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## Acknowledgements

### Comprehensive Planning Committee Members

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The Comprehensive Planning Committee was also assisted by **John and Shirley Walsh** whose insight and dedication to development of the Comprehensive Plan is greatly appreciated.

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## The Planning Process

A comprehensive plan is a written document that identifies the goals, objectives, principles, guidelines, policies, standards, and strategies for the growth and development of a community. It is not a law, but is adopted according to New York State Town Law Section 272-a. In New York State, town law requires that all land use laws in a municipality to be consistent with a comprehensive plan. Adoption of a comprehensive plan is considered to be a critical way to promote the health, safety and general welfare of the people and to give consideration to the needs of the people. In essence, this plan is the policy foundation upon which future decisions in Schaghticoke are made.

Once a comprehensive plan is adopted, there are several implications:

- 1) All government agencies in New York involved in planning capital projects in Schaghticoke must first consider this plan.
- 2) Programs and regulations may be adopted to implement this plan to protect the town's resources and encourage desired development and growth.

3) The comprehensive plans can be an important document to help the Town of Schaghticoke be more successful in finding grant monies.

4) In New York State, all land use regulations must be in accordance with a comprehensive plan (Section 272-a). This plan provides the basis for regulatory programs in Schaghticoke. All land use laws have been reviewed and suggestions made to help make these laws consistent with this plan. The Town should update these local laws where necessary to be in accordance with this plan.

The Town Board assigned the task of developing this comprehensive plan to the Town of Schaghticoke Comprehensive Planning Committee in 2003. This committee met monthly, and with help from a planning consultant, conducted a planning process to develop this plan that included the following steps:

- 1) Obtained significant input from residents via a planning/visioning workshop, interviews, public meetings, direct mailings, and a resident survey.

- 2) Prepared background studies on assets, resources, services, agencies and conditions in Town. Background studies included land use, population and economic profiles, housing, community facilities, transportation, recreation and educational resources, public safety resources, and environmental conditions. A land use analysis was conducted to understand growth patterns and trends. Finally, a groundwater assessment study was conducted to understand the resources and limitations of groundwater in Schaghticoke.
- 3) Prepared a series of GIS maps showing existing land uses and environmental conditions in Schaghticoke.
- 4) Defined a set of issues the plan should address, based on an analysis of the above.
- 5) Prepared a vision statement and a detailed set of goals and recommendations. These are based upon the studies of information and data gathered about the Town as well as the input of many Town residents.
- 6) Presented the draft plan to the public for comment.

This comprehensive plan attempts to answer four basic questions about Schaghticoke:

Where are we now?

Where are we going?

Where do we want to be?

How can we get there?

Volume 2 of this plan (Town Profile) answers the “where are we now?” and “where are we going?” questions by describing current conditions, demographics, physical and cultural features and a summary of public input. The vision statement for Schaghticoke, articulated below in this volume, sets the tone and overall direction the Town should take in the future. It was developed directly from the public comments received.

The vision statement depicts in words what the community is striving to become. The Committee worked to identify issues that should be addressed by the plan and for each topic and issue, a goal was established. The goals offer more specific direction, are consistent with the stated vision, and represent future ideal conditions for the Town of Schaghticoke. The specific objectives and recommendations are a series of action steps

and strategies that the Town can take to accomplish each goal. When put into action, these strategies will help Schaghticoke attain its vision.

An effective comprehensive plan expresses and reflects the values of the community. The public policy that a comprehensive plan represents should be firmly based on public will and need. Plans that are far removed from these needs have little chance of being successful over the long-term.

This comprehensive plan was developed specifically to address identified community needs and desires. Volume 2 (Town Profile) presents all the background material collected and used in development of this plan. Volume 2 includes full details on public input, natural resources, demographic trends, housing trends, community facilities and services, transportation and traffic counts, cultural resources, history of the town, land use characteristics, a build-out analysis, and details on the town groundwater assessment study.

#### Keeping the Plan Relevant

This comprehensive plan is to be reviewed and updated, if necessary at five-year intervals. However, this plan should be considered a “living document”. As such, it should be

updated as needed if conditions in the Town change. Further, to ensure that the Town’s regulations remain up-to-date, the Town Planning Board and Zoning Board of Appeals should conduct a zoning review and keep an inventory of zoning related issues that they encounter on an on-going basis. Suggested zoning changes from both the Planning Board and Zoning Board of Appeals should be reported to the Town Board annually so that timely adjustments to the regulations can be made.

## *Vision Statement*

**S**chaghticoke is a community that promotes a strong sense of belonging and seeks to provide a high quality of life for all its residents. Our town is a safe and secure place, and has a high quality built environment, both natural and man-made, where the charm of our rural setting, scenic beauty, and history remain essential parts of our distinctive character. The town and its residents support a variety of local businesses and encourage new growth that is consistent with our aspirations. Agriculture remains a vital part of our local culture and landscape. An open local government strives to provide high quality public services and good infrastructure while showing fiscal

responsibility. A town center exists that would provide for and enhanced educational, recreational, and cultural opportunities to people of all age groups and abilities. The Hudson and Hoosic Rivers play more prominent roles in the economic, recreational, and scenic character of the town. We recognize that different locations in town have different needs and face different issues, and town policies and strategies are established to address those differences.

## Strengths, Weaknesses, Opportunities and Threats Analysis

A critical exercise in the comprehensive planning process is the identification of the strengths, weaknesses, opportunities and threats (SWOT) facing the town. Strengths are those accessible and valuable assets that should be preserved or enhanced. Weaknesses are drawbacks or short-term challenges that the Town faces which need to be addressed so that they do not cause long-term problems or threats to the viability of either the quality of life or the economy of the area. Opportunities are the long-range positive trends affecting the Town as well as the positive paths that might follow. Threats are long-term weaknesses that can undermine attempts to meeting the goals established by Schaghticoke.

The SWOT analysis was developed from data derived from public opinion as well as interpretation of other inventory and profile information about Schaghticoke. This analysis is the basis for development of goals and future strategies and were used to help identify opportunities that offer Schaghticoke a set of realistic, tangible and affordable actions for the community to pursue.

### Strengths

- The town has strong rural character, scenic beauty, and a quality environment.
- According to the United States Census (1990 and 2000), the population is better educated and there are higher numbers of students going on to complete college level education now compared to any other time.
- The character of Schaghticoke includes highly desired features such as quiet conditions, a sense of community, and friendly people.
- Housing is generally affordable and this has been accomplished without reliance on mobile homes or mobile home parks.
- Hoosic and Hudson River frontage contributes to the character and environmental quality of the town.
- Generally good highways, road maintenance programs, and overall transportation infrastructure.
- Land use regulations such as zoning, site plan review, and other land use laws related to town planning are in place.
- The school districts.
- The location of the town offers good access to regional economic, recreational, and cultural activities.
- There are active agricultural resources in town.

### Weaknesses

- There are limited multi-family or rental housing opportunities in town and this may constrain the housing options in Schaghticoke. A small quantity of vacant housing units indicates that the availability of existing homes or rental units is low. This means that

people desiring to live in the town are more likely to build a new residence.

- Zoning and other land use controls may not be appropriate to control growth in a way that meets the rural character and farmland preservation goals of the community.
- Housing development has occurred in ways that can, cumulatively, negatively impact rural character. Sprawling land use patterns contribute to increased taxes, loss of rural character, negative impacts on existing farms, and increased traffic.
- The town does not actively promote itself or take advantage of opportunities for business, agri-business, or cultural/historic/tourism development.
- There is no grocery store in town.
- There is a sense that there is not enough police protection in town and that safety is being compromised.
- Code enforcement is not perceived as being adequate.
- According to the survey, some feel there is a lack of communication between the town government and the community.
- There is no town or community center and this contributes to loss of community and recreational opportunities.
- There is little consolidation or cooperation between the Village and Town relating to providing public services.
- There are few recreational programs and facilities for youth, seniors, and families.
- Public services such as water are limited to certain areas. Drinking water quality and quantity is a concern.
- According to the survey, some feel there is a lack of coordination, communication and uniformity among the emergency services.
- According to the survey, some feel the sense of community has been diminished over the years.

## Opportunities

- A more educated population is attractive to employers and businesses and offers opportunities to attract employers seeking highly trained people.
- Infrastructure and land base resources can support controlled expansion of the economy.
- Agricultural resources, together with beautiful scenery and the rivers provide opportunities for enhancing tourism.
- Hudson and Hoosic Rivers are important, largely untapped resources.
- Schaghticoke Fairground.
- Historic resources exist that could contribute more to the cultural and economic opportunities in the town and can be used to enhance tourism opportunities.

## Threats

- High taxes, or the perception of high taxes, can lead to disinvestments in the town and private properties. There is a lack of tax revenue from commercial businesses and new residential development usually costs a community more than it pays in real property taxes. Loss of farmland also can negatively impact the tax base.
- The town has an aging population and decreasing numbers of young people aged 15 to 34 years old. This will influence the type of housing and public services needed in the future.
- The overall population has decreased but at the same time, the number of households and housing units has increased. This can be an indicator of sprawl (fewer people spread further across the landscape).



- There are fewer employment opportunities locally and fewer people are working even within the County now.
- There has been a large decrease in the number of people employed in the agricultural, manufacturing, and retail trade occupations. As the agricultural economy continues to decline, there will be more and more land available for other types of development – most likely residential uses.
- Although median family and per capita incomes rose substantially in the past decade, there are 28% more people living below the poverty level (about 70 additional individuals since 1990).
- The number of housing units has steadily increased and outpaces population. Development patterns not suited to rural areas can lead to loss of open space and farmland, and a degradation of the environment. Many people perceive the town as becoming over-developed. As the Capital Region grows economically, there will be more development pressure on Schaghticoke.
- There are increased traffic volumes and congestion on roads in the Town especially on Route 40.
- There is a lack of economic growth (businesses, jobs, industry, etc.)
- Hudson River dredging and associated negative environmental impacts threaten not only the environment, but the health, safety and quality of life in the town.
- Loss of farmland, rural environment and open space/scenic views due to development.
- Lack of river access.
- There are real differences between the southern and northern portions of the town related to infrastructure, community character and needs.

## Issues, Goals and Recommendations

### Summary

#### **Residential Land Uses and Development Patterns**

Goal 1 - Maintain the Town's rural, small town character, and a quality environment.

Summary - The plan recommends zoning changes to encourage residential development in and near the hamlets to reduce development pressures on open spaces and farmland. Further, zoning changes can ensure that development taking place in the hamlets is consistent with the unique character of each hamlet. New siting and design options in subdivision and zoning can give landowners more creative lot layout options and allow preservation of open space and farms at the same time. Critical environmental areas such as aquifers and steep slopes can be protected through development of overlay zones. The Town should facilitate use of voluntary conservation easements. Changing the minimum lot size from 60,000 square feet to 1 dwelling per 3 acres in the RA and R-60 district will allow a variety of lot sizes but establish a sustainable overall density of development. The plan recommends that adequate infrastructure facilities exist before new development occurs and consistency with the Hudson River Valley Greenway Criteria.

#### **Commercial Land Use and Economic Development**

Goal 2 - Provide locations and mechanisms to support desired commercial activity and that support Schaghticoke's small town character.

Summary - Zoning should be amended to allow for a wider diversity of uses such as bed and breakfast inns and farm-related stands and the plan offers a variety of suggestions for new commercial nodes or expansion of existing commercial locations. The plan recommends formation of an economic development committee to aggressively market the town to prospective employers. It also recommends ways in which new commercial growth can be consistent with the character of the town and identifies locations to encourage business and job growth.

#### **Agriculture**

Goal 3 - Support farms and protect agricultural lands.

Summary – The plan outlines ways to encourage new and alternative agricultural uses and to assist existing farm operations. The Town should consider additional incentives to encourage preservation of farmland, and should ensure that existing NY Ag and Markets laws are followed to protect farms. Zoning can be amended to help reduce conflicts between ag and residential land uses. The plan outlines a variety of zoning changes that will support agriculture as an important and desired land use such as permitting ag uses that are not currently allowed. Authorization of conservation subdivisions and use of existing cluster subdivision provisions in zoning are important tools to protect open spaces and farmland that should be pursued. The plan recommends focusing water and sewer in developed areas so that infrastructure is not a growth inducing activity into farming areas of Schaghticoke.

### **Recreation, Historic Resources and Culture**

Goal 4 – Provide quality recreational and cultural opportunities for children and adults.

Summary – In order to meet this goal, the town should aggressively market its historic sites for tourism, consider purchasing development rights of land near the Knickerbocker Mansion, seek funding and develop a Local Waterfront Revitalization Plan for the Hudson and Hoosic Rivers, and explore ways to increase access to these resources. The plan recommends that scenic

viewpoints and roads be identified, designated, and protected through use of non-regulatory and voluntary programs with landowners. Development of a community center near the Village or the Town Hall is recommended. The plan also recommends methods to enhance recreational programming such through grant writing.

### **Water Supply, Water Quality, Infrastructure and Utilities**

Goal 5 – To protect water supplies and provide quality public infrastructure.

Summary – Creation of an aquifer overlay zone, establishing a 100 foot setback from streams, establishing a Conservation Advisory Council, and establishing a review process for stormwater runoff during development are recommendations made to protect water resources in Schaghticoke. The plan also identifies the need to educate Planning Board members and the public on water resources and issues and offers a variety of resources to help in this endeavor.

### **Regional Environmental Quality/Pollution**

Goal 6 – Protect Town residents and environment from the potentially negative impacts of any PCB dredging operations.

Summary – This section of the plan outlines specific concerns and review requirements should Schaghticoke remain a possible site for the PCB Dewatering Facility.

### **Transportation and Traffic**

Goal 7 – Provide a safe and un-congested transportation system for vehicles and pedestrians consistent with the residential and rural nature of the town.

Summary – The plan recommends use of traffic access techniques to manage traffic flow and use of traffic calming measures in the hamlet areas to slow traffic and make the town's roads more pedestrian friendly and safe. Traffic impact studies are also recommended for large development proposals. The plan outlines specific rural road standards that could be considered to ensure that new roads are built to be consistent with the rural character of the town. The Town should establish capital improvement planning for roads and infrastructure and should work with New York State Department of Transportation to explore the possibility of establishing a shared roadway system for pedestrians and bikes.

### **Senior Services**

Goal 8 – Provide for the housing, recreational, and transportation needs of senior citizens.

Summary – In order to enhance housing opportunities for senior citizens, zoning changes are recommended to allow such uses in more locations in Schaghticoke. The Town should more aggressively work with the county to provide enhanced bus services for seniors, and work to develop a community center that will serve, among others, seniors. To advocate these efforts, an ad-hoc senior citizen advisory committee is recommended. The Town can also use its web site to more effectively publicize existing programs for senior citizens.

### **Local Government**

Goal 9 – To meet the needs of residents, and to ensure that Schaghticoke remains a safe location.

Goal 10 – Ensure that adequate solid waste disposal and recycling programs are in place and enforcement is adequate to deter illegal waste disposal.

## Residential Land Uses and Development Patterns

### *Goal 1 - Maintain the Town's rural, small town character, and a quality environment.*

Residential uses, densities, and development patterns are the driving force behind the economic, cultural and environmental changes taking place in the town today. These issues and how they are dealt with will have the greatest impact on the future character of the Town and overlaps with most, if not all of the other issues and goals outlined in this plan.

#### **Issues Related to Land Use and Development:**

★The number of housing units in Schaghticoke has steadily increased and out-paces population growth. Continuation of this trend can lead to environmental degradation and loss of rural character, open space and farmland. Sprawling land use patterns also contribute to increased taxes and traffic.

★The town's rural character plays an important role in defining Schaghticoke. Steady increases in population, coupled with the larger amounts of land used per housing unit will continue the decline in open space and farmland.

★There is a large potential for more residential development in all areas of town. Current zoning and

other land use controls may not be appropriate to control growth in a way that meets the rural character, environmental and farmland preservation goals of Schaghticoke.

★Northern and southern portions of Schaghticoke are quite different in many ways. The northern part is more rural with an abundance of open space and farmland. The southern part is denser, especially in the hamlets. This distinction means that services and planning must meet the different needs of each region.

★Development trends toward fairly uniform, suburban-styles of development may not be consistent with traditional development patterns and the character of hamlets and rural areas.

★Residents want to protect the environment of Schaghticoke. People were especially concerned about stream water quality, wildlife habitat and forestlands.

★There are extensive flood hazard zones along portions of the Hoosic River, the Tomhannock Creek, and the shores of the Hudson River.

★ There are many steep-sloped ravines extending inland from the Hudson River where the soils are less stable, and where some of the more scenic locations identified by the residents exist.

★ Residential development that further fragments the landscape will impact wildlife habitats, feeding grounds, and wildlife travel corridors.

***Objective 1.1: Recognize and meet the distinct needs related to residential land use and development patterns of the northern and southern portions of town.***

**Recommendation 1.** Encourage denser development in established 'suburban' and rural hamlets rather than 'random sprawl' in rural areas to limit future costs of road maintenance, school busing, provision of emergency services, and provision of water/sewer infrastructure. Options to accomplish this include:

**Action Steps:** Expand the physical size of the delineated hamlet districts to allow for further, denser growth in those locations and establish hamlet districts in place of some R-40 districts as follows:

- ◆ Change zoning classification in Speigletown from R-40 to Hamlet. This zone should be separated from the Pleasantdale Hamlet zone to

preserve the separate identities of these two hamlets. This new hamlet district would include some developing parcels.

- ◆ Change the existing R-40 zone lying outside the new Speigletown Hamlet zone to RA as this has some severe slopes and unstable soils along the Hudson River.

- ◆ The Hamlet of Pleasantdale should remain at its current size due to topographic limitations in this area.

- ◆ Slightly expand the Hamlet area of Melrose, along Route 40 and Doty Ave.

- ◆ The hamlet district of Hemstreet Park should remain at its current size.

**Recommendation 2.** Ensure that zoning districts and their corresponding development and zoning standards reflect their actual suburban, rural hamlet, or rural context.

**Action Steps:** Consider making the following zoning changes:

- ◆ Consider changing zoning requirements of lot depth (currently 4.5

times deeper than along right of way) and 100 foot lot frontage as these standards are not appropriate in hamlet areas.

◆ Consider also changing lot depth and road frontage requirements during cluster and conservation subdivision development as current standards would be in conflict with flexible or creative design to preserve open space and rural character.

◆ Consider changing zoning requirements for flag lots for the same reasons as above.

◆ Ensure that the zoning reflects the uniqueness of Speigletown, Pleasantdale, and Hemstreet Park as extensions of their larger, more densely developed adjacent communities of Lansingburgh and Mechanicville, and Melrose as a rural hamlet.

1. Consider changing required frontages, front yard setbacks in each of the hamlet districts to allow for smaller lots and shallower front setbacks.
2. Inventory each hamlet to identify bulk and dimensional characteristics and create hamlet district requirements that are consistent with those characteristics so that traditional development patterns can continue. This may mean creating multiple

hamlet districts (HD1, HD2, HD3, etc.) with each one reflecting the unique development characteristics of the hamlet.

3. Create illustrated and detailed hamlet design standards to ensure hamlet style development takes place related to parking lot design, signage and lighting, sidewalks and trees.

◆ Amend zoning for all districts to include provisions that regulate lighting and reduce glare. At a minimum full-cut off or shielded light fixtures should be required. Lighting regulations can control glare, height of lighting standards, and type of bulb.

◆ Amend zoning and/or subdivision laws to include building and layout design standards that maintain and enhance the rural character of the Town. This could include enhancing zoning provisions to protect street trees, cultural features such as stone walls, placement of buildings on sites to enhance open space, etc. Illustrating

these design standards for the rural areas of Town would aid in the understanding and use of these provisions. Some examples of standards that could apply to all residential development (minor and major subdivisions as well as building on lots not going through planning review process) include:

1. Avoid crestline siting of structures
2. Site house at edge of field rather than in middle
3. Minimizing clearing of vegetation and preserve important natural features
4. Retain stone walls and hedgerows

◆ Amend the sign section of zoning to address sign lighting, reduce allowable sign sizes and heights, improve or encourage better design of signs.

◆ Amend the parking section of zoning to address size, placement, landscaping and buffering (screening) needs of parking lots. This is especially important in residential or mixed use areas. The Town should require placement of parking lots for commercial structures to be placed to the side or rear of the building. Zoning should address lighting of parking lots with the objective of reducing glare and over-use of parking lot

lights. It would be desirable to allow flexibility in parking lot size requirements so that the Planning Board can work with the developer to allow only the number of parking spaces needed by the applicant. Otherwise, parking lots tend to be over-built. Where appropriate, the Town should allow for use of permeable surfaces in parking lots to reduce stormwater runoff.

**Recommendation 3:** Consider use of shared driveways where it preserves open space and rural character. Any such use should be built according to detailed driveway standards that include limitations on the number of houses that could share that driveway.

**Recommendation 4:** Review and consider additional zoning changes as recommended in the Zoning Review Study (Appendix 1)

**Recommendation 5:** Review and consider additional changes to the local subdivision



law as recommended in the Subdivision Law Review Study (Appendix 2).

**Recommendation 6:** Amend the zoning to provide for low density development in the residential/agricultural area and to provide for protection of important resources such as aquifer areas, open spaces, streams, and steep slope areas. Increasing opportunities for residential development to have a variety of lot sizes and site layouts will be beneficial to Schaghticoke by helping new growth be consistent with the existing rural nature of town.

**Action Steps:** Enhance use of clustered subdivisions and authorize use of the conservation subdivision technique in zoning and subdivision laws (see boxes below). These alternative site layout techniques should be required for all parcels over 20 acres in size and where it will be subdivided into 3 or more lots. In addition, the Planning Board should have the authority to require use of these techniques if the circumstances of the proposed development and parcel indicate that they would be beneficial.

◆Require either a clustered or conservation subdivision design for all parcels over 20 acres in size that are being subdivided into more than 3 lots.

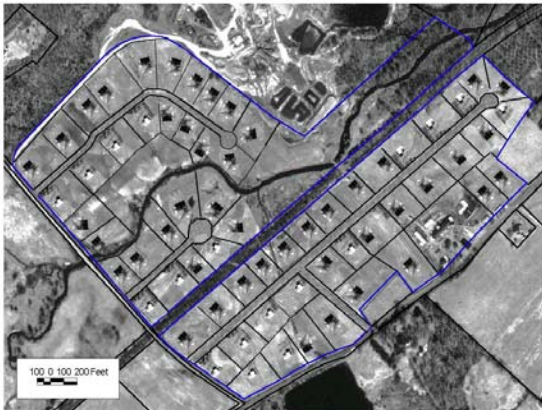
◆Ensure that any language added into zoning and subdivision to authorize clustering or conservation subdivisions outlines clear design principals to protect open space, the environment and rural character. Any new regulation should ensure that clusters are not placed along the road leaving all interior and unseen lands open with development concentrated along the roads.

## An Illustration of Clustering



This photo simulation illustrates a conventional subdivision at a density of one dwelling per four acres where the minimum lot size equals four acres. Note

how all land in this parcel is “used” by being split up and part of individual home lots.



This photo simulation illustrates a conventional subdivision at a density of one dwelling per two acres where the minimum lot size equals two acres. Note that all land in

this parcel is “used” by being part of individual home lots.

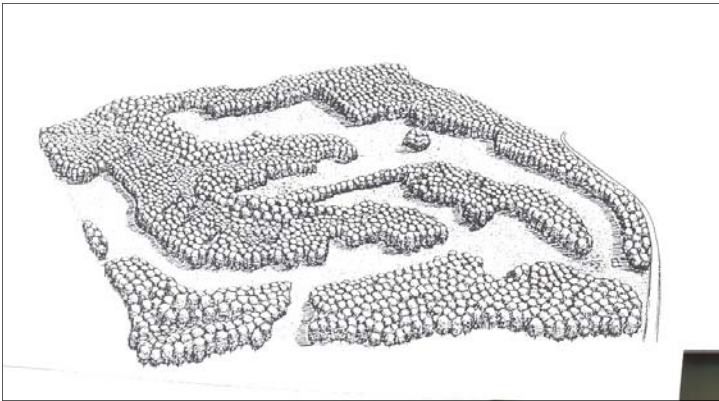


This photo shows a clustered subdivision at a density of one dwelling per two acres, but houses are clustered around the existing farmstead with minimum lot sizes of one acre. Note that the majority of the parcel remains as open space. This subdivision would allow continued farming, as well as protection of the stream corridor that passes through the property. Ownership of the preserved parcel could remain with the original landowner, be owned by a homeowners association, or by one of the new landowners as a type of “estate lot”.

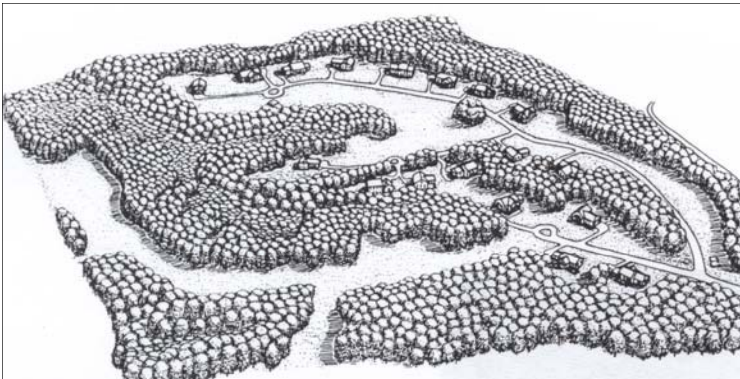
## An Illustration of Conservation Subdivision

Example of A Conservation Subdivision (all illustrations from *Growing Greener*, by Randall Arendt, published by National Landmark Trust, 1999)

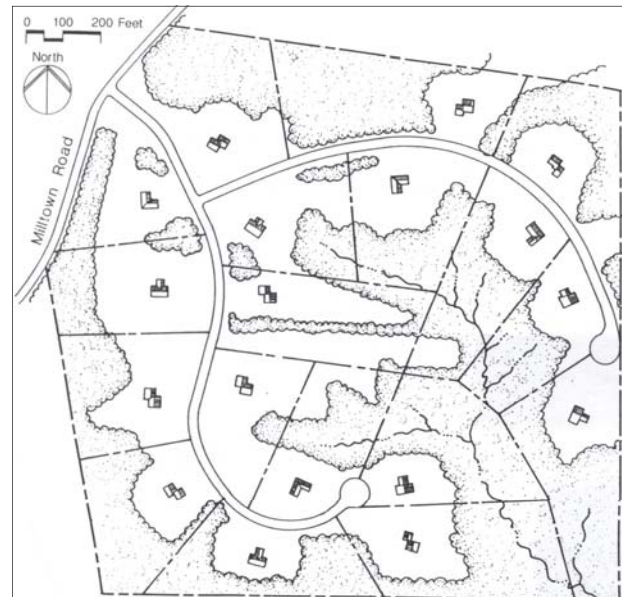
**A birds-eye view of the development site before subdivision showing woods and open fields.**



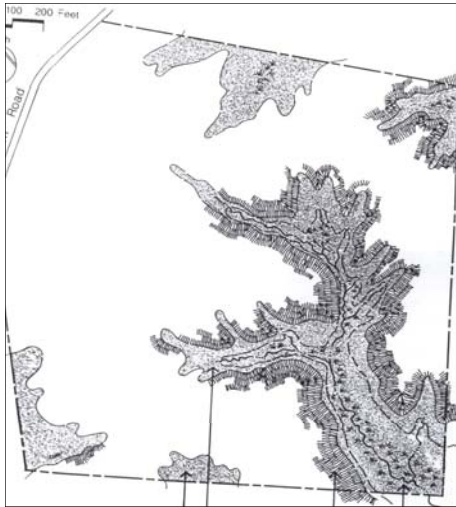
**A birds-eye view of what this site could look like fully developed through a conservation subdivision.**



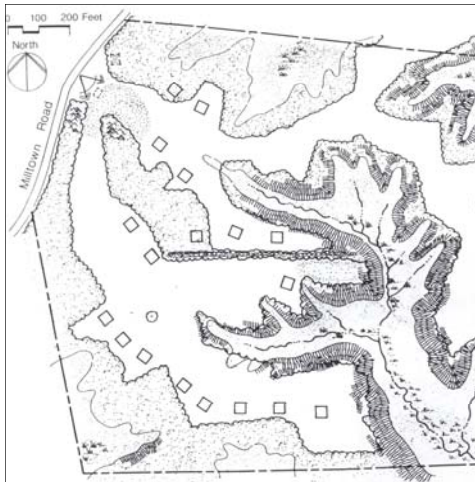
**Lot layout of a site showing a typical subdivision where no open space is preserved. This lot layout “yields 18 sites for building. The next page illustrates how this site could be developed under a conservation design.**



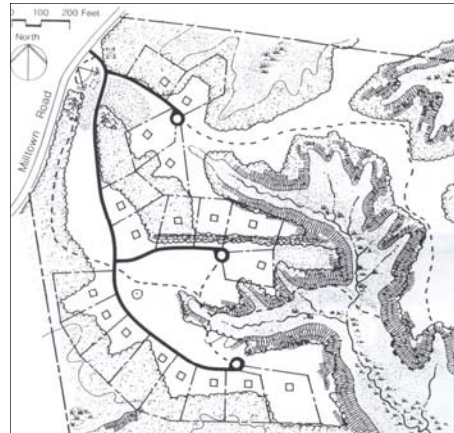
**Step 1 of Conservation Subdivision design: identify areas to be conserved. In this example, wetlands, steep slopes over 25% and a 100-year floodplain are identified as critical areas to be preserved on this parcel.**



**Step 2 of Conservation Subdivision design: locate house sites to maximize the number of homes with a view or direct access to the preserved areas of the parcel.**



**Step 3 and 4 of Conservation Subdivision design: align streets and trails. Streets should minimize new curb cuts from the access road. The last step is to draw in the lot lines. In this technique, lot lines are the least important task compared to a conventional subdivision where lot lines are drawn in first. Note that there are still 18 lots created in this subdivision at the same time that at least 50% of the site is preserved in an unbuilt condition.**



**Recommendation 7:** Develop and implement overlay zones to protect specific environmental resources including aquifers, scenic areas, agricultural locations, streams, steep slope areas. Overlay zones require other standards, dimensions, or densities to protect a specific resource. Overlay zones can be designated for conservation and open space protection areas, ecologically sensitive lands (aquifer recharge zones, steep slopes, wetlands, natural drainages, or critical habitats). See Agricultural section for discussion of development of an agricultural overlay zone.

**Action Steps:** Implement a Groundwater Concern Overlay Zone as follows. Based on the results of a groundwater assessment conducted for the Town (Town of Schaghticoke, Rensselaer County, New York Groundwater Assessment Report, Volume I and II), the Town should:

- ◆ Consider forming a water district based as identified on Plate I of the Groundwater Assessment Report for Groundwater Overlay Zone 3. Approach the Village of Schaghticoke with a proposal to purchase water from the Village water district for this Overlay Zone or consider developing its own source.
- ◆ Consider implementing zoning changes for the identified Groundwater Yield Concern Overlay

Zones 1, 2 and 3 (identified on Plate I of the Groundwater Assessment Report) as follows:

1. For a proposed residential development consisting of a single parcel, the existing density requirement for the underlying zone shall apply (in number of dwellings per acre). Any proposed subdivision taking place within the Overlay Zone shall have a density of one dwelling per five (5) acres could apply.
2. In any major subdivision as described in the Real Property Tax Law, that is a subdivision of 5 lots or more, the Planning Board of the Town of Schaghticoke will determine the need for an aquifer pump test. Information used for that determination may be the Ground Water Assessment Report and other information that has been gathered by the Planning Board. Minor and one



lot subdivisions, after discretionary review by the Planning Board may require a pump test. The Town should establish criteria for these pump tests based on the conclusions and recommendations of the Groundwater Assessment Report (See Appendix 3).

◆ As new groundwater supply wells are installed and groundwater well log information is filed with the NYSDEC, the Water Well Data Table in Volume I of the Groundwater Assessment and corresponding maps should be updated annually.

◆ Inform existing and future homeowners of possible treatment methods available with regard to typical Town groundwater quality limitations associated with water supply wells.

**Recommendation 8:** The Planning Board should use the GIS or maps included in this plan to identify locations having wetlands and ensure that proper setbacks or other protection measures are incorporated into review processes.

**Recommendation 9:** Either alone, or in partnership with nonprofit conservation organizations, develop a program to facilitate purchase of lands or use of purchased or

leased easements to protect agriculture, open spaces, and/or other important resources in the town.

**Action Step:** To facilitate a purchase of or leased developments rights program, consider a variety of funding sources including use of public tax dollars, public bond, and real property tax breaks.

**Recommendation 10:** Explore a Transfer of Development Rights Program. As part of the zoning law, Schaghticoke could require the transfer of development rights from the important areas desired to be protected (hilltop/ridgeline areas, aquifer recharge areas, etc.), called sending areas, to where conservation is desired and more suitable, called receiving areas. Typically receiving areas are preferably near hamlets or other already dense or denser locations. This is specifically allowed under New York State Chapter 40 of the Laws of 1989.

**Recommendation 11:** Ensure enhanced enforcement of all existing and new laws. The Town Board should set clearly stated expectations and procedures for local law enforcement. To accomplish this, consider

developing a written job description for enforcement officials; require that enforcement staff report to the town board on a monthly basis at its regular meeting; ensure that adequate procedures are detailed in all local laws and that they are consistent with NY State laws; and consider adding illustrations to the town's subdivision and zoning laws (illustrations will assist in clarifying expectations).

**Recommendation 12:** Change emphasis from min lot size (only required large enough to site a septic system) to density. This will allow development to have a variety of lot sizes to accommodate all desires and needs for small to large lots.

**Action Steps:**

◆ Change density of the RA zone (currently 60,000 sf min. lot size with a 60,000 sf minimum area required per dwelling unit) to 1 dwelling per three acres with a minimum lot size determined by soil conditions necessary for placement of a septic system.

◆ Change density of the R-60 zone (located north of Speigletown and east of New York State Route 40) to one dwelling per three acres with a minimum lot size determined by soil conditions necessary for placement of a septic system and rename this district to "Residential". Maintain

current use tables and other requirements associated with the R-60 district for this area.

**Recommendation 13:** Amend zoning to change the zoning designation of the Brickyard property from manufacturing to RA.

**Recommendation 14:** Consider establishment of a Critical Environmental Area, under SEQR for known hilltop ridges, to ensure that stringent reviews of projects in this area are done and that a hard look is taken to ensure that negative impacts to these resources do not occur.

**Recommendation 15:** Consider using an environmental control formula to determine sustainable densities on a parcel by parcel basis for developments over 20 acres in size as follows:

This is a technique that can establish site-specific densities consistent with local site conditions. With an environmental control method, a site's density is modified based on

the specific environmental conditions found on that site. The premise of this technique is that the capacity of the parcel is based on the environmental characteristics of the site. The overall development intensity should be set by the community but also factor in environment constraints.

An environmental control formula is when a multiplication factor is used on a site-by-site basis to determine appropriate density levels. Each district has an established density. This base density is adjusted based on the environmental conditions of the site. An **example** of this multiplication factor, based on environmental features is as follows on the next page:



| <b>Environmental Feature</b>              | <b>Multiplication Factor (Example)</b> |
|-------------------------------------------|----------------------------------------|
| Open Water on Site                        | 0.0 units                              |
| Wetlands, State or Federal                | 0.05 units                             |
| Flood Plain                               | 0.2 units                              |
| Slopes over 10%                           | 0.2 units                              |
| Preserved Historic or Archaeological Site | 0.2 units                              |
| Aquifer Recharge                          | 0.2 units                              |
| Non-constrained Land                      | 1.0 units                              |

The following **example** shows how this system using the environmental control formula could work. Under a conventional system where density was set at of 1 dwelling per 3 acres (.33 dwellings per acre), this would yield 32 units:

Site Area is 97 acres and has a base density set at .33 dwelling units per acre

| <b>Site</b>                | <b>Area</b>      | <b>Density</b> | <b>Multiplication</b> | <b># units</b> |
|----------------------------|------------------|----------------|-----------------------|----------------|
| <b>Characteristics</b>     | <b>(Acreage)</b> |                | <b>Factor</b>         | <b>You Get</b> |
| Open Water                 | 3                | .33            | .0                    | 0              |
| Wetlands                   | 10               | .33            | .05                   | .165           |
| Floodplain                 | 5                | .33            | .2                    | .33            |
| Slopes over 10%            | 10               | .33            | .2                    | .66            |
| Aquifer                    | 1                | .33            | .2                    | .066           |
| Historic                   | 1                | .33            | .2                    | .066           |
| Non-Constrained            | 67               | .33            | 1                     | 22.11          |
| <b>TOTAL SITE CAPACITY</b> |                  |                |                       | <b>23.40</b>   |

Using the formula in this example, 23 units would be permitted, with those located on environmentally constrained land transferred to the non-constrained portion of the parcel.

***Objective 1.2: Develop public infrastructure that supports residential development needs, but is not in itself, a growth inducing factor.***

**Recommendation 1:** The town should consider all available water treatment options including constructed wetlands, small package plants, decentralized management systems, biological treatments, and other technologies that are available for its infrastructure needs.

**Recommendation 2:** Consider initiating Adequate Public Facilities regulations. These add to the other land use controls in town with a requirement that there be express findings regarding the availability of adequate road, sewer, water, and other critical facility capacity to serve proposed development. The net effect is typically to keep development more compact and contiguous to existing development, or to cause it to locate in nodes around other service providers. A basic set of APF controls provides that development shall be approved only if the Planning Board makes explicit findings that a) there is, or will be at the time of actual development, an adequate supply of water to serve the needs of the project, adequate capacity to

collect and treat wastewater from the project, adequate road capacity to handle traffic to and from the project, and adequate capacity in stormwater drainage to handle stormwater runoff from the project.

***Objective 1.3: Minimize impacts related to flooding.***

**Recommendation 1:** Enhance zoning language related to the flood Fringe Overlay zone. Clarify expectations and standards and strengthen language to protect these areas.

**Recommendation 2:** Establish up-to-date / robust drainage and buffer requirements for any new development that encourages on-site percolation, reduces volume and velocity of any site outflows; include allowance of use of pervious surfaces for parking lots.

***Objective 1.4: Meet the natural & cultural resource protection goals of the Hudson River Valley Greenway.***

**Recommendation 1:** Incorporate the natural & cultural resource protection goals of the Hudson River Valley Greenway criteria in all plans, actions,

and regulations in the Town of Schaghticoke. The Greenway's overall goal is to protect, preserve and enhance natural and cultural resources including natural communities, open spaces, historic places, scenic areas and scenic roads. The Greenway Criteria are:

1. Natural and Cultural Resource Protection – Protect, preserve, and enhance natural resources, including natural communities, open spaces, cultural and historic resources, scenic roads and scenic areas.
2. Regional Planning – Develop mutually beneficial regional strategies for natural and cultural resource protection, economic development, public access and heritage and environmental education.
3. Economic Development – Encourage economic development compatible with the preservation and enhancement of natural and cultural resources including agriculture, tourism, and the revitalization of established community centers and waterfronts.
4. Public Access – Promote increased public access to the Hudson River through the creation of riverside parks and the development of the Hudson River Valley Greenway Trail System.

5. Heritage and Environmental Education – Promote awareness among residents and visitors about the Valley's natural, cultural, scenic and historic resources.

**Recommendation 2:** Work with New York State Natural Heritage Program and Rensselaer County Environmental Management Council to identify critical habitats within the town and develop programs to protect them.

**Recommendation 3:** Consult with Rensselaer Taconic Land Conservancy as potential partner in protection of important open spaces.

**Recommendation 4:** Seek New York State Bond Act and Environmental Protection Fund grants to acquire open spaces with priority value to town residents.

**Recommendation 5:** Use maps developed by the GIS (Buildout Analysis: Individual Environmental Constraints, Parcels Available for New Residential Development with Constraining Areas Removed, and Contiguous Undeveloped Areas) to identify priority open space lands that should be protected.

***Objective 1.5: Protect steep-sloped areas to reduce erosion and sedimentation.***

**Recommendation 1:** Establish a steep slope law or implement a hilltop/ridgeline overlay zone (see Proposed Steep Slope/Hilltop/Ridgeline Overlay Zone Map). This law or overlay zone could incorporate lands above a specified elevation to include all prominent hilltops and ridgelines in town. Required standards for this overlay could include careful siting of buildings away from ridge tops and ridgelines.

**Recommendation 2:** Establish safe building setbacks and buffers from steep slopes above drainage areas and hollows (especially with underlying clay soils) that are subject to mass wasting.

**Recommendation 3:** Consult with Rensselaer County Soil & Water Conservation District and Army Corps of Engineers to focus on strategies to limit mass wasting of steep slopes in drainages and hollows that contribute sediment to the navigable waters of the Hudson River functioning as the modern Champlain Canal route.

## Commercial Land Use and Economic Development

*Goal 2: Provide locations and mechanisms to support desired commercial activity and that support Schaghticoke's small town character.*

### Issues:

★ There are opportunities for additional commercial land use in Schaghticoke and the town has not actively promoted itself for business, agri-business, or other types of appropriate development.

★ Many residents have noted the lack of commercial uses in the Town, and especially, the need for a grocery store to serve the local population.

★ Lack of commercial activity also is a concern because there are few employment opportunities here.

★ Residents have mixed feelings about the desirability of additional commercial activity in Schaghticoke. Many desire retail shops to meet the needs of residents, but at the same time, do not want it to erode the desired small town character.

★ Several commercial uses such as junkyards are felt to be incompatible with existing uses.

### *Objective 2.1: Enhance job opportunities.*

**Recommendation 1:** Form an economic development committee whose role is to identify funding opportunities and incentives for attracting new job-enhancing growth to Schaghticoke and to actively market the town for this purpose. This group can inventory buildings and lots available in commercial zoning districts to build a database of what is available and what the properties' characteristics are.

**Recommendation 2:** Allow Bed & Breakfast Inns (targeted especially at Canal boaters in the hamlet of Hemstreet Park), especially in the Hamlet and Rural Agricultural districts.

**Recommendation 3:** Allow agri-tourism related businesses as a permitted use subject to site plan review in the RA district (such as corn mazes, pumpkin patches, U-Pick operations, etc.)

**Recommendation 4:** Utilize a streamlined approval process for commercial proposals.

**Recommendation 5:** Create incentives for desired commercial growth such as low-interest loans, incentive grants, specially designated block grant funds (through the Community Development Block Grant Program) or interest buy-down programs. Small loan pools with low interest rates have been shown to be successful.

**Recommendation 6:** Consider establishing a business improvement district for one or more existing highway commercial districts. A Business Improvement District (BID) levies an additional tax that is dedicated to improving the business climate for that specific district. BID's can provide services such as business retention and recruitment, marketing, professional management, maintenance, safety and security, and streetscape improvements.

**Recommendation 7:** Consider amending zoning to further encourage economic development in one or more of the following ways. Keep in mind that a key development philosophy would be to reinforce centers (hamlets) as primary growth areas, where subdivisions and commercial districts are pulled together into more connected neighborhoods or mixed use centers:

**Action Steps:** Utilize existing highway commercial districts and consider them "commercial nodes". This nodal development is beneficial because it will prevent highway commercial sprawl along Route 40. These nodes could be developed in "hamlet-form". Within these existing districts, ensure that development standards (set backs, building footprint size, percent of parcel in impervious surfaces) and design (building design, parking lot layout, landscaping, lighting, signage, etc.) are established to ensure that what is built is consistent with the other goals of Schaghticoke. This option should also allow for encouraging commercial nodes to become mixed use centers (residential above a commercial use, for example).

- ◆ As an alternative, but similar proposal, remove existing commercial highway districts along Route 40 and instead, move them closer to existing clusters of residential uses such as near the hamlets and the Village of Schaghticoke. In between these areas, allow for lower density residential development and agriculture.

- ◆ Create a Mixed Use Neighborhood Commercial Floating Zone. A floating zone is established in the zoning law with standards and requirements, but is not mapped until a

proposal for such a use arises. It is similar to the Planned Unit Development process except that all the standards and requirements are specified up front in the zoning law. This could allow for creative mixed-use development (commercial and residential) on larger parcels of land. This could allow for the development of commercial services (jobs, retail, and services) within walking distance of residential clusters.

◆ Create a mixed use/neighborhood commercial Town Center district centered on the Town Hall location. This could allow residential and commercial infill to take place in a hamlet style of development with a strong emphasis on recreational opportunities.

***Objective 2.2: Ensure new commercial activity is consistent with the distinctive character of Schaghticoke.***

**Recommendation 1:** Recognize that the character of Schaghticoke is an essential economic variable. Utilize and market the town's distinctiveness. In order to protect the distinctive character, establish

commercial design standards to be included in zoning with appropriate siting, architectural, and landscaping performance standards for all commercial uses. These should be tailored to the district: for example, hamlet design standards should allow new commercial growth to be consistent with and harmonize with existing buildings and design. In more open and rural areas, different standards may be needed to ensure that new growth is consistent with that type of landscape.

**Recommendation 2:** Should "big box" stores be allowed, develop design standards that place the smaller, more attractive storefronts to face and be set close to the road with the larger structures behind. This screens the parking and establishes more traditional road frontage.

**Recommendation 3:** Maintain undeveloped open spaces between commercial nodes along major highways and hamlets.

**Recommendation 4:** Develop an illustrated guideline to aid implementation of these design standards.

**Recommendation 5:** Establish additional area and bulk requirements for commercial uses in the Highway Commercial District and Hamlet Districts to include setbacks, an impervious surface ratio (ratio between the entire parcel and the amount of impervious surfaces proposed), and/or an allowable building footprint.

**Recommendation 6:** Any commercial development along a state highway should utilize traffic access management techniques to control traffic flow in, out and between commercial properties. This could mean reductions in lane widths, shared access drives and parking, and rear service road connections.

***Objective 2.3: Incorporate the economic development language of the Hudson River Valley Greenway criteria in any economic development planning including:***

◆ Enhance the economic climate by providing central utility systems, a variety of housing options, and a wider diversity of businesses.

- ◆ Promote tourism and marketing projects that build on the distinctive characteristics of the region.
- ◆ Protect farmland and address issues affecting the viability of agriculture, including municipal regulations and marketing opportunities.
- ◆ Stress waterfront redevelopment projects.
- ◆ Streamline the development review process for projects consistent with Greenway guidelines and this comprehensive plan.



## Agriculture

### *Goal 3 – Support farms and protect agricultural lands.*

#### **Issues:**

- ★The town supports a substantial number of farm operations, and has large acreages in active agricultural use.
- ★Farms play an important and desired role in Schaghticoke.
- ★Residential growth patterns, especially in the northern sections of Schaghticoke, will likely increase conflicts between agricultural uses and will lead to the reduction of existing open spaces and lands available for agriculture.
- ★Loss of active farmland will also impact community character, the environment, the local tax base, and the overall economy.

#### ***Objective 3.1: Encourage new and alternative agricultural uses of farmland and support existing agricultural uses.***

**Recommendation 1:** Sponsor a forum with NYS Agriculture & Markets and Rensselaer Soil & Water Conservation District / Cornell

Cooperative Extension agency to help local farmers become aware of current and emerging state / national market opportunities and trends.

**Recommendation 2:** Encourage town farmers to participate in farmers markets and consult with its organizers regarding unmet local / regional needs and product trends.

**Recommendation 3:** Ensure that agricultural structures are properly assessed. The town assessor(s) should have depreciation schedules to prevent overvaluation of farm structures. Require town assessors to receive training on the real value of agricultural buildings and structures and urge them to apply consistent principals in assessment of farmland and farm structures, and “current use” standards to vacant farmland.

**Recommendation 4:** Ensure that the Planning Board and Zoning Board of Appeals follow all requirements of New York Ag and Markets Law 25 AA. These include instituting required fines when land in an agricultural district is taken out of production and used for non-farm activities, determining if applications before the planning

board have negative impacts on agriculture, and ensuring that the ag notification requirements are met.

**Recommendation 5:** Offer additional locally sponsored property and building tax incentive programs that compensate farmers for protecting farmland. There are several ways this can be implemented.

- ◆ The town could consider offering agricultural assessments to farmers that can show a \$5000 or more gross income from farm activities on their land or that have 4 or more acres of farmland. This will allow those who may have “hobby” farms or smaller alternative farms to receive benefits for maintaining agricultural land.

- ◆ Offer a town sponsored term easement tax abatement program. Term easements are a voluntary agreement between a landowner and the town. The landowner agrees not to develop their land for a set period of years and in return, the town offers a significant reduction of assessments. Some communities have initiated 15 to 20 year term easements in return for a 70 to 90 percent reduction in

assessed land values. This offers the landowner a major economic incentive and gives the town some assurance that land will be set-aside for agricultural or open space purposes. Most communities that have this program also offer this program for the preservation of open space as well.

**Recommendation 6:** Continue a local purchase of development rights program. This local tax supported program compensates landowners for placing permanent conservation easements on their land. Funding typically comes from annual appropriations, bonding, and real estate transfer taxes.

**Recommendation 7:** Educate farmers and landowners about the GROW New York Program. This is a competitive grant program offered through NYS Ag and Markets to help farm businesses become more profitable. These include the Ag Research and Development Grants; Farmland Viability Grants; and Farmer’s Market Development Grants. Grants are also available through NYS OPRHP to preserve barns and agricultural buildings.

**Recommendation 8:** Work with local landowners to increase participation in programs such as the farm-

building-exemption portion of the Real Property Tax Law; Section 483; NYS Farmers School Tax Credit; NYS 480A Program for Forestland; NYS Historic Barn Credit Program; and the NYS Barn Rehabilitation Cost Share Program. All eligible landowners should be encouraged to take advantage of these programs.

***Objective 3.2: Reduce conflicts between agricultural and residential land uses.***

**Recommendation 1:** New residential development should provide for its own buffer zone or landscape plantings for screening between itself and existing agricultural operations. This requirement should be incorporated into zoning and subdivision regulations.

**Recommendation 2:** -Work with and apply for grants under NYS Agriculture & Markets farmland conservation program to conserve critical farmland north of Hoosic River and establish buffer areas between agricultural areas and residential development.

**Recommendation 3:** Work to support 4H groups and other opportunities to increase knowledge and understanding of agriculture as part of local /

regional school district curricula and school / community activities.

***Objective 3.3: Enhance local land use regulations and policies to support agriculture.***

**Recommendation 1:** Change the zoning schedule of uses to allow farm stands as a permitted principal use in the RA district rather than requiring a special permit.

**Recommendation 2:** Develop detailed definitions for agricultural uses in the local zoning law. Agricultural and horticultural crops, livestock, storage of farm produce, etc. should all be defined in the law.

**Recommendation 3:** Add other agricultural uses allowed as a permitted principal or accessory use such as riding stable, greenhouse, etc.

**Recommendation 4:** Consider changing the existing zoning definition of farm (currently excludes riding academies and stables and requires at least 10 acres of land) as this is restrictive. This definition probably

would exclude “hobby” farms and other alternative agricultural uses on smaller parcels of land (such as organic farms, small orchards, farms with small herds or flocks of animals, etc.). Small farms may not be commercially viable, but they are important in maintaining the rural landscape and the farm infrastructure and should be encouraged.

**Recommendation 5:** Develop streamlined review processes and flexibility in standards regulating signs, parking, etc. for agri-businesses.

**Recommendation 6:** Amend the existing residential cluster provisions to allow preserved land to be used for active agriculture. This is currently not in the list of acceptable uses for preserved land.

**Recommendation 7:** Allow farm stands to sell produce from other farms, as well as limited non-agricultural products. Encourage producers to sell their own produce.

**Recommendation 8:** Ensure that someone representing agriculture be a member of the planning board.

**Recommendation 9:** Authorize use of conservation and clustered subdivisions. These innovative and more agriculture/open space friendly developments should be required for subdivisions on all parcels 20 acres in size or larger and that are being divided into 4 or more lots. Otherwise, these subdivisions may be the preferred method given specific circumstances of the proposed development and the parcel. The Planning Board and the Zoning Board of Appeals should carefully review the resource maps of the town and evaluate environmental features on the proposed site and determine if these techniques are appropriate.

**Recommendation 10:** Target agricultural and farmland protection initiatives such as tax incentive programs and use of conservation easements toward blocks of viable farmland. Encourage use of conservation easements to protect viable, active farmlands. Utilize the section called “Prioritizing Agricultural Land” in the Rensselaer County Agricultural and Farmland Protection Plan to prioritize parcels of land for conservation easement

programs. Locally important agricultural lands could include those active farmlands that are in an agricultural district, receive an agricultural tax exemption, and that have 50% or more of the farm in prime or statewide important soil groups.

**Recommendation 11:** The town should consider amending zoning to lower density in the RA district (currently a minimum lot size of 60,000 sf or less) to one dwelling per three acres.

**Recommendation 12:** Current regulatory practices in town encourage widespread residential development. Encourage higher density in and near the hamlets. This encourages efficient provision of public services and helps reduce development pressures on surrounding farmland. Designate hamlets and require hamlet style development within them. Zoning and its requirements should ensure that there is a clear designation between hamlet areas and countryside. A sharp delineation between countryside and hamlet will help maintain rural character. Reconfigure zoning and lot sizes to move away from dependence on minimum lot sizes as the determining factor for density.

**Recommendation 13:** Focus water and sewer in already developed areas. Location of infrastructure such as water and sewer can have profound impacts on where and how much development takes place. Land development typically follows infrastructure development. Hamlet areas should be the locations where these services are offered. Hamlet zoning districts should include “room to grow” and not allow infrastructure expansion beyond that district.

An overlay zone is a zone or district created by the town board for the purpose of conserving natural resources or promoting certain types of development. Overlay zones are imposed over existing zoning districts and contain provisions that are applicable in addition to those contained in the zoning law. Overlay zones typically use performance standards to protect one or more resources.

## Recreation, Historic Resources, and Culture

**Goal 4 - Provide quality recreational and cultural opportunities for children and adults.**

### Issues

- ★Schaghticoke has historic locations, cultural activities, and scenic areas that could be taken better advantage by local residents and visitors.
- ★There is a lack of recreational programming and facilities for children and senior citizens.
- ★Outdoor recreational opportunities related to the Hudson and Hoosic Rivers such as hiking trails and activities are few. The location of the town along these rivers is a positive feature because these natural resources add to the rural character and scenic beauty of the area and could be enhanced.
- ★The fairground is a great asset and there are opportunities to use it more effectively.
- ★ A growing population will likely increase the need for recreational programs and facilities. There is no town or community center and this

contributes to loss of community and recreational opportunities.

**Objective 4.1: Increase the awareness, understanding, protection, and use of historic sites.**

**Recommendation 1:** Encourage local school districts to incorporate local historic sites into curricula (Knickerbocker Mansion, Chester Arthur School, & Josiah Masters Cemetery). Involve the local historical society with this program.

**Recommendation 2:** Encourage and support grant applications by local historical associations to develop interpretive signage for placement at significant community historical sites.

**Recommendation 3:** Consider developing a local historic district in the vicinity of the Knickerbocker Mansion and other locations that have historical significance.

**Recommendation 4:** More aggressively market local historic sites as a component of an economic development/ tourism program.

**Recommendation 5:** Consider purchasing development rights on the parcels of land adjacent to the Knickerbocker Mansion.

***Objective 4.2: Increase access to, use and understanding of the Hudson and Hoosic Rivers.***

**Recommendation 1:** Seek funding and develop a Local Waterfront Revitalization Program through the NYS Coastal Zone Program. Work with NYS DOS to establish a Local Waterfront Revitalization Program focused on dealing with land use and land conservation along the Hudson River waterfront in order to be eligible for land protection grants under the Environmental Protection Fund as well as explore potential and desirability of boater support facilities such as marinas and fuel / pump-out stations along the Champlain Canal

**Recommendation 2:** Work with NYS Coastal Zone Program to investigate public access opportunities along the Hudson River as part of the Local Waterfront Revitalization Program.

**Recommendation 3:** Work with NYS Department of Environmental Conservation to investigate opportunities to implement fishing access easements along the Hoosic River.

**Recommendation 4:** Develop a greenway system that creates and links trails, bikeways, and scenic roads with connections to open spaces and recreational areas throughout town, but especially along the Hudson and Hoosic Rivers.

**Recommendation 5:** Seek money from the New York State Department of State to develop and implement a waterfront plan for the entire length of waterfront in the Town (including along both the Hudson and Hoosic Rivers.)

**Recommendation 6:** In order to implement the tourism and waterfront goals – amend zoning to allow for expanded uses along waterfront or marina district such as hotels and other tourism facilities.

***Objective 4.3: Identify and protect important viewsheds in town.***

**Recommendation 1:** Complete an inventory of visual resources in town that builds on the viewshed analysis conducted for this plan and seek broad community input to identify priority scenic viewpoints and corridors of particular value. Sites located within these viewsheds could be included in a scenic overlay zone, in a critical environmental area, or in a base-zoning district. Alternatively, these viewsheds could be used as part of a non-regulatory program (see recommendations in this section, below) and not included in regulatory techniques. Develop design standards to protect these views. Such standards could include siting and design methods to ensure that buildings are carefully sited so that they are in the least obtrusive location and designed to fit in with the natural surroundings.

**Recommendation 2:** Identify properties for potential easement or acquisition critical to maintain scenic integrity of priority areas as part of community open space protection.

**Recommendation 3:** Use the GIS data, maps and viewshed analysis of this plan to identify portions of roads considered to be “scenic”. Once identified, consider designating those sections as a locally significant scenic road, use signage to identify these areas, and create a roadside pull-off program. Build on the existing scenic road initiative whereby routes are designated as local scenic roads. These road segments include Knickerbocker Road (from Hemstreet Park) to Route 67 to Buttermilk Falls Road to Route 40; Plank Road to Wetsel Road to Fogarty Road to Colonel Burch Road to Beadle Hill Road and to Kardas Road. Through a volunteer committee, inventory all roads in the town and develop a rating system to identify important scenic roads and views from those roads. This program should be based on an objective system of ratings that takes into consideration features such as width of road, type of landscape, presence of long-views from the road or of important natural features such as streams or wetlands. Roads that are considered to be scenic can be designated as a locally significant scenic road. Use signage to promote use of and identify these locations. Tools exist to help the town develop an objective program (see “Views from the Road: A Community Guide for Assessing Rural Landscapes” by David H. Copps and printed by the National Trust for Historic Preservation.) As part of this



program, a roadside pull-off and interpretive signage program would be beneficial. These would provide the traveling public with a chance to safely pull off the road to view significant landscapes.

**Recommendation 4:** Identify local scenic districts within zoning ordinance as overlay zones with special performance standards (landscaping, density, setbacks e.g.) appropriate to maintain scenic integrity of the area.

**Recommendation 5:** Treat the public roadways in town as critical open spaces and areas and work to enhance the attractiveness of these areas to travelers.

**Recommendation 6:** Work with the Highway Department to develop a road-side tree and vegetation program. In some places, maintenance of trees and roadside vegetation are important. In others (scenic areas), long views from the road are important.

**Recommendation 7:** Non-regulatory and voluntary techniques to protect scenic and rural landscapes include use of educational initiatives, development of a landscape field guide, implement an interpretive tour guide, scenic corridor mapping, and a property owner's manual. A property owner's manual provides information about the historic, scenic, and environmental resources and is provided to individuals who own property within scenic road corridors and describes ideas on how to preserve the character of the land.

**Recommendation 8:** Consider notification, recognition and nonbinding agreements: notification that a landowner has a significant resource on his/her property and recognition of that is a good way to help encourage protection of those resources. A nonbinding agreement can be a starting point to work with landowners to instill conservation measures.

**Recommendation 9:** Consider use of tax incentive programs: Similar to what was proposed for encouraging agriculture, the town could also provide tax abatement programs to encourage the preservation and enhancement of significant scenic resources.

***Objective 4.4: Develop a town center and related programs to be a focus for educational, recreational, and cultural activities in town.***

**Recommendation 1:** Research experience of similarly sized communities with community centers in determining space and site needs. Consider potential locations in or near existing population concentrations in the southern half of town, near the Village or centered on the Town Hall location.

**Recommendation 2:** Seek advice from NYS OPRHP to determine typical space needs and costs for facilities and improvements adequate to meet needs of town's population.

**Recommendation 3:** Seek NYS OPRHP parks acquisition funds for site or facility.

**Recommendation 4:** Work with the Hoosic Valley school district to explore ways to use existing school district resources to benefit the broader community. Establish a standing recreation committee to facilitate this liaison and recruit volunteers to help organize and supervise activities.

**Recommendation 5:** Consider hiring a part or full-time recreation coordinator to organize active recreation programs.

**Recommendation 6:** Explore opportunities to obtain NYS Department of Health physical activity promotion grants or technical assistance to support development of recreation programs.

**Recommendation 7:** Seek legislative member item to support development of a recreation needs and facilities plan. Seek NYS OPRHP grants to support development of facility as well as creative funding for an indoor facility through programs such as the Governors' Office for Small Cities and the NYS Division of Housing and Community Renewal.

**Recommendation 8:** Consider designating land between Speigletown and the Melrose hamlet as potential recreational trail / park space for possible future acquisition. This resource could allow increased walking for recreation and health and could be accessible by foot to most of the town's population.

**Recommendation 9:** Establish recreational contribution requirement as part of subdivision regulations and prepare associated recreation needs justification.

## Water Supply, Water Quality, Infrastructure and Utilities

### *Goal 5 - To protect water supplies and provide quality public infrastructure.*

#### **Issue:**

- ★ Continued residential growth will increase pressure on the availability and quality of ground water outside those areas served by central water and sewer systems.
- ★ According to the survey, some feel that infrastructure improvements are lagging behind the current rate of growth, or they will in the future, if development trends continue.
- ★ More demand for public services not only affects quality of life, but influences the tax base and provision of these services can be an impetus for more development.
- ★ Ground water locations and quantities are not well documented.

### ***Objective 5.1: Protect ground and surface water quality.***

**Recommendation 1:** Limit the type and amount of development in aquifer recharge areas through use of an aquifer overlay protection zone.

**Recommendation 2:** Ensure that streams have adequate buffer protections and setbacks in the zoning ordinance. A 100-foot buffer for streams without a mapped floodplain is recommended. Consider establishing such stream-buffer areas to protect water resources from disturbances. Buffers can control or limit development within a designated area along the stream. Buffers reduce stormwater velocity and volume and pollutants. Vegetated buffers also shade streams for fish and stabilize stream banks. Buffers can be created through establishment of a stream corridor protection regulation, through use of an overlay district that sites development away from streams, or as a requirement as part of land subdivision or in zoning.

**Recommendation 3:** Town law already authorizes a Conservation Advisory Council (CAC). The Town Board should appoint members and initiate an active CAC to assist with the review, information

gathering, and implementation of environmental protection programs, including those for ground and surface water protection.

**Recommendation 4:** Ensure adequate review of erosion/stormwater, etc. during permitting of new projects.

**Recommendation 5:** Develop a waterfront plan whereby floodplains that are part of the NYS Coastal system are identified and strategies outlined to protect them.

**Recommendation 6:** Work with DEC and the County Soil and Water Conservation District to educate landowners about the natural functioning of streams and wetlands, and offer literature, training, and support on how to minimize damage and protect water resources.

**Recommendation 7:** Establish a local review process that routinely invites staff from these agencies to provide advice and expertise to the Planning Board on ways to reduce nonpoint source pollution.

**Recommendation 8:** The CAC can collect information, hold training sessions, and offer advisory opinions to the Planning Board on ways to minimize nonpoint sources of pollution as part of the review of applications.

**Recommendation 9:** The following publications or their updates can be referenced for appropriate standards and techniques: a) Guidelines for Urban Erosion and Sediment Control: New York, 1991; b) Reducing the Impacts of Stormwater Runoff from New Development. NYS DEC, Bureau of Water Quality Management, 1992; c) Controlling Agricultural Nonpoint Source Water Pollution in New York State: A Guide to Selection of Best Management Practices to Improve and Protect Water Quality. NYS DEC, Division of Water, Bureau of Technical Services and Research. 1991; d) State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activities. NYS DEC, Division of Water. 1993; e) Individual Residential Wastewater Treatment Systems Design Handbook. NYS Department of Health. 1996; and f) New York State Forestry Best Management Practices.

**Recommendation 10:** The Town and Planning Boards and potential developers of sites in Schaghticoke should be aware that wetland permits may be required by either New York State (Freshwater Wetland Permit) or by the U.S. Army Corps of Engineers when activities are in, or adjacent to, wetlands.

**Recommendation 11:** The Town and Planning Boards, and potential developers of sites in Schaghticoke should be aware that stormwater-management plans are required by New York State (State Pollutant Discharge Elimination System permit program). Stormwater-management plans are designed to maintain pre-development quality and quantity of runoff and to eliminate surface runoff containing agricultural wastes, effluent from failed septic systems, and other nonpoint source pollutants.

**Recommendation 12:** Amend the Town's Subdivision law, zoning, site plan, and other land use controls that may be adopted in the future, to allow review and evaluation of proposed developments' level of stormwater runoff and if needed, require use of stormwater-management practices such as open-drainage swales, settling

(retention and detention) basins, and use of sumps and oil traps for commercial and major residential developments. Site plan review for commercial developments should contain provisions for limiting impervious surfaces (paved areas) to reduce water runoff.

**Recommendation 13:** Limit the type and amount of development in steep slope areas through use of a steep slope overlay zone. Protecting steep slopes can minimize erosion and excessive runoff, and protect unique terrain and scenic resources. Woodland uses are generally the preferred use for steep slopes. However, control of development on steep slopes can be established through provisions in subdivision, site plan review, and land use regulations, or through a separate ordinance. Erosion and sedimentation controls and prevention of ridgeline development can be used to protect moderately sloped areas. Erosion and sedimentation controls for roads or trails and other management activities on steep slopes are needed to minimize erosion associated with woodland uses. The New York State Forestry Best Management Practices manual should be used as a guideline to protect steep slopes during forestry operations. The zoning section on forestry land uses should refer to this manual. Development on very steep slopes (in excess of 15%) should

require that an erosion and sedimentation control plan be filed and reviewed during project evaluation by the Planning Board.

**Recommendation 14:** Fully implement all State Environmental Quality Review (SEQR) provisions to ensure that potential environmental impacts of proposed projects are identified and mitigated. During SEQR future developments should be reviewed against goals and standards as outlined in this Comprehensive Plan.

**Recommendation 15:** Facilitate training all Planning Board members on SEQR so that this law is effectively administered. The New York State Department of State can be contacted to provide free SEQR training. Ensure that all SEQR materials including the law, guidelines, and manuals are on hand for use by the Town and Planning Board.

***Objective 5.2: Understand characteristics of and ensure that adequate water supplies exist.***

**Recommendation 1:** Ensure that new public utilities are provided in a timely and cost effective manner. Adopt an adequate public facilities ordinance to ensure that development follows infrastructure investments and not vice-versa.

**Recommendation 2:** Investigate the capacity and fiscal implications of extending sewer service to serve existing development in the southern portion of town and Melrose Hamlet

***Objective 5.3: Ensure that infrastructure expansions are consistent with goals to preserve the small town character of Schaghticoke.***

**Recommendation 1:** Limit size of infrastructure systems only to serve existing development capacity and the small amount of expected future growth in households or commercial sites. Restrict size of mains between service districts to discourage likelihood of connection requests in currently undeveloped areas.

## Regional Environmental Quality/Pollution

### *Goal 6 - Protect Town residents and environment from the potentially negative impacts of any PCB dredging operations.*

Dredging of the Hudson River for PCB's and the possibility of locating a de-watering site in the town are concerns of the residents. This activity may threaten not only the environment but the health, safety and quality of life here.

**Recommendation 1.** Hire professional, legal, and technical assistance to work with the Town to review and comment on all documents, environmental impact statements or equivalent materials, and other plans submitted by the Environmental Protection Agency and GE relative to the dewatering facility.

**Recommendation 2.** Any environmental impact statement or equivalent materials should be reviewed relative to the goals and strategies outlined in this plan. In addition, the following topic areas/potential impacts, among others, must be evaluated because they are potentially

inconsistent with the vision, goals, and strategies established in this plan:

Compatibility of facility with existing land uses and existing zoning.

Compatibility of facility with proposed zoning/future land uses in area.

Appropriateness of engineering standards proposed for the facility.

Impacts on traffic:

- Potential impacts of increased barge traffic

- Potential impacts of increased railroad traffic on local streets (where railroad crosses)

- Potential impacts of construction traffic (both construction and decommissioning)

- Potential impacts on bridge to Mechanicville

Impacts of construction and decommissioning

Impacts on the aesthetic character of the area

Impacts of noise

Impact on Knickerbocker Road; condition and maintenance of this secondary road

Impact on historical and archaeological resources

Impact on agriculture

Impact on economic development related to camping/tourism/agri-tourism and cultural tourism, etc.

Ability of the Hudson River to accommodate barge and boat traffic

**Recommendation 3.** Regularly communicate with town residents and landowners about the status of the proposed project. Use town newsletter, web site, and public meetings to consistently involve the public in this issue.

**Recommendation 4.** Should the Schaghticoke site be chosen for the dewatering facility, the Town desires the area to be restored fully to existing conditions.

**Recommendation 5.** Change the current zoning designation of the brickyard area from manufacturing to residential. This zoning change is consistent with long-term plans for the town and is applicable for the following reasons:

The brickyard is adjacent to intense recreational uses (golf course and campground).

It is in close proximity to dense residential neighborhoods of Hemstreet Park and agricultural lands.

It is part of an historic area and this comprehensive plan recommends this area along Knickerbocker Road to be designated as a local historic district.

It has been identified as one of the most significant scenic areas in the town and is considered to be an important viewshed that contributes to the aesthetic character of the Town.



## Transportation and Traffic

**Goal 7 - Provide a safe and uncongested transportation system for vehicles and pedestrians consistent with the residential and rural nature of the town.**

### Issues

★Increased traffic volume, especially truck traffic, on Routes 40 and 67 has been identified as a major concern by residents. Traffic congestion negatively impacts the rural character of the town, road safety, and overall quality of life.

★Road maintenance is considered good now, but could become more expensive if development trends continue.

★There have been issues in the past related to large commercial truck traffic on local roads.

**Objective 7.1: Moderate traffic flow through town.**

**Recommendation 1:** Enhanced standards and expectations for new residential roads in the subdivision law/site plan review should be used

to encourage a pattern of interconnected side streets (rather than isolated cul-de-sacs or other dead ends) as part of new development.

**Recommendation 2:** Promote use of traffic access management techniques. These techniques should be formally made part of local land use laws. Traffic access management methods such as requiring linked and shared parking areas between any future commercial developments, allowing and encouraging use of shared driveways for commercial and residential development, and reducing curb cuts on all major roads in town are beneficial ways to reduce congestion and improve traffic flow. (The more curb cuts there are on a highway or arterial, the slower the traffic moves and the more risk there is for accidents.) New residential roads should be planned to limit the number of curb cuts of town, county or state roads in Schaghticoke.

**Recommendation 3:** If larger scale development is proposed for Schaghticoke, consider requiring a grid pattern of streets. A grid pattern allows all streets to be connected in the future and shorter road segments typical to this street design serves to slow traffic better than the curved suburban-style roads.

**Recommendation 4:** Work with NYS DOT to limit curb cut approvals per parcel for development along Routes 67 and 40.

**Recommendation 5:** Work cooperatively with NYS DOT and the Village of Schaghticoke to explore making downtown streetscape improvements that could include traffic calming measures.

**Recommendation 6:** Work with NYS DOT to explore reducing speed limits and institute traffic calming measures especially in the hamlet areas. Appropriate traffic calming techniques (from the New York State Department of Transportation Highway Design Manual, Chapter 25 – Traffic Calming, Revision 33, August 31, 1998) for roads with speed limits between 35 and 50 mph include the following action steps:

**Action Steps:**

- ◆Streetscape improvements such as street furniture, lighting, and landscaping. Planting of shade trees along the roads can significantly reduce speeds.
- ◆Use of shoulders and sidewalks to enhance pedestrian safety.

- ◆Use surface textures for pedestrians (where one portion of the roadway has a different texture than others) to enhance pedestrian safety.

- ◆Modify intersections to create higher visibility crosswalks also enhance pedestrian safety.

- ◆Appropriate sized signage.

- ◆Should the need arise, consider traffic calming methods such as use of raised intersections, roads designed with chokers or neck-downs, one-way entry/exit, pavement narrowing, reduced intersection radii, and single land roundabouts. Many of these techniques could be used for higher speed roads as well.

**Recommendation 7:** Amend the Site Plan Review law to require a traffic impact analysis whenever a proposed project will increase local traffic by 100 or more cars per day.

**Recommendation 8:** Work with NYS DOT to establish a truck route to control truck traffic on Route 40.

**Recommendation 9:** Ensure that the County and State department of transportations review this plan when they propose capital projects in the Town of Schaghticoke.

***Objective 7.2: Ensure that local roads are maintained and constructed to be consistent with the low traffic volume and rural nature of town roads.***

**Recommendation 1:** Establish road/highway standards that are consistent with rural roads. New residential roads should be built to ensure low volumes and to maintain the character of the town. Standards should be set to establish width, grading and clearing, curbing, topcoat standards, and driveway standards that are consistent with rural roads. During project review, the Planning Board should consider and work with the applicant to implement the following options to meet this goal:

Road width: 18 feet and 2 lanes

Shoulder width: 1'-2' on 2 sides of gravel and grass

Speed limit: 35 mph (average daily traffic load of 50 to 400 vehicle trips per day)

In areas where residential lots may be greater than 5 acres in size, and traffic is very low:

Road width: 16' and 2 lanes

Shoulder width: 1'-2' on 2 sides of gravel and grass

Speed limit: 35 mph (average daily traffic load of less than 50 vehicle trips per day)

Use of cul-de-sacs should be limited, but where they are feasible, road standards should be:

Road width: 16' and 2 lanes

Shoulder width: 1'-2' on 2 sides of gravel and grass

Speed limit: 25 mph (average daily traffic load of less than 100 vehicle trips per day)

The length of a cul-de-sac should be limited to prevent isolation and difficulty in reaching end properties in an emergency. There should be a maximum of 20 houses along a cul-de-sac and it should not allow excessively wide turnarounds. The turnaround should have a radius of 30' to 40' with a 10-foot right-of-way. For very low-volume cul-de-sacs (10 or fewer

homes), a T or Y-shaped turnaround could be allowed as it results in a smaller road surface.

**Recommendation 2:** The Town's subdivision regulations should take into consideration methods to control future traffic congestion by reducing the number of driveways from a subdivision to an arterial road. These techniques include: restrictions on the number of driveways that are allowed from a subdivision to the arterial; use of shared driveways and/or access roads to the public roadway; setting minimum separation requirements for driveways; and requiring that the subdivided properties will have driveways entering to the lowest classification of road serving the property. Further, the subdivision law should require that right-of-ways connect with cul-de-sacs and dead end roads.

**Recommendation 3:** Ensure any local road construction standards do not exceed local conditions or anticipated needs and do not mimic classically 'overbuilt' suburban/cul-de-sac standards.

**Recommendation 4:** Establish capital improvement planning. A Capital Improvement Plan, or CIP, is a long-term planning tool the town can use to plan for all its capital improvements, including road work. It typically includes details on projects to be built, funding needs, priorities, equipment needs, and staff needs. They are usually "rolling plans" and cover 5 year increments. (A rolling plan is one where the plan is updated each year, dropping off the previous year and adding a new year to the end of the cycle. Any capital facilities budget and schedule should link road improvements with anticipated growth in areas targeted in this comprehensive plan and zoning map.

**Recommendation 5:** Consider participating in the Cornell Local Roads program. This could provide excellent training opportunities for highway department staff. Also consider participating in the Cornell program to inventory and designate low-volume roads. Or, classify roads as recommended by the Local Road Classification Task Force of New York State: low-volume collector (collects traffic and channels it to a higher level road such as arterials and interstates); residential access (for residences); farm access (to a farm's center of operations, including the farm residence); agricultural-land access; resources/industrial access (provides access to

industrial or mining operations); and recreational land access (provides access to recreational land including seasonal dwellings and parks).

**Recommendation 6:** Work with NYS DOT to develop a shared roadway system to allow bicycles to move safely along the highway.

## Senior Services

### *Goal 8 - Provide for the housing, recreational, and transportation needs of senior citizens.*

#### Issues

- ★ According to the survey and other public input, current services supporting senior citizens are perceived as being inadequate.
- ★ There will be increased demand for senior services and housing as the general population gets older.
- ★ Senior citizens often rely more heavily on public transportation than does the general public.

### *Objective 8.1: Increase the availability of housing that accommodates the unique needs of older citizens.*

**Recommendation 1:** Allow as a special permitted use, nursing homes and senior citizen housing in the Hamlet District.

**Recommendation 2:** Allow as a special permitted use, accessory apartments at least in the Hamlet District.

**Recommendation 3:** Amend the zoning law to include a comprehensive and broad definition of senior citizen housing so that a wide range of housing types used by senior citizens are included.

**Recommendation 4:** Consider adjustment of development standards in zoning and subdivision such as parking and street standards to help reduce the costs of installation of these features.

**Recommendation 5:** Consider adding design standards for senior citizen housing to ensure it will be built to meet senior citizen needs. These include features such as wide doorways, seats and handholds in bathrooms, levers instead of doorknobs, etc.

**Recommendation 6:** Pursue funding under state and federal housing programs that address the needs of the town, especially for senior citizens. Work with the New York State Affordable Housing Corporation to obtain grants for homes to be sold to low and moderate income households.

***Objective 8.2: Increase transportation options that serve senior citizens.***

**Recommendation 1:** Work with adjacent communities to provide a bus service for the elderly to local shopping and government destinations. Currently the county provides transportation to seniors to medical centers and to the six senior community centers throughout the county. They do not provide transportation to shopping centers or other locations.

Transportation will become a growing need in the future as more senior citizens become unable to drive. Schaghticoke should aggressively work with adjacent communities and the County to develop a more comprehensive transportation program for seniors.

***Objective 8.3: Increase availability of recreational and social programs for senior citizens.***

**Recommendation 1:** Work to develop a community center in Schaghticoke that will serve, among others, senior citizens. Work to provide a more local center in the town that can provide services such as a meal site, recreational activities, etc. Work with Rensselaer County and other

agencies to gain information on how to set this program up and in finding sources of funding. See also Goal 4.

**Recommendation 2:** Appoint a Senior Citizens ad-hoc advisory committee to identify needs, programs, and issues related to seniors that the town could address over time. This committee should report to and work with the Town Board to implement programs.

**Recommendation 3:** Utilize the Town web site and newsletter to better publicize existing senior programs that are available. Many seniors may be unaware of the existing programs available at the County level.

## Local Government

Residents are generally satisfied with local government. Some felt it was necessary to have adequate staffing and regulatory authority to realize the vision outlined in this plan. Most residents agreed that good planning and zoning leads to a better community and there is a desire for stronger planning efforts. There is also some concern about the quality, accuracy, and timeliness of information being used for decision making by town officials. Many feel that communication between residents and government could improve.

### Administration

**Goal 9 – To meet the needs of residents, and to ensure that Schaghticoke remains a safe location.**

*Objective 9.1: Ensure that mechanisms exist to provide the Town with information about current conditions, trends facing the town, existing State and Federal rules, regulations, and procedures, and so that sound decision-making takes place.*

*Objective 9.2: Maintain communication between local officials and residents through continued use of the Town newsletter and web site.*

*Objective 9.3: Support and work with the Rensselaer County Sheriff and the State Police to ensure quality police.*

*Objective 9.4: Continue to support and work with the emergency services, fire companies and rescue squads to maintain and improve the services they provide to the community.*

*Objective 9.5: Continue to support and improve local codes where necessary to provide the code enforcement officer with the tools necessary to enforce codes in the Town.*

### Solid Waste

Residents felt there is a need for improvement in the recycling program.

**Goal 10 – Ensure that adequate solid waste disposal and recycling programs are in place and enforcement is adequate to deter illegal waste disposal.**

*Objective 10.1: Regularly evaluate existing solid waste programs and make changes as needed.*

*Objective 10.2: Provide the Code Enforcement Officer with the necessary tools to deter illegal waste disposal in Town.*



## Appendix 1: Zoning Review Study

The Town of Schaghticoke Zoning Law was reviewed in 2004 and analyzed in relation to the vision and goals established in this plan. Each section was studied to determine how well current zoning regulations are consistent with the new vision and goals of the town. Areas for improvement have been noted below and it is recommended that the Town review and consider the following changes to the zoning law:

1. Consider expanding the location of the Marine District? This could also wait until the waterfront plan is done.
2. Alphabetize uses in use schedule for ease in finding things.
3. Split home occupations into two: major and low impact to adequately review them. Low impact could be a permitted accessory use and major ones could be subject to site plan review.
4. Add into the use table, those uses that require site plan review but not a special use permit.
5. Add in the use table allowance of Bed and Breakfast Inns as a special permitted use.
6. Ensure that each use included in use table is defined in definition section (not all are).
7. Consider why you do not allow swimming pools in HD.
8. What about allowing farm market, private garage, accessory apartment, roadside stand, senior housing, public utilities, nursing home in HD? They are not currently allowed.
9. Don't include renewable energy resources as a height exception. Commercial wind farms are up-and-coming and they should not be outright excluded them from review. (Section IV, page 14, C.)
10. As identified in the plan, all the lot frontages and setbacks need to be reviewed and altered so that they reflect the actual development patterns in each of the districts.
11. Page 25, B, 1: commercial vehicle is not defined.
12. Page 25, B, 2: Add in flexibility so that you do not force people to build lots bigger than they need.
13. Page 26. b.1. What about allowing on-street parking to count (if you have any on-street parking anywhere) in the hamlet areas?

14. Page 27, 5. Allow for use of permeable surfaces if desired by the applicant or planning board.
15. Page 27 – parking lot standards in general need to address lighting, landscaping, location and screening. These are important topics not currently covered.
16. Overall...all lighting allowed through planning board review should be required to use fully shielded light fixtures to reduce glare.
17. Page 29. You do not adequately address the height of signs allowed. For pole-mounting, consider requiring landscaping of the bottom?
18. Page 30, b(1) signs in a shopping center are not addressed (you address businesses located outside of a shopping center, but not in).
19. Allowable sign sizes are quite large and may be inconsistent with maintaining rural and small town character.
20. Page 31, 5: Some shopping centers may be approved as a special use permit not as a planned development. Thus, this is not adequate to handle signs in shopping centers.
21. There were no apparent procedures for permitting signs? A small section outlining the requirements for application, who, time frames, decision making, etc. should be included for the sign section.
22. Page 33. Top...title of section missing?
23. Page 37. Add in a section that requires new uses to buffer themselves from existing adjacent farms (don't put the burden on the farm).
24. Page 55. Why do you limit establishment of a cluster development only to RA and R60. Might there be circumstances in other zones and even in the hamlets where it might be a useful tool?
25. Page 69. 15. Add additional standards to ensure you have quality gas stations that include standards for lighting, water quality protection, canopy design, etc.
26. Page 72. Ensure that setbacks from streams, wetlands or steep slopes reflect recommendations made in plan.
27. Page 77. What about allowing accessory apartments in converted garages or other out-buildings? The text is not clear.
28. Page 79. 29. Since by definition, rural businesses are a mixed use (owner must live on the premises according to your definitions)...it limits them to ONLY those who live there. Confirm this is what you want?
29. Page 85, D. All time frames need to be changed to 62 days.

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30. Overall, zoning needs to reflect new changes in State Law on voting requirements for Planning Board and ZBA.

## Appendix 2: Subdivision Law Review Study

The Town of Schaghticoke Land Subdivision Regulations (1975) was reviewed in 2004 and analyzed in relation to the vision and goals established in this plan. Each section was studied to determine how well current subdivision regulations are consistent with the new vision and goals of the town. Areas for improvement have been noted below and it is recommended that the Town review and consider the following changes to the land subdivision regulations:

1. Article 1: Declaration of Policy – A new paragraph should be added to better correlate the subdivision law with the objectives of the comprehensive plan. A short statement indicating the purpose, direction, and goals of the plan would be sufficient.
2. Article V: Definitions – Amend these to be more consistent with definitions detailed in Article 16, Section 276 of New York State Town Law. Also, add definitions for preliminary plat approval, final plat, conditional approval of a final plat and final plat approval.
3. Remove from Definition of Subdivision the exclusion of 20 acre or large parcels from being subject to the subdivision regulations. It is recommended that all subdivisions of land be considered a subdivision and

duly reviewed by the Planning Board. Further, it is recommended that the Town define subdivisions as minor and major and develop review procedures and criteria for each. Minor subdivisions could be the creation of 3 (or 4) lots or fewer and a major subdivision could be the creation of 4 (or 5) lots or greater.

4. 108-4(D) should be amended to indicate that a subdivision application is not considered complete until the SEQOR process has resulted in either a negative declaration or a notice of completion of a draft environmental impact statement has been filed. Time periods for the subdivision review begins upon filing of the SEQOR materials listed above.
5. 108-4 should have language ensuring coordination with the state environmental quality review act.
6. All time periods throughout the law should be changed to be consistent with state law and should be 62 days, not 45 days.
7. 108-10: should be amended to ensure consistency between new subdivisions and the Town's plan. It should be clarified what type of character of land is desired and ensure that the review process also considers rural character, open space and the environment. 108-10(B) should be amended to reflect that town plans are no longer adopted by the Town Planning Board, but rather by the Town Board.

8. 108-11: should be amended to ensure that new residential streets are consistent with the rural character and traffic patterns of low volume roads.

9. 108-11(f) should be amended so that new cul-de-sacs that are built have smaller lengths and radius.

10. 108-12: The Town may want to use language from Article 16, Section 277 (9) to better define and administer the use of performance bonds or other security.

11. 108-13: There should be language in here to allow for clustered and conservation subdivisions, as outlined in the plan. Alternatively, clustered and conservation subdivision language can also fit well with section 108-15 (Existing Features). This section should also reflect the stream buffer called for in the plan and avoidance of ridgetop and steep slope development (steep slope overlay.)

12. There should be a section in this law to ensure compliance with zoning regulations such as “the lots shown on said plat shall at least comply with the zoning regulations of the Town of Schaghticoke.”

13. Overall, subdivision regulations need to reflect new changes in State Law on voting requirements for Planning Board.

14. Overall, the other recommendations outlined in the plan should be incorporated into the subdivision amendments.

15. Include in the subdivision law enhanced requirements to govern the re-subdivision of parcels to ensure that no loophole is created that allows many minor subdivisions to occur without the major subdivision review process.

### Appendix 3: Groundwater Assessment; Summary of Recommendations

In 2004, a groundwater study was conducted by Sterling Environmental Engineers for the portion of the Town that uses groundwater from individual or community wells as a primary water supply source. This assessment, entitled Town of Schaghticoke, Rensselaer County, New York Groundwater Assessment Report, Volume I and II, is filed and available for review at the Town Clerk's office. In addition to the detailed data (contained in Volume II), the Assessment includes summary information on the aquifer characteristics and groundwater quality found in these areas. The major conclusions of this study include:

#### Conclusions:

- The Assessment area within the Town of Schaghticoke includes a population of approximately 3,326 people that are served by individual water supply wells for their primary water source.
- Three (3) areas are identified in the Assessment area that have residential water supply wells that either have low yield, periodically pumps dry or have water levels that are affected by

neighbors' well use. The areas are shown as Groundwater Yield Concern Overlay Zones on Plate 1 in Volume I of the Groundwater Assessment Report.

- According to Volume I Groundwater assessment areas are located over the Normanskill and Snake Hill Formation shales. These bedrock units are typically overlain by low permeability silt and clay deposits, which limit the amount of groundwater percolating into the underlying bedrock aquifer.
- The Village of Schaghticoke Water District can potentially be utilized as a source to supply water to the Groundwater Yield Concern Overlay Zone 3 that includes Matthew Lane, Muriel Lane, Joseph Court and part of Old Schaghticoke Road, and identified in Volume I of the Groundwater Assessment Report.
- Higher yielding wells within the Town are generally located north of Route 67 and include both bedrock and sand and gravel wells. Sand and gravel deposits located in the central and northeast sections of the Assessment areas may be recharge areas for the bedrock aquifer and can serve as a water supply aquifer in places where the sand and gravel deposit has a significant saturated thickness. In order to identify aquifer recharge boundaries, further field geologic studies are required.

- Groundwater quality limitations within the Assessment area include hard water, hydrogen sulfide (sulfur), iron, turbid water and methane gas.

**Recommendations:**

Based on the results of the Assessment, the following recommendations are provided in the Report:

- The Town should consider forming a water district for Groundwater Overlay Zone 3 and approaching the Village of Schaghticoke with a proposal to purchase water from the Village of Schaghticoke Water District. Alternatively, the Town may want to consider developing its own source for such a water district. The area for the proposed water district should be selected and delineated.
- The Town should consider implementing a zoning ordinance for the identified Groundwater Yield Concern Overlay Zones 1, 2 and 3. Recommended guidelines with regards to groundwater use for proposed residential developments within these zones are provided in Goal 1, Objective 1.1, Recommendation 4.
- As new groundwater supply wells are installed and groundwater well log information is filed

with the NYSDEC, the Water Well Data Table in Volume I of the Groundwater Assessment Report and corresponding maps should be updated annually.

- Require a 24-hour pump test with accurate water measurements for the proposed Herkert Meadows Subdivision.
- Inform existing and future homeowners of possible treatment methods available with regards to typical Town of Schaghticoke groundwater quality limitations associated with water supply wells.
- Establish pump test criteria including the following:
  - a. The pump test must be conducted by a registered well driller, registered pump installer, engineer or hydrogeologist as directed by the Planning Board;
  - b. The pump test shall be conducted at a constant pumping rate equivalent to the estimated amount of groundwater that will be withdrawn from the entire proposed subdivision over a twenty four (24) hour period;

- c. The pump test shall be conducted for a maximum of twenty four (24) hours;
- d. During the pump test, the groundwater level in neighboring wells must be monitored by a licensed engineer or practicing hydrogeologist. If a bedrock aquifer is being tested, neighboring wells are those existing wells within 500 feet of the proposed subdivision boundary. If an overburden aquifer is being tested, neighboring wells are those existing wells that are within 1,000 feet of the subdivision boundary. If a large number of such wells exist, then a number of representative wells will be selected by the professional engineer or practicing hydrogeologist;
- e. The aquifer pump test well must yield a groundwater volume as described in Item b. for the length of the test without lowering the neighboring wells' groundwater level by more than 15% of the total water column in the well during the twenty-four hour (24) pump test period; and
- f. Following the end of the pump test, recovering groundwater levels must be measured in the test well and

neighboring wells. Groundwater levels in the test well and neighboring must recover to within 90% of the original groundwater level within twenty-four (24) hours.



## Appendix 4: Summary of Suggested Zoning Changes

| Suggested Zoning Changes                                                                                                                                                                                                               | Existing Zoning Standards and Reason Why Change is Suggested.                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Change zoning classification in Speigletown to Hamlet District.                                                                                                                                                                        | Currently is R-40. Speigletown is a hamlet and should be allowed to develop with hamlet style characteristics that would not result with an R-40 designation.                                                                                                                                                        |
| Change the existing R-40 zone lying outside the new Speigletown Hamlet zone to RA.                                                                                                                                                     | R-40 to RA. This area is more appropriate to be in the RA zone than in a hamlet zone.                                                                                                                                                                                                                                |
| Change the existing R-60 district lying to the east of Route 40 to "Residential" and change the allowable density to be 1 dwelling per 3 acres. Maintain the current use schedule that limits development in this area to residential. | This district currently requires a 60,000 square foot minimum lot size along with restricting uses primarily to residential. Due to lack of public infrastructure and the desire to maintain rural character and open space, a lower density is needed. The current use schedule for this area should be maintained. |
| Slightly expand the Hamlet area of Melrose, along Route 40 and Doty Ave.                                                                                                                                                               | Does not include areas that are part of the hamlet or that could be part of the hamlet                                                                                                                                                                                                                               |
| Change lot depths and requirements for flag lots in hamlet areas.                                                                                                                                                                      | Flag lots are not currently allowed. There may be instances when development of a long but narrow lot is suitable and appropriate if open space and rural character are best maintained. This would give landowners more flexibility.                                                                                |
| Change setbacks, road frontages in hamlets to allow for smaller lots and shallower front setbacks.                                                                                                                                     | Lot sizes and setbacks are not currently consistent with the traditional development patterns in the hamlet areas. These changes would help maintain hamlet character as new development occurs.                                                                                                                     |
| Set dimensional requirements to be consistent with the characteristics of each hamlet.                                                                                                                                                 | All hamlet areas are currently treated the same when in reality, each hamlet has different development patterns. These changes would allow each hamlet to develop with its own unique patterns.                                                                                                                      |
| Create illustrated design standards for hamlet style development related to parking lots, signage, lighting, sidewalks and trees.                                                                                                      | No design standards currently exist. Design standards will help ensure that development in hamlets enhance the character of the hamlet and does not create disharmonious development.                                                                                                                                |

| Suggested Zoning Changes                                                                                                                                     | Existing Zoning Standards and Reason Why Change is Suggested.                                                                                                                                                                                                                                        |
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| Amend zoning for all districts to regulate commercial lighting and reduce glare.                                                                             | Lighting and glare standards are currently not required in zoning. Lighting and glare can be significant negative impacts of commercial development that impact neighbors.                                                                                                                           |
| Amend zoning to include building and layout design guidelines for maintaining rural character.                                                               | Current zoning does not adequately address the need and desire in Schaghticoke to preserve the rural character and new development is more “suburban” in style that does not celebrate the rural nature of Schaghticoke.                                                                             |
| Change sign standards to address lighting, height and design of signs.                                                                                       | Lighting and design of signs is not addressed in existing regulations and heights of signs are inconsistent with promotion of rural character.                                                                                                                                                       |
| Change parking to address size, location, landscaping and lighting of lots.                                                                                  | These aspects of parking lots are not currently regulated. Parking lots can have negative aesthetic and stormwater runoff impacts and should be carefully designed to be consistent with the neighborhood they are located in.                                                                       |
| Consider use of shared driveways if this technique preserves open space and rural character better than alternative driveway designs.                        | Shared driveways are currently not allowed. They can be very useful in reducing pavement and in maintaining rural character. The zoning would need to be specific about how shared driveways would be developed and maintained, and should limit the number of houses served by the shared driveway. |
| Allow for use of conservation subdivisions and clustering on all parcels being developed greater than 20 acres in size and with 3 or more subdivisions.      | Clustering is currently allowed only at the discretion of the Planning Board. Conservation Subdivisions are not allowed. Both are very useful alternate lot layout techniques that preserve open space, the environment and rural character.                                                         |
| Implement groundwater concern overlay zone.                                                                                                                  | Critical groundwater areas are currently not protected from overdevelopment. The Town desires to ensure that new development is sustainable with the Town’s water supplies and does not negatively impact existing residences and businesses by impairing water quantity.                            |
| Change density of RA zone from 60,000 sf minimum lot size to 1 dwelling per three acres with a minimum lot size acceptable to place well and septic systems. | RA currently allows 1 ½ acre lots (60,000 sf). This change will reduce the overall density in allowed in the RA zone, but will give landowners more freedom in lot layout and will allow a wide range of lot sizes from smaller than currently allowed to large.                                     |

| <b>Suggested Zoning Changes</b>                                                                               | <b>Existing Zoning Standards and Reason Why Change is Suggested.</b>                                                                                                                                                                         |
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| Change the Brickyard property from manufacturing to RA.                                                       | Currently zoned Manufacturing.                                                                                                                                                                                                               |
| Consider using environmental control formula for major developments to calculate sustainable housing density. | Currently there is no mechanism to recognize individual parcels environmental limitations or opportunities in setting density.                                                                                                               |
| Establish up-to-date drainage and buffer requirements to minimize impacts of flooding.                        | State and Federal laws require more rigorous storm water runoff controls.                                                                                                                                                                    |
| Establish steep slope/ridgeline overlay zone.                                                                 | Does not currently exist. Would allow for a more critical review of development on steep slopes to minimize erosion, environmental, and viewshed impacts.                                                                                    |
| Allow for bed and breakfast uses in hamlet areas and the RA district with development standards.              | Are currently not allowed. These uses are desirable when adequate site planning takes place and can allow people to have alternative incomes and can boost tourism in the town.                                                              |
| Allow agri-tourism businesses in RA.                                                                          | Many agri-tourism uses are not currently permitted primary uses in the RA zone even though agriculture is a preferred land use in this zone. The Town desires to encourage more agricultural activities.                                     |
| Create a mixed use/neighborhood commercial floating zone.                                                     | Currently does not exist. Would allow for creative mixed use commercial development in appropriate locations.                                                                                                                                |
| Create mixed use/neighborhood commercial town center district.                                                | Currently does not exist. Would allow for creative mixed use/small commercial development near the Town Hall.                                                                                                                                |
| Require new development to buffer itself if adjacent to existing farm.                                        | Does not exist. New development should be responsible for ensuring that existing farms are not negatively impacted by that new development. There is a need to reduce negative farm/non-farm interactions.                                   |
| Develop new and broader ag-related definitions and add other agricultural uses as permitted uses in RA.       | Do not exist. The town wants to encourage more agriculture and this is one mechanism to do so.                                                                                                                                               |
| Change existing definition of "farm" so it is not as restrictive.                                             | Currently "farm" is defined to be an agricultural land use over 10 acres. Many different kinds of farms are both viable and beneficial to the town and to the farm economy but are not allowed as a farm due to being smaller than 10 acres. |
| Allow for expanded uses in the Marina District.                                                               | Marina District has limited uses that are permitted. This would allow                                                                                                                                                                        |

| Suggested Zoning Changes                                                                                                                                          | Existing Zoning Standards and Reason Why Change is Suggested.                                                                                                                                                                                            |
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|                                                                                                                                                                   | for more Hudson River related tourism.                                                                                                                                                                                                                   |
| Consider establishing a scenic overlay zone.                                                                                                                      | Scenic areas currently receive little protection, except through the SEQR environmental review process. This would allow the Town to identify and work towards enhancing or protecting scenic locations.                                                 |
| Establish a 100' building setback from streams.                                                                                                                   | Currently only federally identified floodzones have development control. Streams without such an identified floodzone are regulated by the State and require such setbacks for septic systems, but not for buildings.                                    |
| Revise road standards to ensure they are consistent with rural roads .                                                                                            | Current standards may allow more suburban style, wider roads that do not have the desired residential/ rural character and may be more costly to build.                                                                                                  |
| Promote traffic access management techniques during site plan or subdivision review for new development.                                                          | Traffic access management is not currently a regulatory policy of the town. This would allow for creative development of road access to allow for shared parking lots, reduced curb cuts, etc. when major subdivisions or commercial development occurs. |
| Authorize the Planning Board to request traffic impact studies when needed during a review process when a development would add 100 cars or more a day to a road. | Currently does not exist as an explicit requirement of the Planning Board. This is especially important on NYS Route 40 as commercial development occurs.                                                                                                |
| Allow for accessory apartments, nursing homes and senior housing in hamlet areas.                                                                                 | Currently are not allowed. Hamlet areas are desired locations for these types of uses.                                                                                                                                                                   |
| Re-define senior housing in zoning to include a wider range of housing types.                                                                                     | Current definitions are limited and would thus, limit the type of senior housing that would be allowed. Broader definitions would better match and allow for the type of senior housing needed and being built.                                          |

February 2005

## Maps

Proposed Zoning Update

Proposed Steep Slope/ Hilltop/ Ridgeline Overlay Zone

Flood Fringe Overlay Zone (includes 100 foot buffers around streams)