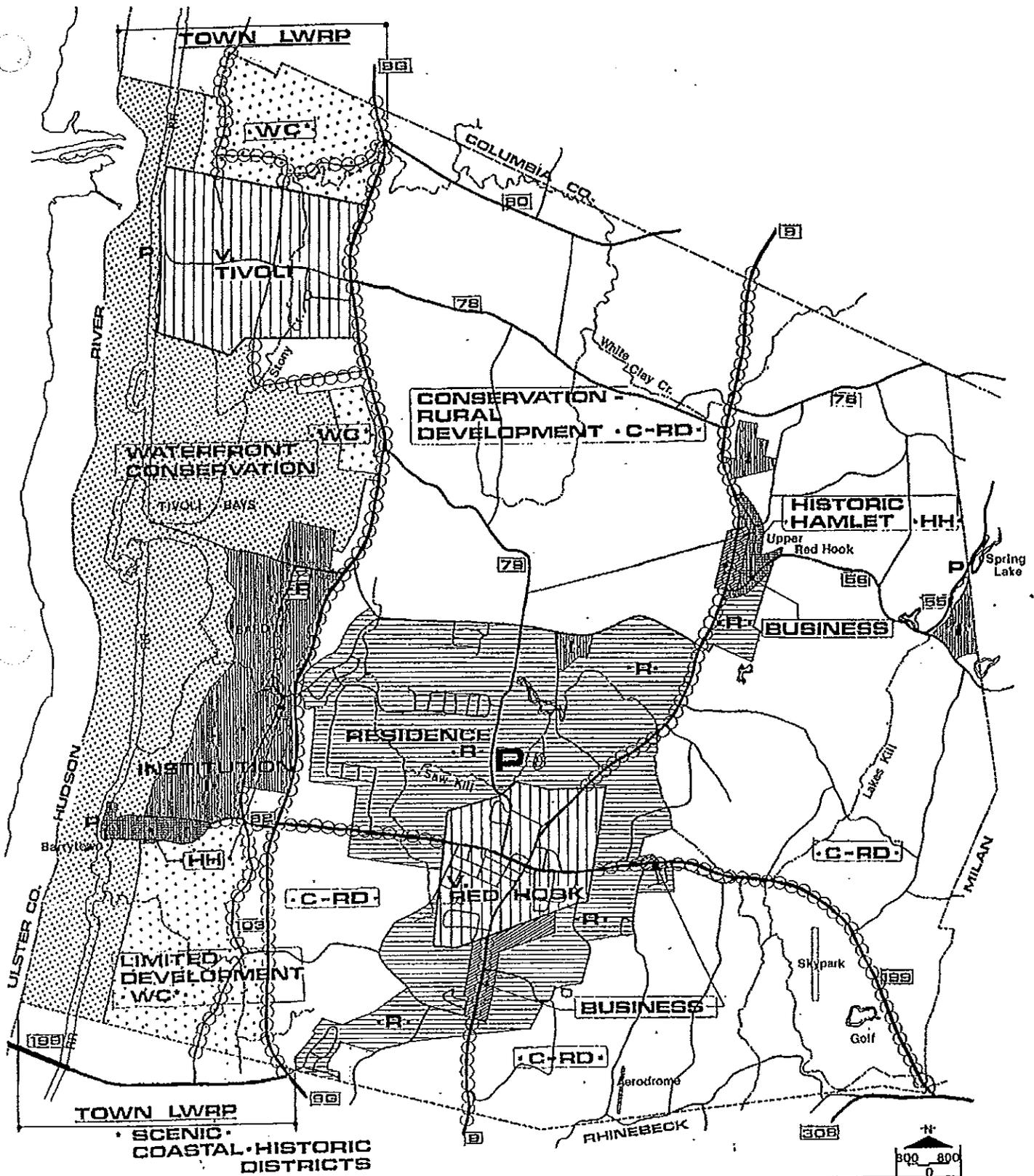
community and consistent with traditional routes of travel between Village and hamlet centers.

10. THE ACHIEVEMENT OF THE TOWN'S LAND USE AND DEVELOPMENT GOALS THROUGH THE COOPERATIVE EFFORTS OF PUBLIC AND PRIVATE SECTOR INTERESTS.

The Town of Red Hook recognizes fully that the achievement of its land use and development goals and objectives, and the implementation of the Town's Comprehensive Plan, will require a sustained and cooperative effort of all private and public sector interests with the opportunity to influence the timing, location and type of land use and development activities within the Town.

The Town urges the County, State and Federal governments to each embrace the Town's **Statement of Land Use and Development Policy** as its own when making program, design or capital investment decisions which may directly affect the Town of Red Hook. The Town similarly urges the private sector, whether in its role of nurturing cultural, education, recreational and other programs, or in its often times more visible role as development project sponsor, to accept its niche within the unique rural, small-town environment known as Red Hook and to tailor its own objectives to fit those of the overall community in which it seeks to live and do business.

The Town of Red Hook is not opposed to growth and change, recognizing such as vital to human beings and their communities. The Town of Red Hook is, however, adamant in its view that the accommodation of growth and change must not diminish the quality of life experienced and enjoyed by the residents of the community and should, to the contrary, contribute additional human energy and economic resources to achieve the Town's land use and development objectives and, thus, preserve and enhance the quality of life.



SCENIC CORRIDOR

LAND USE PLAN

Modified and adopted by Town of Red Hook Planning Board on January 18, 1993. **OCTOBER 1990**

TOWN LAND USE PLAN

The Town of Red Hook Master Plan Committee has prepared a Town Land Use Plan to set forth a generalized, yet coordinated, pattern of preferred land use and development intensity on a Town-wide basis. The Land Use Plan both builds upon the Master Plan Committee's data base regarding existing land use, environmental resources, and existing infrastructure, and carefully reflects the Committee's recommended Statement of Land Use and Development Policy.

Taken in combination with those land use and development policies, the Land Use Plan is intended to serve as a legal and policy basis for preparing legislation and carrying out programs that either regulate or otherwise impact land use and development activity within the Town of Red Hook. The Master Plan Committee recommends adoption of these elements, in combination, by the Town Planning Board and the Town Board in satisfaction of the "comprehensive plan" requirements set forth in Section 263 of the Town Law.

In order to facilitate understanding of the Land Use Plan, the Master Plan Committee presents the following capsule description of the eight (8) land use categories which are depicted:

- Waterfront Conservation.

The Waterfront Conservation (WC) area includes the most ecologically significant and severely-restricted areas for development within the Town of Red Hook. This category includes the Tivoli Bays State Nature Preserve and Wildlife Management Area, Cruger Island, the South Bay and North Bay tidal wetlands, and other sloping and escarpment lands lying within 1000 feet of the high water mark of the Hudson River, except for the established hamlet of Barrytown. All lands within 100 feet of the high water mark of the principal stream corridors within the Town (i.e. the Lakes Kill, Stony Creek, Saw Kill, White Clay Kill and Mudder Kill) are also designated within the Waterfront Conservation land use category.

Preferred use within the Waterfront Conservation area is restricted to passive and water-dependent recreation and to land-extensive open space uses which provide little

disturbance to the natural environment. Consideration should be given to the development of Hudson Riverfront parks at Tivoli and Barrytown to provide the Town's people "windows on the Hudson" and to the creation of a continuous trail network along the Town's substantially-undeveloped Hudson Riverfront to extend the concept of these "windows" to that of a "corridor".

- Waterfront Conservation/Limited Development.

The Waterfront Conservation/Limited Development (WC*) land use category includes estate and other environmentally-significant, though less severely-restricted, non-institutional open space lands within the Town's coastal zone. Continuing estate, open space and passive recreational uses are encouraged. Residential density should not exceed one dwelling per ten acres. Cluster development, conservation easements and other innovative land use mechanisms, including design review, should be employed to mitigate development impact on the rural, scenic and historic character of these lands.

- Institutional Use.

Principal institutional (I) uses depicted on the Land Use Plan include the land-extensive, campus-type settings held by Bard College, the Unification Theological Seminary and Montgomery Place to the west of NYS Route 9G, the Devereux Foundation and New York State Eddie Parker Youth Center properties to the east of NYS Route 9 and the Red Hook School District elementary school facilities at Mill Road and Rockefeller Lane. Further development of these institutions should occur in accordance with sound community planning practices and the institution's long-term master plan.

- Historic Hamlet.

The Historic Hamlet (HH) land use designation applies to the historic settlements of Upper Red Hook, Annandale and Barrytown. The traditional mix of residential, institutional and small-scale business uses *** and small lot development pattern which distinguishes these settlements should be recognized by the community and reflected in its land use and development controls. Architectural design review of proposed modifications to existing structures and new construction is important to protect the vernacular character and scale of buildings within these hamlet areas. Conventional lot-by-lot subdivision of adjoining lands should be discouraged due to its effect on the geographic integrity of the historic hamlet, with clustering preferred to allow for a substantial buffering of the hamlet area.

*** Revised by the Town Planning Board to read:
"The traditional mix of residential, institutional and other small-scale uses serving the immediate neighborhood..."

● Conservation/Rural Development.

Conservation/Rural Development (C/RD) is the predominant land use designation within the Town of Red Hook. This category is characterized by the following blend of uses:****

- active agricultural uses, including field crop and orchard lands;
- other open space lands, including second-growth forests, wetlands and stream corridors;
- large-lot residential development served by individual on-site water supply and sanitary sewage facilities; and
- such private land-extensive uses as the Red Hook Golf Course, Skypark Airport and the Rhinebeck Aerodrome.

A fundamental concern of the Land Use Plan is the long-term preservation of agriculture in this area of the Town. Continued agricultural use should be encouraged due to its contribution to the Town's economy and rural character. To the extent possible, the conversion of productive agricultural lands, particularly those classified as "prime agricultural soils", to residential lots and other non-farm purposes should be discouraged.

Dutchess County has lost over 175 commercial farms over the past 20 years. Between 1982 and 1987 alone, the County lost 22 farms and approximately 13,000 acres of farmland. In 1940 there were more than 45 productive dairy farms in Red Hook. Today, only three remain, one of which is for sale.

While the problems facing agriculture are many and complex, appropriate land use controls can assist in the encouragement of agriculture. Accordingly, the Town should implement an affirmative program in support of agriculture, to the extent such is within the authority of local government. Such a program should minimally include:

- zoning to allow related small-scale business enterprises on farmsteads;
- A "Right to Farm" law;

**** Since 1978 a substantial landholding has also been assembled in the Towns of Red Hook and Clermont, including approximately 650 acres in the northerly portion of the Town of Red Hook in support of Con Edison's long-term interest in developing an electric power generating facility at the location. A project of this type and magnitude would be subjected to a lengthy and rigorous review and approval process pursuant to Federal, State and Town regulations and siting procedures.

- zoning to permit farm worker housing; and
- exploration of a "floating light industrial zone", or similar devices, which might be built into the Town's Zoning Law and afford the opportunity to test the Master Plan Committee's theory that clean light industrial operations (or other appropriate non-residential uses) and agriculture can make good neighbors.

Maintenance of "Agricultural Districts" under the New York State Agriculture and Markets Law is also consistent with this objective.

In reviewing residential development proposals that may be within the Conservation/Rural Development area, two existing land use tools can be effectively employed to assist in the preservation of open space, including the community's productive agricultural lands, maintain its rural character, and reduce locational conflicts between residences and agriculture. These tools are the "conservation density subdivision" and the "cluster subdivision". Conservation density subdivisions are most practicable in a Town's lower-density zoning districts. They afford flexibility to landowners in road layout and design, and road frontage requirements, but only if landowners commit to permanent preservation of open space resources substantially in excess of minimum zoning requirements. "Cluster" development is an extremely flexible land use tool that varies conventional "cookie cutter" subdivision requirements to locate development in the less environmentally-sensitive areas of a site rather than spreading development uniformly throughout the site.

While some clusters are very tightly concentrated in a small section of a site in order to obtain maximum preservation of open space, cluster is a very adaptable land-use tool, which can promote the achievement of other residential development objectives, including the delivery of varied types of housing units, varied lot sizes, and varied methods of ownership and control of preserved open space. Obviously, no single type of cluster is suited to every site, nor is use of the cluster technique the only possible way to preserve open space; e.g. one or more large lots combined with restrictive covenants can preserve open space. Nonetheless, because of its great flexibility, and adaptability to different circumstances, cluster can be a very effective method of preserving a wide variety of desirable features, including productive agricultural lands, open space, scenic views, and other environmental resources discussed in this Plan or identified during site-specific evaluation of a subdivider's intended residential development project under the SEQR review process.

The Planning Board should learn more about the varieties and workability of cluster development and should routinely require a landowner to consider cluster alternatives when developing land in the Conservation/Rural Development area. Where the site involves significant, irreplaceable natural and cultural resources, such as prime agricultural lands, water resources, or historic sites, particular attention should be paid to requiring that the approved development plan protect these resources to the extent practicable.

The Town should also work with representatives of the agricultural and development communities in assessing, and then implementing if found to be viable, a transfer of development rights (TDR) program for the Town. TDR is an innovative land use technique that was only recently authorized by the State Legislature for implementation by local municipalities in New York State. Basically, this concept allows for "development rights" to be separated from land ("sending zones") and sold for use in other areas of the Town ("receiving zones"). It results in preservation of the land from which the "development rights" have been sold. In the Town of Red Hook, the "sending zones" would likely be the more developable, yet environmentally-sensitive, lands within the Conservation/Rural Development area, including the prime agricultural lands, and the "receiving zones" would likely be the prospective higher density areas around the Village of Red Hook where development is preferred and the prospect is highest for municipal and/or municipally-approved central water and/or sanitary sewage facilities.

Due to their potential cumulative effect on the overall aesthetics and the quality of life within the Town's rural land areas and the additional service burdens that would be borne by the community, both large-scale residential development projects and use of the conventional lot-by-lot approach to subdivision layout should be discouraged on lands designated as Conservation/Rural Development.

To reflect the established development pattern, a permissible density of one dwelling unit per five acres should be maintained for that portion of the Conservation/Rural Development area lying to the west of NYS Route 9G. Elsewhere in the C/RD area a permissible density of one dwelling unit per three acres is recommended.

Use of limited development techniques, such as the previously-cited "conservation density subdivision" and the "transfer of development rights" mechanism should, however, be encouraged to reduce the amount of development that might actually be carried out within the Conservation/Rural Development area. These limited development techniques would, thus, complement the traditional zoning control of "minimum lot area", support the Town's objective that agricultural use remain the

predominant land use and be consistent with the Land Use Plan's view that the Conservation/Rural Development area will not be served by either municipal water supply and/or sanitary sewage facilities.

In addition to agricultural uses and compatible rural residential development, other conservation, recreation, education and open space uses consistent with established land use patterns should be encouraged within the Conservation/Rural Development area. Specific consideration should also be given to the acquisition of a Town park site on Spring Lake to provide the Town's people access to this water body.

- Residential Use.

The Residential Use (R) category depicts a suburban density residential development pattern in proximity to the Village of Red Hook, established community and business services, and existing smaller-lot residential land uses.

Opportunities should be encouraged within the Residential Use area for development of a variety of housing types, including single-family detached and attached dwellings, two-family dwellings, accessory dwelling units, and multi-family construction. Preferred density is one dwelling unit per 0.5 to 1.5 acres, with the smaller minimum lot area dependent upon the availability of municipal or other municipally-approved central water and/or sanitary sewage facilities. If such water and sanitary sewage facilities are provided to residential growth areas to the south of the Village of Red Hook, the permissible density for multi-family residential use at this location should be established on the more flexible basis of the maximum number of bedrooms per acre instead of dwelling units per acre. Where individual on-site water supply and sewage disposal facilities are employed, a minimum lot area of 1.5 acres is recommended.

Cluster development should be encouraged when appropriate to conserve environmentally-sensitive areas, e.g. stream corridors or scenic gateways to the Village of Red Hook, and where significant open space may be preserved. Furthermore, careful consideration should be given to the reservation and development of suitable park lands and other accessible open spaces within this Residential Use area to meet the recreational needs of an expanded Town population.

Should the Town legislate a program for the "transfer of development rights", certain lands within this Residential Use area would, consistent with stated Town land use and infrastructure policy, be designated as "receiving zones". Access and other improvements within these residential growth areas would also be carried out through the cooperative

efforts of private project sponsors and affected public jurisdictions. In the particular case of the Residential (R) classification of lands lying between Forest Park and Rokeby Road, for example, it is anticipated that a firm private sponsor commitment to the construction of a through Town roadway would be a prerequisite to permitting higher density residential development at this location.

The Master Plan Committee anticipates that the lands depicted within the Residential Use category will fall within several different residential zoning classifications following update of the Town's Zoning Law. These zoning districts should be created and delineated on the zoning district map following close examination of the existing development pattern in sectors where substantial land has already been committed to residential use, the physical features of the land, the suitability of access, and the method of water supply and sanitary sewage disposal that will support development at the location, i.e. central water and/or sanitary sewage facilities or individual on-site wells and sewage disposal systems.

- Business Use.

In addition to business uses in the Villages of Red Hook and Tivoli, continuation of retail commerce, small-scale non-retail business, and personal and business services uses is recommended near the hamlet of Upper Red Hook and in the immediate vicinity of the Town's established business center, the Village of Red Hook. Consistent with the Town's stated land use and development policy, both voluntary efforts and regulatory controls should be employed to ensure that the scale of business uses and their building and site design characteristics are compatible with the Town's overall rural character and with neighboring properties and land uses. In particular, emphasis should be directed to the use of traditional building form and materials, introduction of suitably-landscaped and maintained buffer areas, creation of pedestrian access opportunities and linkages, appropriate signage and lighting, and safe and functional vehicular access control and parking layout.

- Light Industrial Use.

Service commercial, light industrial, manufacturing and related uses would be encouraged in accordance with accepted design and environmental protection standards. A "floating light industrial district" should be incorporated in the Town's Zoning Law to allow proposals for the establishment of individual light industrial uses, or preferably a small-scale light industrial park or other multi-tenant facilities. While the district would be created within the Zoning Law and confined to an overlay district, it would be mapped on a more site-specific basis only after careful review of a project-

specific proposal. Appropriate buffering of nearby residential and institutional uses and strong consideration for suitable access should be among key performance criteria that would have to be satisfied.

In assessing the full range of potential development opportunities within the Town of Red Hook, the Master Plan Committee, and this Land Use Plan, is also cognizant of expansion opportunities within the incorporated Villages of Red Hook and Tivoli. While the Village of Tivoli is locationally more remote, the Village of Red Hook is central to the Town and in close proximity to the Town's principal residential and business areas, both as presently developed and identified as locations for future expansion. Town/Village cooperation in land use planning and coordination, and in the planning, design and development of suitable infrastructure, is, thus, strongly encouraged and vital to the long-term economic viability of our total community.

In addition to the above-cited land use categories, the Land Use Plan takes special note of the following jurisdictional or resource boundaries that have been considered in formulation of the Plan:

- Local Waterfront Revitalization Program (LWRP).

The Local Waterfront Revitalization Area extends from the center-line of the Hudson River to a line 500 feet east of NYS Route 9G from north-to-south throughout the Town of Red Hook. Land use and development activities within the LWRP boundary must be reviewed for consistency with the "coastal zone management" plan prepared during late 1980's through a cooperative effort of Town of Red Hook and the NYS Department of State. Included within the LWRP boundary are the principal institutional uses within the Town, i.e. Bard College, Montgomery Place and the Unification Theological Seminary; two of its historic hamlets, Annandale and Barrytown; and the NYSDEC Tivoli Bays Nature Preserve and Wildlife Management Area.

- Mid-Hudson Historic Shorelands District Scenic Area.

That portion of the Mid-Hudson Historic Shorelands District Scenic Area within the Town of Red Hook is coincident with the Town's "coastal zone" and is subject to a management plan prepared by the Heritage Task Force for the Hudson River Valley and adopted by NYSDEC in 1983.

- Twenty Mile Historic District.

This National Register Historic District lies within the Mid-Hudson Historic Shorelands Scenic Area and is composed of the surviving estates built in the area throughout the eighteenth

and nineteenth centuries. Significant estate properties included within the Twenty Mile Historic District in the Town of Red Hook include Teviot, Ward Manor, Cruger Island, Blithewood, Montgomery Place, Massena, Edgewater, Sylvania, Rokeby and Mandara (Steen Valetje). To the extent that any of these properties cannot viably function as residences or in other present use, the Land Use Plan encourages that they be maintained and preserved for cultural, office or conference facilities purposes.

- National Historic Landmarks District.

This pending designation would elevate the Twenty Mile Historic District to the National Landmark status.*****

- Hudson River National Estuarine Research Reserve.

This area includes the Tivoli Bays State Nature Preserve and Wildlife Management area, Tivoli South Bay, and a portion of the Tivoli South Bay shoreline. The area is one of four sites along the Hudson River Estuary that are federally-designated as long-term field sites and natural laboratories for research, monitoring, and public education about the Hudson River and its shoreline. Principal uses of the site are education, research, and passive recreation compatible with the protection of natural resources and ecosystem functions. The facility is operated by the New York State DEC.

- Certified Agricultural District.

A substantial land area within the Town of Red Hook has been designated as an "agricultural district" under the NYS Agricultural Districts Law (1971), legislation enacted to protect agricultural lands from urban and suburban development pressures. Benefits available to qualifying property owners within the "agricultural district" include special agricultural value assessments for the levy of real property taxes and certain restrictions on urban development uses (e.g. the exemption of agricultural district property from ad valorem assessments associated with municipal water or sewer districts or, in fact, the inclusion of agricultural district lands in such districts). Such inclusion would be deemed inconsistent with continuing agricultural use and an inducement of the conversion of such agricultural lands to non-farm purposes.

- Scenic Roads and Corridors.

Certain roads within the Town of Red Hook (Woods Road, Annandale/River Road, Santage Road and Stonybrook Street) have been previously recognized by NYSDEC as scenic roads under authority of the NYS Scenic Roads Law (1981). The Master Plan Committee finds that additional locally-significant vistas and corridors should be recognized and that view protection regulations should be built into the

***** National Landmark designation occurred during 1991.

Zoning Law to preserve their overall rural character, the setting of historic properties along these routes, and the irreplaceable scenic vistas which may be present. A "scenic areas overlay district" should be created and include, where appropriate, design review of structures and landscaping, visual assessment of proposed development on important scenic views, additional setbacks and the protection of existing natural vegetation and other important natural or man-made features.

- Town of Red Hook Water District No. 1.

Water District No. 1 lies within the unincorporated area of the Town of Red Hook, generally to the west of Budd Corners Road and between NYS Route 199 and Whalesback Road. Within the District boundary, domestic water service is provided by the Town's water supply, treatment and distribution system.

- National Flood Insurance Program.

Floodway and associated areas subject to periodic inundation under the conditions of a 100-year storm event, have been mapped by the Federal Emergency Management Agency (FEMA) and are regulated under the Town's federally-mandated Flood Damage Prevention Law.

- State-Designated Freshwater Wetlands.

Designated freshwater wetlands (12.4 acres or greater in land area) throughout the Town of Red Hook have been mapped by the NYS Department of Environmental Conservation and are regulated in accordance with Article 24 of the Environmental Conservation Law and Title 6, Part 663 NYCRR. Permitting requirements under the Freshwater Wetlands Act apply to both the wetland and its "adjacent area", i.e. a 100-foot wide buffer.

Relatedly, the Army Corps of Engineers has jurisdiction over certain wetland areas under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

MANAGEMENT ALTERNATIVES

During the course of its work, the Master Plan Committee preliminarily examined the various techniques available to the Town to guide the location, character and quality of future development. In general, these techniques were determined to fall within the following four categories:

- **Ownership** of fee or lesser interest in land, including easements and rights-of-way;
- **Regulation**, including the traditional practices of the control of the use of land and structures through zoning and the control of land parcellization through subdivision regulations;
- **Taxation**, such as the incentives offered in New York State for the preservation of certain productive farmland and forestlands; and
- **Investment**, through the addition of capital improvements such as roads, water, sewers and the like.

The Master Plan Committee learned that the municipal application of these techniques is generally governed by State enabling legislation, particularly in the area of land use regulation where the community's land use and development objectives must be carefully balanced with private property rights and other constitutional guarantees.

Within these limitations, the Master Plan Committee identified a number of innovative mechanisms that New York State municipalities have increasingly employed in recent years to complement traditional zoning ordinances and land subdivision regulations and briefly described these measures in its August 1990 "Working Paper: Master Plan Implementation Techniques -- Glossary of Terms". Excerpts from the Glossary appear in the Appendices of this Master Plan Committee Report.

PLAN IMPLEMENTATION

Based upon its review of the broad range of regulatory tools and incentive mechanisms that could be useful in private/public sector achievement of the Town's stated land use and development policies, as reflected in the Land Use Plan, the Master Plan Committee recommends that the Planning Board and Town Board give careful consideration to the following:

Use of a Broader Array of Land Use and Development Management Techniques.

In addition to the traditional package of controls (land subdivision regulations, zoning ordinance, building code and various "nuisance-related" ordinances), the Town should integrate the following in its overall land use and development management program:

- * Encouragement of the use of **conservation easements** and other less-than-fee interests in property;
- * Strict evaluation of all proposed land use and development activities under the State Environmental Quality Review Act (Article 8 ECL and Title 6 Part 617 NYCRR), including consideration of the adoption of a **Town Environmental Quality Review Law** with locally-defined Type 1 thresholds;
- * Designation of **critical environmental areas**, e.g. the Saw Kill stream corridor, pursuant to the State Environmental Quality Review Act;
- * Adoption of a **Town Wetlands Law** pursuant to Article 24 ECL, the State Freshwater Wetlands Act;
- * Establishment of more-sensitive local **standards for assessing development impacts** as contrasted to universally-accepted engineering standards (e.g. the concept of "roadway capacity" or "level of service" at intersections);
- * Adoption of a **"Right-to-Farm" Law** and encouragement of the maximum-permissible application of the **Agricultural Districts Law** to support continued agricultural activity within the Town;

- * Establishment of a "local historic and cultural sites register" and the adoption of an Historic Preservation Law (or use of similar techniques) to protect these irreplaceable resources;
- * Establishment of appropriate guidelines for the protection and enhancement of designated scenic roads, corridors and vistas; and
- * Encouragement and recognition of private sector efforts (e.g. stewardship of open space lands and property improvements to man-made resources) which occur outside the regulatory framework, including the work of the recently-created Winnakee Land Trust or that of Scenic Hudson, Inc.

Refinements in the Town's Zoning Law.

In addition to addressing more specific technical and procedural issues, updating of the Town of Red Hook Zoning Law (adopted in 1973 and amended in 1981) should include the following:

- * Clear integration of "purpose statements" drawn from the Town's Comprehensive Plan objectives rather than standard language drawn from the State enabling legislation;
- * Provision for accessory apartments as a key component of the Town's future housing stock;
- * Opportunity for adaptive reuse of existing structures (particularly those significant to the history and rural character of the community) to newly-productive uses, both residential and non-residential;
- * Stronger consideration of aesthetics and design issues within the project review and approval process;
- * Establishment of appropriate architectural controls and design review procedures (to the extent these should be integrated within the Zoning Law rather than addressed in separate legislation, i.e. in an historic preservation law under GML Section 96-a);
- * Improved site plan design and development standards, including a detailed examination of area and bulk standards so that these are appropriate to the Town's character;
- * Creation of environmental overlay districts to supplement underlying zoning for the protection of sensitive environmental resources; e.g. prime agricultural lands, stream corridors, steep slopes, aquifers and associated recharge areas, etc. as illustrated through an "open space index" prepared by the Conservation Advisory Council;

- * Recognition of the expanding role in our society of home occupations and other satellite business locations and the establishment of use and development standards that ensure compatibility of these uses with their local community or neighborhood setting and consistency with the New York State Uniform Fire Prevention and Building Code and other public health and safety requirements;
- * Consideration of prospective municipal water and/or municipal sewer service and the establishment of higher permissible densities for uses that are actually served by those facilities;
- * Reevaluation of permissible density in areas where naturally-occurring conditions and/or the absence of suitable municipal infrastructure make currently permitted densities inconsistent with the carrying capacity of the land and/or Town Plan objectives;
- * Establishment of alternate service demand-based standards for permitted residential density for multiple-family developments [e.g. the number of bedrooms/type of dwelling unit rather than solely using dwelling units per acre or acres per dwelling unit];
- * Establishment of performance criteria for accommodating recycling and waste reduction efforts within all residential and non-residential development projects;
- * Establishment of a "college or institutional zoning district" to encompass Bard College, and other land-extensive institutional properties and uses;
- * Integration of the requirements of the Federal flood hazard areas management program within the Zoning Law, including the creation of necessary "Floodway" and "Flood-Fringe Overlay" districts;
- * Integration within the Zoning Law of heretofore-recommended measures to carry out the Town's Local Waterfront Revitalization Program (LWRP); and
- * Establishment of procedures for consistent, fair and equitable administration and enforcement of the Zoning Law and related Town Laws, rules and regulations.

In addition to the above prerequisites for an updated Town Zoning Law, the Master Plan Committee recommends that the following techniques be afforded further study to determine their usefulness in balancing conservation and development objectives consistent with the consensus desires of the Town's people as interpreted through this "comprehensive plan":

- * Limited use of **Planned Unit Development** rezoning, in situations where substantial land areas suitable for intensive and/or mixed use development are served by prospective municipal or other municipally-approved water and/or sanitary sewage facilities;
- * Use of **transfer of development rights**, but with a view toward first monitoring the experience of other New York State communities in executing authority specifically provided under 1989 State enabling legislation; and
- * Use of **exactions and impact fees** in future years to the extent such are specifically authorized under State enabling legislation and tested by other New York State communities.

Refinement of the Town's Land Subdivision Regulations and Related Improvement Standards.

The Town of Red Hook's Land Subdivision Regulations were comprehensively amended in 1988 and, therefore, require considerably less attention than the Town's Zoning Law. Potential strengthening of the Land Subdivision Regulations should, however, be considered in the following areas:

- * Modification of **"purpose statements"** to the extent required to reflect the Town's Comprehensive Plan objectives;
- * Establishment of more specific standards for the protection of historic, cultural and natural resources found within proposed subdivision tracts;
- * Further encouragement of the use of **cluster and conservation density subdivision** techniques;
- * Stronger consideration of **aesthetics and design issues** within the subdivision review and approval process;
- * Establishment of **variable improvement standards** clearly related to the ultimate development density/demand placed on that improvement, including consideration of long-term operation, maintenance and replacement costs, with it recognized, for example, that the appropriate roadway (local street) standard within a minimum 10-acre lot conservation density subdivision may be significantly different than the appropriate roadway (local street) standard within a minimum 1-acre lot conventional subdivision; and
- * Consideration of **sensitive environmental resources**, e.g. prime agricultural lands, stream corridors, steep slopes, aquifers and associated recharge areas, etc. as illustrated through an **"open space index"** prepared by the Conservation Advisory Council.

CLOSING STATEMENT

The final message from the Master Plan Committee is that the production of this Report should not be regarded as a conclusion; it is, in fact, a beginning. The Statement of Land Use and Development Policy, the Town Land Use Plan, and the recommendations made by the Master Plan Committee are meaningful only in their implementation. There is, certainly, no claim of perfection in these recommendations, and, most assuredly, none should be considered "cast in stone". The effectiveness of these recommendations and their associated implementation in responsibly guiding the growth and development of the Town in a way that is compatible with the capability of the land and the community infrastructure, as well as with the overall goals of the Town's people, should be continuously monitored and a comprehensive review undertaken at five (5) year intervals by successors to this Committee. As adjustments are necessary, they should be made.