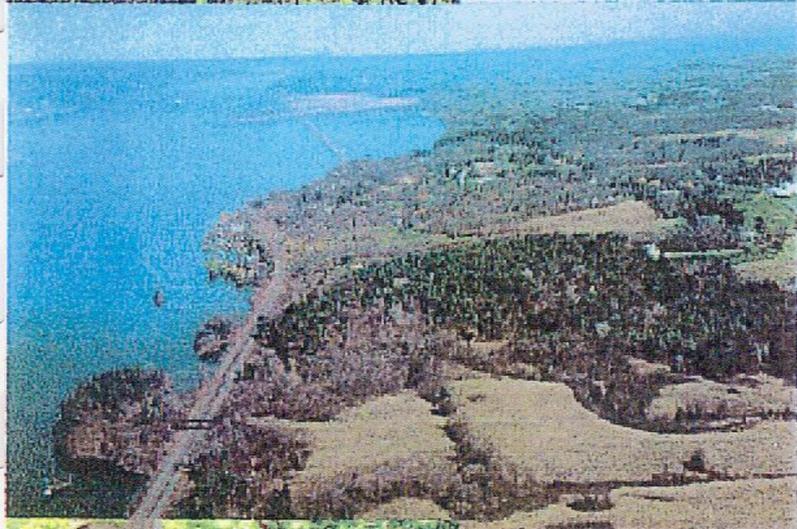
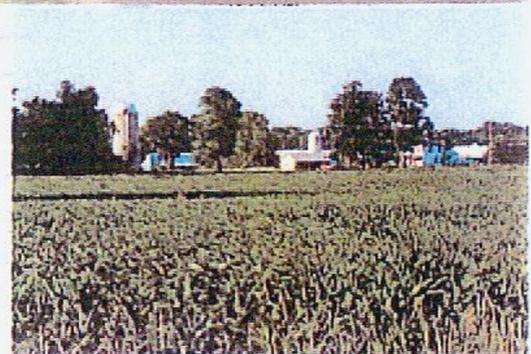
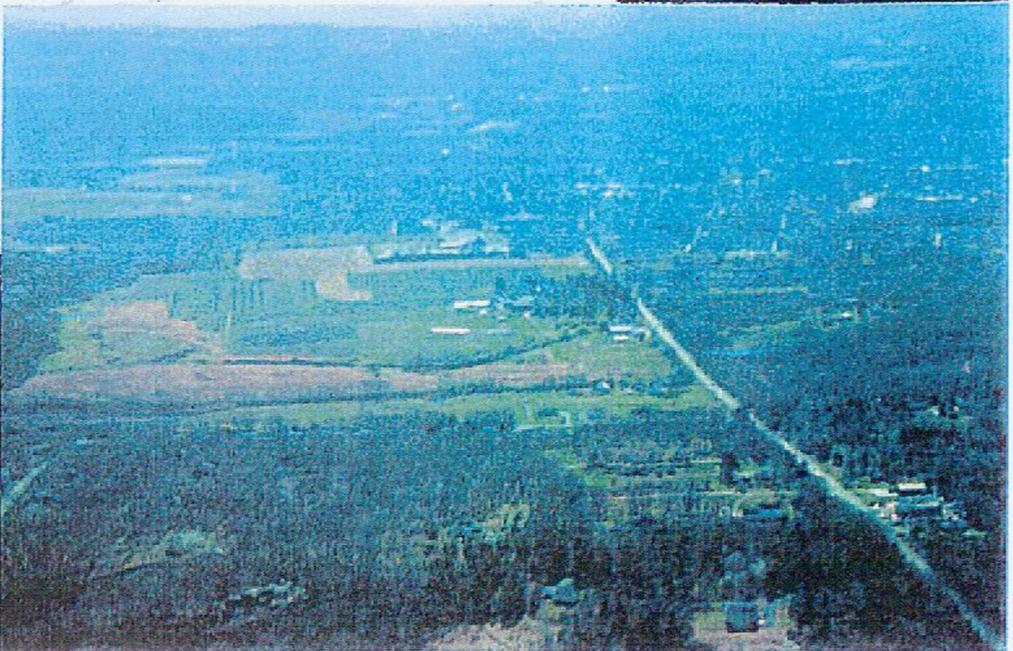
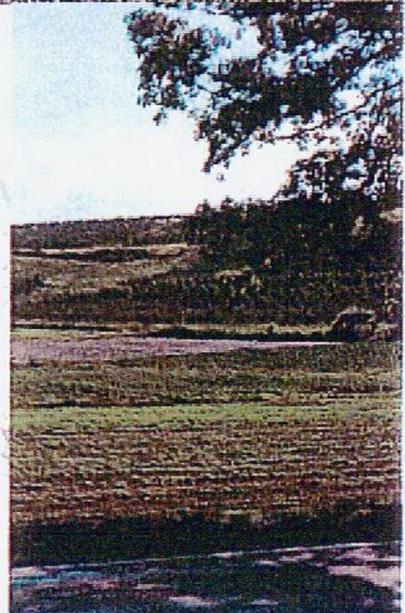


TOWN OF RED HOOK, VILLAGES OF RED HOOK AND TIVOLI



OPEN SPACE PLAN



Adopted Sept. 5, 2006

TOWN OF RED HOOK, VILLAGES OF RED HOOK AND TIVOLI OPEN SPACE PLAN

ACKNOWLEDGMENTS

This Open Space Plan has been created through the volunteer efforts of the Open Space Sub-committee of the Town of Red Hook Greenway Committee. It was made possible by grants of \$15,000, \$5,000 each to the town and its two villages, from the Hudson River Valley Greenway Communities Council. As used in this document, the term "the Red Hook community" indicates the Town of Red Hook, the Villages of Red Hook and Tivoli, and the hamlets of Annandale, Barrytown, and Upper Red Hook, all of whom cooperated in this project. Town and village members of the sub-committee include: Marcy Appell, Ruth Oja, Beth Mead, Susan Ellis, Hazel Westney, Marc Molinaro, Joan Girardi, Al Trezza, Todd Abrahams, and Darryl Mosher. The sub-committee also appreciates the contributions of the other residents of the town and villages who answered the community survey, attended community workshops and offered their comments. Special thanks to Noela Hooper of Dutchess County Department of Planning and Development for the significant time and resources she brought to this project. Thanks also go to Hank Stebbins of Scenic Hudson, for his help in the area of farmland protection, to Erik Kiviat for his help in identifying significant ecological landscaping and to Mimi Rayl of the Hudson River Valley Greenway Communities Council. Behan Planning Associates of Saratoga Springs assisted the sub-committee throughout this open space planning process.

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EXECUTIVE SUMMARY

“Open space” comes in many forms—active farmland, forests, hiking trails, small and unused fields, even public swimming pools and baseball fields. They all contribute to the character of a community and help it “breathe.” But in some communities, vital open space is lost to development and the community realizes too late that it cannot get it back. The purpose of the Open Space Plan is to identify, catalogue and categorize these areas, set goals and priorities, and recommend ways to protect enough open space to ensure controlled development, a solid tax base, and the type of community in which local residents want to live.

The Open Space Plan was created by volunteer members of the Open Space Subcommittee of the Town of Red Hook Greenway Committee (which includes representative from the Villages of Tivoli and Red Hook), with the professional assistance of Behan Planning Associates of Saratoga Springs, NY. The plan was funded by \$15,000 in grants from the New York State Greenway Communities Council.

Recommendations

The Red Hook community contains about 24,000 acres (38.9 square miles). The plan recommends resource protection ranges, based upon approximately how many acres should be allocated to broad-use categories, if the Red Hook community is almost completely built out. The overall protection range target between 8,000 and 13,000 acres. This range would assure balance between future development and long-term protection of the rural character of the Red Hook community.

Under current zoning and without specific measures to protect open space, over the long-term, Red Hook could lose substantial amounts of farmland and currently undeveloped land to sprawling residential development – potentially increasing the current population of about 11,000 to more than 22,000, including thousands of additional students. The potential fiscal impact of such growth, particularly on school budgets, shows why the open space plan drafters want to encourage discussion of growth strategies for Red Hook.

The plan recommends initiatives such as establishment of an Agricultural Advisory Council, establishment of a purchase of development rights program and use of conservation easements, to help attain the town/villages' goals. Legal tools, such as zoning overlay districts, clustering, and incentive zoning are discussed and can be adopted into local zoning codes where necessary. Tax tools, such as assessments on agricultural land and buildings and term easements, are also described.

The final section of the plan contains an implementation strategy, with short-term, medium-term and long-term goals, and discussion of possible future funding sources.

Methodology

The term "open space" was defined very broadly. In fact, about 80% of the land in the town and villages fit the definition currently. "Open space" does not indicate tax status. Land that is considered "open space" may be paying property taxes at the full residential/ commercial rate, at an agricultural rate, or it may be institutional or government land that is tax-exempt. However, most types of "open space" require relatively lower levels of services than more intensive uses (residential, commercial, light industrial).

The early planning process (summer 1999) included information workshops and a survey of residents attitudes toward open space preservation and the economic costs and benefits associated with it. On the approximately 500 surveys returned, respondents were overwhelmingly in favor of a more aggressive effort by local government to preserve local rural character. More than 70 percent say they would be willing to pay a modest increase in taxes to permanently protect important open space resources in town. The workshops and survey yielded a set of goals which formed a basis for the recommendations of the Open Space plan.

The next step was to collect existing information, much of it contained in maps from government agencies, showing existing land uses in Red Hook. Some open space areas fall into several categories: for instance, a gateway or town or village entrance roadway corridor might contain both scenic assets and productive

farmland. The open space in the Town of Red Hook and its villages was then divided into three broad categories: ecological (water and undeveloped land), passive and active recreational (ballfields, recreation parks, trails, scenic roads, scenic vistas, waterfront access) and cultural resources (agricultural land, gateways, institutional sites, historic and archeological sites). The result was a inventory of Red Hook's open space-related resources.

Resources were prioritized: for example, sources of potable water or farmland are difficult to replace once lost, so they received high priority. (Most of the agricultural land is zoned residential, permitting future subdivision for housing.) Agricultural acreage was categorized further according to its long-term viability for farming.

The final sections of the report contain recommendations for protection of land by category and information on implementation of the recommendations.

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INTRODUCTION

Open space plans help shape a balanced future for communities. This plan has been created by the Red Hook community to recognize the many natural and historic qualities possessed by the town and villages and to suggest strategies for their future stewardship. Economic, social and environmental benefits flow to a community that has committed itself to innovative land use strategies and environmental protections to create a balanced open space system.



View Across Tivoli Bay and Hudson River

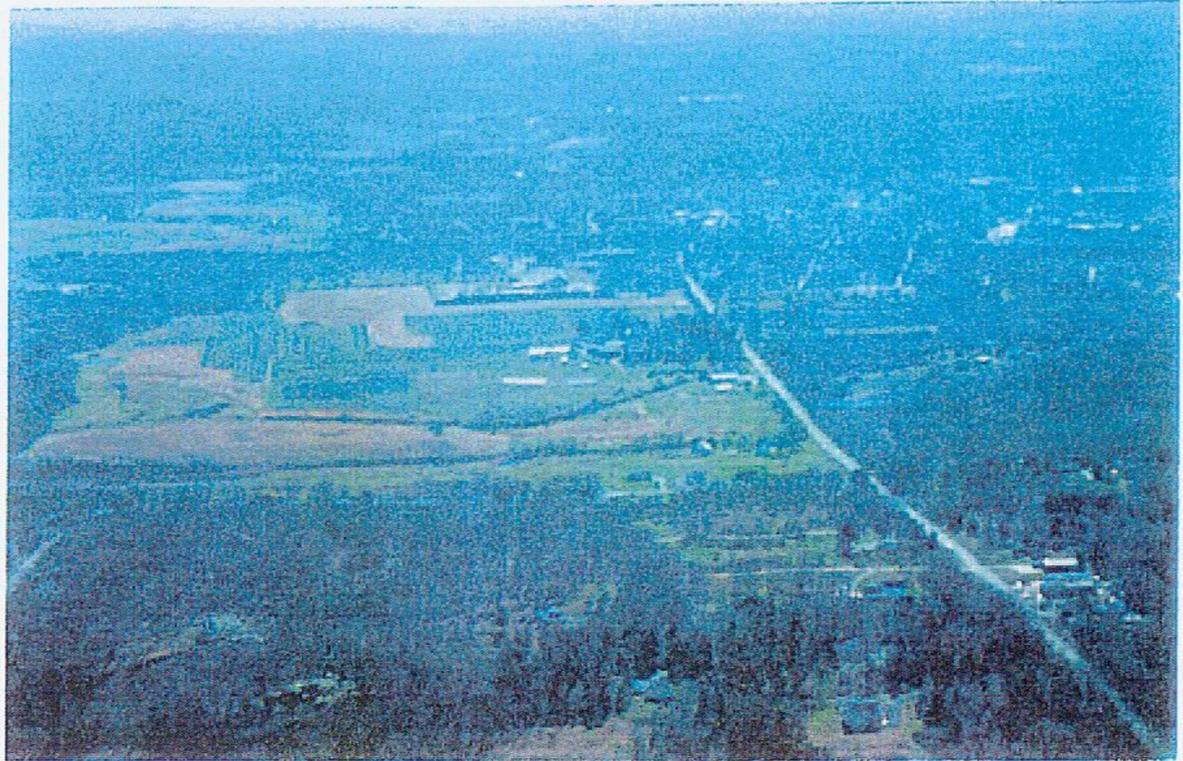
The Red Hook community's open space is comprised of unique places, special recreational resources, treasured historic sites and important natural and agricultural areas. Open space surrounds and defines villages and hamlets, buffering residential and other land uses. These natural and cultural resources are both finite and vulnerable. Without a plan to coordinate their care and protection, such open spaces often do not survive.

Economic growth and development can be achieved in the Red Hook community without destroying the significant existing open space resources. As used in this document, the Red Hook community includes the Town of Red Hook, the Villages of Red Hook and Tivoli, and the hamlets of Annandale, Barrytown, and Upper Red Hook. By focusing growth into already developed areas, Red Hook can promote livable communities and still protect clean air, drinkable water and beautiful scenery. Preserving open space is a balancing act. When strip malls and suburban style development consume too much area, the balance tips and the entire

community loses. When open space is protected as development increases, the balance is preserved and the whole community wins.

GOALS

An open space plan should communicate community values. Value systems cannot be taken for granted; rather, one must solicit and understand what is important to the town and the villages in order to be responsive to community needs.



Looking East Toward Village of Red Hook

Preparation of the plan began with a serious look at the values and goals on which it should be based.

To help establish the nature of the Red Hook community's value system, the Open Space Committee administered a community survey and conducted two public workshops.

Survey

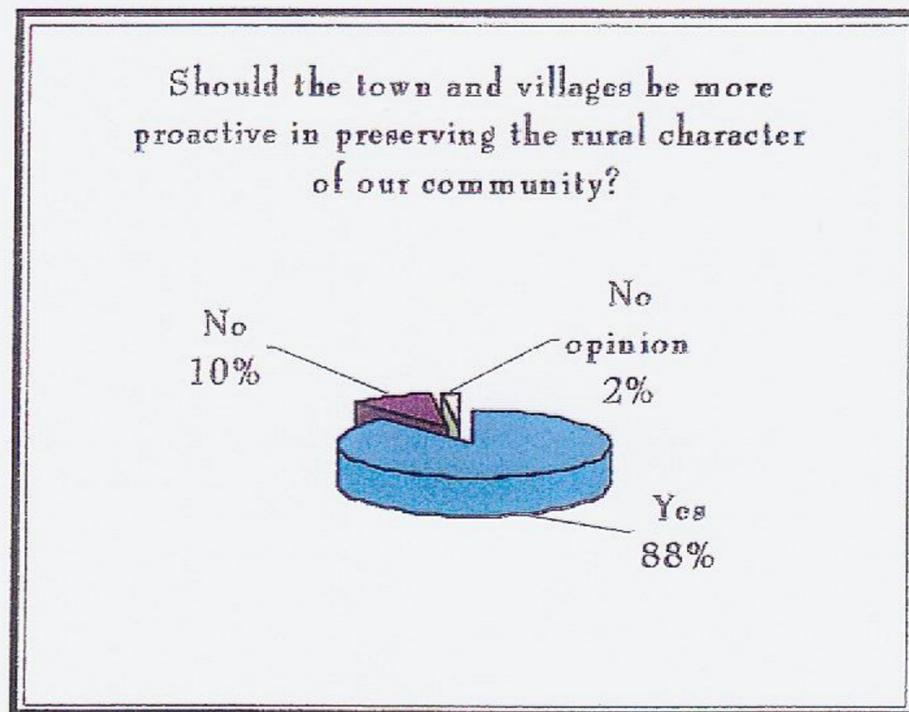
The community survey was distributed to postal patrons throughout the Town and the Village of Red Hook, and the Village of Tivoli. Approximately 500 community residents responded and the results were overwhelmingly in support of open space protection and preserving the Red Hook community's rural character.¹ For example, 88% of respondents believed that the town and villages should be more pro-active in preserving the community's rural character; and 79% felt that the

¹ The maximum sampling error for this survey was 4.5% - therefore the odds are 95:5 that the true population value is +/- 4.5% from the survey result values.

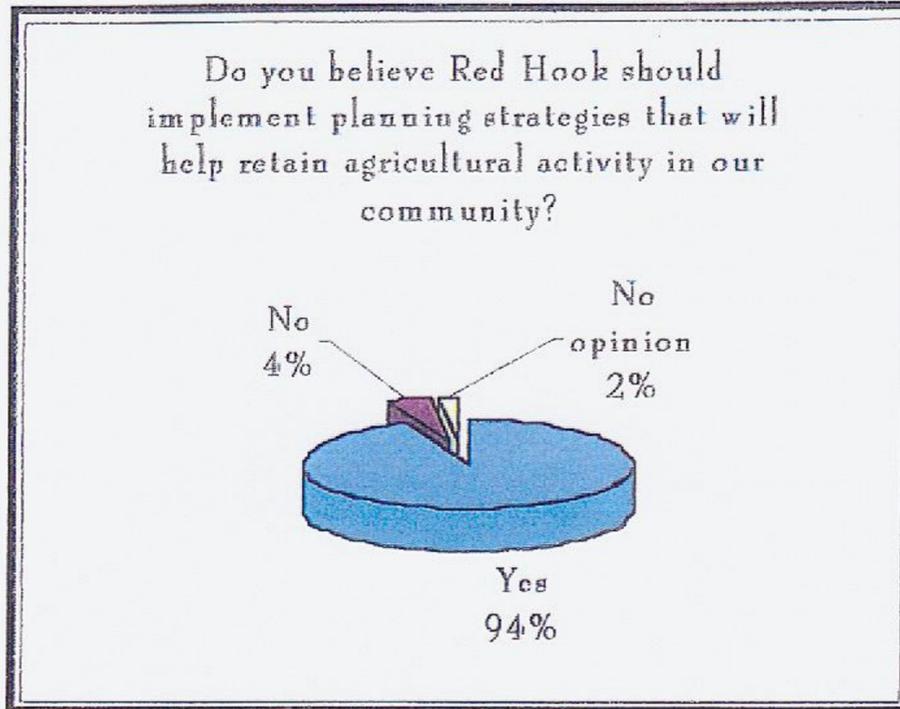
community should actively pursue strategies for concentrating growth in, or near, existing centers.

In fact, 71% of respondents would be willing to pay a modest increase in taxes to permanently protect important open space resources in the community. Of the 24% who said they would not be willing to pay a modest tax increase, almost half (46%) said they would change their mind if it could be shown that the increase now would save tax money over time.

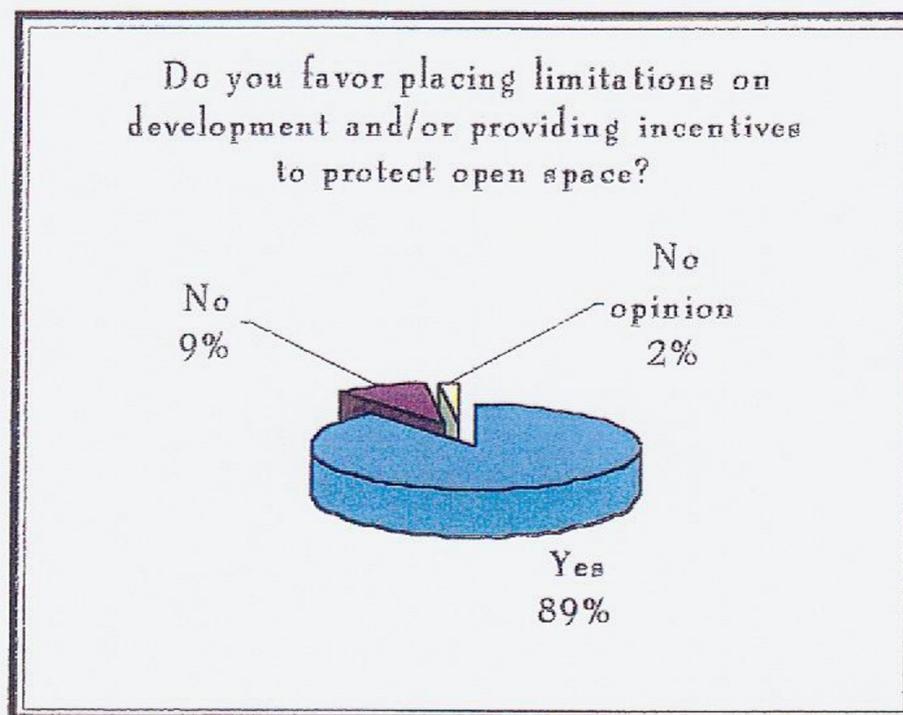
When asked whether the community should pursue protecting open space as an "investment" in keeping the Red Hook community fiscally healthy and affordable, 88% of residents said "yes".



Support for agriculture was extremely strong. In fact, 94% of respondents felt that Red Hook should implement planning strategies that will help retain agricultural activity in the community.



When asked if they were in favor of placing limitations on development and/or providing incentives to protect open space, 89% of respondents said "yes".



The respondents to the survey repeatedly emphasized in the general comments section their love for the small town and rural character of the Red Hook community. A blank survey and the response tabulation is attached as appendix A.

Community Workshops

A community workshop open to the general public was held June 1999 in Red Hook Town Hall. It was attended by approximately 35 persons and facilitated by Behan Planning Associates and the Town of Red Hook Open Space Plan

committee. Following introductions and a brief slide presentation, preliminary maps showing the location and nature of open space resources were displayed and the public was asked for ideas on the best use and preservation of these resources. Comments emphasized the need to protect our farmland, develop trails, develop "gateway" plans, and to limit growth to areas in and around the villages and existing business areas. John Behan, AICP, explained the various mechanisms for protecting open space; e.g. deed restrictions, private covenants, purchase of development rights, and various zoning mechanisms.

Another public workshop was held in July 1999 at the Village Hall in Tivoli. Tivoli residents emphasized their desire to protect the "gateways" to the village. This includes the Hudson River as a gateway. Concern was also expressed that the plan include provisions to protect Stony Kill, a source of drinking water for the village, and that a trail from the village to the Tivoli Bays River Trail be promoted.

The following list of goals for the town and villages has emerged out of this public process. They reflect a growing awareness of the visual, cultural, and recreational amenities that may be lost without creating and implementing an Open Space Plan.

Residents want to:

- ▶ control sprawl development
- ▶ ensure the viability of an active agriculture community
- ▶ protect drinking water supplies
- ▶ protect ecologically sensitive resources
- ▶ maintain the historic character and traditional development patterns
- ▶ protect the scenic and rural character of new and existing roads
- ▶ provide recreational opportunities
- ▶ protect architectural and archeological resources
- ▶ protect scenic corridors and views

METHODOLOGY

This plan seeks to prioritize resources and develop implementation strategies to protect our most valuable resources. It begins by organizing and supplementing the significant efforts that have already been undertaken within the Red Hook community.¹

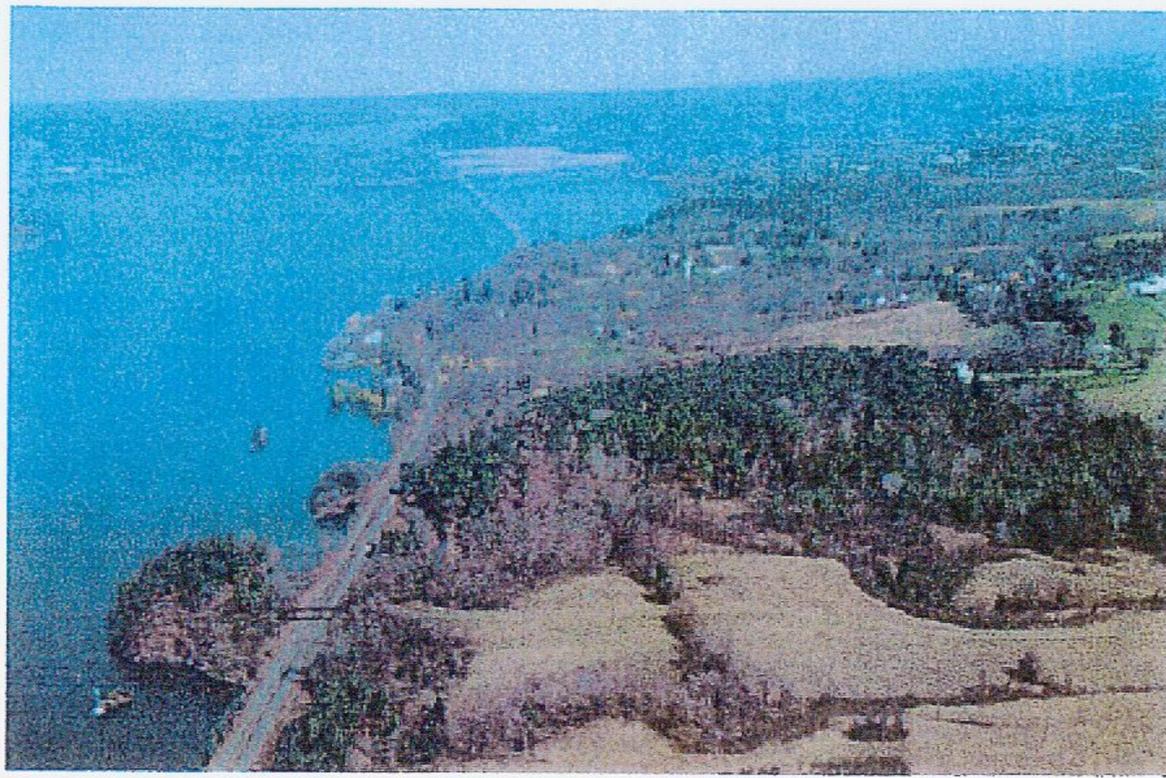
A map-based approach utilizing already available information was taken. Working maps were prepared covering the open space resources identified by the committee.² Each working map displayed the areas where priority resources are located. The maps were then compared, and combined as transparent layers, indicating which areas contain the most highly valued resources and which are in the greatest need of protection.

Preparation was done in three phases: the inventory phase, involving public input and the review of existing materials; the analysis phase, comprising a review of the data collected during the first phase; and the final phase when recommendations were created.

- ▶ The inventory phase collected all the readily available data and combined it in a way that allowed a structured assessment of the Red Hook community's open space resources.
- ▶ The analysis phase identified the areas in the community where priority resources are located.
- ▶ The recommendations phase identified areas and resources as the focus for future implementation programs

¹ Prior to the creation of this report The Town of Red Hook and the Village of Tivoli had already undertaken and completed several other studies and reports that touch on many of the resources that are critical elements of an open space plan. Given the wealth of information already provided by previous studies and reports the open space plan committee wisely chose to incorporate those efforts. The following reports will be incorporated by reference into this open space plan: Report of The Town of Red Hook Master Plan Committee 1990, The CAC Natural and Cultural Resources Inventory 1991, Town of Red Hook Recreational Needs Assessment 1994, Town of Red Hook Local Waterfront Revitalization Program 1995, Con Ed Lands Study Final Report 1996, Town of Red Hook Trails Feasibility Study 1998, Agricultural Greenprint 1999 (unpublished), Village of Tivoli Local Waterfront Program, Village of Tivoli River Park Plan.

² Three initial inventory maps created by the Committee are attached as appendix B.



Looking North Along The Hudson River

INVENTORY AND ANALYSIS

The inventory process proceeded hand-in-hand with analysis of the data collected. As information from community workshops, public survey results, existing maps, and written sources came together, protection priorities emerged. While all resources are valued highly, some are more vulnerable, and more widely used or more economically productive than others. For instance, sources of potable water are irreplaceable; once polluted or used up they cannot be restored. Farmland once developed is gone forever.

Mapped first as separated areas of water or agriculture or historic features, these resources were then viewed and analyzed in combination. Some gateways were obviously both scenic assets and productive farmland. Where wooded land on an ecological map coincided with a wetland or historic feature on a different map, a single priority open space area could be established. Taken together, resources merged to form the areas that must be protected by putting in place consistent public policies regarding open space preservation and development patterns.

For inventory and analysis purposes, the Open Space resources of the town and the two villages were divided into three broad categories; ecological, recreational, and cultural.

ECOLOGICAL RESOURCES

Ecological resources were divided into two groups: water and undeveloped land.

Water

Potable water sources, aquifers, water bodies, rivers and streams, wetlands, flood plains and fisheries are important components of every open space plan - particularly for a community that relies on wells as a source of water. The only way to expect drinkable and fishable water from the Red Hook community waters is to respect the contribution water resources make, and to protect them from pollution.

The criteria used for inclusion in this category included the following questions: Is this a currently used or possible future source of drinking water? Is this a state regulated wetland? Is this resource under protection? Is this a significant habitat for wildlife? Does it add significantly to the aesthetic and cultural life of the community?

The group then identified the following priority water resource open space areas based on proximity to each other, drinking water value, habitat value, and aesthetic and cultural values.

- ◆ The Hudson River is the Red Hook community's most important and most distinctive natural feature. The protection and preservation of its waters, its tributaries, its shoreline, its fish and wildlife, its recreational potential, and its historical and cultural qualities, are paramount on any list of community priorities.
- ◆ The Hudson has two main tributaries, the Sawkill and the Stony Kill, each of which forms its own drainage basin and its relatively small watershed area. Both are contained largely in the Town of Red Hook, with some extensions into Milan and Clermont.

- ◆ The Sawkill runs east to west, the entire width of the town, and drains 26.4 square miles. It is the source of drinking water for Bard College and Annandale and contributes to the recharge of town wells. Flowing through some of the most scenic areas in Red Hook, it passes through the historic hamlet of Annandale, over two dramatic waterfalls, and then through landscaped woods into Tivoli South Bay.
- ◆ The Stony Kill (White Clay Kill) drains 22.3 square miles and is one source of drinking water for Tivoli. Like the Sawkill, it is a scenic asset that affords good habitat for fish and wildlife and provides many recreational opportunities.
- ◆ A third smaller stream, The Mudderkill, is also a priority watercourse because it provides habitat for several rare species listed in the Natural Heritage Report on rare species and ecological communities.
- ◆ The aquifer underlying the entire Village of Red Hook is a very large deposit of sand and gravel extending along both sides of Route 9 from Pitcher Lane to the Town of Rhinebeck line. It is the primary source of well water in both the Town and Village of Red Hook.
- ◆ Tivoli Bays is a federally designated, state-protected Estuarine Research Reserve. It is used as a natural laboratory for research, and public education to the extent that this is compatible with resource protection and ecosystem function. It is home to a group of flora and fauna which is unique to an estuarine habitat. It's health



Entrance To Tivoli Bays

depends on careful monitoring of all of the feeder streams and the whole watershed area from east of Route 9G to the Hudson River.

- ◆ Spring Lake - Spring Lake is a small, shallow body of water with a large surface area in the Red Hook community's northeast corner. The lake bed consists of a sensitive mix of marl and sandstone which is soft, easily degraded, and does not hold water well. The lake is entirely spring fed, and is the source of Lakes Kill, the largest tributary to the Sawkill. Septic systems in the area put highly enriched effluent into the lake which uses up oxygen, fills up the bottom with decayed matter, and increases its tendency to dry up. To its east is a large area of sand and gravel which drains water out of the lake.

- ◆ Wetlands - Wetlands are protected by the New York State DEC and by the U.S. Army Corps of Engineers. They control flooding and storm water runoff by storing and regulating flow of heavy rainfall, in some cases allowing recharge of aquifers. They protect water quality by functioning as a chemical and biological oxidation basins and nutrient traps for nitrogen and phosphorus, as well acting as filters for surface pollutants. They control erosion and water turbidity by absorbing silt and organic matter. They provide a critical breeding and feeding area for wildlife, including rare and endangered species.

The single largest wetland in the Red Hook community is known as the "Con Ed" Property. It consists of 90 acres located between East Kerley Corners Road and the town line to the north and east. The wetland extends north into Columbia County. Contained within this area are various types of wetlands: bogs, wet meadows, seasonal high water, and intermittent streams.

In addition to the "Con Ed" property and other state regulated wetlands, the Red Hook community has a large number of wetlands that are smaller than the 12.4 acres protected by DEC and/or federal Clean Water Act regulations. All wetlands, even these smaller and seemingly insignificant ones are essential

to maintaining ground water quality in the Sawkill and Stony Kill watersheds.

Undeveloped Land

The following criteria were used to inventory undeveloped land: Are these contiguous areas not interrupted by main roads? Are they areas where development, including agricultural use, is not the predominant land use? Is the average slope twenty per cent or greater? Is it a significant forested area, a significant wildlife habitat, or a corridor which connects habitat areas?

The main forested areas of substantial size in the community occur in three locations. Each area constitutes uninterrupted wildlife habitat. The trees are mainly upland deciduous hardwoods. Upland forests and steeply sloped hillsides add immeasurably to the environmental and aesthetic quality of a community, while providing recreational opportunities and wildlife habitat. In addition to their aesthetic value, the trees provide shade, moderate strong winds and replace carbon dioxide with oxygen in the air. Their roots hold surface water and contribute to groundwater quality.

The largest, most sensitive undeveloped land areas were identified as follows:

- ◆ The Hudson River shoreline from Clermont to the Rhinebeck Town line. These lands are steeply sloped with highly erodible clay soils. They are thickly wooded, affording significant wildlife habitat. They are set with a uniquely interesting series of estate properties - Montgomery Place, Edgewater, Rokeby, Blithewood, Callendar House, Rose Hill, Sylvania Farm, and the Pynes, among others.

The area is one of natural beauty, picturesque waterfalls, rough walking trails, views of the Catskills and access to the Hudson. Montgomery Place is home to an old-growth forest of oaks and hemlocks that is a state-designated significant area. Trails created by A.J. Downing still wind through the Montgomery Place and Bard College woods.

- ◆ The forest area extending from the northeast corner of the town along its eastern edge as far south as Feller-Newmark Road. This is relatively undeveloped land, extensive enough to provide good uninterrupted habitat for a variety of native species. Trees are mostly mature deciduous hardwoods. Roads through these woods are narrow and scenic, winding through trees, crossing small streams which feed the Sawkill. This area overlaps with Spring Lake and with an abandoned railroad bed on which the town plans to create a recreational trail and an environmental education park.



Sawkill

- ◆ The southeastern section of the town is also thickly wooded, and in addition to wildlife, has a number of historically interesting homes, an old mill, and a very scenic tributary of the Sawkill where water ripples and cascades over rocks and small waterfalls. Oriole Mills Road which follows this stream and Norton Road are both valued scenic resources.

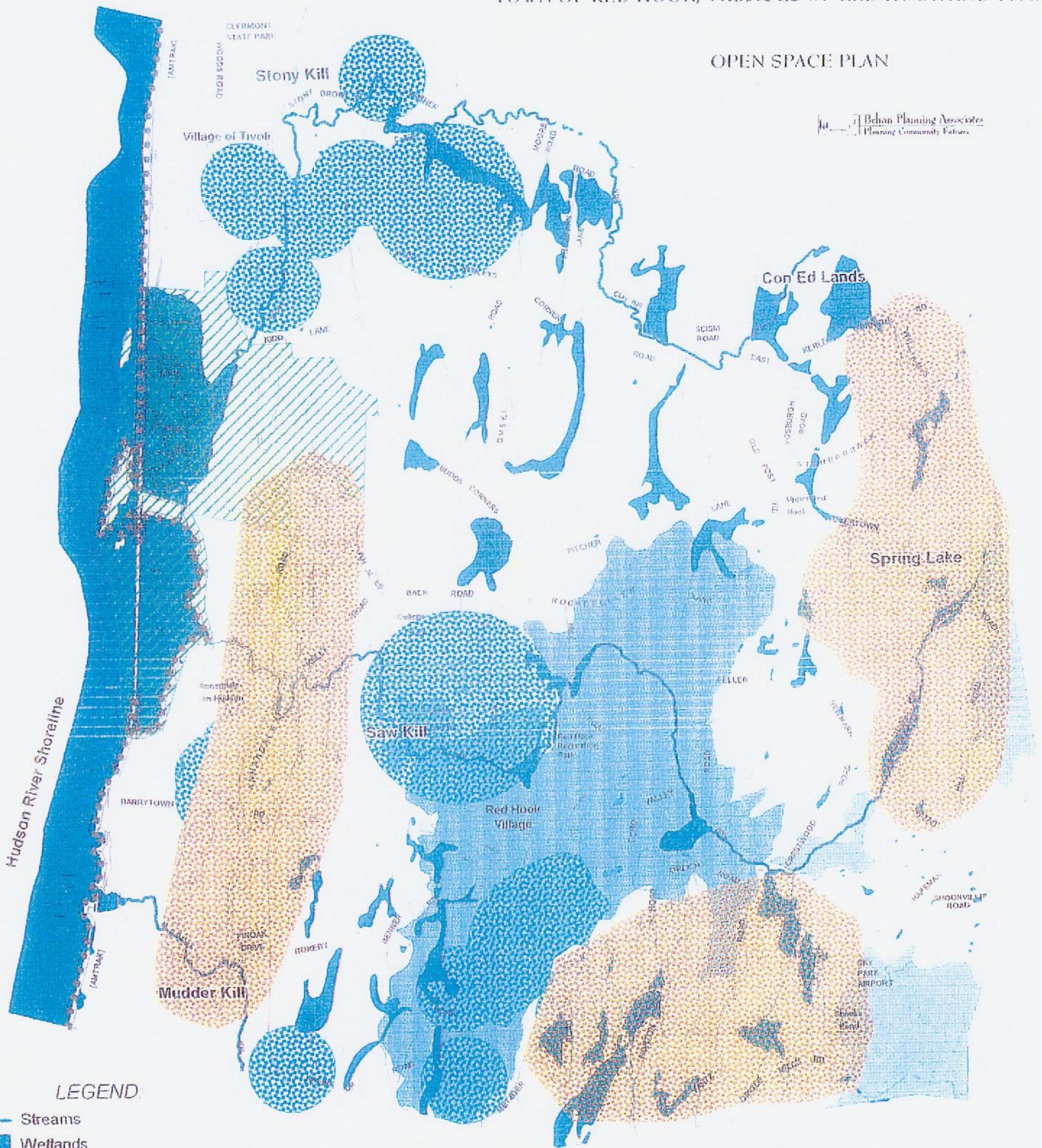
PRIORITY ECOLOGICAL RESOURCES

TOWN OF RED HOOK, VILLAGES OF RED HOOK AND TIVOLI

OPEN SPACE PLAN

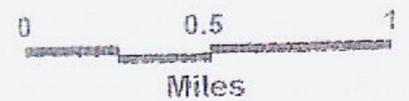
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LEGEND

-  Streams
-  Wetlands
-  Lakes & Ponds
-  Aquifers
-  Wellhead Protection
-  Tivoli Bays
-  Hudson Shoreline
-  Forest Area



Map prepared by Behan Planning Associates, 12-99
 Base map copyrighted by the New York State Department of Transportation
 Other data provided by Dutchess County Environmental Management Council's
 Geographic Information Systems Laboratory.

RECREATIONAL RESOURCES

Diverse recreation areas and scenic open space help define a community and give it a sense of its own special character. Open spaces provide places for families to relax from the stresses of everyday life. Ballfields and tennis courts are a focal point for social interaction and provide the opportunity for exercise and the maintenance of good health. A walk through a nature preserve or along a scenic road or nature trail contributes to mental health, inspiring personal reflection and spiritual revitalization.

These resources were divided into three groups: active recreation, passive recreation and waterfront access.

Active Recreational Resources

The criteria the working group used to inventory and analyze public and quasi-public land and active recreation resources included: Identifying parcels of publicly owned land and institutional / non-profit land holdings that are, or may be, accessible to the public; identifying existing or planned hiking, biking, and canoe routes and access points and trails;³ identifying existing public local and community recreational facilities, including ball fields and swimming pools (both indoors and out).⁴ Priorities were determined by considering the size and use of these parcels and facilities and their proximity to each other.

- ◆ Town of Red Hook Recreational Park: swimming pool, basketball courts, tennis courts, roller blading, softball fields, jogging, a children's playground and picnic tables.
- ◆ Village of Tivoli Recreation Park: softball and children's playground facilities.

³ The working group relied on the recently completed the Town of Red Hook Trail Feasibility Study 1998 for this information.

⁴ The working group relied on the Recreational Needs Assessment for the Town of Red Hook prepared in 1994.

- ◆ Red Hook Central School District: elementary, middle and high schools - with indoor gyms, outdoor playgrounds, a running track, baseball fields, and tennis courts.
- ◆ Bard College: indoor gymnasium, swimming pool, basketball courts, exercise rooms, guided walking, yoga, exercise classes, and outdoor tennis courts.
- ◆ Poets' Walk Park: walking trail, picnicing
- ◆ Abrahams Park - Village of Red Hook - walking and jogging trails
- ◆ Little League Baseball Field, Route 199
- ◆ Proposed Town Trail System for hiking, jogging, biking and cross-country skiing (1998 Trail Feasibility Study) including Sipperley Park for Environmental Education on the proposed Hucklebush Rail Trail.
- ◆ Village of Tivoli planned Hudson River Waterfront Park
- ◆ Tivoli Bays Estuarine Research Reserve: hunting, boating, hiking, canoeing, fishing and wildlife observation.

Passive Recreational Resources

Scenic corridors, roads and vistas constitute a critical element of the experience. These corridors provide passive recreation viewed while walking, biking, or driving. Pro-active planning can minimize disturbances to them and help maintain the rural atmosphere cherished by residents of the Red Hook community. A scenic road is one that travels through an area of high cultural value or of high visual quality. A scenic corridor is not limited to the road itself, but extends far into the distance around it. In addition, these corridors provide scenic vistas and public access to the Hudson River.

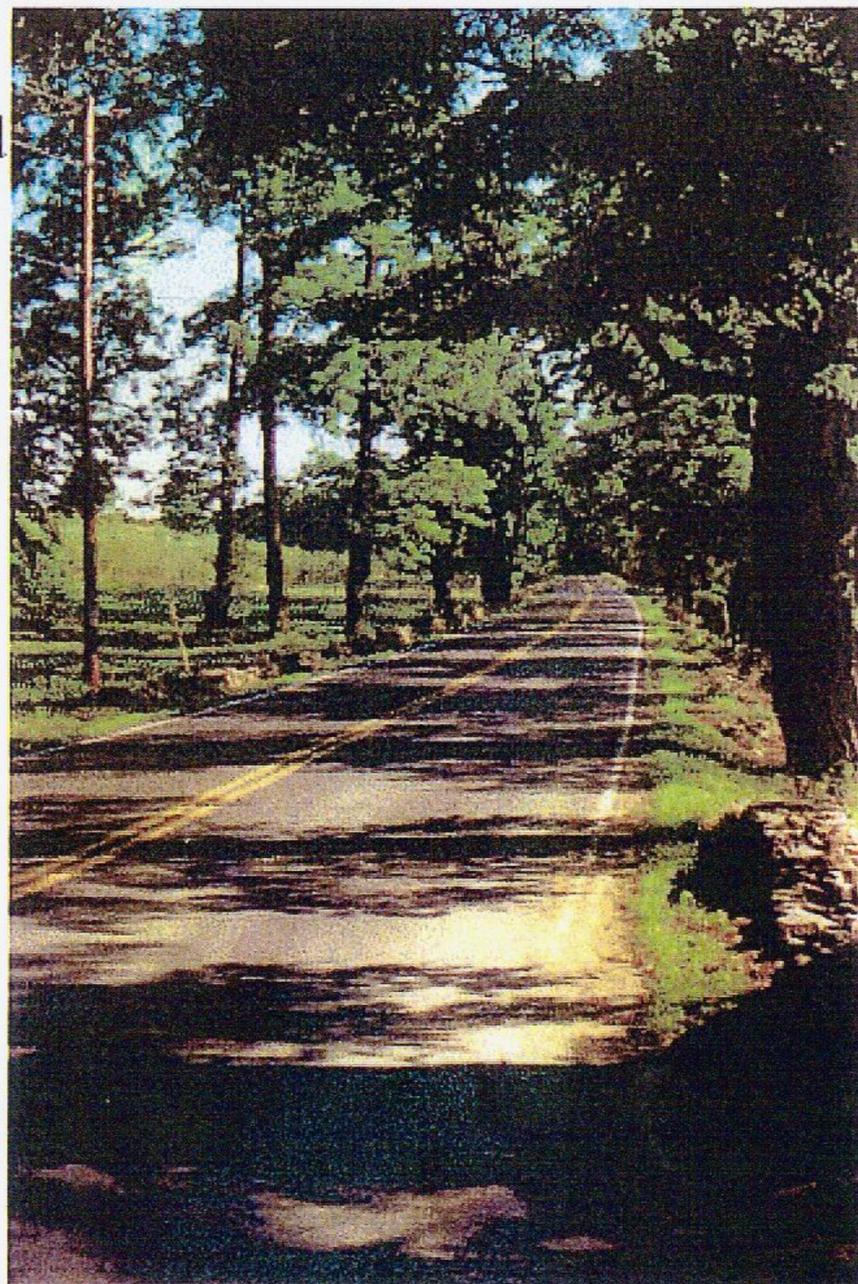
The committee identified as passive recreational resources those areas that: are prominent points on public roads that offer long or expansive views to water or mountains; overlook pleasing foreground views such as rolling farmland or old fields; juxtapose surface water features with farmland or field habitat; or are old road corridors with narrow shoulders, trees close to the road, or striking landscape, historic, or architectural features.

Criteria used included the accessibility and fragility of these vistas, observation sites and corridors.

Scenic Roads

- ◆ West Kerley Corners Road - This road follows the natural contours of the landscape. It travels through a rural landscape with ponds, farm houses, orchards, and farms, and it commands a panoramic view of the Catskill Mountains.
- ◆ Guski Road - from West Kerley Corners Road to Budds Corners Road. A road that meanders through hilly lands with vast orchards, ponds and barns. Most local roads follow the natural contours of the landscape.
- ◆ Woods Road from Tivoli to the town line (Clermont) - This is a New York State Designated Scenic Road. It is a narrow, canopied road with stonewalls, and entrances leading to significant and historic homes.
- ◆ Pitcher Lane- from Route 9 to Budds Corner Road.
- ◆ Budds Corner Road - from Route 9G to Pitcher Lane. This creates a nice loop of scenic rural roads including 9G, West Kerley Corners, Guski Road, Budds Corners and Pitcher Lane. Budds Corners is a scenic rural road, with large area of open agricultural land.

- ◆ Kidd Lane, Tivoli - this is a New York State Designated Scenic Road. It is a narrow road through heavy woods with a scenic view west to the Catskill Mountains, a dramatic ravine and historic homes.
- ◆ Sengstack (Santage) Road, Tivoli - connects Woods Road to North Road. It is a New York State Designated Scenic Road, passing through heavily wooded and mixed open land.
- ◆ All of Route 9G from southern to northern town lines - designated by the Town of Red Hook as a Scenic Corridor. Although a state road and heavily traveled, it is bordered by woods with a minimum of disruptive development and any occasions for Catskill Mountain views.
- ◆ River Road from Barrytown, through Annandale, through Bard College to Route 9G - a New York State Designated Scenic Road. This is a narrow, winding road, bordered by woods, old stone walls, orchards, historic estates, the hamlet of Annandale and the Bard College Campus.
- ◆ Norton Road from Stone Church Road to Route 199 - This is a narrow, heavily wooded road conforming to the natural contours of the land with stone walls, old barns, historic houses and light development.



River Road Near Annandale

- ◆ Williams Road - A narrow, winding road through thickly wooded land in an area that is almost completely underdeveloped, with only an occasional old farmhouse or abandoned barn showing.
- ◆ Route 199 in vicinity of Crestwood Road.

Scenic Vistas

In 1983, the New York State Department of Environmental Conservation designated 25 miles of the Hudson River shoreline as the Mid-Hudson Historic Shorelands Scenic Area. The Village of Tivoli is contained in this district, which extends from the river to the eastern side of Route 9G. Also included in that area is the Estates District Scenic Area of Statewide Significance, designed by the New York State Department of State in 1993.

Priority scenic vistas within and outside this area include:

- ◆ Route 9G in the vicinity of Budds Corners Road - a panoramic view west to the Catskill Mountains and the Hudson Valley.
- ◆ Tivoli Bays Estuarine Research Reserve parking lot on Route 9G - a panoramic view west to the Catskill Mountains.
- ◆ Rokeby Road - Kalina Farm between Route 9 and Route 9G - Beautifully maintained rolling hayfields, with a pond, hay barn, and stands of trees. Nothing disturbs this landscape.

- ◆ Route 199 east of the village - Perfect rural landscape with views of rolling crop land and the Sawkill Creek. Views of the Catskill Mountains to the west.
- ◆ Oriole Mills Road (near Camp Rising Sun) - A thickly wooded road, fast moving stream cascading over rocks. A lovely natural setting with houses set back off the road.
- ◆ West Kerley Corners toward Route 9G - A rural landscape with ponds, farm houses, orchards and views to the Catskill Mountain.



West Kerley Corners Road

- ◆ River Road at Barrytown Road intersection.
- ◆ Hudson River views - Village of Tivoli landing, Poets' Walk Park, Station Hill Road, Blithewood at Bard College, Montgomery Place historic site.

Waterfront Access

To qualify as waterfront access an area must have either existing access to the Hudson or projected access as recommended by an existing report or plan. Priority waterfront access was determined by considering the accessibility and proximity of these access points to the rest of the community.

The largest percentage of land adjacent to the river remains under the control of the estate properties. Future proposals for development of estate properties and/or

landing sites by public or private interests may include plans for public water-related uses.

Existing and proposed waterfront access points include:

- ◆ Tivoli Bays Natural Estuarine Research Reserve - A canoe launch from May to October on the south side of the tidal portion of the Stoney Kill accessible from the Kidd Lane entrance.
- ◆ Red Hook Boat Club in Barrytown - A private club for docking, launching and storage of power boats.
- ◆ Village of Tivoli Riverfront Park including a pedestrian overpass over the railroad track.
- ◆ Barrytown Road - a parcel of less than one acre, north of the Boat Club, undeveloped, possible future development as boat launch and public deep water for tour boats.
- ◆ Heron Point, Barrytown - 23-acre parcel, used by the public for decades for picnicking, swimming, and ice-boating. At present the use of this access is without the permission of the owner.
- ◆ Tivoli South Bay -this bay is used for ice boating. Access to the bay is east of the railroad.

PRIORITY RECREATIONAL RESOURCES

TOWN OF RED HOOK, VILLAGES OF RED HOOK AND TIVOLI

OPEN SPACE PLAN

Behan Planning Associates
Planning Community Futures



LEGEND:

- Hudson River Views
- Scenic Views
- Scenic Roads

Proposed Trails

- Priority One
- Priority Two
- Priority Three
- Priority Four
- Priority Five

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Other data provided by Dutchess County Environmental Management Council's
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Pitcher Lane

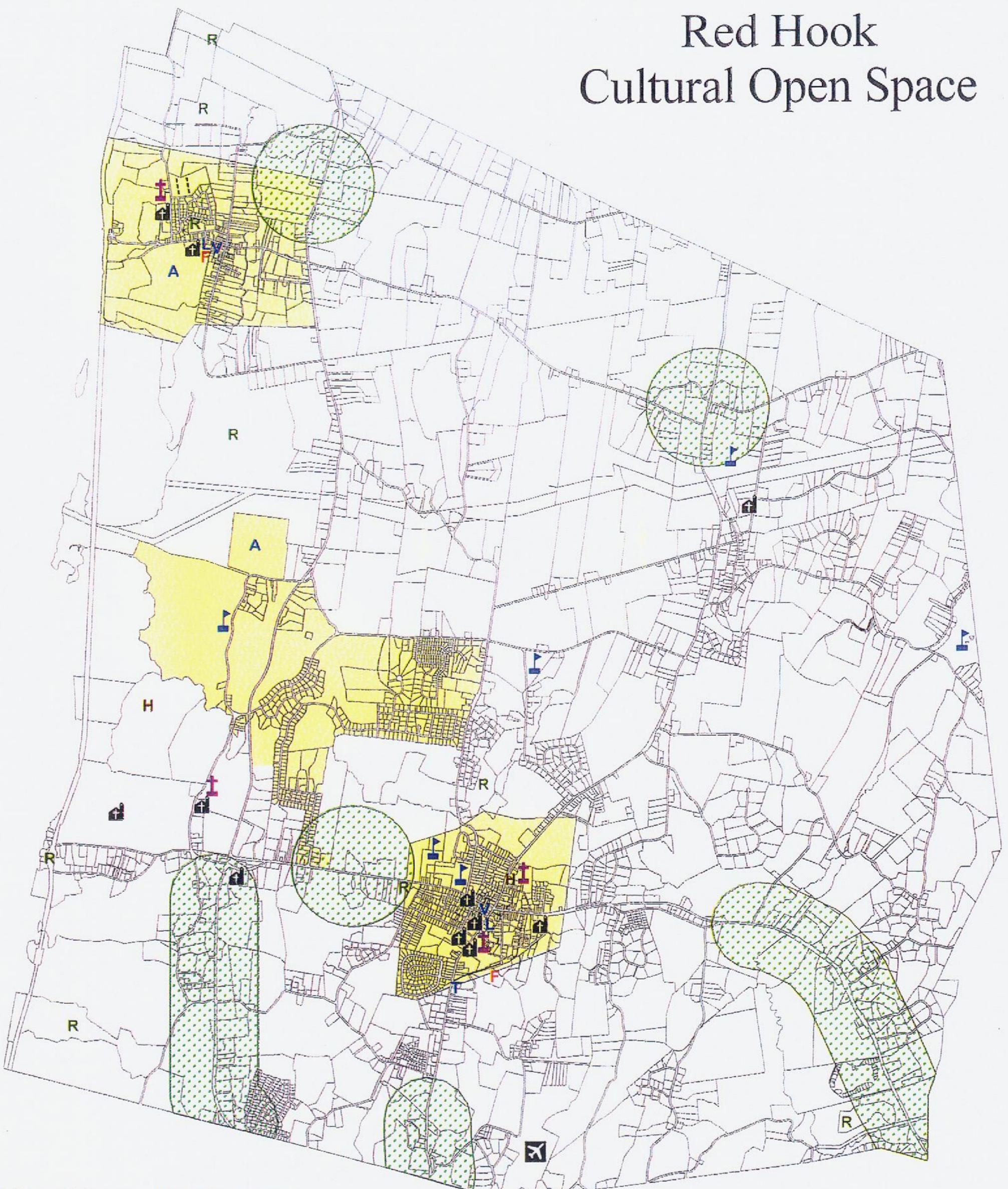
CULTURAL RESOURCES

The cultural features of any community reflect the ways in which the people who lived there have used their natural environment to suit their economic needs and social patterns. The buildings, land forms, structures and objects which have survived three centuries of growth teach about the past and help residents decide what to keep, what to update and adapt, and what to replace.

The Red Hook community is fortunate to have protected much of its agricultural past. Future development should reflect the integrity of remaining farms and the mix of uses that hundreds of years of tradition have created. New buildings should be clustered around existing village centers and the individual historic features that dot the surrounding countryside should be protected.

Cultural resources fall into the following four categories: Agricultural, Town and Village Gateways, Institutional, and Historic and Archeological.

Red Hook Cultural Open Space



- | | | | | | |
|---|------------------|----------------------------|-----------------|--------------------|---------------------|
| T | Town Hall | F | Fire Department | [Green dotted box] | Gateway Zone |
| V | Village Building | [School icon] | Education | [Yellow box] | Water District |
| L | Library | [Church icon] | Church | [Airplane icon] | Rhinebeck Aerodrome |
| R | Recreation Point | [Cross with crossbar icon] | Graveyard | | |
| A | Performing Arts | [House with cross icon] | Historic Point | | |

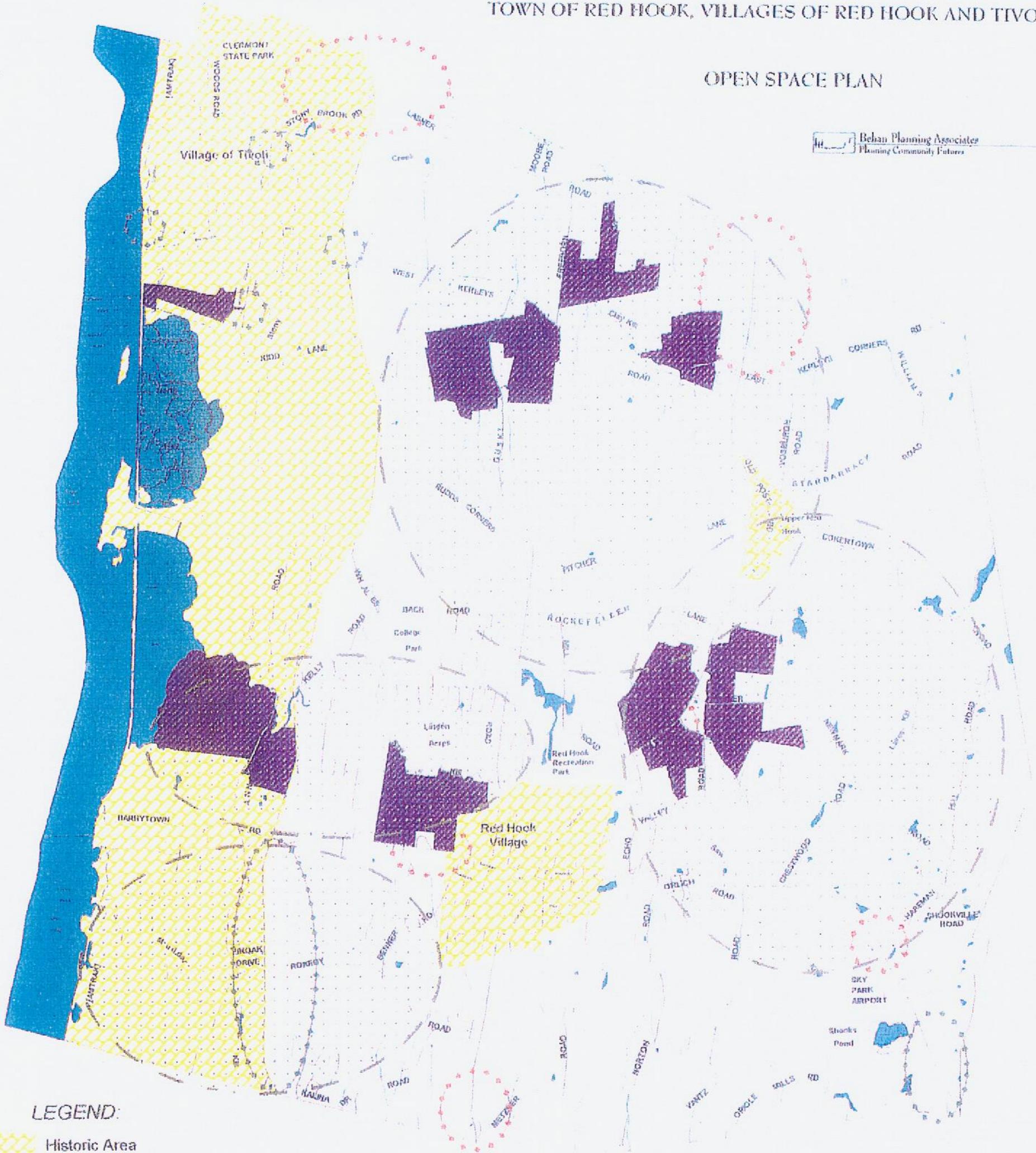
impACT LLC.
7472 South Broadway
Red Hook, New York 12571

PRIORITY CULTURAL RESOURCES

TOWN OF RED HOOK, VILLAGES OF RED HOOK AND TIVOLI

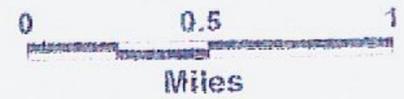
OPEN SPACE PLAN

Behan Planning Associates
Planning Community Futures



LEGEND:

-  Historic Area
-  Gateway
-  Agricultural Gateway
-  Protected Farmland
-  Priority Agricultural Areas



Map prepared by Behan Planning Associates, 12-99.
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Agricultural Resources

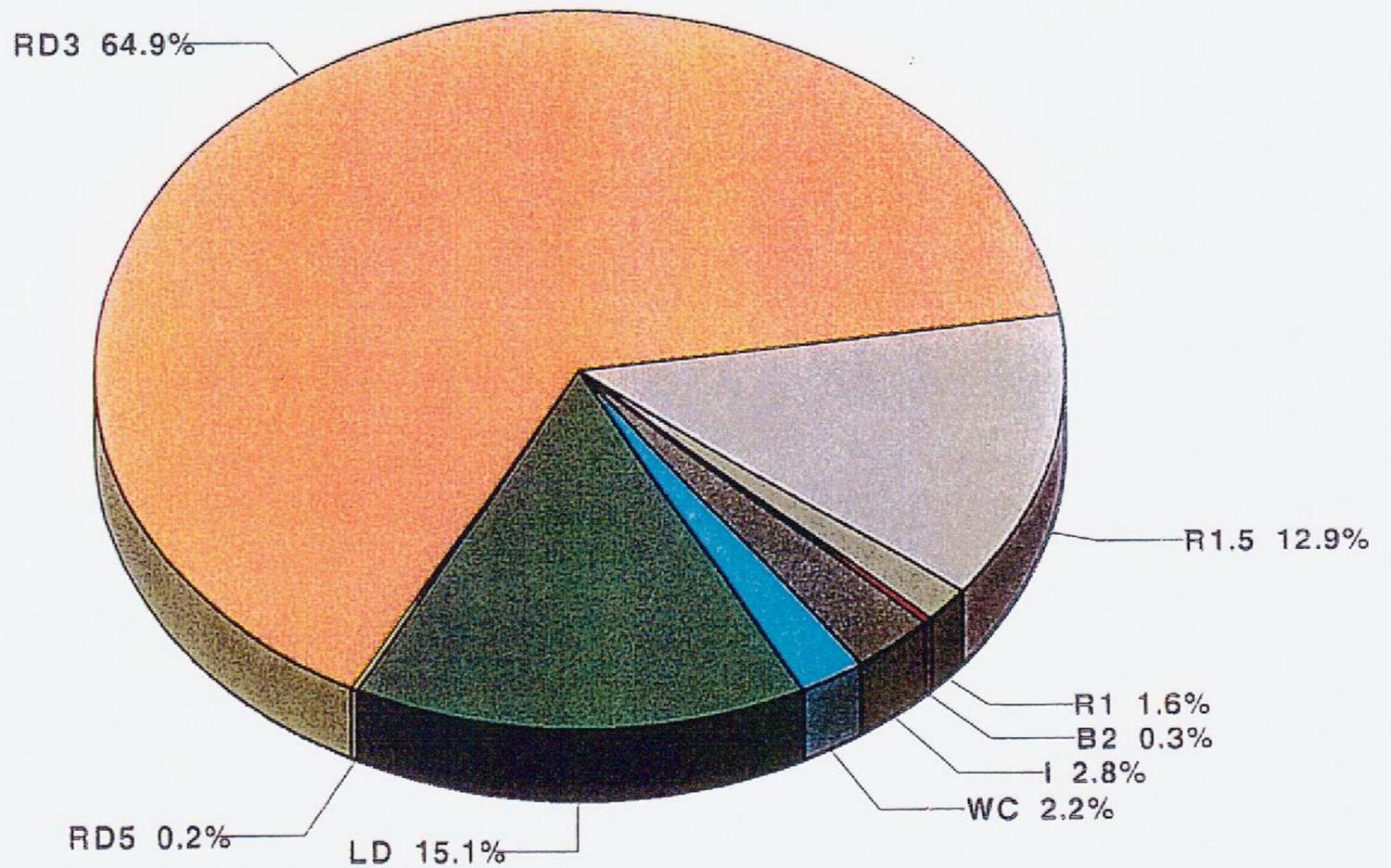
There are few farmlands left in Dutchess County that can rival the Red Hook community's "breadbasket," the open fields to the north and east of Red Hook Village. Red Hook's orchard lands with their mixture of productive soils, gentle slopes and unique micro climate create an ideal environment and also offer beautiful vistas of working landscapes. These landscapes are irreplaceable. They comprise one of the features that make the Red Hook community unique.

Out of the nearly 24,000 acres that comprise the town and the two villages, there are over 8,000 farm acres in a certified agricultural district. Roughly 5,500 acres are prime agricultural soils and soils of statewide importance. Prime agricultural soils are soils which are characterized by an adequate and dependable supply of moisture from precipitation, favorable temperature and growing seasons, stable levels of acidity and alkalinity, and low erodibility. Soils of statewide importance are soils which are important to agriculture in New York, yet exhibit some soil properties that do not meet prime farmland criteria. These are the best soils for tree fruit growing. For other uses they produce good to fair crop yields when managed properly.

Today, the Red Hook community's farms offer spatial relief from suburban development, creating open rural landscapes of a remarkable heritage. At the same time, it is important to remember that virtually all of the Red Hook community's farmland is zoned to permit full residential development.⁵

⁵ From the *Red Hook Agricultural Greenprint*. Unpublished, with "Build out" analysis attached as appendix C.

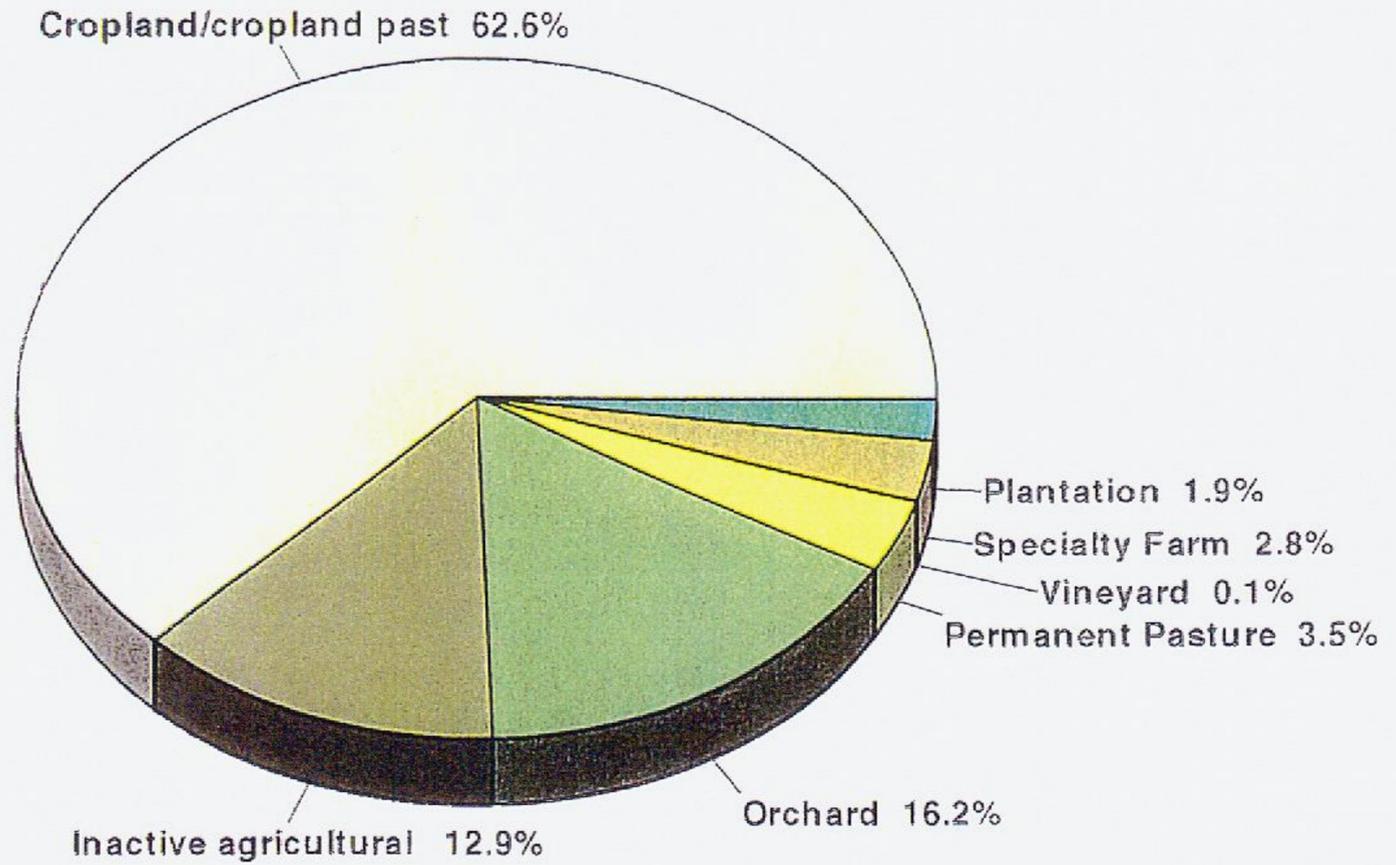
Town of Red Hook
**Distribution of Agricultural District
 Parcels in Zoning Districts***



Agricultural District #20, Certified 1993

Zoning District	Certified Ag District Acres	Percent of Total Ag District Acres
R1	129	1.6
R1.5	1,015	12.9
RD3	5,089	64.9
RD5	15	.2
LD	1,181	15.1
WC	176	2.2
I	221	2.8
B2	20	.3
Total Agricultural District Acres	7,846	100%

Town of Red Hook Agricultural Land Use

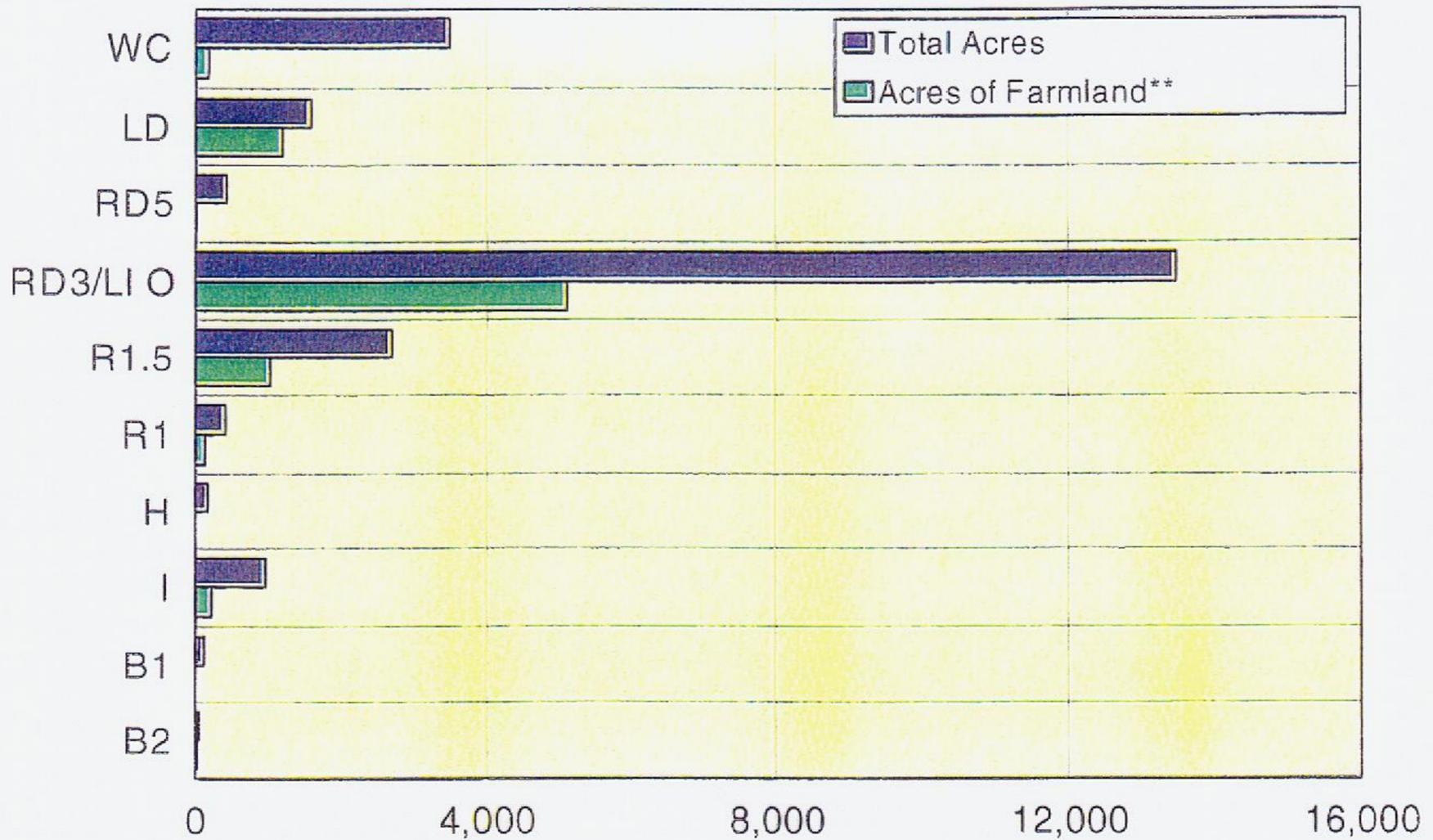


**Based on LUNR Data Base*

Use	Acres	Percent
Cropland/cropland pasture	4,759	62.6
Inactive agricultural land	981	12.9
Orchard	1,230	16.2
Permanent Pasture	269	3.5
Vineyard	3	<.1
Specialty Farm	210	2.8
Plantation	142	1.9
Total Agricultural Acres	7,584	100%

Town of Red Hook

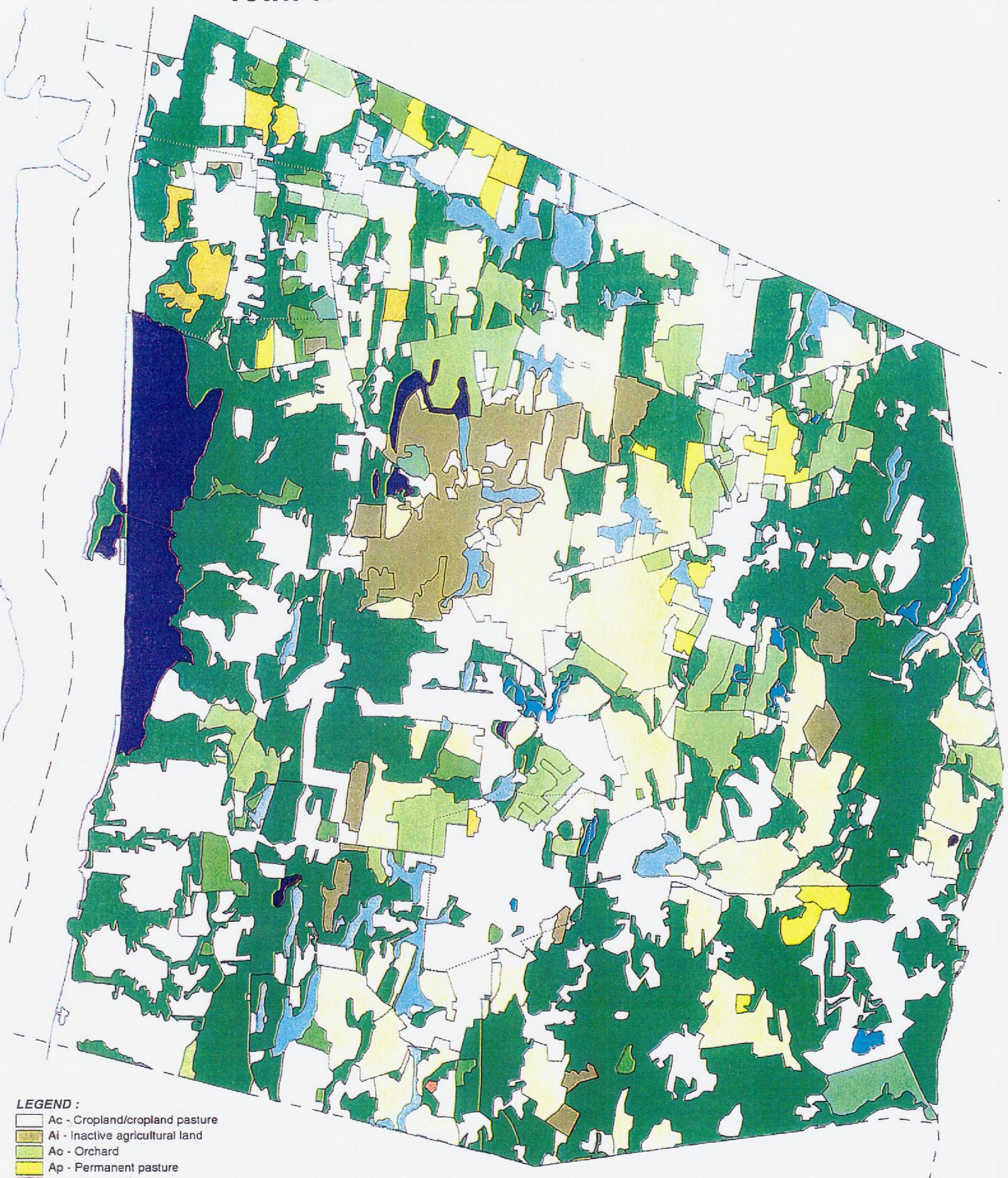
Estimated Zoning District Acreage*



*Does not include Villages of Red Hook and Tivoli
 **Certified Agricultural District Acreage

District		Total Acres	Acres of Farmland**	Percent Farmland**
WC	Waterfront Conservation	3,485	176	5.1
LD	Limited Development	1,578	1,181	74.8
RD5	Rural Development/5 acre	424	15	3.5
RD3/	Rural Development/3 acre &			
LI O	Light Industrial Overlay	13,472	5,089	37.8
R1.5	Residential/1.5 acre	2,695	1,015	37.7
R1	Residential/1 acre	409	129	31.5
H	Hamlet	172	0	0.0
I	Institutional	954	221	23.2
B1	Business 1	118	0	0.0
B2	Business 2	47	20	42.6
	Total Acres	23,354	7,846	

TOWN OF RED HOOK AGRICULTURAL LAND USE



LEGEND :

- Ac - Cropland/cropland pasture
- Ai - Inactive agricultural land
- Ao - Orchard
- Ap - Permanent pasture
- Av - Vineyard
- Ay - Specialty farm
- Fc - Forest brushland
- Fn - Forest land
- Fp - Plantations, any size
- Wb - Bogs, shrub wetlands
- Wn - Natural water body, 1 acre or more
- Ww - Wooded wetlands

Map prepared by Dutchess County Department of Planning and Development, 4-99.
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 Land Use data provided by Dutchess County Environmental
 Management Council's Geographic Information Systems Laboratory.
 Data presented are not intended for site specific work.



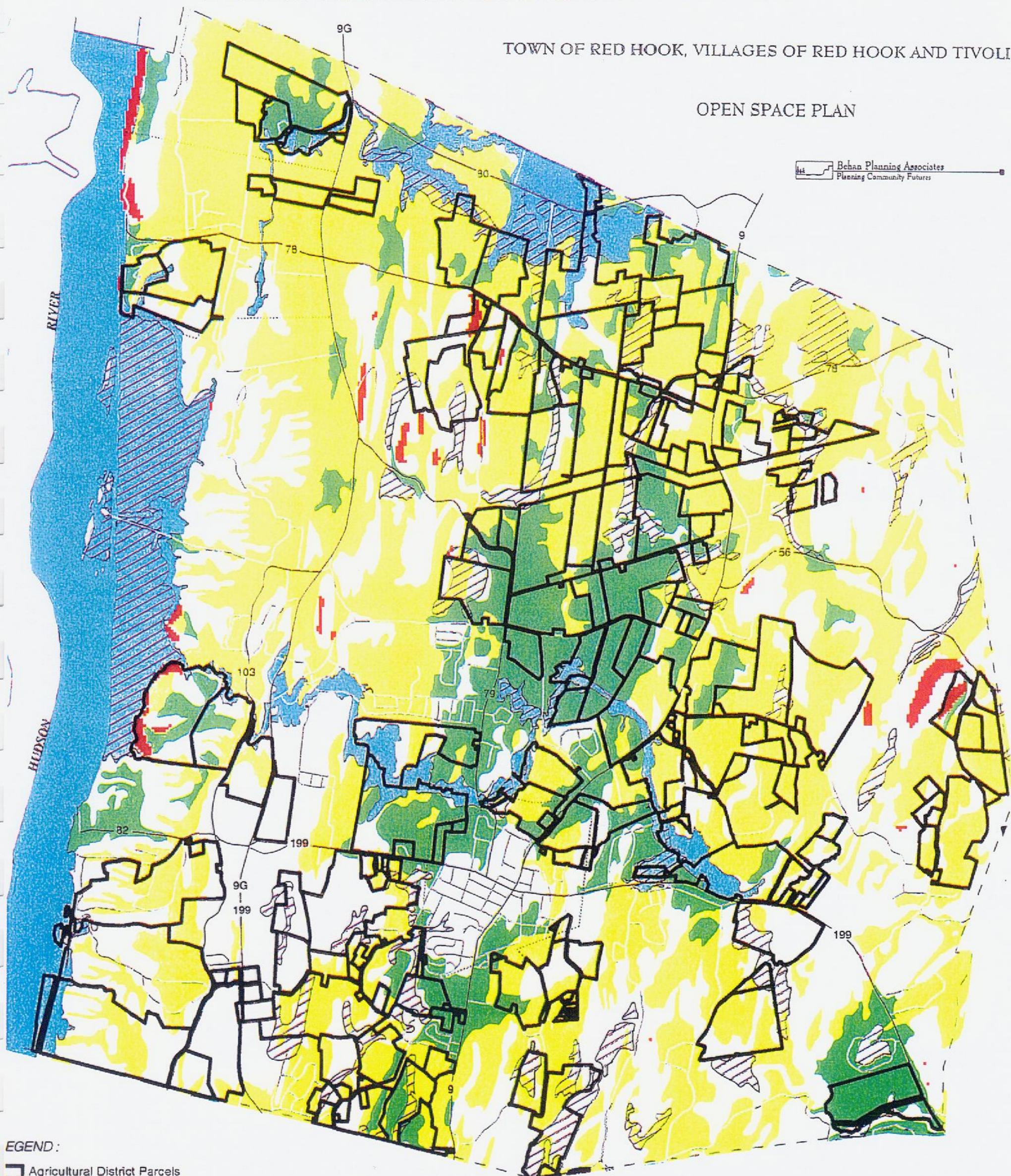
Scale 1 : 54,000 (1" = 4,500')

TOWN OF RED HOOK AGRICULTURAL RESOURCES

TOWN OF RED HOOK, VILLAGES OF RED HOOK AND TIVOLI

OPEN SPACE PLAN

Behan Planning Associates
Planning Community Futures



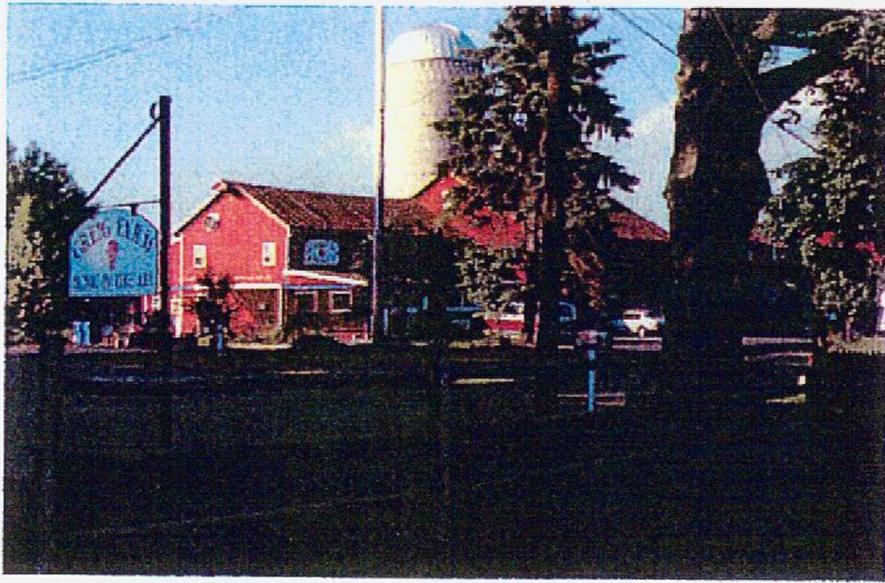
EGEND :

- Agricultural District Parcels
- Main Roads
- Local Roads
- Steep Slopes (20% or more)
- NYSDEC Freshwater Wetlands
- FEMA 100 yr. Floodplains
- Prime Agricultural Soils
- Agricultural Soils of Statewide Importance

Map prepared by Dutchess County Department of Planning and Development, 4-99.
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Data presented are not intended for site specific work.



Scale 1 : 54,000 (1" = 4,500')



The Greig Farm

The Red Hook community's farms are businesses that provide jobs and generate dollars throughout the community from their business activities. Farms typically generate more tax revenue than the cost of the services they require. Farms also benefit tourism, providing fresh wholesome produce in addition to the scenic, rural surroundings. Despite

these benefits, farms are increasingly threatened by pressure to develop. There are now less than a dozen full-time farmers in Red Hook out of a town population of nearly 11,000.

The commitment of Red Hook's few farm families provides a remarkable benefit to a proportionally larger community.

Agricultural resources were selected by identifying the most *viable*, *vulnerable* and *visible* farms. Viable farms are those with high soil quality, of a significant size and in proximity to other farmland. Vulnerable farms are those on rented land, lacking next generation farmers. Visible farms are those providing scenic vistas for the rest of the community. Agricultural land that is already protected is also an important resource.

Sixty-one farms on more than eight thousand acres are a major component of the local economy, contributing directly to the community's tax base, supporting related businesses, and attracting thousands of visitors. The community's farmland can be divided into four priority areas:

1. Prime and important farmland in the northern part of the communities including cropped or pastured fields, orchards, woodlands and meandering streams;

2. The farms that follow the Saw Kill watershed from east to west passing through the Village of Red Hook;
3. The sweep of farmland that extends from Route 9 to the Hudson River, near the southern border of the town, offers distinctive views of productive countryside against a backdrop of mountains;
4. Montgomery Place, with orchards operated since 1805.



Farm Viewed From County Route 79

Town and Village Gateways

Gateway areas determine the visitor's first response to a community. They can create an impression of a community as an attractive, well-tended, prosperous place in which to live. Gateways should make the most of existing structures by the careful placement of large street trees, landscaping, signs which do not intrude, and safe and appropriate lighting and traffic signals. An attractive entranceway can reflect the essential character of a community and encourage people to spend time there. Gateways into this area highlight both the open spaces and the historic development patterns of these communities, which are themselves cultural and historic resources.

- ◆ Route 9 South - A commercial zone from Rokeby Road through Red Hook Village, very heavily traveled. Through mainly shops and businesses, it also contains vulnerable wetlands and open fields with fine views of the Catskills in the area of Old Farm Road.
- ◆ Route 9 North - A rural landscape of orchards, farms, barns and 19th century houses. It conveys the agricultural character of the town.
- ◆ Route 9G North is still wooded, with striking views of the Catskills. There are a few small residential areas, several farms but no commercial development.
- ◆ Route 9G South at 199 - Though more developed in places, this road still has stretches of woodland, fields, and wetlands along both sides.
- ◆ Route 199 East - This road offers open views of rolling farmlands, barns and old homes. Attractive views of the Catskill Mountains and the Sawkill Creek are key features.
- ◆ Route 199 West - Traveling east from a bluff, there are views of the Taconic Mountains. The road runs past open farmland, orchards, barns and a farm market.
- ◆ Tivoli Woods Road - A New York State Designated Scenic Road. It is a narrow, canopied road with stonewalls, important institutional estates and historic homes. The entrance to Clermont State Park is on this road.
- ◆ Tivoli-Broadway from Route 9G to the village center - Attractive old homes and a historic bridge.
- ◆ Tivoli-Broadway from the village center to the river - Small old homes, estate properties, views of Hudson River and Catskill Mountains.

Institutional Resources

Libraries:

- ◆ Red Hook Public Library
- ◆ Bard College Library - Quasi public
- ◆ Red Hook Central School - public for students
- ◆ Tivoli Free Library - public

Churches:

- ◆ Red Church and graveyard
- ◆ St. Sylvia's R.C. Church, Tivoli
- ◆ Assembly of God Church, Route 9N, Upper Red Hook
- ◆ Catholic graveyard, Station Hill Road, Barrytown
- ◆ St. Paul's Episcopal Church, Woods Road, church and graveyard
- ◆ St. John's Episcopal Church, Barrytown, church and graveyard
- ◆ Bard College - Chapel of the Holy Innocents and cemetery nearby.
- ◆ Unification Church, Seminary Dock Road, Barrytown
- ◆ St. Christopher's R.C. Church, Route 9 and Garden Street
- ◆ Christ Episcopal Church, Route 9 and Garden Street
- ◆ St. Paul's Church and graveyard, Route 9 and Fisk Street
- ◆ United Methodist Church, West Market Street and Church Street
(graveyard on Cherry Street)
- ◆ St. John's Reformed Church and graveyard, Upper Red Hook
- ◆ Jehovah's Witnesses, Route 199 and 9G

Schools:

- ◆ Red Hook Central School District - elementary, middle and high school
- ◆ Bard College
- ◆ Unification Theological Seminary
- ◆ Northern Dutchess Christian School
- ◆ Devereux Foundation
- ◆ Katsbaan Dance Residence (new dance theater, school)

Historical and Archeological Resources

- The Red Hook community is recognized as an area of historic and scenic importance in both New York State and in the nation. The town lies within the Hudson River Valley National Heritage Area; portions of the Town lie within the Hudson River National Historic Landmark District, the Estate District Statewide Area of Scenic Significance and the Mid-Hudson Historic Shorelands Scenic Area.
- The National Historic Landmark District extends the whole length of the community along the Hudson River, from the river to east of Route 9G. It includes the entire Village of Tivoli, historic river estates and associated small features, the hamlets of Barrytown and Annandale-on-Hudson, and institutions such as Bard College and the Unification Theological Seminary. It was established by United States Secretary of the Interior in 1990. Estates incorporated within the district include from (from north to south) Teviot, Ward Manor, Cruger Island, Montgomery Place, Massena, Edgewater, Sylvania, Rokeby and Atalanta (Steen Valetje). Located within the Village of Tivoli, estates include Rose Hill, The Pynes and Callendar House.
- Its agricultural landscapes are the most celebrated and most historic landscape feature of the Red Hook community.

Additionally, the following individual properties outside the National Historic District are considered most significant (6):

- Already listed on the National Register of Historic Places:
Elmendorph Inn

(6) A 1992 survey done by Hudson River Heritage and the Town Conservation Advisory Council contains detailed information about more than 300 significant historic features, residencies, farm buildings, bridges, stone walls, old roads, and road markers throughout the Town and Village of Red Hook, outside the National Historic District.

Village Diner
Maizefield
St. Paul's Lutheran Church
Heermance/Bulkeley House

- A sampling of properties potentially eligible for listing on the National Register:
Robert Chanler House
St. Margaret's Home
Red Hook Library
Maizefield Garden Cottage
Martin/Cookingham House
Martin/Townsend House
White/Losee/White House
Lyle/Mooney/Lambert House
Staats/Vincent House
Beckwith/Guski House

Areas of archeological potential were identified for this open space plan by Christopher Lindner, archeologist-in-residence at Bard College. Since most Native Americans settled near a good water source, the most promising sites for archeological investigation coincide with rivers and streams noted in this plan's section on Ecological Open Space Resources, specifically the Hudson River shoreline, the Sawkill, Stony Kill, and Mudderkill stream corridors, and the wetlands associated with them. Old town roads, farm sites, and trading centers, as shown on 18th and 19th Century maps, should also be given priority archeological open space status.

These places may also still contain important artifacts pertaining to the earliest settlements of Europeans in Red Hook. They are a source of valuable historical information which will be lost if they are not protected.

Red Hook Open Space Plan
November 9, 2000

The Red Hook Open Space Plan Committee
Behan Planning Associates

RECOMMENDATIONS

The Red Hook community is twice blessed. First, it is endowed with a bounty of open space resources that range from tidal wetlands to productive farmland, and include a variety of scenic, recreational and historic resources. Second, the Red Hook community is fortunate because its residents realize the value of these resources. Their acknowledgment of these values is demonstrated in the community survey where 88% said "yes" to the question, "do you believe the community should actively pursue protecting open space as an 'investment' for keeping the community fiscally healthy and affordable?" Recognition is also evident in the number and quality of planning efforts already undertaken by the community. The Red Hook community has repeatedly demonstrated its concern for open space.

Open Space Conservation Targets

Farmland, natural habitats, and water supply resources are not usually protected from loss or damage as communities grow. Simply look south at the growth of the New York metropolitan area for an illustration of the need to take affirmative steps; the only open space resources left there are those that have been protected from development by community action, by individuals, organizations, and governmental agencies.

The Red Hook community has approximately 24,000 acres of land. A majority of the land, nearly 19,000 acres, exists in open space while 5,000 acres has been developed. Open space is comprised of farmland, and other ecological, recreational, and scenic resources. Of the 19,000 acres, only 4,000 are protected by either easements or public ownership, whereas, the remaining 15,000 is subject to development. Development of the existing unprotected land would dramatically alter the character of the Red Hook community.

Protection of farmland and other ecological, recreational, and scenic resources assures continuance of community character. A significant portion of the open space recommended for protection is productive farmland, important because agriculture occupies one third of the community's land area and contributes

significantly to the rural character and scenic working landscape of the community. Protection of open space land is necessary if we are to control sprawl development, protect wildlife habitat, maintain historic character, preserve scenic and rural roads, provide passive recreational opportunities, maintain water quality, preserve architectural and archeological resources, and protect scenic corridors and views.

In addition, open space resources contribute significant economic value to the real estate market of the town and villages. The uniqueness of the community's natural and cultural amenities encourage residents to stay and attracts new residents. Such amenities also stimulates tourism, the number one economic activity in the Hudson River Valley, which in turn provides an economic boost to the community and generates new business.

How much shall we save?

The following chart provides targets for land conservation and a suggested allocation among land uses for future development. These targets would be in addition to lands already protected or developed, and would provide protection of the community character as the town and villages grow and change over time. If these protected open space targets are met, adequate open space will be protected, and several thousand acres will remain for future growth and development.

It is recommended that the community secure between 8,000 and 13,000 acres to be protected of the *remaining* 19,000 acres of undeveloped and productive agricultural land. This range represents a balance between future development and long-term conservation of the rural character of the community. Protection for less than 8,000 acres would leave too much land vulnerable to development. Protection for more than 13,000 acres would likely be cost-prohibitive and would not provide a sufficient allowance for future growth. In other words, the target range has been established as a protective guideline for a long-term balance of land use. To accomplish these goals significantly greater action by the community with private, nonprofit, and other governmental partners to protect open space in the Red Hook community is required, whether a low or high level target for protected open space is selected.

Low and high-range conservation targets presented as long-term land use and build-out alternatives, illustrates that increasing the amount of usable land while protecting a sufficient portion of the Red Hook community's open space can be successful. For instance, the low range conservation target allows residential, commercial, institutional and other land uses to more than double and occupy 55% of land, while still offering 8,000 acres or 33% for protection to open space. Even the high range conservation target which protects 13,000 acres or approximately half of the 24,000 existing acres of land allows residential, commercial and industrial land use significant expansion. Both low and high-range scenarios would assume an additional 3,000 acres was left as open space without conservation easement or public ownership within the community.

Long Term Land Use and Build-out Targets						
	Existing Development and Open Space Land Use (Acres)		Future Land Use Low Range Conservation Target		Future Land Use High Range Conservation Target	
Developed Land:						
Residential and Commercial	4,000	17%	10,000	42%	6,000	25%
Institutional and Other	1,000	4%	3,000	13%	2,000	8%
Open Space Protected by Conservation Easement (or public ownership):						
Farmland	1,000	4%	3,000	13%	6,000	25%
Other ecological, recreational, and scenic resources	3,000	13%	5,000	21%	7,000	29%
Open Space Not Protected by Conservation Easement (or public ownership):						
Farmland	7,000	29%	1,000	4%	1,000	4%
Other ecological, recreational, and scenic resources	8,000	33%	2,000	8%	2,000	8%
Total Acres in Community	24,000	100%	24,000	100%	24,000	100%
TOTAL PROTECTED OPEN SPACE:						
	4,000	17%	8,000	33%	13,000	54%

*Data derived from LUNR Land Use Analysis. Actual acreages vary somewhat. (See Land Use Pie Chart)-Data has been rounded for this table

Annual goals should be discussed and planned for implementation based on the resources available to the town and villages. These conservation and development targets can be evaluated more closely (and revised as necessary and appropriate) during the preparation and implementation of programs suggested below.

Recommended Implementation Programs

Protecting open space resources is not an anti-development stance; however, protecting open space resources is a pro-community values position. The challenge for the Red Hook community is to achieve lasting open space. Protection of working farms is the most critical component in addressing this challenge.

The lands that make up the Red Hook community's valuable agricultural heritage are vulnerable. A large portion of the community's existing quality open space is under the stewardship of the agricultural community. Farm families are dependent on favorable economic and social conditions that enable them to make the investments, and to take the risks, necessary to keep the farm businesses viable. Only farms that keep costs at a reasonable level, can sell their products profitably. Those that can readily obtain local supplies and services will continue to make the necessary investments associated with agriculture.

The Red Hook community is at a crossroads. The community has over 8,000 acres in a state certified agricultural district.⁷ The community also has over 1,000 acres of farmland protected by conservation easement as a result of Scenic Hudson's farmland protection project.⁸ Another 100 acres will likely be protected through a

⁷ Farms included in an agricultural district are afforded some protections such as: partial exemption in property taxes, right to farm notification provisions, limits on government acquisitions for public infrastructure and restrictions on benefit assessments.

⁸ In 1998, Scenic Hudson purchased conservation easements on 1,024 acres of farmland, representing four orchards and three crop farms. The easements were acquired by Scenic Hudson with funding from the Lila Acheson and DeWitt Wallace Fund for the Hudson Highlands, established in 1983 by the founders of Reader's Digest Association, Inc.

The project was based on protecting a "critical mass", an assemblage of farmland that, if protected, would contribute significantly to the retention of farming. Farmland has been protected and the community has gained a substantial amount of protected open space. The project's "gateway" farms, one along Rte 199 west of the Village of Red Hook, the other along Rte. 9 north of the village, provide defining boundaries between beautiful rural landscapes and subdivided housing lots. Protecting seven farms, no longer vulnerable to suburban encroachment, ensures that Red Hook will retain a significant part of its rural character and distinctiveness.

state purchase of development rights matching grant. And finally, a one million dollar bond act for open space protection was recently approved by the Dutchess County Legislature. These are impressive achievements that the Red Hook community can build on in implementing its open space strategy.

The recommendations map shows the areas in which to focus open space protection efforts. The broad themes that should be kept in mind in developing the open space protection programs are the following: permanently protecting a significant portion of the Red Hook community "breadbasket"; implementing a comprehensive community-wide trails plan; and, ensuring that future central water and sewer system (utility) expansions are consistent with the protection of the goals and priority resources revealed by this plan.

Without protection against competing land uses the Red Hook community's farmland will continue to be converted to development and open space resources and its rural character will go with them. A comprehensive community-wide trail system would create important open space linkages throughout the Red Hook community. Since growth more readily occurs in settings where urban services are already established, an alignment of utility expansions with the protection of the outlined goals and priority resources will serve to balance the Red Hook community future growth. Implementation of the following programs should serve to guide future efforts to protect all of the Red Hook community's open space resources:

Community/Government Initiatives

◆ Agricultural Advisory Council

Farmland in the Red Hook community is coming under increasing pressure as demand for non-farm development increases. To survive, farming adapts by increasing the intensity of farming, increasing retail sales and adding farm enterprises. In order to understand the changing dynamics, to create permanent solutions to potential problems, and to foster effective communication between farmers and elected and appointed town and village officials, the Red Hook community should appoint a permanent agricultural advisory council. Prior to the

formation of an agricultural advisory council, the community could rely on local farmers, the county's agriculture and farmland protection board in addition to organizations such as the Northern Dutchess Alliance to lend support.

◆ Purchase of Development Rights Program⁹

The Red Hook community should take an active role in protecting open space and farmland by purchasing development rights and securing *conservation easements* (see explanation below). The development value of specific parcels of land can be purchased by the community or a land trust. When development rights are purchased, the process is called purchase of development rights (PDR). The cost of PDR depends on the specific parcel. The advantage of this approach is that it stabilizes the land base and creates a pool of land affordable for farming. PDR is the most direct and effective way to protect farmland for areas experiencing suburbanization, and an excellent alternative for farmers faced with the dilemma of whether or not to sell land.

PDR programs are regarded as being fair to landowners because the landowners are compensated directly for their contribution to something the public desires. The farmland owner maintains fee title to the property and continues to manage the land as productive, protected farmland. In exchange for purchasing the development rights, the community obtains a permanent conservation easement on the land. This ensures it will always remain as open space. The land remains on the tax rolls and should be assessed at its agricultural value rather than its market or speculative value.

In order to implement a PDR program, the community needs to make a funding commitment. Initially it might seem to be a large expense. However, through careful analysis of their fiscal situation, many communities have found that their investment will actually cost less in the long term than it would cost to provide

⁹In Pittsford, New York, a PDR program was created to protect approximately 1,200 acres on seven farms. The average cost to a homeowner is estimated to be about \$50 per year. A fiscal model of the town developed prior to implementing the program estimated that the average cost to a homeowner would be \$250 per year if the PDR program was not implemented. Tax increases would be needed to pay for additional services for new residents in that fast growing community. The savings from avoiding these tax costs total \$5,000 for the average homeowner over the life of the town's 20 year PDR bond.

services for new residences that might instead be built on that land.¹⁰ Communities have paid for these programs in various ways including bonding for the money to spread the cost over a period of years. There is state and federal grant funding available to assist communities in permanently protecting farmland and open space in this manner.¹¹

There are several important steps to establishing an effective PDR program that will be strongly supported by the community. Some of these have already been started as a result of this Open Space Plan. The steps are:

1. Establish protection goals for the community. It is recommended that the Red Hook community start by determining an acreage goal (x # of acres) of permanently protected farmland.
2. Identify and prioritize specific parcels for conservation and develop protection strategies for each. The owners of these large, priority parcels should be included in the process at the earliest stages.
3. Determine the cost of protecting significant parcels through the purchase of development rights as compared to the cost of not protecting these lands because of the cost of community services for residences in the future. A detailed analysis helps build support from members of the community who will later be paying the bills.
4. Establish a funding mechanism to implement the program including the identification of outside funding sources.

Implementing a purchase of development rights program requires a fair amount of up-front planning. For acquiring grant funding, communities with well defined programs tend to fare much better due to competitive awarding of these grants. Also, the return on this investment in planning can be substantial in terms of the community's fiscal situation, community character, and overall economic value.

¹⁰See Greenprint Build out analysis attached as appendix C.

¹¹See funding sources section below.

◆ Conservation Easements¹²

Conservation easements can be used for open space protection, aside from their use in a PDR program. For example, as part of land development proposals, conservation easements can be used to permanently protect open space set aside as part of a conservation (clustered) subdivision. The Red Hook community may also consider purchasing easements on specific parcels of land that it believes should remain undeveloped or should be included as part of a public water supply, scenic vista or a trails program.

Conservation easements allow land owners to gain equity from the land without selling it. They can also result in reductions on federal estate tax, a tax that can have a destructive impact. A land owner can choose to donate a conservation easement on all or part of his/her land, generating income and estate tax benefits.

Conservation easements are a flexible tool that can protect open space and provide a stable and affordable land base for farming.

Legal Tools

The Red Hook community has a variety of laws, ordinances and regulations that it can use to help it protect open space including useful zoning mechanisms already incorporated into the local codes and its three municipalities.

◆ Local Waterfront Revitalization Program (LWRP)

Both the Village of Tivoli and the Town of Red Hook have adopted Local Waterfront Revitalization Programs and they should be implemented and considered as a legal tool. Waterfront policies outlined in the revitalization programs support open space through offering initiatives aimed at protecting agricultural, historical, ecological, scenic, and recreational resources.

¹² A conservation easement is a voluntary legal agreement between the landowner and the municipality, or a third party such as a land trust, to protect land from development by permanently restricting the use and development of the property, thereby preserving its natural or manmade features. The legally binding agreement is filed in the Office of the County Clerk in the same manner as a deed. The landowner retains ownership of the land, and all of the rights of ownership except the ability to develop the land. The specific restrictions are detailed in the easement agreement.

◆ Zoning Overlay Districts

The Town of Red Hook Zoning Code provides for overlay districts, two of which are of critical importance in protecting Red Hook's open space resources. The Environmental Protection Overlay¹³ (EP-O) and the Scenic Corridor Overlay¹⁴ (SC-O) sections provide golden opportunities to incorporate Red Hook's most important open space resources, including farmland,¹⁵ into districts that will provide additional protection beyond the regulations provided by the underlying districts.

Those overlays give the planning board an additional tool for protecting open space during site plan and subdivision review. They provide incentives for developers willing to follow conservation design standards and/or protect more than the minimum required open space set aside. It can make it easier for owners of acreage containing open space resources such as farming to integrate development with the farm operation, minimizing the impact of incompatible uses.

When these two overlay districts are utilized it is essential that they take into consideration the priority resources identified in the relevant sections of this open space plan. Although overlays soften the impact of development, they regulate how, not whether, open space is developed, and will not change underlying density and use requirements. Once location of these two overlay districts has been identified, they may be presented to the planning board for adoption.

◆ Clustering

When development does occur on previously undeveloped lands, the Red Hook community's guidelines for siting and designing cluster development can be used to

¹³ "The Environmental Protection Overlay District is intended to protect significant environmental resources, including the town's groundwater, wetlands, stream corridors, prime farmlands, historic sites and scenic areas, from development that is considered incompatible on the basis of its scale, intensity or location." Red Hook Zoning Code, Art. II Sec. 143-6B(3).

¹⁴ The Scenic Corridor Overlay District is intended to recognize both roadways designated as "scenic" by NYSDEC under authority of the New York State Scenic Byways Law and others which have been deemed locally significant in the Town's Master Plan. Within these roadway corridors, view protection regulations are imposed to protect their overall rural character, the setting of historic properties along these routes and the irreplaceable scenic vistas which they offer. Red Hook Zoning Code, Art. II Sec. 143-6B(4).

¹⁵ Overlay districts can be used to trigger conservation/cluster provisions, mandated buffer strips, and other performance standards applied to non-farm uses. (American Farmland Trust, 1993)

protect agricultural lands, to preserve structures recognized as historic (and their environs), eliminate or minimize intrusion on the view shed of scenic areas or along scenic roads, and to protect water bodies and other recognized environmentally critical areas.¹⁶

The Red Hook community could also provide several cluster incentives that would encourage continued farm production on conserved open space, including:

- Density bonuses for developers willing to designate as open space more than the minimum amount of land required in existing regulations.
- The town's cluster regulations currently require that the open space conserved by conservation easement be taxed at its full value and that such taxes be the responsibility of the subdivision's homeowners. If the open space is leased to a farmer by a homeowners' association, the association could instead be guaranteed farm value assessment--an attractive marketing tool for potential developers.
- If the farm operator retains ownership of the reserved land, the community should guarantee that reserved farmland will be assessed at reduced value in exchange for the commitment to continue cultivation.

◆ Incentive Zoning

An incentive zoning program would establish a framework that derives community benefits from development activity. Incentive zoning allows developers to build in ways prohibited by zoning laws if they provide an amenity which fulfills a community need in return. It can be an effective tool to channel growth in favorable directions that are compatible with the Red Hook community's open space goals. The greater the proportion of agricultural or other open space property saved, the more substantial the incentives available to the developer should be. For example, public access may be granted through open lands set aside as part of a conservation subdivision for walking, bicycle, or horse riding trail systems.

¹⁶Red Hook Zoning Code, Art. V Sec. 143-33.

Under an adopted incentive zoning code, application for incentives in exchange for amenities would be submitted to the town board. In exchange for the developer's provisions of permanent open space, or other community amenity, the board would have the discretionary authority to grant: changes in density requirements, including both residential and nonresidential uses; changes in lot coverage; changes in lot dimensions and setback requirements; and changes in building height limitations and floor area requirements.

Incentive zoning can be applied to all zoning districts at the town's discretion. This could result in the protection of farmland in the breadbasket, Sawkill, or scenic corridors areas in exchange for more intensive development on the property to be developed or in existing residential areas or commercial centers.

◆ Right to Farm

Implement the Town of Red Hook's Local Law No. 1 of 1993, also-called "right to farm" law,¹⁷ notifying *buyers* in or near farms of normal farm practices that could be perceived as nuisances. Consider moving the notification requirements up to the contract of sale rather than the closing. There are also right to farm laws that encourage mediation strategies as an alternative to litigation. These can be helpful because simply the cost of hiring an attorney to defend oneself can be prohibitive to a small business owner such as a farmer. In addition, require local laws or regulations to be in accord with provisions under Article 25-AA of the Agricultural and Markets Law-the Agricultural Districts Law.

◆ Buffer Strips

Farmers in the Town of Red Hook have endorsed the creation of buffers of at least 200 feet to separate farms from new residences. Buffers should be required in conservation subdivisions and be situated on land to be developed rather than subtracted from existing active farmland and should incorporate natural features such as woodlands, stone walls, and hedgerows wherever feasible, or require the creation of a substantial planted buffer when no natural feature exists. Although

¹⁷ See Town of Easton for a good example of a strong Right to Farm Law.

"standard agricultural practices" are protected by NYS Agricultural District Law, conflicts between farm operations and neighboring residents can be a persistent problem if not mitigated with buffers.

Planning Programs

◆ Trails Plan

Implement the recently prepared trails plan developed in the Town of Red Hook Trails Feasibility Study 1998, extending them to include and connect to the villages' trails as well.

◆ Utilities Master Plan Linked to Land Use Plan

A utility (central water and/or sewer systems) master plan and capital improvements budgeting program should be created that is consistent with this open space plan, and the communities' comprehensive plans could then be revisited to ensure that they are consistent and complementary regarding the extension of services which support and ultimately drive development patterns.

◆ Traditional Development - A Town and Country Approach

To stem the tide of suburban development, and to increase the potential for development with open space preservation, the Red Hook community should consider a traditional neighborhood development approach. Traditional rural patterns of development consisted of small community centers (hamlets, villages, and towns) surrounded by farmland, woodlots, and other open spaces. In the Red Hook community, this traditional pattern is still evident. The edge between developed areas in the villages of Red Hook and Tivoli and the surrounding countryside is still fairly distinct, however, this edge is in danger of being blurred.

The "town and country" approach to community development seeks to replicate this traditional settlement pattern. By focusing new development in existing or appropriate new centers, the pressure to develop valuable open space resources is diminished. These small community centers could be located in appropriate areas or zones in the Red Hook community. By concentrating well-designed, higher

density development in community centers, peripheral areas of open space and farmland can remain rural.

A "town and country" approach to the Red Hook community's planning could be pursued at the town level, however, it may be more effective to give this approach a regional perspective. Utilizing an existing regional forum such as the Northern Dutchess Alliance, a suitable and compact location(s) for new, mixed residential and commercial development could be identified and implemented.

◆ Develop Illustrated Development Design Guidelines

The community should consider creating illustrated design guidelines for new development. Illustrated design guidelines complement the increased design flexibility allowed by conservation (clustered) subdivisions and traditional neighborhood developments. It is best for the community to provide guidance by describing what it values and what it seeks to protect. Illustrations make these guidelines more easily understood by developers, review boards, and the public.

Design guidelines are generally informational and collaborative in nature. They allow the applicant an opportunity to review the guidelines prior to designing a project with the advantage of understanding the goals of the community and the planning board. The sketch plan workshop with the planning board is another opportunity to discuss initial design options before the more thorough and expensive design work begins. It will always be in the applicant's best interest to work cooperatively with the planning board because the board must ultimately decide whether to approve the final plans. Achieving consensus at the start can significantly reduce the time and cost of the review process for the applicant.

◆ Local Historic Preservation Resource Guide

Similar to design guidelines and to a some extent incorporated with design guidelines, an historic preservation resource guide provides design guidance along with financing sources and possibly a list of local builders who are sensitive to historic preservation issues.

Tax Tools

◆ Assessments on Agricultural Land and Buildings

In recognizing the economic and environmental attributes of healthy working landscapes and their contribution to a community's quality of life, qualified farmland owners are eligible, under the Agricultural Districts Law, to receive partial agricultural exemptions. In addition, the county could provide agricultural assessments which can be linked with conservation easements. Such reduced assessments should include woodlands, wetlands and other areas of limited productive value but which nevertheless make up part of the farm unit and which contribute to scenic vistas and views along the Red Hook community's roads. In addition, the community could phase out assessments on agricultural buildings that are part of a commercial farming operation.

The justification for such reduced assessments is that the costs of community services are considerably less for farmland than residential land, a fact consistently borne out by fiscal impact studies (including one done in the Red Hook community 10 years ago). Reducing assessments will credit farmland as a "tax-positive" land use, recognizing its true community service costs.

◆ Term Easements and Tax Abatement Program

Assessment reduction programs can be implemented on their own or in conjunction with a term easement tax abatement program. This type of program, used by several communities in New York State, provides tax abatements for term easements on particular parcels of open space or farmland. As the name implies, a term easement is a voluntary legal agreement between a landowner and the municipality which is written to last for a period of years, most commonly for 5 to 20 years. Tax abatements are usually calculated on a sliding scale with a larger tax abatement for a longer term easement. If these protected lands are converted to development prior to the expiration of the term, the tax benefit must be returned and a penalty paid. While these programs are effective in addressing the loss of open space and farmland in the short term, they simply place these lands on hold. Long term solutions must still be developed for the future of these spaces.

IMPLEMENTATION STRATEGY

The town and villages have a great deal of work ahead of them in protecting their open space resources. Fortunately they also have many valuable resources with which to work. Following is a short, medium and long term breakdown of the recommended implementation actions with summaries.

Short Term 12 months

- ▶ Appoint permanent agricultural advisory council.
- ▶ Develop an agricultural PDR program with a goal of protecting 4,000-6,000 acres of farmland in the four priority agricultural areas shown on the recommendations map. The first step in the PDR program would be a fiscal analysis, to examine the cost of protecting the acres so a goal may be established.
- ▶ Adopt maps into current zoning for the environmental protection overlay and the scenic corridor overlay zones. Ensure that maps are comprehensive prior to adoption.
- ▶ Formulate a program for the systematic reduction of the assessments on agricultural property and buildings that reflects their real use value as opposed to their best use.
- ▶ Implement the recently prepared trails plan developed in the Town of Red Hook Trails Feasibility Study 1998, extend the trail into the villages and to the Hudson River, and examine the possibility of regional linkages.
- ▶ Add an incentive zoning provision to current zoning allowing more flexible zoning and greater opportunities for open space preservation.

Medium Term 2-3 years

- ▶ Revisit Master Plan for Town of Red Hook and "comprehensive plans" for the villages and incorporate a "town and country" approach that concentrates development in the villages and existing commercial centers, allowing existing farmland and open space to remain undeveloped.
- ▶ Partner with a local land trust, such as Winnakee Land Trust or Dutchess Land Conservancy to gain experience in how to use conservation easements

for specific open space protection issues . Additionally, local expertise may be established in easement administration. Smaller easements can then be acquired, through donation or purchase, to protect a specific scenic vista or a gateway area, or to complete a section of the proposed trails plan.

- ▶ Use the clustering provision provided in the zoning to the fullest permitted extent. Protect farmland by clustering development away from farming operations and secure conservation easements on all lands preserved in a cluster development.
- ▶ Produce design guidelines with an emphasis on the preservation of Red Hook's rural small town character. After major farms are protected, small parcels (lots, small farm plots) must be protected with term easements if necessary. Small green areas allow residents to "breathe" as stated on page ii.

Long Term 3-5 years

- ▶ Create utility master plan that is consistent with open space goals and support it through capital budgetary commitments.
- ▶ Investigate the use of term easements for farmland and other open space, where the owners are unwilling to commit to permanent easements.

Funding Sources

Because of the various sources of open space protection funding from federal, state and local programs, as well as private not-for-profit land conservancies, the Red Hook community can expect assistance in implementing its open space protection strategies--particularly after the town has established its own PDR program and local funding stream.

Under the Agricultural and Farmland Protection Program, the NYS Department of Agriculture and Markets administers a competitive grant program that funds the purchase of development rights for farmland which has been designated as an important local resource. In the fall of 2000, Red Hook's Mead Orchards was named the county's first recipient. Negotiations are on-going. Major factors in the site's selection, in addition to statutory criteria, were the endorsement by the town board and collaboration among the town, Scenic Hudson, Dutchess Land Conservancy, and the Dutchess County Agricultural and Farmland Protection Board (AFPB).

Towns with clearly stated agricultural resource protection plans can apply for these grants with an endorsement from the AFPB. The availability of support from private and county sources should encourage the town to consider developing additional applications in the future.

Additional potential sources of open space protection funding include the federal government's farmland protection program, and Dutchess County's recently adopted farmland preservation fund.¹⁸

The Red Hook community is not yet subject to the intense development pressures that precipitated the Town of Pittsford's \$10 million PDR bond initiative or the dramatic growth that towns such as East Fishkill and Beekman are experiencing--yet--this puts the Red Hook community at a strategic advantage. Timely planning

¹⁸ Note: that fund might not be there - there is a proposal out there to take a small percentage of the real estate transfer tax and use it to fund open space protection in Dutchess County.

for a long-term purchase of development rights program avoids the increased expense of eleventh-hour purchase negotiations. By collaborating with the county, the state, the Greenway, and private land conservancies such as Scenic Hudson, Dutchess Land Conservancy, and Winnakee Land Trust, the town can take full advantage of public and private funding opportunities and technical assistance.

CONCLUSION

The goal of this plan is to promote a balanced growth for the future of the Red Hook community. Implementation of this plan and its strategies will lead not only to protection of the Red Hook community's important natural and cultural resources, but will also reinforce and strengthen historic development patterns, the character, and the overall economic value of real estate in the town and villages.

GLOSSARY

Active Recreational Resources: Parcels of publicly owned land and institutional / non-profit land holdings that are, or may be, accessible to the public for active recreational use. These parcels include: existing or planned hiking, biking, and canoe routes; public local and community recreational facilities, including ball fields and swimming pools; and waterfront activities such as boating and fishing.

Buffer Strips: Buffers separate different land uses by incorporating natural features such as woodlands, stone wall, and hedgerows wherever feasible, or require the creation of a substantial planted buffer where no natural features exists.

Certified Agricultural District: Article 25-AA of the Agriculture and Markets Law is intended to conserve and protect agricultural land for agricultural production and as a valued natural and ecological resource. Under this statute, territory can be designated as an agricultural district. To be eligible for designation, an agricultural district must be certified by the county for participation in the state program. Once a district is designated, participating farmers and farmland owners within it can receive reduced property assessments and relief from local nuisance claims and certain forms of local regulation. Farm operations within agricultural districts also enjoy a measure of protection from proposals by municipalities to construct infrastructure such as water and sewer systems, which are intended to serve non-farm structures.

Clustering: Cluster development (or conservation-based development) is a technique that allows flexibility in the design and subdivision of land (Red Hook Zoning Code, Art. V Sec. 143-33.) Cluster development allows a municipality to maintain its traditional physical character, while at the same time providing (and encouraging) new development. The active use of clustering provisions help a municipality to achieve planning goals that may call for protection of open space, protection of scenic views, protection of agricultural lands, protection of woodlands and other open landscapes, and placing of development away from environmentally sensitive areas and focusing in less sensitive areas.

Conservation Easement: A conservation easement is a voluntary legal agreement between the landowner and the municipality, or a third party such as a land trust, to protect land from development by permanently restricting the use and development of the property, thereby preserving its natural or manmade features. The legally binding agreement is filed in the office of the county clerk in the same manner as a deed. The landowner retains ownership of the land, and all of the rights of ownership except the ability to develop the land. The specific restrictions are detailed in the easement agreement.

Cultural Resources: The cultural features of a community reflects the ways in which the people who have lived there have used their natural environment to suit their economic needs and social patterns. For the purpose of this report, cultural resources fall into the following four categories: agricultural, town and village gateways, institutional, and historic and archeological.

Density Bonus: A density bonus allows developer who take advantage of clustering and incentive zoning provisions, to increase the amount of development (e.g., number of dwelling units) on a certain property beyond what the underlying zoning would allow in exchange for open space.

Design Guidelines: Design guidelines are usually illustrated and describe the preferred farmland, site and architecture patterns that a community values and what it seeks to protect. Design guidelines complement the increased design flexibility allowed by conservation (clustered) subdivisions and traditional neighborhood developments. Design guidelines are generally informational and collaborative in nature, creating an opportunity for people to review the guidelines prior to designing a project with the advantage of understanding the goals of the community and the planning board.

Ecological Resources: The working group that prepared the Red Hook Open Space Plan used the following list as their guide to inventorying ecological resources: water influenced space, aquifer or potable water source, water bodies, rivers and streams,

wetlands, undeveloped land, upland open space, steep slopes, forest and significant wildlife habitat.

Gateways: Entranceway areas along roadways to the town/villages which determine the visitor's first response to the community. Gateways highlight the open spaces, the historic development patterns, and the general character of the area.

Hudson River National Historic Landmark District: Established by the federal government in 1990, this 32 square-mile district stretches from Germantown (Columbia County) in the north to Hyde Park (Dutchess County). The district is comprised of four towns, four hamlets, two villages, and over forty riverfront estates. Designated landscapes, farmlands and natural settings also serve as contributing features.

Incentive Zoning: Incentive zoning allows developers to exceed the dimensional, density, or other limitations of zoning regulations in return for providing certain benefits or amenities to the municipality. A classic example of incentive zoning would be an authorization to develop a parcel more intensively by a specified amount, in exchange for the provision of public open space.

LWRP: The Local Waterfront Revitalization Program is administered by the New York State Department of State with federal and state funding and guides and coordinates local, state and federal development and preservation decisions for the state's 3,200 miles of coastline. Specific guidance is provided by the program's coastal policies addressing a variety of concerns and issues. Funding through the New York State Environmental Protection Fund and technical assistance are offered to help coastal municipalities prepare and implement Local Waterfront Revitalization Programs (LWRPs). Through local programs, municipalities may refine and supplement state coastal policies to reflect local conditions and needs. Chapter 366 of the Laws of 1986 extended the LWRP concept to inland waterways in the state, including the Barge Canal System and major lakes and rivers.

Master Plan: A master plan or a comprehensive plan is “the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development” of the municipality (General City Law §28- a(3)(a); Town Law §272-a(2)(a); Village Law §7-722(2)(a)).

Mid-Hudson Historic Shorelands Scenic Area: This district includes the Sixteen-Mile Historic District (listed below), the Clermont Estates Historic District, and the many river landings and pastoral lands connecting the Hudson River and Route 9G. The designation of the area aids in the restoration and protection of the scenic and historic features located within the mid-Hudson River Valley.

Open Space: Open space consists of farmland, woodland, and other ecological, recreational, and scenic land which helps to define the character of a community, and buffers residential and other land uses. Open space may be public or privately owned. Some open space is permanently protected from development such as parks, nature preserves, and wetlands while other parcels are subject to development. What land is defined as open space depends upon the surrounding area. Even a narrow pathway or a cemetery surrounded by development can constitute an open space resource in a community.

Passive Recreational Resources: Areas such as nature preserves, community gardens, and other outdoor areas for quiet public enjoyment.

PDR: A purchase of development-rights (PDR) program involves the purchase by a municipal or other government agency or private land conservation organization of development rights from private landowners whose land it seeks to preserve in its current state without further development. The PDR system can protect farmland as well as ecologically important lands or scenic parcels essential to rural character of the community. Under PDR, the land remains in private ownership and the government acquires non-agricultural development rights. These development rights

once purchased by government (typically) are held and remain unsold. Landowners who participate receive payment equal to the development value of the property. In return, the property owner agrees to keep the land forever in agriculture or other conservation-type use. The owner typically files property covenants similar to a conservation easement limiting the use of the property to conservation-based activities.

Term Conservation Easement: A term conservation easement is a voluntary legal agreement between a landowner and the municipality which is written to last for a period of years, most commonly for 5 to 20 years.

Right to Farm Law: Right to farm laws, include provisions such as notifying *buyers* on or near farms of normal farm practices that could be perceived as nuisances. Notification is either made at time of closing sale or ideally at the time of contract. Some right to farm laws also include provisions encouraging mediation strategies as an alternative to litigation, which can be helpful due to the high cost of litigation.

“Right-to-farm” is a term which has gained widespread recognition in the State’s rural areas within the past several decades. Section 308 of the Agriculture and Markets Law grants protection from nuisance lawsuits to farm operators within agricultural districts or on land outside a district which is subject to an agricultural assessment under section 306 of the Law. The protection is granted to the operator for any farm activity which the Commissioner has determined to be a “sound agricultural practice.” Locally, many rural municipalities have used their home rule power to adopt local “right-to-farm” laws. These local laws commonly grant particular land-use rights to farm owners and restrict activities on neighboring non-farm land which might interfere with agricultural practices.

Scenic Areas of Statewide Significance (SASS): The Estates District SASS is approximately twenty-seven miles long, extending from Cheviot Landing in the Town Germantown, Columbia County, south just beyond the FDR home in Hyde Park, Dutchess County.

Scenic Corridors: Viewsheds which contain scenic vistas linking natural and cultural resources. Scenic corridors are passive recreational resources which add character to communities.

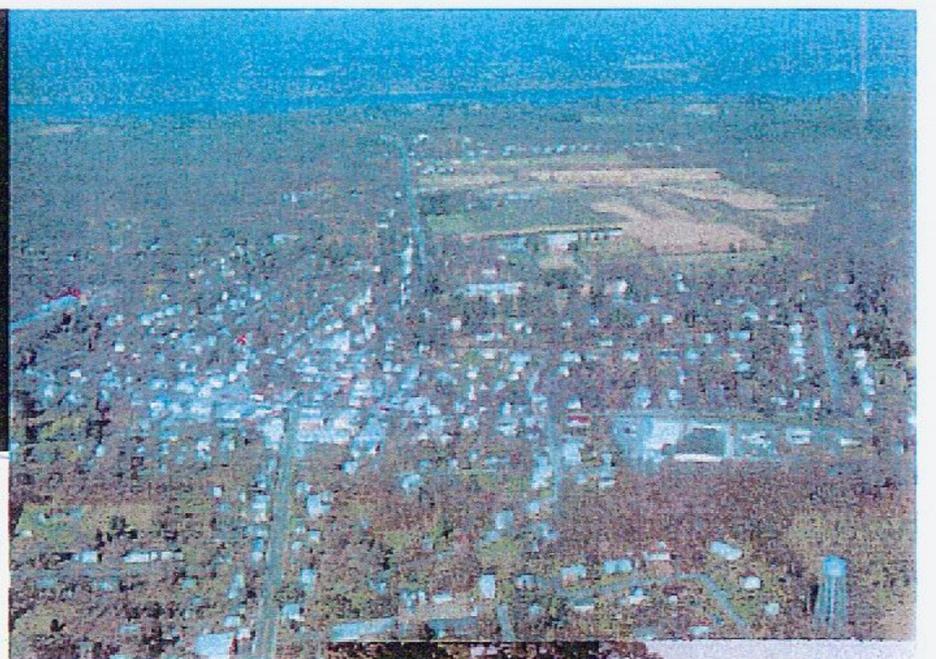
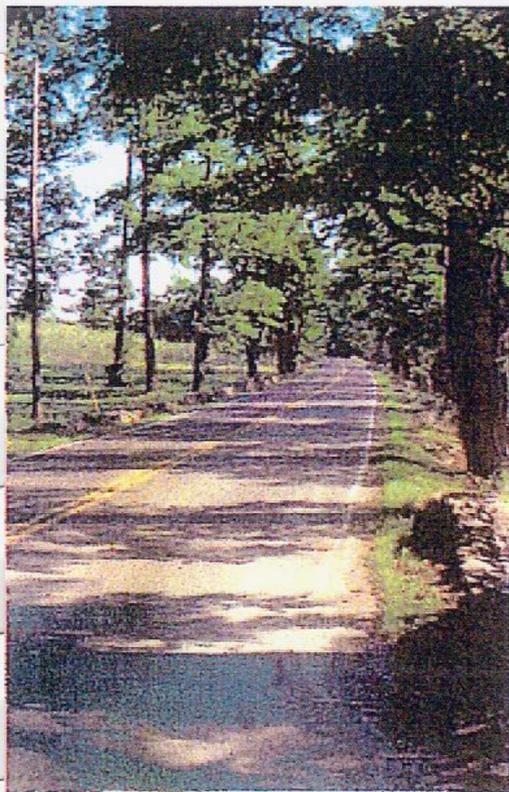
Sixteen Mile Historic District: This district encompasses the riverfront estate areas of the Towns of Clermont, Red Hook, Rhinebeck and Hyde Park. Within the Town of Red Hook the Historic District is almost entirely west of Route 9G, but excludes most of the hamlet of Barrytown. The special significance of the district is derived from its scenic location along the Hudson River.

Sprawl: Ever-expanding metropolitan strip and suburban areas consuming huge amounts of farmland, forestlands and natural resources that wastes lands and resources while often abandoning people, places and private investments at the center, in the hearts of towns and villages. It is very expensive to provide roads, sewers, water, and services like police and fire protection, to low-density urban development, a consequence felt by the taxpayers.

Utility Master Plan: A utility master plan is a town wide plan for the extension of services like, water and sewer which shape and drive development patterns and densities.

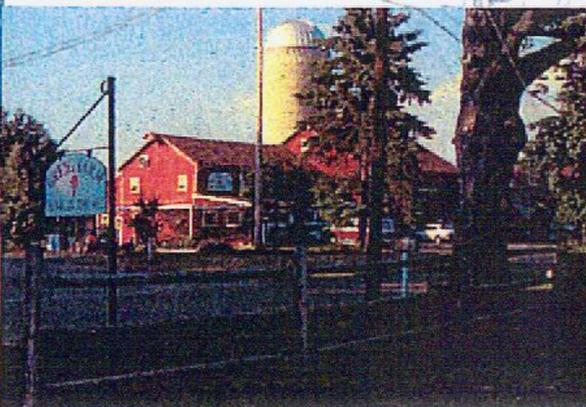
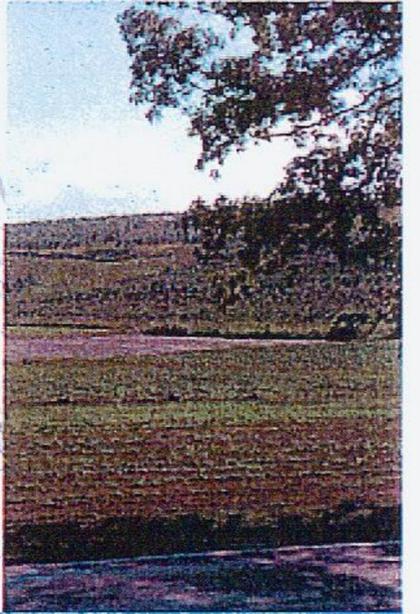
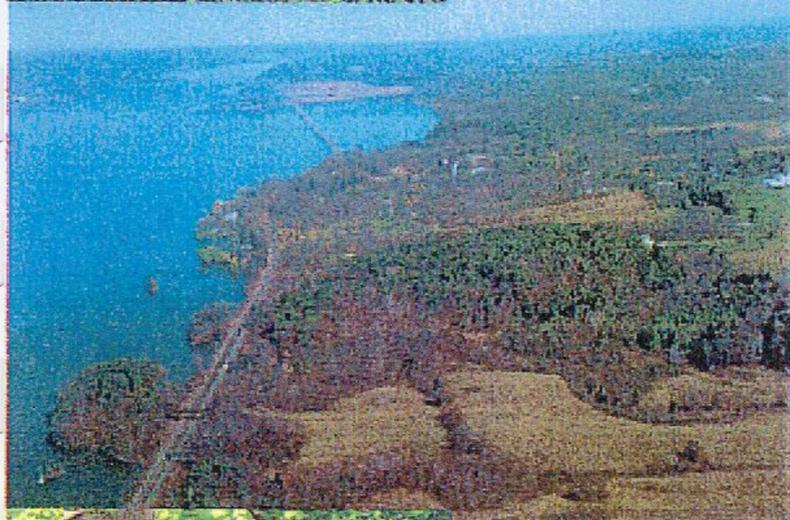
Wetland Protection: Wetlands are areas which are washed or submerged much of the time by either fresh or salt water. In state regulations, they are defined chiefly by the forms of vegetation present. Wetlands provide a number of benefits to a community. Besides providing wildlife habitat, wetlands also provide habitat protection, recreational opportunities, water supply protection, and provide open space and scenic beauty that can enhance local property values. Wetlands also serve as storage for storm water runoff, thus reducing flood damage and filtering pollutants. In coastal communities, they also serve as a buffer against shoreline erosion. The preservation of wetlands can go a long way toward protecting water quality; increasing flood protection; supporting hunting, fishing and shell fishing; providing opportunities for recreation, tourism and education; and enhancing scenic beauty, open space and property values.

Zoning Overlay Districts: The overlay zoning technique is a modification of the system of conventionally-mapped zoning districts. An overlay zone applies a common set of standards to a designated area that may cut across several different conventional or "underlying" zoning districts. The standards of the overlay zone apply in addition to those of the underlying zoning district. Some common examples of overlay zones are the flood zones administered by many communities under the national flood insurance program, historic district overlay zones, areas of very severe slopes, waterfront zones, and environmentally sensitive areas.



OPEN SPACE PLAN

APPENDIX A



RECOMMENDATIONS MAP

TOWN OF RED HOOK, VILLAGES OF RED HOOK AND TIVOLI

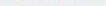
OPEN SPACE PLAN

Behan Planning Associates
Planning Community Futures

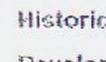
 Drinking Water
Adopt Environmental Protection Overlay Map
Inventory Smaller Wetlands

 Agricultural Resources
Establish Ag. Advisory Council
Create PDR Program

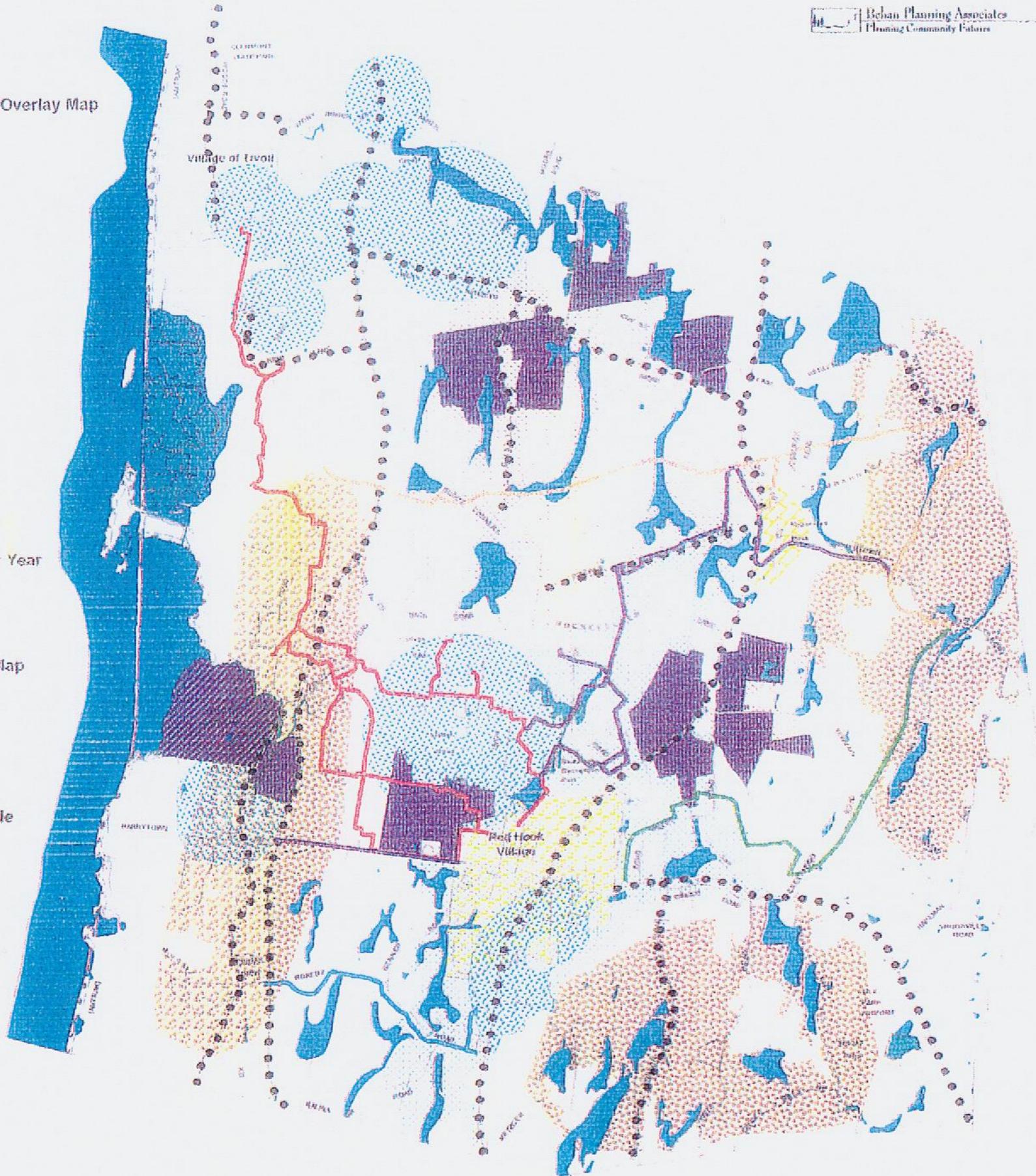
 Forest Area
Purchase Critical Easements

 Trails
Implement Trails Plan
Establish Goal of Trail Miles Per Year

 Scenic Roads
Adopt Scenic Corridor Overlay Map

 Historic Resources
Develop Design Guidelines
Publish Historic Resources Guide

 Hudson Shoreline
Implement LWRP Plans
Establish Greater Access



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Miles

Map prepared by Behan Planning Associates, 12-99.
Base map copyrighted by the New York State Department of Transportation.
Other data provided by Dutchess County Environmental Management Council's
Geographic Information Systems Laboratory.

Red Hook Open Space Plan Community Survey

Dear Neighbor:

As time goes by, development demands on the Town of Red Hook, and its traditional settlement pattern of villages surrounded by open space, are increasing. Recognizing this, the local Greenway Committee believes that Red Hook should have at its disposal an Open Space Plan as a tool for proper planning. The three municipalities (the Town of Red Hook and the Villages of Red Hook and Tivoli) have received a joint grant from the Hudson River Valley Greenway to undertake this important project. Behan Planning Associates will assist the Committee in preparing the Open Space Plan.

Open spaces provide many benefits to our community. As natural land, most open space helps to protect air and water quality. Open spaces provide recreational opportunities, economic benefits, and help to shape our community's character and quality of life. Our rural landscape contributes to the two main "industries" in New York State: agriculture and tourism. In Dutchess County alone, agriculture generates \$40 million/year; tourism generates \$335 million/year. But over the past 30 years, more than 50,000 acres of Dutchess County farmland, and many thousands of acres of other open lands, have been lost to development. Many people are concerned that Red Hook, which has a strong agricultural heritage, will succumb to the same economic pressures that radically changed formerly rural communities in Westchester and Rockland counties.

The aim of this survey is to invite and evoke public input. Your participation is requested to ensure the plan reflects community values. Open space goals, resources, and needs, as defined by you and your neighbors, will inform a strategy for open space planning in Red Hook. Completion of this survey is the first step in the "public participation" portion of the planning process. In advance, thank you for participating in this important process.

Sincerely,

Marcy Appell, Red Hook Open Space Plan Committee

Please complete and return this survey by April 30, 1999 - Thank you.

Drop-off completed survey at either Red Hook Town Hall, Red Hook Village Hall, or Tivoli Village Hall - or mail to:

**Red Hook Open Space Plan Committee
Red Hook Town Hall
109 South Broadway
Red Hook, NY 12571**

☛ If you are interested in helping the committee complete its work, please contact me at town hall, 758-6250. I look forward to hearing from you!

Questionnaire

1. Check the municipality where you live (check one box):

- Town of Red Hook
- Village of Red Hook
- Village of Tivoli

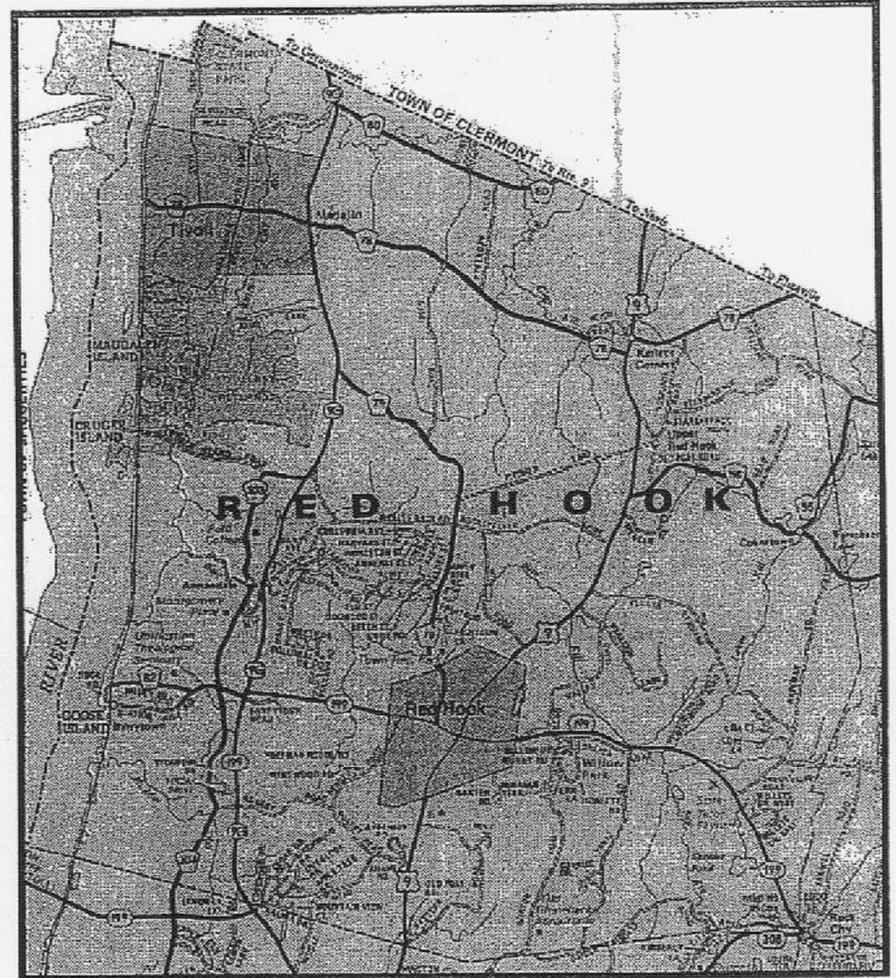
2. How long have you resided in Red Hook?

- Less than 10 years
- 10 or more years

3. Check the box that best describes your type of residency:

Residential property owner,

- year-round resident
- part-time resident
- Renter
- Non-residential property owner (but not a resident)



4. What do you love most about Red Hook? *Please describe briefly:*

5. Which particular open space areas, historic sites, parks or recreational facilities, in Red Hook, do you visit most frequently? *Please list here specific places.*

6. Given current trends, do you think you will be satisfied with Red Hook's quality-of-life in the future?

- Yes No No opinion *Please explain briefly:*

7. The Town's adopted Master Plan speaks about protecting the farmlands, scenic vistas, woodlands, historic hamlets, and the natural landscape which give the town, and the villages and hamlets, a "rural character." As these lands become built-up, some feel the rural character of our community is being lost. With this in mind, should the town and villages be more proactive in preserving the rural character of our community?

Yes No No opinion

8. Red Hook was settled in a traditional development pattern: village centers and hamlets surrounded by rural land. Contemporary residential subdivisions and commercial development tend to sprawl across the landscape instead. Should Red Hook actively pursue strategies for concentrating growth in, or near, the village centers?

Yes No No opinion

9. Red Hook is recognized as an area of scenic and historic importance in New York State. The town lies within the Hudson River National Historic Landmark District, the Estate District Statewide Area of Scenic Significance, the Mid-Hudson Historic Shorelands Scenic Area, and the Sixteen Mile Historic District.

Which kinds of open space are of particular importance to you?

Please select () the 5 that are most important to you.

_____ Historic sites and landscapes (such as Montgomery Place)

_____ Educational and cultural resources (such as Bard College)

_____ Nature preserves / hiking / hunting areas (such as Tivoli Bays)

_____ Working farms

_____ Parks (such as Poets' Walk Park; Abrahams Park)

_____ Playgrounds / sports facilities (such as the Rec. Park)

_____ Hiking trails

_____ Water resources (the Hudson River, streams, bays; boating and fishing areas)

_____ Scenic vistas

_____ Wildlife habitats

_____ Wetlands

_____ Woodlands

10. Agriculture has always been central to life in Red Hook. Some of the many benefits of farming to our community include: the strengthening of our economy, the availability of fresh produce, nearby farm stands, open landscapes, and a contribution to our rural character. Sometimes, however, normal and necessary agricultural practices (spreading manure, using noisy machinery, driving tractors on roads, etc.) can inconvenience neighbors. Despite this, do you believe Red Hook should implement planning strategies that will help retain agricultural activity in our community?

Yes No No opinion

11. Because it is often through the experience of driving, biking or jogging along town, county, and state roads that we appreciate the scenic views and open spaces around us, the designation and protection of scenic roads can be an important element of open space planning. Do you believe the town should identify important scenic routes and find ways to protect and enhance their scenic qualities?

Yes No No opinion

12. The entrances to a community can help define its character and identity and make a lasting impression on the visitor. Do you believe that the various entrances to the town and villages (the "gateway" areas) should be protected as open space to enhance the rural character and scenic beauty of Red Hook?

Yes No No opinion

13. The relationship between conservation, development, and property taxes is complex. Studies have shown that residential development generates less in tax revenue than it consumes in services. Several years ago, a study of Red Hook and two other communities found that for every residential tax dollar paid, \$1.19 was consumed in services, on average. On the other hand, commercial properties and open space generated more in tax revenue than they required in services. For open land, only 38¢ worth of services was consumed for every \$1 of property tax paid. Why? The short answer is, "Cows don't go to school." For every residential subdivision that goes up in a cornfield there are increased needs for services: schools, police and fire, road maintenance, water and sewer infrastructure.

(a) With this in mind, do you believe the town should actively pursue protecting open space as an "investment" in keeping Red Hook fiscally healthy and affordable?

Yes No No opinion

(b) Accepting the premise that over-development of residential subdivisions invariably leads to higher taxes (school, town, and village) do you favor placing limitations on development and/or providing incentives to protect open space?

Yes No No opinion

14. Sometimes, the only way to protect scenic resources, open farmlands, and other resources of value to a community is to purchase conservation easements on the land (purchase of development rights - "PDR"). A conservation easement is a voluntary agreement between a landowner and the buyer (usually a government entity or private preservation group) to protect land from development by permanently restricting the use and development of the property, thereby preserving its natural features. The land remains privately owned by the landowner.

(a) Would you be willing to pay a modest increase in taxes to permanently protect important farmland, scenic resources, and natural habitats in the town?

Yes No No opinion

(b) If you answered no for (a) above, please consider the following question:

If it could be demonstrated that paying a modest increase in taxes now (to permanently protect open space) would actually save you money on taxes over time, would you then be willing to accept the modest tax increase?

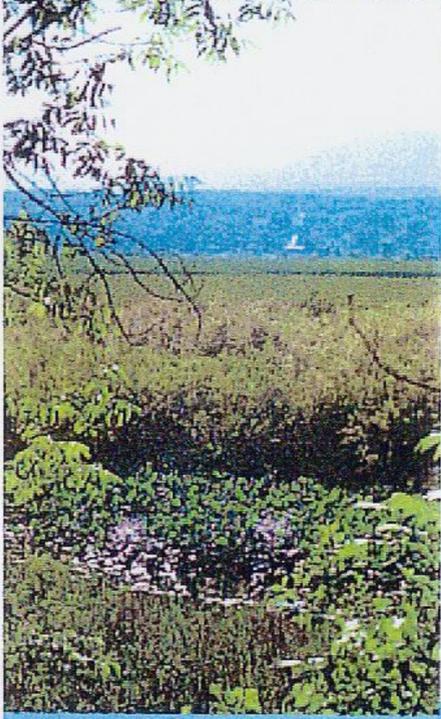
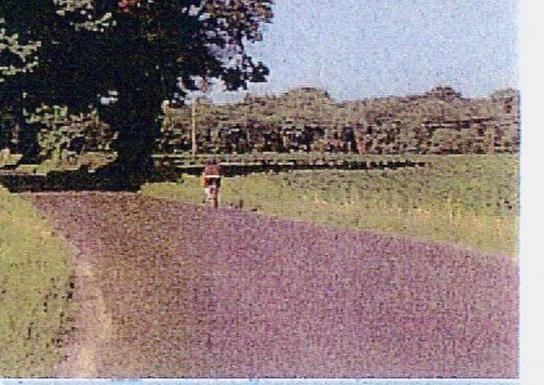
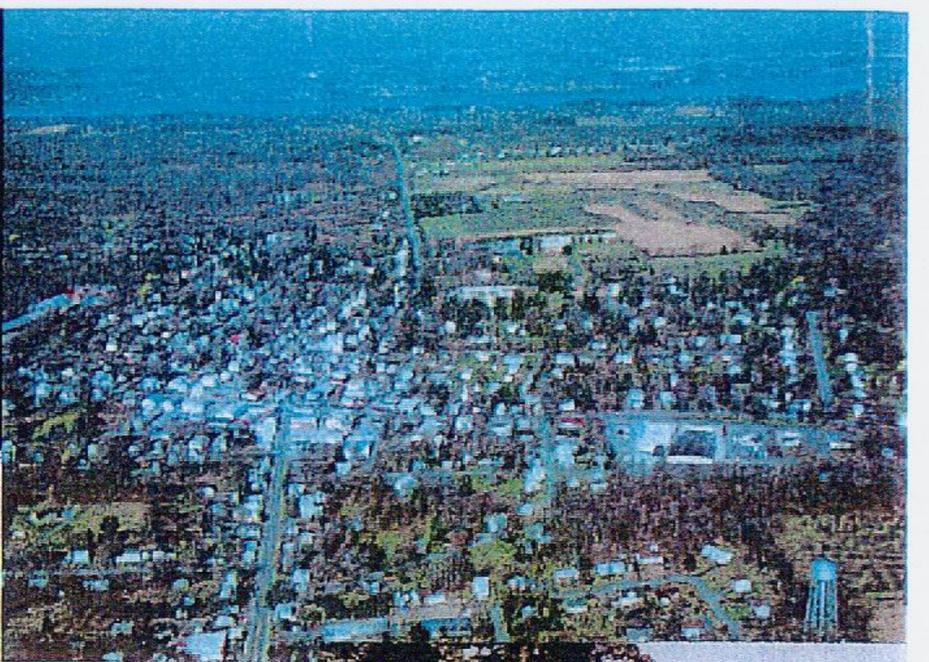
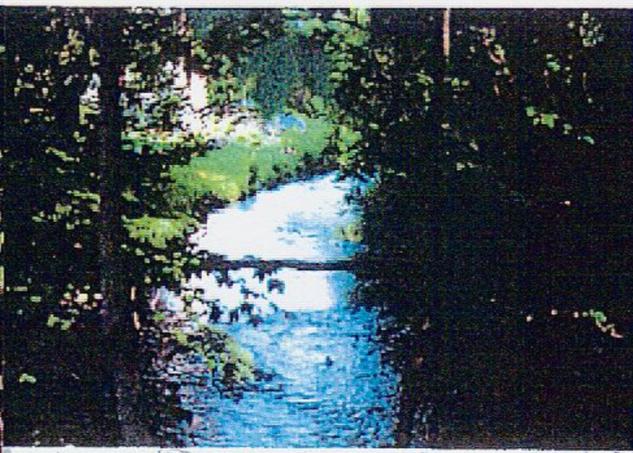
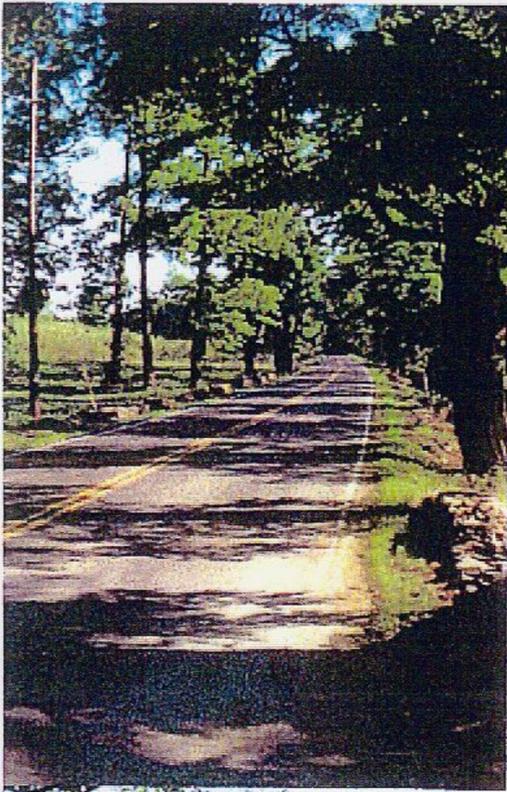
Yes No No opinion

15. Increased traffic volume, the construction of more impervious services (new and wider roads, larger parking areas), and other impacts resulting from some forms of new development, can degrade air and water quality. Protecting open space can limit some of these negative impacts. Should environmental and ecological concerns be a consideration in open space planning decisions?

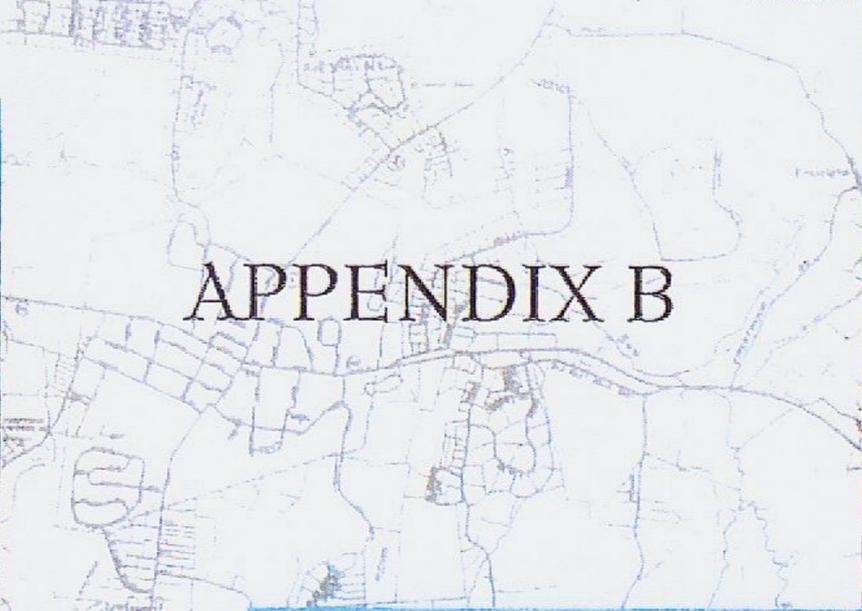
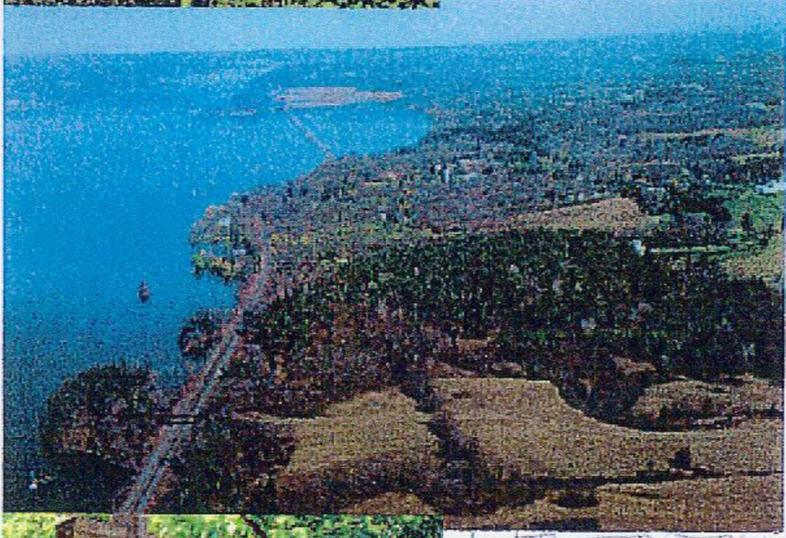
Yes No No opinion

16. Is there anything else you would like to add? If so, please do so here.

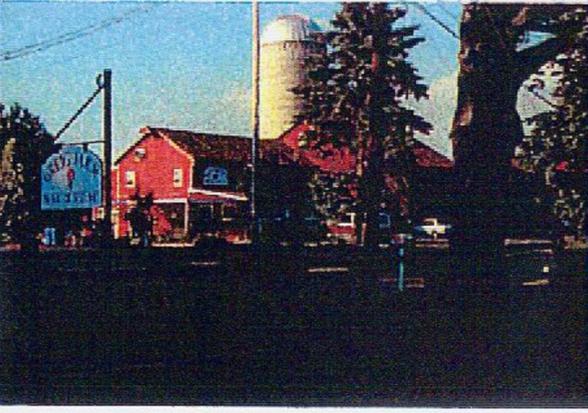
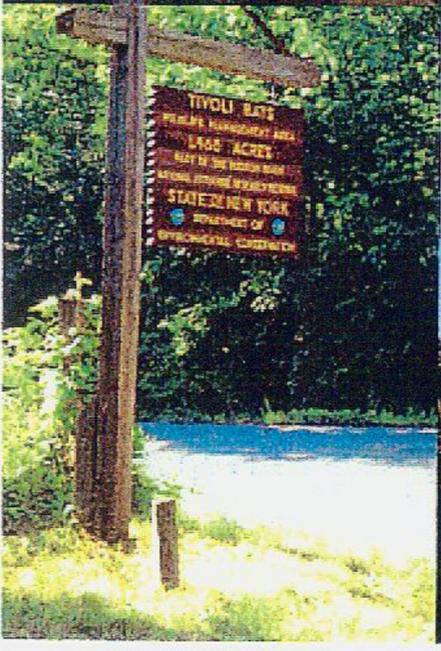
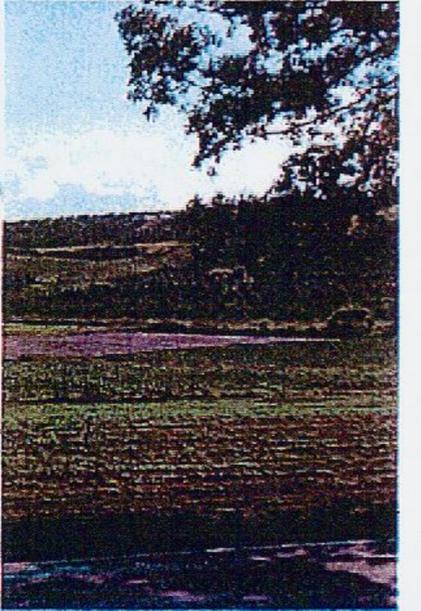
Thank You!



OPEN SPACE PLAN



APPENDIX B



Build-Out Analysis, Town of Red Hook

Every zoning ordinance is a blueprint for growth, but in a rural community such as Red Hook, it can be difficult to visualize the impact of the development that the ordinance permits. A build-out analysis estimates the available number of undeveloped homesite permitted in each residential district and provides a basis for estimating the potential population growth as well as the additional costs for municipal services that full development would require. The build-out can help the Town determine how much development it actually wants to encourage and guide that development to locations which best protect the Town's resources.

Our residential land is being used up at a faster rate than our population is growing. During the 1980s, Dutchess County's land area under development increased by approximately 25 percent, even though our population grew by only 5.9 percent. That discrepancy has become even greater during the past decade. Although Red Hook's growth rate is relatively slow, a similar rate of land conversion for residential development could be a direct threat to the Town's rural character and agricultural resources.

Figure 1 calculates Red Hook's maximum residential build-out potential; the results are represented in the Build-Out Map which follows. Figures for the Limited Development district are exaggerated because homesite in the estate area tend to be disproportionately larger than the 5 acre minimum lot size allowed.

Because of the Town's moderate growth rate and the availability of non-agricultural land to accommodate growth, important farmland and open space could be protected without stopping new development or preventing the Town from increasing its tax base. The build-out analysis is based on extremes: Figure 2 compares development potential in Red Hook's largest residential districts with and without each district's entire developable agricultural acreage.

After years of heated debate, it is now generally accepted that increased residential development costs more in services than it contributes to the tax base. The Town of Red Hook has the option to determine the level of development and the associated costs it can sustain over time. This build-out analysis is intended to stimulate discussion of several alternative growth scenarios and focus attention on the resources that the Town decides it is most important to protect.

It is important to note that these figures are estimates based on available information, and that the graphic representation of population density is arbitrarily distributed across zoning districts without regard for topography or natural constraints.

1. Town of Red Hook: Estimated Maximum Build-Out Analysis

Zoning District	Total Acres (-)	Developed %/Acres (-)	Acres (-) Wetlands	Acres Slopes (-)	Developable Acres (-)	Road Allowance %/Acres (=)	Residential Acres (-)	Allowed Lot Size (-)	Developable Lots (=)	Persons Per Household** (=)	Potential Residents (=)	Potential Students (=)
R 1	409	43.2/130	36	11	232	10/23.2	208.8	1 acre	208	3.03	630	210
R 1.5	2,695	42.2/862	262	13	1,208***	10/120.8	1,087.2	1.5 acres	725	3.03	2,196	732
RD 3	13,472	11.7/1,579	2,200	838	8,070***	6/482.2	7,585.8	3 acres	2,529	3.03	7,662	2,554
RD 5	424	30.2/128	8	0	288	4/11.5	276.5	5 acres	55	3.03	166	55
LD	1,578	30.6/483	8	27	1,060	4/42.4	1,017.6	5 acres	203	3.03	615	205
Sub-Total						70.3			3,720		11,269	3,756
H Upper Red Hook					15	N/A	15.0	1.5	10	3.03	30	10
H Barrytown Annandale					48	N/A	48.0	5.0	9	3.03	27	9
TOTAL					10,921		10,238.9		3,739		11,326	3,775

*Rounded down to nearest whole number

**Per 1990 US Census (below chart)

***Excluding Farmland Protected by Conservation Easements: R1.5, est. 350 acres; RD3, est 785 acres

**2. Town of Red Hook Build-Out Analysis:
Summary of Build-Out Potential in Principal Residential Districts**

District	Maximum Build-Out All Farmland*		Excluding Farmland RD3 District		Excluding Farmland R1, R1.5, RD3	
	Lots	Population	Lots	Population	Lots	Population
R 1	208	630	208	630	120	364
R 1.5	725	2,196	725	2,196	436	1,321
RD 3	2,529	7,662	1,004	3,042	1,004	3,042
Totals	3,916	11,865	2,146	6,502	1,560	4,727
Population Total	20,151		15,531		14,390	
Percent Increase**	108.5%		61%		49%	

*Excluding farmland protected by Conservation Easements

**Based on U.S. Bureau: Town of Red Hook Population, 1995: 9663

Estimating Potential Municipal Costs

At an approximate annual tax cost per child of \$5,000, the Town would face enormous expense at full build-out: 3775 additional students would require annual tax revenues of \$18,875,000, more as costs per child increased. Although the actual increase will be far less, 300 new students would cost \$1.5 million a year at current rates. Recent estimates by Town officials show that a home with an assessment of \$280,000 does not pay for the total cost of educating one child.

Additional expenses for emergency services and infrastructure will also increase progressively as the Town's population increases. A 70-acre increase in roads represents a 13 percent increase over the estimated 544 acres devoted to public thoroughfares in the Comprehensive Plan's Land Use analysis. This increase would be equivalent to approximately 12 miles of new roads with a 50' right of way.

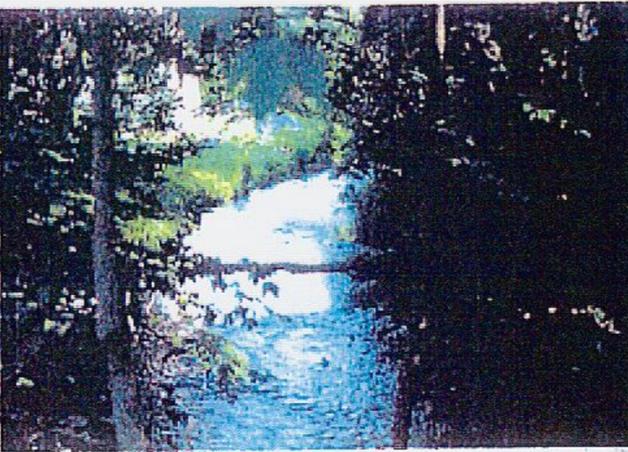
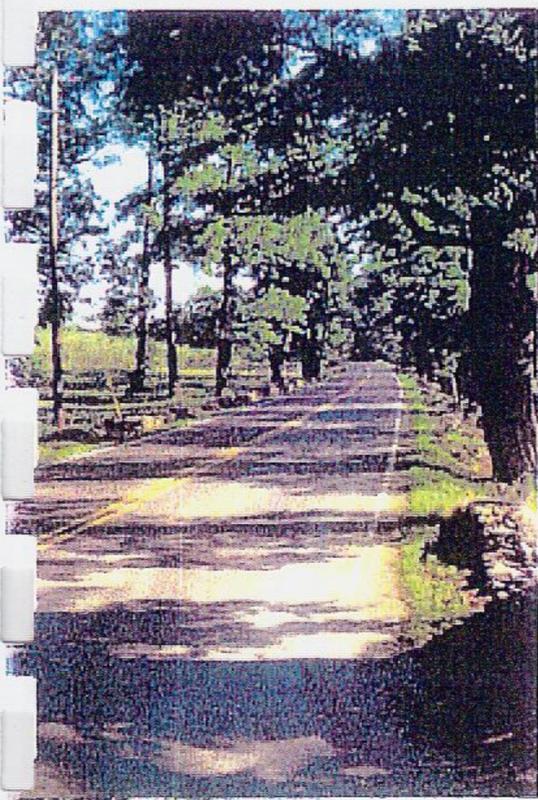
Town of Red Hook Comparison of Estimated Costs

Number of Acres	Estimated Cost* PDR, Farmland RD3 District	Estimated Educational Expense Developed Farmland Additional Students	Annual Cost**
1,000	\$ 2,500,000	214	\$1,070,000
1,500	3,750,000	321	1,605,000
2,000	5,000,000	428	2,140,000
2,500	6,250,000	535	2,675,000
3,000	7,500,000	642	3,210,000
3,500	8,750,000	749	3,745,000
4,000	10,000,000	856	4,280,000
4,500	11,250,000	963	4,815,000
5,000	12,500,000	1,070	5,350,000

*Based on current \$2,500 cost-per-acre estimate

**Estimated on basis of current tax revenue cost per student (\$4,966.57)

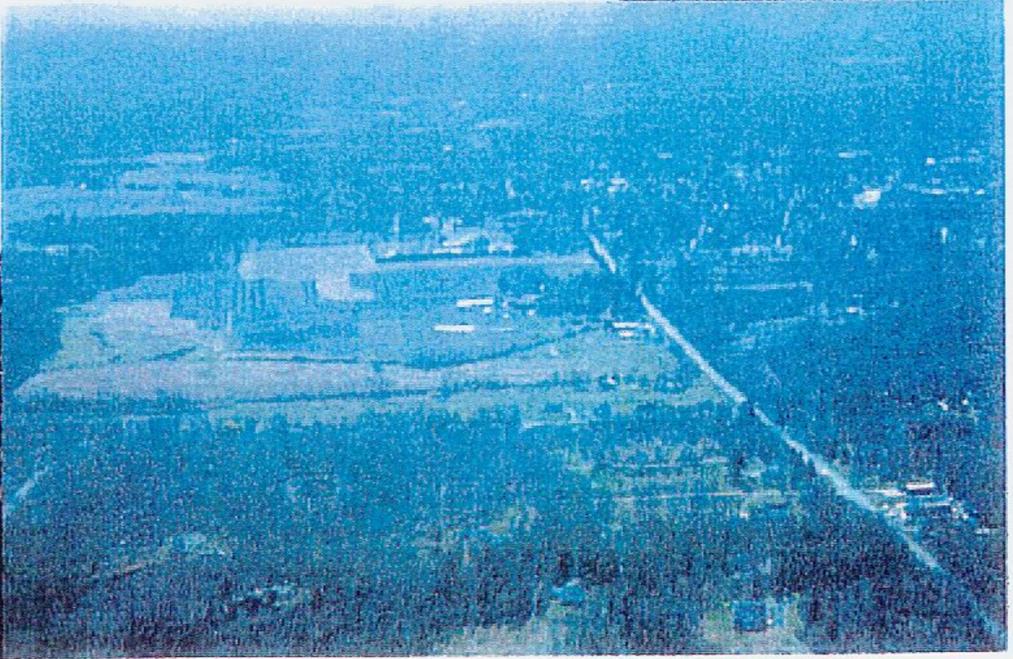
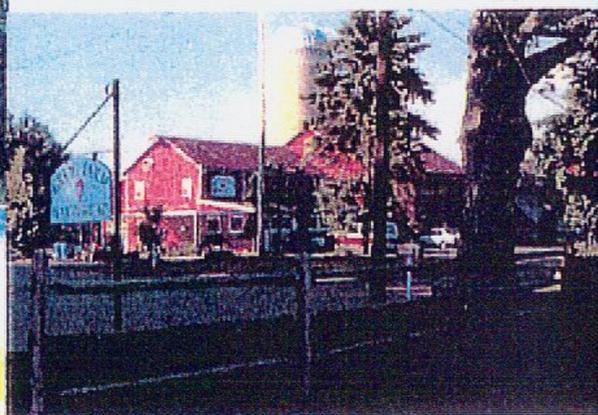
Source: Paul Fredricks, Chairman Town of Red Hook Zoning Review Committee



OPEN SPACE PLAN

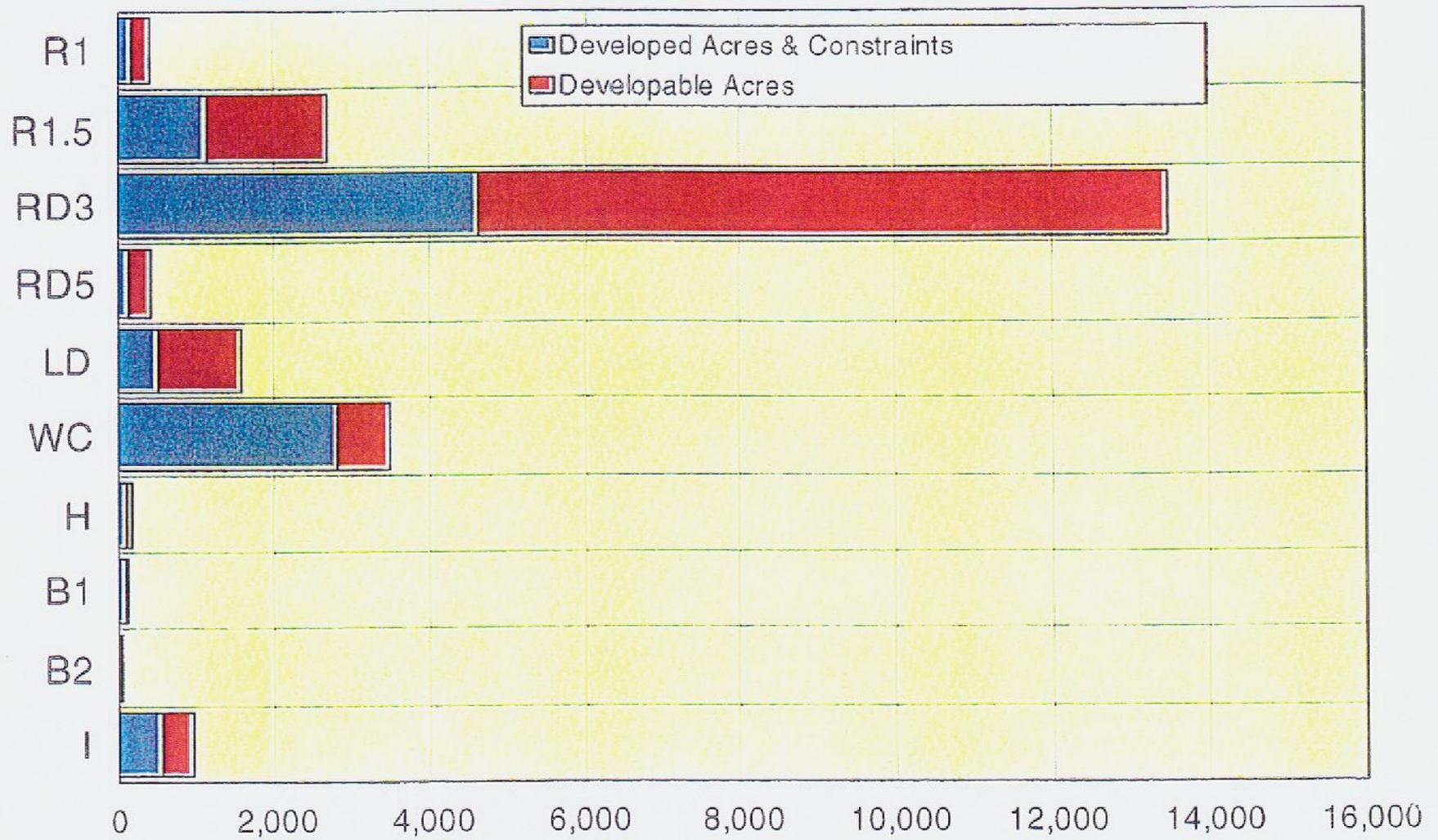


APPENDIX C



Town of Red Hook

Developed/Developable Acreage*

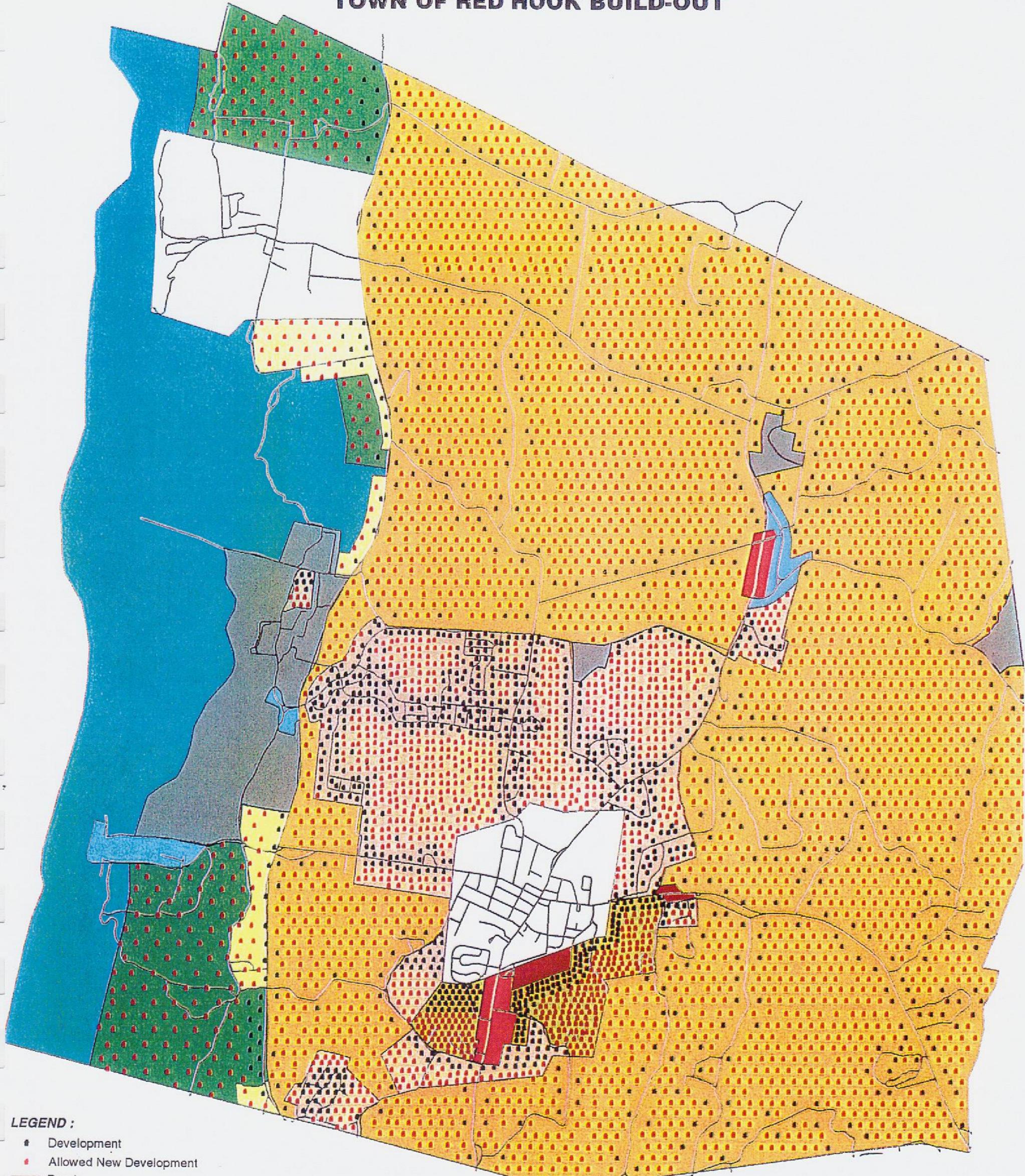


*Does not include Village of Red Hook or Village of Tivoli

*Based on analysis of LUNR Land Use Mapping, Land Use Field Surveys, and Natural Constraints Data

District	Total Acres	Developed Acres & Constraints		Developable Acres	
		Acres	%	Acres	%
R1	409	177	43.2	232	56.7
R1.5	2,695	1,137	42.2	1,558	57.8
RD3	13,472	4,617	34.3	8,855	65.7
RD5	424	136	32.1	288	67.9
LD	1,578	518	32.8	1,060	67.2
WC	3,485	2,819	80.9	666	19.1
H	172	109	63.4	63	36.6
B1	118	99	83.9	19	16.1
B2	47	27	57.4	20	42.6
I	954	561	58.8	393	41.2

TOWN OF RED HOOK BUILD-OUT



LEGEND :
 * Development
 * Allowed New Development
 — Roads

		Developable Lots	Additional Population	Additional Students
LD	Limited Development	203	615	205
R1	Residential 1 acre	208	630	210
R1.5	Residential 1.5 acre	725	2,196	732
RD3	Rural Development 3 acre	2,529	7,662	2,554
RD5	Rural Development 5 acre	55	166	55
H	Hamlet	19	57	19
WC	Waterfront Conservation			

Map prepared by Dutchess County Department of Planning and Development, 4-99.
 Base map copyrighted by the New York State Department of Transportation.
 Zoning information digitized from copy of existing zoning district map.



Scale 1 : 54,000 (1" = 4,500')