

DRAFT
Town of White Creek
Comprehensive Plan and Ag Protection Plan
Steering Committee Meeting Minutes
October 20, 2010

Attendees: Jim Perry, Carol Moore, Peter Hetko, Don Sweet, Rody Walker, Sarah Ashton
Absent: Rich Moses, Ed Gulley Tim Smith, Rupert Jennings, J. Tudor, Bill Badgley, Darryl Caputo
Other attendees: Randy Walker

Minutes: The minutes of the September meeting were approved. Sweet noted that in the section on Environment mention out to be made of working with hunting and recreation clubs (like snowmobile) to assist with development, use and maintenance of trails in forests.

The Committee reviewed with Nan several questions on the Environment section that had been raised by the Steering Committee in September when Nan was not present. With regard to water—there is a New York Rural Water Association which helps communities do studies of water. It can cost \$6K to do a study of the groundwater and recharge of a given site. Such a study would identify water capacity, recharge areas and sensitive areas as well as soil capacity and social capacity and septic issues. Fifteen years ago there was funding for this type of study. Potentially the County could contract for such a study regarding water supply. Water is typically viewed as one of a bundle of rights. Towns need to be concerned about pollution and bottling companies. (The chip manufacturing industry also could have an impact on the aquifer.) Schenectady’s great flats aquifer was studied and had decreased in size Nan noted. The Comp Plan should include a reference to conducting a study at the County level to better understand the health of the aquifer.

With regard to defining habitat, there are a variety of habitats that could be in the Township. The Hudsonia manual could be a guide. To determine if there are any critical, rare or sensitive areas the Town can consult the National Heritage of Critical Areas through DEC—this was done at the Data Collection Phase and there are none. The National Audobon Society also defines habitats. Hetko pointed out that rivers offer habitats. There are lots of strategies to keep rivers and streams healthy including retaining trees to shade the water, prevent erosion and provide nutrients (through dropping of leaves in the fall). Septic systems should be 100 feet fro the bank of the streams. Ideally homes should be this distance as well. Streams serve as important corridors for wildlife. The group decided to modify Recommended Action #3 under Environment to note Maintain at least a 60 foot vegetative filter along stream corridors *for new development.*”

To clarify what is a DEC visual assessment, Nan will bring a copy and it will be included as an appendix in the plan. Typically it is part of the State Environmental Quality Review (SEQR).

Review of Draft Goals and Recommended Actions: The Steering Committee continued its review of the draft goals and recommend actions.

Arts, Culture and Recreation

Edit forth goal to include “The Town Promotes local heritage, arts, recreation and community building activities. Objective #1 Support organizations seeking funding for arts, culture and recreation programs. Recommended Action #1 “Identify existing public trails and sekk locations suitable to expand and link these areas. Delete establishment of a community center. Revise recommended action #9 to say Support existing youth commission and senior center’s efforts to promote and address social and recreational needs.” Questions

were raised about the ability of options to lease lands from private owners and Nan noted that the Town could provide sample leases (I THINK IS THIS RIGHT???)

Infrastructure and Services:

The committee reviewed the section on Infrastructure and Services and made the following changes: In Recommended Action #1 remove water and sewer. Delete #6 reference to establishing a paper and instead include establishing a town website. With regard to #9, Ashton will ask if there is already a fire safety committee. To promote volunteerism it was suggested to heighten understanding of the \$200 tax break. Perry clarified that the Township has contracts with the White Creek, Buskirk and Village of Cambridge fire department.

Housing

Revise the third objective to state: Land use policies and programs support affordable housing. In recommended action #1 add reference to the nonprofit housing organization HomeFront Corporation which operates in Washington County. In Recommended Action #3 add reference to seeking grants to assist homeowners improve energy efficiency. There was some discussion of referencing site plan review for new housing developments making reference to previous sections in the plan.

Economic Development: In September, the committee had reviewed the Economic Development section and determined that they wanted to task Nan with giving more thought to it as well as the impact that the Global Foundries/Luther Forest might have on the Town of White Creek.

Nan noted that in general municipalities take two routes. They wait to see if economic development happens or they chart a course. Nan suggested that White Creek should not act alone but team up with other municipalities—the Village of Cambridge and potentially the Town of Cambridge. Model small towns work in clusters and can't ignore villages. Collectively and by formally working together the municipalities can strengthen the economy; in contrast some municipalities pit themselves against one another. Each of these three townships has something to contribute. She suggested founding a local development corporation (LDC) to lead the effort to develop and implement an economic development plan. (She handed out a revised Economic Development section incorporating this idea.) The LDC could attract the type of businesses that the community wanted and offer incentives such as lower rent that would incubate businesses. An agricultural oriented LDC in the lower Hudson for example attracted a slaughterhouse. Walker suggested that such a focus on economic development might fly in the face of the interest in protecting farms. An alternative strategy would be to help the agricultural community to work together. Economic development is appropriate for the Villages but not the Towns; the towns should focus on agriculture. Nan noted that the methane digester bolstering the capacity of farms and the Hamlet of White Creek was an economic development strategy that would incorporate agricultural goals as well. She noted that it is important that the Township create its own destiny.

Another person noted that the Village should be the retail and service driver of the community. Schoharie County has created an LDC that balances with the agricultural community—farmers sit on the board of directors. LDC's can offer start up loans and leverage other funding to promote local business. The theme of the LDC would be to promote collaboration and working together among different municipalities. A creamery or a feed store could result in the creation of a number of jobs. It was noted that the loss of businesses such as Vermont Timberframe and Wright Dolls in the Village resulted in the loss of over 50 jobs; an LDC could make inquires of local businesses and try to retain jobs. The Committee decided to think about the new, revised section and proposed LDC and discuss it at the next meeting.

Nan also tried to assess the impact that Luther Forest might have on municipalities like White Creek. She noted that the impact assessment was shameful and focused primarily on the impact on municipalities in the immediate vicinity. Over 1,465 jobs could be directly created and indirectly between 4,000 and 19,000 new

jobs could be created. Revenues to Stillwater were anticipated to be \$1.8 Billion and additional income generated could be upwards \$90-103 million. Employees will need services such as hospitals and schools. The environmental impact statement did very little (nothing?) to assess the impact of Luther Forest on farms, environmental resources or outlying communities—the level of analysis was limited. At the public hearing there were only three comments about the Environmental Impact Statement. The Steering Committee discussed ways that they could obtain more information about the impact that was expected stimulating a forum on the topic to bring greater attention to the potential impact to townships like White Creek; Nan and members of the committee were asked to think about potential speakers for such an event.

She advised the Town of White Creek to develop a strategy to channel growth. (She noted that the Town of Stillwater has a plan but it will have a profound impact on agricultural and environmental resources). A committee member suggested that the Township have a strong agricultural protection plan and efforts be taken to strengthen farms and agricultural pursuits. Growth is definitely going to happen. A committee member wondered if zoning might be an option to protect the Township. Nan noted that zoning helps to slow growth and manage it. Zoning determines what uses can be where. There was discussion about the concept of zoning generally and Nan noted that there are *rural* zoning models which she could share. There was fear that zoning laws could be adapted and made more cumbersome in the future. Nan suggested that the comprehensive plan could take two directions. It could not include any reference to zoning and then the community would have to guess at what zoning was desired if desired in the future. Alternatively the plan could include information about what types of zoning it might desire and what type of zoning would not be desirable in an effort to shape future laws. Ultimately the municipality is obligated to be consistent with the comprehensive plan. Zoning can help a town like the Town of White Creek hold its value.

She noted that a municipality in Green County just implemented its first zoning law—there is one zone and it sets a density requirement and establishes site plan review. The zoning can set controls for housing and residential development but *not* for agriculture. An agricultural use could be permitted without review but any agricultural land taken for residential use could be subject to review. Usually rural towns allow agriculture as a permitted use that does not require any site plan review. The Steering Committee has already come to consensus that it would like to recommend conservation subdivisions; such a strategy Nan noted could be integrated into the zoning law. Zoning again she reiterated tells people where they can do something and you can also use it as a tool to address density and issues like set backs from streams. Alternatively a Committee member suggested that White Creek could have two ‘zones’ one for the hamlet of White Creek and Eagle Bridge and Village and another for the ‘country side.’ The hamlet could have different setbacks to make it in keeping with the current layout of the hamlet. It was noted that the land in White Creek near the Village contains some good agricultural land. Additionally on Route 22 there is an industrial park of sorts with Morcon. Nan will bring samples of Zoning Laws. She will especially look at the zoning law that was recently adopted by the Town of Greenwich.

The Committee began to look at the wording of the last section of the plan currently (p 24-26) that proposed some philosophies that could be offered in the plan regarding the spirit of any future zoning regulation adopted. The Committee is encouraged to think about the appropriateness of zoning as a concept for the Town of White Creek and review this section carefully for the next meeting to review. Nan will also look at the Town of Greenwich’s zoning regulations and bring examples of other rural zoning ordinances to the next meeting.

Next Meeting Tuesday, November 16th at 7pm in the Town of White Creek Mountain View Drive Offices. .

RESOLUTION: Conservation Easement Fund Account
\(DRAFT 9/22/10-With Comp Plan Steering Committee Comments)

WHEREAS, the Town of White Creek is endowed with much viable agricultural land and a major portion of the Town lies within Washington County Agricultural Districts No 24 and No. 5.

WHEREAS, the Town of White Creek desires to conserve and protect its natural resources and agricultural lands and to encourage the development and improvement of its agricultural lands for the production of food and other agricultural products.

WHEREAS, viable agricultural land is defined in The Agricultural District Law as land highly suitable for agricultural production and which will continue to be economically feasible for such use if real estate taxes, farm use restrictions, and speculative activities are limited to levels approximating those in commercial agricultural areas not influenced by the proximity of urban and related non-agricultural development, and

WHEREAS, the preamble of the NYS Agricultural Districts Law states clearly that urban pressure from expanding metropolitan areas takes the form of scattered development in wide belts around such urban areas, and that when this scattered development extends into good farm areas, speculation is stimulated and land values rise, costs of public services increase, resulting in a rise in both farm and non-farm taxes, and

WHEREAS, during the data gathering portion of the Comprehensive Plan, the people of the Town overwhelmingly are in favor of keeping White Creek rural and agriculture as its main industry, and

WHEREAS, the Town of White Creek is formally developing a Farmland Protection Plan with criteria rating all land in the town as to its value for farming purposes, and

WHEREAS, some landowners in the Town of White Creek may be willing to donate a conservation easement or sell their development rights on their property to protect the rural and agricultural value of their property but find legal fees, appraisals and the recording fees a deterrent, and

WHEREAS, the State of New York now provide revenue for the Purchase of Development Rights on a matching basis for landowners wishing to sell their development rights, and

WHEREAS, applicants for the State Purchase of Development Rights funds are looked upon more favorably when the local town shows both planning and financial support, and

WHEREAS, Agricultural Stewardship Association (ASA) or other land trusts have the capability of acquiring and holding and monitoring conservation easements in the Town of White Creek for those wishing to either donate an easement or sell their development rights,

NOW THEREFORE BE IT RESOLVED that the Town of White Creek set up a fund account for the collection and distribution of funds (to be called Conservation Easement Fund Account) to be used to offset cost of legal fees, appraisals, and or recording fees accrued by the landowner directly in connection with an agricultural conservation easement on the lands in the Town of White Creek. Landowners who apply through ASA or another land trust to protect their land for agriculture with a conservation easement and who meet the eligibility criteria (43 or more points using the LESA system as developed and approved in the Town of White Creek Farmland Protection Plan), may voucher for up to by not exceeding \$5,000 for costs associated with the above mentioned fees (and not reimbursed by another source) as available funds allow. Reimbursement to be allowed only after the easement is finalized; reimbursement must be requested within a year of easement being finalized. Should the Town decide to disband the Conservation Easement Fund Account remaining funds will be disbursed to the Agricultural Stewardship Association or other land trust serving the Township.