

Centers and Greenspaces

A plan to protect Red Hook's rural character, reinforce traditional village centers, and promote economic development

Report

January 2009

Task Force Members

Bill O'Neill, Chairman

Former Town of Red Hook Deputy Supervisor

Brenda Cagle

Town of Red Hook Conservation Advisory Council

Tom Cordier

Village of Tivoli Mayor
(Task Force member from Jan. '07)

Brent Kovalchik

Village of Red Hook ZBA (until April '07)
Village of Red Hook Trustee (April '07)

Charles Laing

Town of Red Hook Planning Board

Mike Leedy

Village of Tivoli ZBA

Tim Ross

Town of Red Hook ZBA

Karen Schneller-McDonald

Town of Red Hook resident

David Seymour

Village of Red Hook Trustee (until Jan. '07)
Dutchess Co. Legislator (Jan. '07 - Jan. '08)

Peter Sweeny

Village of Tivoli Planning Board
(Task Force member from Jan. '08)

Jay Trapp

Village of Red Hook Planning Board
(until Feb. '07)
Village of Red Hook Trustee (Feb. '07)

Former Members:

Harry Colgan

Village of Tivoli Planning Board
Town of Red Hook Board Member (Jan. '08)

Marcus Molinaro

Village of Tivoli Mayor
New York State Assemblyman

Report of the Intermunicipal Task Force

The Town of Red Hook's Comprehensive Plan calls for maintaining the Town's rural character *"by providing incentives for new development to locate within or adjacent to existing centers while discouraging a land use pattern that uniformly disperses development throughout the Town."*

To fully implement this recommendation requires intermunicipal planning since the existing centers (the Villages of Red Hook and Tivoli) are separate municipalities from the Town. To this end, in May 2005, the Town of Red Hook and the Villages of Red Hook and Tivoli began an unprecedented intermunicipal planning effort with the appointment of an eleven member Intermunicipal Task Force. Meeting weekly on Friday mornings from August 12, 2005 to January 9, 2009, the Task Force developed "Centers and Greenspaces," a plan to protect Red Hook's rural character, reinforce traditional village centers, and promote economic development.

The following are the Task Force's recommendations to the Red Hook Town Board to implement the "Centers and Greenspaces" plan. The recommendations consist of a package of zoning and subdivision amendments that would save farmland and direct development towards centers designed as traditional walkable neighborhoods consistent with the historic Village of Red Hook. The proposed amendments are the result of three years of hard work and are unanimously recommended by the Task Force.

Major Goals of the Centers and Greenspaces Plan:

- Permanently protect important farmland and the rural countryside
- Strengthen the residential and commercial base of the existing Villages
- Transform the South Broadway strip into a traditional village entrance-extension
- Use close-in smart growth development to help finance sewer systems

Proposed Amendments

The proposed amendments would create two new zoning districts, the Agricultural Business District and the Traditional Neighborhood Development (TND) District. They would replace the Town’s cluster regulations with provisions for conservation subdivisions to more concertedly preserve the natural and scenic qualities of open space, and would add a new section on incentive zoning. In order to encourage village-scale density within the TND District, the amendments would eliminate the density bonus for provision of central water in the R1 and R1.5 Districts.

The purpose of the **Agricultural Business District** is to protect agricultural lands, discourage incompatible land uses, and promote agriculture as a component of the local economy. The proposed District is identified on the Town of Red Hook Proposed Zoning Map, which can be found in the back pocket of Volume 2 of this Report. The determination as to which lands would be most appropriately included in the proposed Agricultural Business District was based on extensive discussions with the Town’s Agriculture and Open Space Advisory Committee, which reviewed lands within the Town according to a set of land evaluation criteria. The criteria, which are included with this Report along with a parcel-by-parcel analysis of lands proposed to be included in the District, combine a soil suitability analysis with other factors such as agricultural productivity, neighboring land uses, active or past agricultural use, access to water resources (for irrigation), and location (for example, whether adjacent to existing centers where development may be appropriate, or in the gateway to a center where it may not be). These criteria are consistent with the Land Evaluation and Site Assessment (LESA), a rating system developed by the Natural Resources Conservation Service of the USDA as a way for local governments to assess the suitability of parcels of farmland for continued agricultural use.

The Agricultural Business District would permit farmers greater business opportunities to enhance

farm income. A few examples are farm markets up to 4,000 square feet in size, wineries and cider mills, and agritourism uses such as farm tours, B&B’s, and harvest festivals. Many of these permitted uses would receive a streamlined review process, requiring only minimal site plan review.

In the Agricultural Business District landowners could choose different options for their properties. Under the conservation option, they could participate in the Town’s purchase of development rights program, community preservation fund, or the proposed incentive zoning program to sell their development rights. Previously, the rate to sell development rights was proposed at 1 dwelling unit per 6 acres. However, after meeting with landowners in the proposed Agricultural Business District, the rate was revised to permit landowners to sell development rights at the rate allowed under the current zoning as depicted on the 1999 Zoning Map. This will create an incentive for landowners in the Agricultural Business District to sell development rights and protect their lands rather than develop them for residential purposes. In addition, landowners would be allowed to retain the right to build some new homes on the farm in a farmstead complex without the need to subdivide.



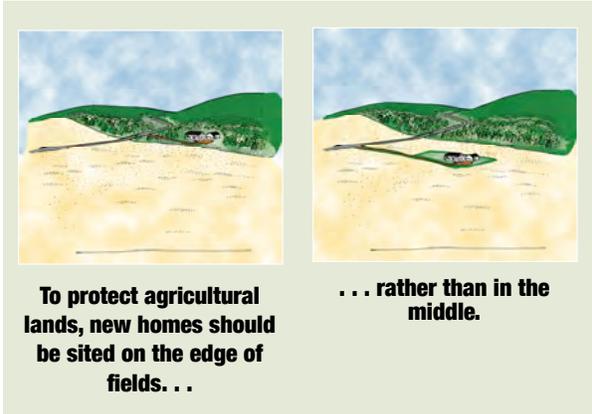
New homes could be built in a farmstead complex without the need to subdivide

Under the limited development option, farmers could develop their lands at a reduced density based on a sliding scale (shown below) using conservation subdivision design and siting guide-

lines to minimize impacts of new residential development on other farms in the area.

LIMITED DEVELOPMENT OPTION	
Parcel Size	Number of Dwelling Units
0 to 6 acres	1
> 6 to 20 acres	2
> 20 to 40 acres	3
> 40 to 60 acres	4
> 60 to 80 acres	5
> 80 to 100 acres	6
>100 to 120 acres	7
> 120 to 140 acres	8
>140 to 160 acres	9

The proposed Agricultural Business District incorporates many of the standards of the Town’s current “Important Farmlands Law,” which would be deleted.



A **conservation subdivision** permits greater design flexibility and smaller average lot sizes than otherwise possible in a conventional subdivision in order to preserve greenspaces on the remainder of the property without increasing building potential for the tract as a whole. Conservation subdivisions follow a four-step design process that identifies unbuildable lands and special features of the site around which development is designed. This would allow limited development in the Agricultural Business District to fit into the landscape while conserving greenspaces and minimizing impacts on agricultural lands. Illustrations of the four-step design

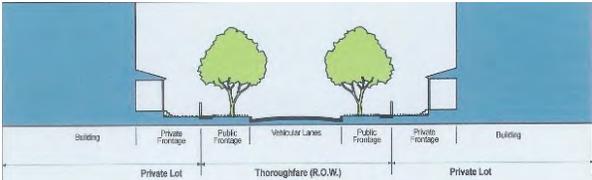
process can be found on page 50 of the proposed amendments in Volume 2.

The purpose of the **Traditional Neighborhood Development District** is to reinforce the traditional land use pattern of close-knit villages surrounded by rural countryside in conformance with the Town’s *Comprehensive Plan, Open Space Plan*, and the recommendations of the Red Hook Land Use, Conservation, and Development Working Group.

By locating new development close to existing centers, the Traditional Neighborhood Development District would strengthen the existing commercial base of the Villages, and increase economic development opportunities by making feasible the development of a municipal sewer system. It would also minimize traffic impacts of new development in the community. The Institute of Transportation Engineers is currently updating its *Trip Generation Handbook*, which estimates traffic generation rates for various types of land uses and is relied upon by planning boards, developers and others who want to know how much traffic a project will generate. The updated *Handbook* will differentiate between the amount of traffic produced by conventional sprawl-type development and traditional mixed-use neighborhoods. Based on a study of hundreds of mixed-use neighborhoods throughout the country, the Institute of Transportation Engineers has found that traditional neighborhoods generate substantially less traffic than conventional sprawl-type development. A new traditional neighborhood in Portland Oregon, for example, produces 59 percent less traffic than a conventional development.

The Traditional Neighborhood Development District would have the same features that characterize existing villages, such as walkable, mixed-use neighborhoods and more variety and choice in housing types. The “form-based” zoning of the District would ensure that these features are included in new development. The “form” or illustration below, for instance, ensures that new streets in the district emulate traditional village streets with sidewalks, street trees, and

buildings close to the road, defining the street as an outdoor room and making it a pleasant place to walk.



The Traditional Neighborhood Development District would consist of three subdistricts: the Commercial Center, the Residential Neighborhood, and the Office-Industrial area (see proposed Zoning Map in the back pocket of Volume 2). The Commercial Center would be designed like a traditional Main Street with buildings close to the sidewalk and parking behind buildings and along the street. The Office-Industrial subdistrict, located south of Hannaford's, includes a requirement for a 200' vegetated buffer along Route 9 to preserve the Town's southern gateway.

The Traditional Neighborhood Development District would enhance the Villages by allowing more residents to live within walking distance of shops and services. Currently lands adjacent to the Village of Red Hook are zoned for large suburban-style lots like those in the illustration below.



This type of zoning spreads homes over the landscape, consumes farmland, and forces people to drive, congesting roads. Well-designed village-scale development, like that illustrated below, locates residents within a 10-minute walk of the

Village center, which supports local businesses while protecting outlying farmland.



The differences between suburban development and traditional neighborhoods is shown in the following table.

Suburban Development	Traditional Neighborhood Centers
Spread out, disconnected patterns	Compact extension of existing centers
Segregated by use and income	Mix of uses, variety of housing types
Entirely auto-dependent	Walkable scale, ¼ to ½ mile radius
More exclusive and expensive lots	More moderate housing alternatives
Fewer choices for singles/seniors	Starter housing and down-sizing options
Spreads out sprawl	Reverses sprawl
Dissipates community	Concentrates community

The Traditional Neighborhood Development District would have a base zoning of 1 dwelling unit per acre in the Residential Neighborhood subdistrict. Developers could increase building potential above the base zoning, in keeping with the existing Village character, by contributing to a dedicated greenspace fund through incentive zoning.

Incentive zoning authorizes adjustments to building potential in the Traditional Neighborhood Development District in exchange for

preserving greenspaces in the Agricultural Business District, at no direct cost to residents and taxpayers of the Town. A developer who wished to increase building potential above the base zoning in the Traditional Neighborhood Development District would contribute to a fund that could only be used to buy development rights from lands in the Agricultural Business District. Alternatively, the developer could purchase development rights directly from the farmer. In this way, building is promoted in the traditional neighborhoods, where it supports Village businesses, rather than on farmland. In the case of the Villages of Red Hook and Tivoli, funds derived from incentive zoning could be used to preserve the Village’s gateways.

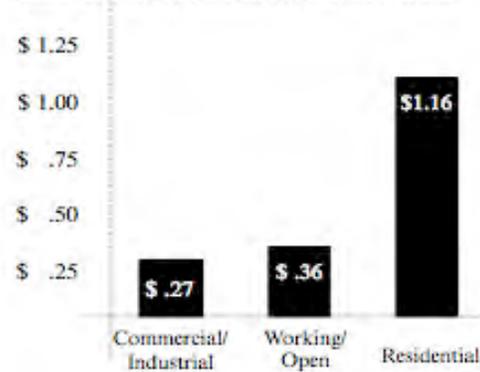
Economic Development Initiatives

Taken together, these complementary steps to smart growth in Red Hook promote economic development and address local tax concerns in the following ways:

- The Town enhances the financially important, tax positive agricultural economy by protecting a critical mass of existing farmland.

As can be seen in the two reports on the fiscal impacts of land uses at the end of this Volume, open space uses such as agriculture generate more in public revenues than they use in public services, and are therefore profitable for municipalities. Studies have consistently shown that the impact of agricultural land on community coffers is similar to that of other commercial and industrial land uses. This is true even when the land is assessed at its current, agricultural use. This is why conserving agriculture is so important for stabilizing the tax base. As shown in the following chart, for every tax dollar generated by working lands, those lands use on average only \$0.36 in services, similar to commercial and industrial uses. Residential uses, on the other hand, generally use \$1.16 in services for every tax dollar they provide. This explains why the conversion of farmland to residential uses can have adverse impacts on the tax base.

SUMMARY: COST OF COMMUNITY SERVICES STUDIES



Median cost – per dollar of revenue raised – to provide public services to different land uses. Source: American Farmland Trust

- The proposed Zoning allows a wider range of industrial and commercial uses on farm properties.
- Compact development in and around the Villages supports existing businesses and makes a central sewer system more cost effective, an essential element for attracting new businesses.
- The plan increases the commercial tax base and decreases the overall potential for new residential development, thus reducing future school tax impacts.
- Instead of reacting, often defensively, to development proposals in random locations, the plan provides a positive vision for where new development is most desirable and mutually beneficial, thereby acting as an advertisement for new economic investment and helping to streamline the review process.

Public Participation

In developing the “Centers and Greenspaces” plan and the proposed zoning and subdivision amendments, the Task Force has been guided by the community during an extensive public participation process. This process began with three community meetings and numerous discussions with stakeholders, community groups, and Town and Village Boards and committees.

The first community meeting, held on August 7, 2006, introduced the “Centers and Greenspaces” plan and included breakout groups to discuss the concept. Over 130 residents attended this meeting and indicated strong support for the plan. The second community meeting on October 12, 2006 explored the different land use tools that could be employed to implement the “Centers and Greenspaces” plan. This meeting and the subsequent community meeting on “Considerations” held on November 16, 2006 were also well attended, with over 100 residents at each. Both of these meetings were designed to solicit community feedback on the best way to implement the plan.

In addition to the community meetings, the Task Force met with over 30 individual stakeholders representing various interests, including developers, realtors, landowners, environmentalists, builders, historians, architects, business people, and community groups. Again, these meetings indicated strong support for the “Centers and Greenspaces” plan. Stakeholders across the board felt this was *“clearly a better way to develop than the current zoning permits,”* and many were very excited about the “smart growth” approach to planning in Red Hook.

To solicit further community input into the proposed plan, the Task Force prepared a Progress Report which it submitted to the Town Board on May 9, 2007 during a fourth community meeting attended by over 100 people. This meeting discussed the specific amendments proposed to implement the plan and the fiscal impacts of the proposed zoning in comparison to the existing zoning. The Progress Report, along with draft zoning amendments, maps, plans, and other materials, were filed with the Town Clerk and posted on the Town’s website for everyone to read.

Subsequent to the May 2007 community meeting, the Task Force met with the Red Hook Town Board on eleven occasions between May and September 2007 to review the proposal in detail and make modifications. It held a community forum in Tivoli on April 24, 2008,

and met with officials from the Village of Red Hook. Two well-attended meetings with landowners in the proposed Agricultural Business District were held on June 6, 2008 and June 18, 2008. As a result of all of these meetings, further changes and modifications to the proposed amendments were made based on the comments of participants.

The Task Force also met with Town and Village boards, committees, and organizations to solicit their input, including the Town of Red Hook Planning Board, Economic Development Committee, Trails Committee, Recreation Commission, Agriculture and Open Space Advisory Committee, Water District Board, Hamlet Buildings Review Committee, and Conservation Advisory Committee, the two Village Boards of Trustees, the Red Hook Central School District, Red Hook Chamber of Commerce, Dutchess County Water and Wastewater Authority, and the Dutchess County Planning Commissioner.

Numerous changes were made to the plans in response to community comments. For instance, the Town’s Economic Development Committee recommended that an area for light industry should be identified, so the plans were revised to include the Office-Industrial subdistrict of the Traditional Neighborhood Development District. Other residents were concerned about protecting the southern gateway, so provisions for a vegetated buffer along Route 9 were included in the Office-Industrial subdistrict. The Town’s Conservation Advisory Council was concerned about impacts of the traditional neighborhoods on the aquifer, so the Task Force requested that the Town and Village of Red Hook retain a hydrologist to conduct a water budget analysis and to determine whether any adverse impacts to the aquifer and wellheads would result from the proposal. The study (Chazen Companies, January 4, 2007) determined that there is sufficient aquifer capacity to meet the proposed water demand and that the wellhead protection zones would be adequate. The Town and Village of Red Hook also funded a sewer feasibility study (C.T. Male Associates, March 2007) which determined that the proposed traditional neighborhoods

would make development of a municipal sewer system more economically feasible as costs could be shared by developers. These are just a few examples of changes that were made to the “Centers and Greenspaces” plan and the implementing zoning and subdivision amendments in response to community comments.

Finally, it should be noted that the recommendations of the Intermunicipal Task Force are based on the results of the Fiscal Impact Study conducted for the Town and Villages by Fairweather Consulting. The Fiscal Impact Study analyzed the fiscal impacts of the current zoning of lands in the proposed Agricultural Business District and three alternative zoning scenarios. The study concluded that the current zoning would result in a net operating loss across the three municipalities of approximately -\$2.5 million annually at buildout (see graph below, far left column), while the proposed zoning would be fiscally superior. Fiscal impacts could potentially be eliminated under a scenario of more restrictive zoning coupled with the Town’s Economic Development Committee actively marketing the commercial center and office-industrial area of the TND District. The

Task Force’s recommendations would have a fiscal impact that would fall between these two alternatives. (The studies discussed in this report are available from the Town and Village Clerks.)

Next Steps

The Intermunicipal Task Force unanimously recommends that the Red Hook Town Board adopt the proposed zoning and subdivision amendments to implement the “Centers and Greenspaces” plan. The plan will protect Red Hook’s rural character, reinforce traditional village centers, and promote economic development. Included with this Report is a Timeline that outlines the various steps required by NYS law for the environmental (SEQR) review of the proposed amendments. As indicated on the Timeline, this will include a number of formal opportunities for public comment on the proposal.

The Task Force looks forward to continuing to serve the Town of Red Hook and the Villages of Red Hook and Tivoli, and will make additional recommendations of intermunicipal interest in subsequent reports.

