

# **Town of White Creek Comprehensive Plan**

**Adopted December 2011**



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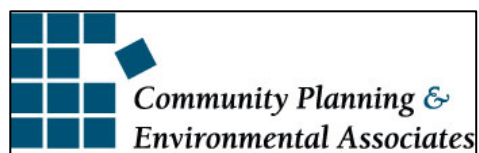
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## **Grant Partners**

This Comprehensive Plan was developed with financial support from the Town of White Creek and the New York State Department of Agriculture and Markets through an agricultural and farmland protection planning grant and with in-kind assistance from the Washington County Soil and Water District, Cornell Cooperative Extension and the Agricultural Stewardship Association. This Plan also incorporates the components required to fulfill the NYS Agriculture and Markets grant for agriculture and farmland protection planning. Agriculture has been given a special emphasis in this Plan because of the role farming plays in White Creek and the vision White Creek residents have for the Town.

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# Executive Summary

## Introduction

A comprehensive plan is a policy guide that establishes the direction of a community. It sets forth goals and implementation strategies to guide a town's physical and cultural development. A comprehensive plan is not a law or regulation; it is a blueprint for the future.

The Town of White Creek's comprehensive planning process began in the spring of 2006 when the Town Board, supported by a New York State grant, began the first phase of comprehensive planning: gathering data about the Town. This included gathering 'hard data' (history, land use patterns, demographics, natural resources, infrastructure, economy, agricultural sector, recent development, etc.) as well as engaging a broad array of community members in identifying the Town's strengths and weaknesses.

The Town Board entrusted data gathering and overall management of the planning process to a Steering Committee assembled from volunteers with diverse backgrounds and viewpoints representing a true cross-section of the Town, with the goal of creating a balanced Plan. The Steering Committee was assisted by Community Planning & Environmental Associates, with funding from New York State Department of Agriculture and Markets.

The Committee knew that in order to be successful the Plan had to be a product of the community. That meant actively listening and striving for community participation at every step. Input was sought in a variety of ways, such as workshops on farming, strengths and weaknesses, and regional perspectives. This was not always easy, especially when nights were cold or there was work to be done. Nevertheless, the community came out and spoke. All of this is reflected in the Plan. Public input and information obtained during data gathering were incorporated into a vision statement, goals, objectives, and a series of actions and strategies that we believe accurately represent community wishes and will help bring them to fruition.

The Steering Committee also knew that the planning process had to be transparent. Meetings were always announced in press releases, postcard mailings, fire department postings, etc., and the public was always welcome to attend. All meeting announcements and minutes, documents, maps, announcements and other materials were posted on the project website at [www.planningbetterplaces.com/whitecreek](http://www.planningbetterplaces.com/whitecreek).

## Background

The Town of White Creek is a quaint, rural township nestled in the foothills of the Taconic Mountains of Southern Washington County. Farms, open space and rolling hills dominate the landscape—particularly in the southern portion of the town. The community has a diverse housing stock and wealth of historic architecture and cultural venues. Agricultural has a

significant impact on the community, with between a quarter and a third of land dedicated to it. The central and northern portions of the Town are mountainous, forested with pines and various hardwoods, and feed a network of Class A creeks. The Village of Cambridge (a separate municipality) is the social, civic, retail and economic center of the community along with two hamlets—White Creek and a portion of the hamlet of Eagle Bridge. The Town has a small, locally-based manufacturing sector but the central school remains the largest employer. Median household income is modest at \$34,412 (26% below New York State’s median household income) and 12.5% of White Creek residents live below the poverty line. White Creek has sensitive environmental features and a modest infrastructure of rural roads. There are no public water or wastewater systems and only marginal communications—there is little access to high speed internet.

White Creek is changing. White Creek’s population, now at about 3,411, grew by 6% between 1990 and 2000 and was just behind neighboring townships of Cambridge (11%) and Jackson (8.7%) during the same period. White Creek is experiencing growth, including a 20% increase in the number of housing units from 1980 (at 1,200) to 2000 (1,466). 76 new lots were created through subdivision between 1993 and 2005, and from 2003 to mid 2006 over \$7.9 million of construction activity was recorded through building permit filings. White Creek currently has Subdivision Regulations, a Site Plan Review Law, a Right-To-Farm Law, and Mobile Home Regulations.

Key community strengths cited by residents include the agricultural way of life; sense of old fashioned community, local traditions, and spirit of working together; good schools and supportive environment for children; and proximity to natural resources, cultural, outdoor recreational and education opportunities. Concerns included the disappearance of farms; a lack of preparedness for change and development; high taxes; lack of employment opportunities, especially for youth; and lack of an adequate communications infrastructure.

### **White Creek’s Vision**

Through the planning process, the community was asked “Where does White Creek want to be in the future?”

*In the future...White Creek will be a prosperous, rural, farm-oriented community. We will take pride in and promote our local traditions, old-fashioned values, public spirit, and actively participate in our historic community. Our quality of life will be enriched by our natural beauty, environment and abundant open spaces including farm fields, woodlands, streams, and hills.*

*Residents will highly value and take advantage of the many cultural and outdoor recreational opportunities in or near White Creek. Higher density residential land uses and businesses will be concentrated in the quaint village and hamlets, while lower density land uses will co-exist with farms throughout the countryside. We will be fully prepared to manage change in a*

*manner that balances community goals and private landowner desires. The Village of Cambridge (a portion of which is in the Town of White Creek) will complement the rural character of the Town and provide important main street retail, economic, cultural and social outlets for Town residents.*

*White Creek will have diverse and thriving farms operated in an environmentally sound way. Our farms and residents will support a variety of locally owned businesses. Local job opportunities will be available. White Creek will be a diverse, affordable community for people of varying ages and backgrounds.*

*Public services will be cost effective, efficient, and of the highest quality. Local, private/public, and regional partnerships will help accomplish this. Our planning programs will provide town officials and community members with information and tools to help them make long-term decisions that are consistent with this vision. White Creek will be a safe and secure place. Our commitment to tradition and values will sustain White Creek as a supportive environment for our citizens. This vision is the gift we give to our children through the years.*

## **Highlights of Recommendations**

Seven major topics emerged from the public meetings: agriculture, economic development, community character, the environment, housing, services/infrastructure, and arts/culture and recreation.. Below are highlights of the objectives and recommended actions within each topic.

Agriculture and agricultural economic development—promote diverse and thriving farms and employment opportunities in the agricultural sector

- Establish and fund an agricultural implementation committee to strengthen agriculture in the community for the future.
- Encourage diversification of farm operations, CSA's, niche farming, and agri-tourism opportunities by promoting buying cooperatives, educational opportunities, farmers' markets, and local branding initiatives (e.g., Pride of Washington County).
- Promote and retain businesses and organizations in the region that support agriculture (e.g., farm/machinery supply, veterinarian, auction houses and agriculture support organizations like Cornell Cooperative Extension and ASA),
- Establish programs such as incentives and Lease of Development Rights to bring young and entrepreneurial farmers into the agricultural business.
- Develop facilities to process and market animals from area farms.
- Work with agricultural entities and utility companies to promote opportunities for development of clean energy.
- Aggressively work with economic development staff and organizations in Washington County and New York State to promote agriculture. Encourage Washington County to implement agricultural economic development strategies outlined in their 2007

Washington County Economic Development Strategic Plan; update and fully implement the County Agriculture and Farmland Protection Plan.

- Work with neighboring towns and Washington County to monitor development of large scale regional projects such as the Luther Forest Technology Park and its potential impacts on the Town of White Creek. Consider establishing a local Agricultural Local Development Corporation to provide incentives and tax benefits for new and expanding agricultural businesses.

#### Protect Farmland

- Support Purchase of Development Rights (conservation easement) programs and perhaps a Lease of Development Rights program.
- Enhance Planning Board review of projects and how they might impact farms.
- Amend the subdivision law and encourage conservation subdivisions for large residential developments. Consider requiring new development to have setbacks from adjacent property lines of 50 feet.
- Establish an incentive program that would encourage use of the conservation subdivision design process by establishing density guidelines and encouraging use of density bonuses.
- Amend the site plan review law and update and strengthen the Town of White Creek Right to Farm Law.

#### Economic Development—retaining and promoting local employment for residents

- Collaborate with the Town and Village of Cambridge to enhance economic opportunities by analyzing the current economic state and creating a collective economic vision.
- Establish an economic development program to attract small and agri-business to White Creek in coordination with other municipalities and development organizations.
- Work with Washington County and New York State to establish business training, planning, coaching, and grants.
- Consider developing incentives to attract and retain locally-oriented businesses including appropriate light industry, especially ag-related businesses developed in collaboration with the Village of Cambridge and located there or within other established hamlets.
- Work with Washington County and New York State to provide high-speed, broadband internet access to all locations in the Town.
- Encourage Washington County to analyze the impact of large scale regional development efforts like the Global Foundries initiative, including identifying opportunities that fit White Creek's community character.
- Provide building site guidance and commercial design standards to ensure that retail chains' buildings are compatible with White Creek's community character.

#### Community Character

- (1) Enhance communications between the Town and residents by creating a town



website and holding annual town meetings.

- (2) Consider increasing the residency requirement for local elected officials to the maximum level consistent with state election law and ensure that candidates for elected office are notified about and have access to this Comprehensive Plan which establishes the direction for the Town.
- (3) Consider establishing local laws in the future to prohibit heavy industry such as toxic waste dumps and similar industries.
- (4) Consider creating a simple site plan review process for all new housing (including mobile homes) in White Creek.
- (5) Consider establishing design standards for non-agricultural commercial buildings.

### Environment

- Identify and map significant wildlife habitats and ensure that they remain linked together with large, continuously vegetated corridors.
- Enhance protections of stream banks and stream side vegetation when new non-agricultural structures are built.
- Encourage environmentally sound farming practices.
- Carefully plan development on slopes greater than 20% to avoid erosion and minimize development on slopes greater than 25%.
- Establish a Town policy on personal wind turbines and commercial wind farms.
- Work with the agriculture sector, local development corporation, and New York State to develop sustainable energy resources.
- Work with local, regional, and state environmental organizations to implement programs that would benefit the environment in White Creek.

### Housing: Ensure a diverse stock of housing catering to people of diverse backgrounds and ages.

- Partner with regional non-profit housing organizations to develop opportunities for affordable and senior (55+) housing.
- Seek grants to increase home ownership by Town residents and help rehabilitate older or sub-standard homes and improve energy efficiency.
- Promote programs to rehabilitate and retain historic residencies.
- Update the mobile home law using recommendations from the Audit: update definitions, shift code compliance responsibilities to Washington County Code Enforcement; and consider establishing an abbreviated site plan review process for all residential homes, including mobile homes.

### Services and Infrastructure: Promote high quality, public services effectively and efficiently

- Establish a Town web site.
- Work with Washington County and New York State to provide high-speed, broadband internet access to all locations in the Town.
- Improve long-term capital planning by establishing a Capital Improvements Plan (CIP) which can help the Town plan for staff, equipment, and other capital expenditures on a five-year basis.

- Update road specifications to ensure new road construction is consistent with White Creek’s low volume, rural traffic flows and appropriate for use.
- Consolidate municipal services and collaborate with other government agencies where feasible to increase efficiency and reduce costs.
- Support fire and emergency rescue departments.
- Consider requiring filing of well logs when new wells are drilled in order to better evaluate the condition of the aquifer.
- Promote volunteerism in community services such as fire and emergency care, recreation, and civic activities.
- Work with Washington County to increase availability of county-subsidized transportation.

**Arts, Culture and Recreation**

- Identify existing public trails and improve access points; expand and link the trails where suitable.
- Develop a multi-use trail network.
- Establish a system of greenways in stream corridors.
- Support arts organizations, youth commission and local senior citizen group efforts to develop family and youth-friendly recreational programs.
- Explore ideas for enhancing open space and recreational opportunities with willing landowners.

**Highlights of Recommendations Related to Land Use**

White Creek currently has the following land use regulations:

- Subdivision – regulates the splitting of parcels and creation of new lots;
- Site Plan Review – regulates the development of commercial uses on a single parcel of land;
- Right-To-Farm –establishes the right to conduct farming activities
- Mobile Home Regulation – regulates both individually placed mobile homes and mobile home parks.

White Creek’s existing regulations have been valuable tools for ensuring that new development was done in a manner that protected our community and maintained its character. New challenges are facing the Town, however, and a review of the laws identified several areas that needed to be strengthened or updated to meet those challenges.

Community Planning & Environmental Associates was therefore asked to perform a comprehensive audit of the laws to:

- identify vulnerabilities and recommend strengthening measures,
- bring the laws up to date, and,
- align the laws with the goals and vision of the Plan as articulated by the residents of White Creek.

The audit produced a series of recommendations, which are detailed in the Plan and summarized below. Together, they constitute a comprehensive land use program consistent with the goals and vision articulated by the community.

1. Update all local laws to be consistent with New York State law, definitions, procedures, and requirements.
2. Enhance the review process of the Planning Board to be sure that the impacts of new development on agriculture and the environment are thoroughly examined, and so that new commercial projects incorporate rural designs into their development plans.
3. Establish standards for new roads and major repair of existing roads.
4. Ensure that definitions and purpose statements in the Town of White Creek Local Laws are consistent with the Comprehensive Plan.
5. Make no changes for minor subdivision requirements and maintain the practice of having no minimum lot size or density rules for minor subdivisions. For major subdivisions, establish a new local law that sets a development density for new residential development to be 1 dwelling per 5 acres with no minimum lot size required. Couple this with:
  - a. Facilitate the voluntary use of the conservation subdivision design technique for major subdivisions so that 50% of the parcel is maintained for open space and/or farming.
  - b. Establish a voluntary incentive program that encourages landowners to use the conservation subdivision design technique by offering additional residential density when this method is used for major subdivisions.
  - c. Review definitions for what constitutes a minor and major subdivision.
6. Strengthen the Site Plan Review Local Law related to commercial development to ensure new development is consistent with this Plan.
7. Establish an abbreviated site plan review for all residential development, not just mobile homes as currently exists.
8. Establish a 50' setback from property lines for new development.
9. While zoning as a land use tool is not an explicit component of the Plan at this time, the Plan offers general guidance on what that law should be if zoning is ever deemed necessary. This includes incorporating use of conservation subdivision with density bonuses; offering large land owners methods to flexibly use their land as well as mechanisms for existing small land owners who may wish to subdivide their land for family; growing within existing hamlets of White Creek and Eagle Bridge for mixed uses

and more concentrated residential development; potentially establishing only two districts: hamlet and non hamlet and not concentrate on separating uses but instead concentrating on the performance of uses; protecting the environment; and establishing rural scale development and design standards.

## 1.0 Introduction

The Town of White Creek is a quaint, rural township nestled in the foothills of the Taconic Mountains in Southern Washington County. The Town of White Creek contains approximately 28,300 acres of land or about 47.9 mi<sup>2</sup>). The Town is bordered by the Town of Cambridge to the west and the Town of Jackson to the north; the Town of Hoosick in Rensselaer County to the south; and the Towns of Shaftsbury and Arlington in Bennington County, Vermont to the east.

Working farms, open space and rolling hills dominate the landscape—particularly in the southern portion of the town—and give the community its rural character and charm. The soil in tillable parts is a fine gravelly loam—fertile and productive. The central and northern parts are mountainous, forested with pines and various hardwoods and feed a network of Class A creeks. Interspersed throughout the agrarian landscape and steep hills are meandering country roads and historic homes, barns and sites. It is a town steeped in history with its residents imbued with a strong sense of community and civic involvement. Along with agriculture, a small but dedicated local business sector within the village and hamlets anchors the economy. Despite these resources 12% (2000 Census) of the township’s residents live below the poverty level.

The Village of Cambridge is an important element of the Town’s vitality. The Village has a traditional, pedestrian-friendly “main street” character, historic sites and structures, array of cultural opportunities and a unique mix of services. In most respects, the Village of Cambridge is the social, civic, and economic center of the community. Though it is a separate geopolitical entity, it is important to White Creek’s character and more densely developed than the greater Township. Two-thirds of the Village is located within the Town of White Creek.

In addition, there are two hamlets in the Town. Located in the eastern section of the town is the historic hamlet of White Creek home to a fire department, Jermain Church, and Jermain Hall (an historic community center for the town) and a former general country store, along with a number of residences. A portion of the Hamlet of Eagle Bridge which straddles White Creek and the Town of Hoosick is located in the southwest of the town housing light industry, a restaurant and farm stand.

Due to its location at the edge of both the Capital District of New York and the Bennington, Vermont region, White Creek has grown at a slow but steady pace. Within an hour’s drive, one can take advantage of the natural resource and recreation opportunities in the Adirondack Park and Lake George, the cultural, economic and educational opportunities in the Capital District and the cultural, entertainment and retail opportunities in the Saratoga Springs, Manchester VT, or Williamstown, MA areas. These more urban centers have provided employment opportunities to Town of White Creek residents.

While these more urban centers have expanded significantly, the rural character of White Creek has to date been retained and change has thus far been incremental. However, the community

is becoming more susceptible to development pressures. Nearby Saratoga County is expanding rapidly and serves as the fastest growing county in New York State and the impact of unfolding economic development plans for Luther Forest must be monitored.

In the Spring of 2006, to better understand the Township, the Town of White Creek Board initiated a Data Gathering Phase of a Comprehensive Plan with the support of a Quality Communities Grant. This phase included gathering 'hard data' as well as engaging a broad array of community members in identifying the strengths and weaknesses of the township.

Key findings of the Data Gathering Phase Report include:

- About one-quarter (and potentially closer to 36% of the Town's land) is in agricultural production—primarily dairy but also corn production. The value of agricultural products in Washington County was \$97.28 million—ranking 13<sup>th</sup> in New York State, and the overall sector's economic impact was \$213 million. Despite this between 1940 and 2004 the amount of land in farms in the County has been cut in half and only 856 farms remain-- less than a third of what existed in the 1940s.
- The Town has a small, locally-based manufacturing sector. In total about 17.8 % of residents are employed within the manufacturing sector in the Town and elsewhere). 24% of residents of White Creek are employed by the education, health and social services sectors (both locally and regionally). Cambridge Central School is the Town's largest employer. (The demise of the Mary McClellan Hospital had a significant negative impact on the Township).
- Median Household Income was modest in the Town at \$34,412 (9% below the Washington County Median Household Income and 26% below New York State's). Significantly 12.5% of White Creek's residents live below the poverty level.
- White Creek has sensitive environmental features, particularly steep slopes, forested-land, Class A streams, and diverse wildlife. Nearly one-quarter of the land in the Town has slopes of over 25% and nearly a fifth of the land has slopes of between 16-25%-- which are not attractive to develop. Many of these slopes are in the northern section of the Town where over 3,000 acres of forested land is owned by New York State.
- White Creek has modest infrastructure including: 85 miles of roadway—none bigger than two lanes and 31% of which are gravel roads;<sup>1</sup> no public water or wastewater systems; and marginal communications services—particularly a lack of high speed internet.

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<sup>1</sup> Note: The Town is responsible for maintaining 54.4 miles of road and about half of these roads are gravel. NYS, Washington County and the Village each maintain a portion of the remaining 30+ miles.

- White Creek has a wealth of historic architecture, sites and structures as well as sites for outdoor recreation.
- White Creek's Population now at 3,411 grew by 6% between 1990 and 2000 and just behind neighboring townships of Cambridge (11%) and Jackson (8.7%) during the same period.
- White Creek is experiencing growth including a 20% increase in the number of housing units from 1980 (at 1,200) to 2000 (1,466); establishment via subdivision of 76 new lots between 1993 and 2006; and between 2003 and mid 2006 over \$7.9 million of construction activity was recorded through building permit filings.
- White Creek already has Subdivision Regulations, a Site Plan Review Law, a Right-To-Farm Law, and Mobile Home Regulations in place, but has never developed a Comprehensive Plan, or collective vision for the Township. While these laws have been effective up to this point in time and lay the foundation for guiding new land uses that are compatible with the Town, some changes could be made to help them be more effective and uniformly applied, and to help White Creek better achieve community vision and goals outlined in this Plan. See Appendix 8.0 (C) Audits of Current Land Use Laws for details on issues and opportunities that could be addressed with amendments to these existing laws.

### ***1.1 What is a Comprehensive Plan?***

A comprehensive plan is a policy guide that sets forth directions for the future of a community. It is not a law or regulation. Rather, it is a blueprint to help guide the future. Like any blueprint, it is subject to change and revision with the passage of time and events.

The plan sets forth goals and implementation strategies to guide the physical development of the Town. Local officials daily undertake actions, enact regulations and approve development, all of which are likely to have long-term implications. To ensure that these daily decisions ultimately benefit the whole community, the decision making process should be undertaken within the context of a considered evaluation of the Town's objectives for future growth and its desired character.

It is important to note that this updated Comprehensive Plan is not a local law, and is not adopted as a local law. Therefore, the Comprehensive Plan is a guide to the development of these other local laws. However, some of the goals of this Plan can be achieved through adoption or amendment of local laws. As with all local laws, any new or amended regulations will require public hearing(s), review by the county planning board, and an environmental review.

The Plan was developed to cover a 15 year time period with an expectation that it will be reviewed and updated as necessary. However, it should be formally reviewed a minimum of every five to seven years to ensure that it remains a vital document to help guide White Creek in the future.

## ***1.2 What Are the Implications of Having a Comprehensive Plan?***

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

- 1) All government agencies involved in planning capital projects in White Creek must consider this plan before they start any capital project. That means the Town now has a much larger stake in what other governmental agencies (i.e., County, State and Federal) want to do when they are proposing a project in Town.
- 2) All land use laws in White Creek must be consistent with this Comprehensive Plan.
- 3) The Plans' shared vision and goals can be used to build community consensus and support.
- 4) The Town can implement programs recommended in the Plan to protect the Town's resources and shape desired development and growth.
- 5) The Town has a higher chance of success in gaining grant moneys to fund projects consistent with this Comprehensive Plan.

## ***1.3 How was the Plan Developed?***

The planning process to develop this Comprehensive Plan included:

- 1) Gather and Analyze Data
- 2) Identify Problems, Issues and Concerns
- 3) Develop a 'Vision' for the Town
- 4) Develop Goals and Objectives
- 5) Generate and Evaluate Plan Alternatives
- 6) Develop an Implementation Schedule
- 7) Hear Public Comment on the Draft Plan
- 8) Adopt the Plan (Town Board), and begin implementation

In 2006, the Town of White Creek launched the 'data gathering phase' of the comprehensive plan with support from the NYS Quality Communities grant program.<sup>2</sup> As part of that process, the Township gathered and analyzed data on the 'current state' of the Town of White Creek and through community outreach, identified the Township's strengths as well problems, issues and concerns of the residents of the municipality.

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<sup>2</sup> Data Collection Phase of the Comprehensive Plan was funded through a 'Quality Communities Grant from New York State' which had been jointly awarded by the NYS Department of State to the Town of White Creek (for data collection), Town of Cambridge (for completion of a comprehensive plan) and Village of Cambridge (for revision of zoning).



The Town Board appointed a fifteen-member steering committee to assist with data collection and community outreach. (See Comprehensive Plan: Data Gathering Phase Report, April 2, 2007). This committee met monthly for nearly a year and its members were asked to gather data about the community. A \$3,000 grant from the NYS Quality Communities grant program facilitated hiring of Chazen Companies to assist with data collection and to facilitate a public meeting to solicit community members thoughts about the Townships strengths and weaknesses. Steering Committee members held additional meetings with various community groups including farmers, clergy, local business people, planning board members and board members. The Data Gathering Phase Report includes information about the Town's history, land use patterns, demographics, natural resources, infrastructure, economy, agricultural sector and recent development. One goal of the Data Gathering phase was to gauge community members' interest in developing a comprehensive plan; interest was very high.

In the spring of 2008, the Town of White Creek received a \$25,000 grant from the New York State Department of Agriculture and Markets to develop a comprehensive plan and agriculture and farmland protection plan. With this support, the Town of White Creek completed its community-driven comprehensive planning process; identified high priority agricultural lands and opportunities and challenges faced by the agricultural sector; devised an agricultural and farmland protection plan which lays out strategies to protect high yield land involved in agricultural production, enhances the economic viability of agriculture, including increased access to markets.

The Town appointed a committee to work on this planning process and hired Community Planning & Environmental Associates to assist and facilitate. To assist, the Town of White Creek has secured in-kind services from professionals at organizations such as the Agricultural Stewardship Association, Cornell Cooperative Extension and Washington County Soil and Water Conservation District.

The planning process included the following major steps and milestones:

- 1) Data Gathering Phase process included:
  - a. Strengths, Weaknesses, Opportunities and Threats Workshop for all residents (November 2006) and outreach to community groups Fall 2006 and Agricultural Focus Group (January 2007)
  - b. Gather and Analyze Data and maps
- 2) Agricultural Focus Group Meeting (for farmers and farmland owners) (December 2008)
- 3) Public Visioning Workshop (for all residents) (January 2009)
- 4) Evaluated Data Gathering Phase Report, Identified Issues, Focus Group and Workshop Results, and Developed of the Town Strengths, Weaknesses, Opportunities, and Threats (Winter 2009)
- 5) Developed Overall Vision and Goals and Agricultural Vision, Definition, and Goals (Winter 2009)
- 6) Conducted Prioritization of Farmlands (March to August 2009)

- 7) Consultants Audit of White Creek Site Plan Law, Subdivision Law, Mobile Home Law, and Right-to-Farm Law (August 2009)
- 8) Public Presentation of Vision, Goals, Farmland Prioritization, Maps and Discussion of Potential Planning Options (March 2010)
- 9) Second Agricultural Focus Group Meeting (for farmers and farmland owners) (March 2010)
- 10) Development of Planning Options and Strategies (April through March 2011)
- 11) Public Presentation of Draft Plan and Hearing (June 15, 2011)
- 12) Submittal of Draft Plan to Town Board (July 12, 2011)
- 13) Town Board Public Hearing on Draft Plan (TBA)
- 14) Town Board Adoption Process (TBA)

### ***1.4 What Input Did the Community Have?***

Diverse community involvement through public workshops and outreach within the community was key to development and success of this Plan. The public has been encouraged to be involved at all stages of the planning process. During the data gathering phase, a well-attended public workshop was held at Jermain Hall on November 9, 2006 to identify strengths of the community as well as issues of concern and outreach to several community groups. A second meeting looking more regionally was held on December 9, 2006 at which strengths and issues of concern were also raised and reinforced findings from the earlier meeting. In January 2007, the Steering committee hosted a meeting for those involved in the agricultural sector to obtain their views. All monthly steering committee meetings were publicized in newspaper and the public invited to attend.

A workshop aimed specifically at the farm community where the group discussed the agricultural strengths, weaknesses, vision, and solutions was held in the Fall of 2008. This was followed by a visioning workshop held at Jermain Hall in January 2009 to develop a town-wide vision statement, and to review and update the previously developed list of strengths, weaknesses and concerns. In April 2010, farmers were re-invited to a meeting to discuss the drafted vision and goals, evaluate the farmland priority map, and discuss solutions.

As a result of this public input, the Town-wide Vision Statement and individual topic vision statements and goals were developed.

#### **INFORMATION ON PUBLIC HEARINGS/ADOPTION PHASE TBA**

Throughout the process, all minutes, documents, maps, meeting announcements and other materials were posted on the project website at [www.planningbetterplaces.com/whitecreek](http://www.planningbetterplaces.com/whitecreek). Notification of meetings included press releases, a postcard mailing to all residents for initial public meetings, postings at the fire department, website, and newspaper articles.

## 2.0 Strengths and Weaknesses of the Town of White Creek

An important part of the planning process has been to understand how the residents and landowners in White Creek feel about the Town and its future. Throughout the Data Gathering Phase, and the development of the Comprehensive and Agriculture and Farmland Protection Plan, public input has guided and been the basis for the direction of the plan. All public input received was used to define White Creek's "strengths" and "weaknesses".

The foundation of the Plan is to offer solutions to White Creek so that its strengths can be maintained and built on, and its weaknesses, can be improved. The Vision and Goals included in this Plan come directly from public input and all recommended strategies are designed to address those strengths and weaknesses.

Community involvement in the planning process has been strong from the beginning<sup>3</sup>. The tables below summarize the Town's major strengths and weaknesses as described by its residents at public forums held in 2007 and 2009.

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<sup>3</sup> A well-attended public workshop was held in November 2006 to identify strengths of the community as well as issues of concern. A second meeting looking more regionally was held in December 2006. In January 2007, the Steering Committee hosted a meeting for those involved in agriculture to obtain their views. A list of Town strengths and weaknesses were developed from that input. After the Town moved from the Data Gathering Phase to the development of the Plan, the Steering Committee invited the public and the agricultural community to re-visit and update that list of strengths and weaknesses to ensure that the plan would reflect the current needs and desires of White Creek. Similar input was received from both efforts. More detailed responses from all these public input efforts are found in Chapter 7.0 (Appendix B).

Table 1: Strengths of White Creek from 2007 and 2009 Public Participation Efforts. (The table below is sorted based on the priority given to each feature by the public.)

<b>Strengths (Positive Features to be maintained in White Creek)</b>
Agricultural way of life*
Sense of old-fashioned community, local traditions and spirit of working together; ability to give children property without government restriction*
Good schools and supportive environment for children*
Proximity to natural resources/beauty, cultural, outdoor recreational, and educational opportunities and urban environments*
Natural beauty*
Wildlife and hunting
Mix of people (old, young, farmer, artist)
Diverse rural landscape
Abundant open space
Good agricultural infrastructure to supply the town
Slower pace of life
Local business sector, locally owned
Not too much traffic—nothing more than a two lane road
Diversity in homes, businesses, farms
Tradition and history of area as well as architecture
Strong Planning Board
Safe and secure
Like shopping in the Village of Cambridge
Second homeowners are positive contributions they spend \$ and take care of properties

Those with an asterisk (\*) in Table 1 were most commonly cited as strengths or positive features to be maintained in the Town of White Creek and those with an asterisk (\*) in Table 2 were those features that residents sought to improve. More detailed responses from all these public input efforts are found in Chapter 7.0 (Appendix B).

Other items mentioned as strengths (but did not rank as high) include that they liked that the area is quiet, home to dark skies at night but it has sufficient sunny days to produce alternative energies. Residents had the ability to be self sufficient and simultaneously were located close to various cities. The area was affordable, provided a supportive environment for children and housed a recreation field. Not too many regulations were within the township.

Table 2: Weaknesses of White Creek from 2007 and 2009 Public Participation Efforts. (The table below is sorted based on the priority given to each feature by the public.) In particular, strong concern was voiced for the disappearance of farms which was a loss to the economy and community character; a lack of preparedness for change and for development pressures and impacts this might have on the town; employment opportunities; taxes too high and communications infrastructure.

Table 2: Public Outreach Suggest that Residents are CONCERNED that:

<b>Weaknesses (Negative Features to be Improved in White Creek)</b>
Farms are disappearing which is a loss to the economy and community character.*
Lack of preparedness for change and for development pressures and the impacts this might have on the Town*
Taxes too high*
Lack of employment opportunities*
Young people leave; 17-21 youth have nothing to do and stuck in limbo
Not readily available infrastructure such as cell service, broadband internet and TV services or land lines*
Energy dependence, commuting and farming fuel costs
Wind power or other sources
More small businesses needed
Keep community the way it is. Get bigger tax base. Taxes are based on potential not existing use
No promotion of state land – there is 3000 acres for recreation as well as historic significance
Existing real estate and commercial spaces need to be sold and developed
Communication/coordination with other municipalities (example – equipment)
Speed limits too high on back roads
Factory farms
Lack of affordable housing or keeping housing affordable
Power Lies with Town Board – checks and balances needed

\*Those features noted with an asterisk (\*) are those features that residents sought most to improve.

Other items mentioned as weaknesses but not prioritized as high by residents or as pressing of a concern by residents included: light pollution; abandoned vehicles; the quality of roads, large farm equipment on roads and crazy, impatient drivers. The use of natural resources to generate business opportunities including wind power and recreational uses of state and public lands has not been explored. Farms pay a disproportionately large share of taxes compared to services consumed; there is no grain elevator/infrastructure for cash crops so they are shipped elsewhere; and farm to nonfarm communication is poor. Historic structures and places are not now protected. NYS demands unfunded mandates and locally services are duplicated by various municipalities (like town and county road maintenance). The proximity of the area to denser populated areas can also sometimes be negative. There was also some ambiguity expressed about absentee landowners in the Town—some though not all necessarily invest in town life though they pay taxes—this could become an issue for the future as it has for the lower Hudson communities.

As noted the planning process included several meetings with an Agricultural Focus Group composed of local farmers and farm support entities. Table 3 includes information from the

2009 Agricultural Focus Group meeting. Farmers were asked to identify (a) their concern; (b) qualities that keep farming in White Creek; (c) and qualities for agriculture in the future.

Table 3: Results of the Agriculture Focus Group Meeting

<b>(a) Concerns Identified by Farmers Present (not in any kind of priority order):</b>
Income: Payment farmers get for their product (mostly milk price) is low. This was identified as critical, but not a local issue. Farmers need to make a living.
Taxes. School taxes especially were felt to penalize farmers for having larger amounts of land.
Lack of Internet to support business.
Fewer people in town who understand agriculture. Farmers feel some people look at this one-sided, that they don't know about agricultural practices and this negatively affects them.
Tourism: This increases traffic and encourages new residents to move here. Farms don't need it.
Maintaining investment in farm in light of land use regulations: Concerned about potential local laws and how it will affect business in the future. They want to be sure to be able to maintain the ability to make land subdivisions in small lots in the future and want the right to make land decisions without battles in the future.
Farmer – Non-Farmer relationships: Sometimes farmers are not nice to their neighbors. They should be respectful of them as the farming operation may affect other property values. They are concerned about conflicts with non-farmers (mentioned intensity of farm traffic).
Lack of Farm Diversity: There needs to be more focus on smaller farmers – small herds and startups.
Lack of Resources for Startups: New farmers are not knowledgeable about resources that are available and this can prevent them from being successful.
Traffic: There has been deterioration in traffic lately and with farm equipment added to the mix – more problems occur.
Rental Lands: There has been an increase in land rentals by larger farms.
Lack of younger people in farming.
Lack of labor: an issue with the larger farms
Long term economic sustainability: Global influences and lack of people to take over long term are issues related to this.
Concerned about landowner rights – farmers are subsidizing rural character for others.
<b>(b) What Keeps Farmers in White Creek?</b>
Family heritage
Nostalgia, community, friendly community
We know neighbors and have family here
It is a safe place
We can grow our own food
Good weather and soil
Good group of progressive farms
Lots of resources and knowledge available
Washington County is a good area with lots of support among farmers, and support

businesses exist
We have clean water, air, wildlife and beauty
Active farms keep the number of subdivisions down
It is our duty to keep farming
<b>(c) What would we like agriculture to be like in the future in White Creek?</b>
Prosperous
More diversity in farms
No manure pits that pollute water
Farming is done in an environmentally safe way
Less traffic on roads
Slower speeds
Farms are prosperous enough to attract new farmers and keep the next generation farming
We still have vets, auction houses, and the agricultural infrastructure
We have educated the non-farming community and they know how to be a rural community member
Farm tours exist to help educate our children
There is respect of land by those who don't own it (ATV's for example)
There is a perfect balance between farms and development
No landfill
We try to keep land and farm whole – not in new houses. Land is kept open for children and other farmers
Farmers sell development rights and there is need for more support from the Federal and State government to give money back to local communities for PDR

Both data collection and plan development phases of the planning process confirm that residents see White Creek and the greater Cambridge Valley as a special place because they are able to live in a quiet, pastoral, easy-going place, with abundant natural beauty and wildlife and open space. They want to keep it that way. They appreciate the rural and agricultural character and slower pace of life that comes with it. Although White Creek is rural, it is not so far off the beaten path that urban amenities are unavailable; all are within an hour's drive. Good agricultural infrastructure still exists to support area farms. Outdoor recreation is a way of life in White Creek. Residents highly value White Creek's sense of "old-fashioned" community where people care about each other and have an interest in working together for the common good. Variety in the people who live here, in the types of homes and buildings, and in the Town's businesses is important as it contributes to the character of White Creek and adds a cultural richness here that is unique and extraordinary for a small community. Residents also appreciate the tradition and history of the area as well as the architecture. Finally, the greater Cambridge Valley is seen as a good place to raise children.

Public input allowed the Comprehensive Plan and Ag Protection Plan Steering Committee to develop a vision statement that articulates the hopes and dreams of the residents of White Creek. The following section describes the long-term vision for White Creek.



### 3.0 Vision of the Future for White Creek

A vision statement is a description of a desired outcome that inspires, energizes and helps you create a mental picture of the future. The best vision statements describe outcomes that are five to ten years away, although some look even further out. The vision statement should focus on the desired outcome and should be based on the best possible outcome. The purpose of the vision statement is to inspire, energize, motivate, and stimulate, not to serve as a measuring stick for success; that is the job of objectives and goals that follow.

Through the planning process, the community asked itself “Where does White Creek want to be in the future? Based on community input, the following statement articulates a consensus of where residents of the Town of White Creek want their community to be in the future. It echoes a desire to retain the general quality of life and rural character that exists in the Township in 2009-2010 ten years hence.

#### Town-wide Vision Statement

*In the future...White Creek will be a prosperous, rural, farm-oriented community. We will take pride in and promote our local traditions, old-fashioned values, public spirit, and actively participate in our historic community. Our quality of life will be enriched by our natural beauty, environment and abundant open spaces including farm fields, woodlands, streams, and hills.*

*Residents will highly value and take advantage of the many cultural and outdoor recreational opportunities in or near White Creek. Higher density residential land uses and businesses will be concentrated in the quaint village and hamlets, while lower density land uses will co-exist with farms throughout the countryside. We will be fully prepared to manage change in a manner that balances community goals and private landowner desires. The Village of Cambridge (a portion of which is in the Town of White Creek) will complement the rural character of the Town and provide important main street retail, economic, cultural and social outlets for Town residents.*

*White Creek will have diverse and thriving farms operated in an environmentally sound way. Our farms and residents will support a*

*variety of locally owned businesses. Local job opportunities will be available. White Creek will be a diverse, affordable community for people of varying ages and backgrounds.*

*Public services will be cost effective, efficient, and of the highest quality. Local, private/public, and regional partnerships will help accomplish this. Our planning programs will provide town officials and community members with information and tools to help them make long-term decisions that are consistent with this vision. White Creek will be a safe and secure place. Our commitment to tradition and values will sustain White Creek as a supportive environment for our citizens. This vision is the gift we give to our children through the years.*

## **4.0 Goals and Recommended Actions for White Creek**

One of the major roles of this Comprehensive Plan is to help the Town of White Creek turn its vision into a reality. The Data Gathering Phase Report (a separate document at Town Hall) answers the planning question “what are the current conditions in the Town”, and the Vision Statement answers the planning question “where does the Town want to be in the future”. This section answers the planning question “what can the Town do to achieve its vision?” It offers a ‘toolbox’ containing a series of goals, objectives and recommended strategies for the Town to use over time.

Seven major topics related to the vision statement are addressed in this Plan. These include:

- Section 4.1: Agriculture
- Section 4.2: Community Character
- Section 4.3: Environment
- Section 4.4: Economic Development
- Section 4.5: Arts, Culture and Recreation
- Section 4.6: Services and Infrastructure
- Section 4.7: Housing

For each topic, the Plan establishes a series of goals, objectives, and recommended actions. Goals offer general direction and identify what the desired end result could be. Objectives are specific, measurable statements that identify individual strategies. Goals and objectives are met through a series of actions. Actions are specific programs, policies, expenditures, or laws that the Town can undertake. The goals, objectives and actions form a ‘toolbox’ for the Town to consider over time, and all work together to help the town reach its vision.

### ***4.1 Agriculture***

Since the public input process showed that the agricultural sector itself is highly valued by the community, this section of the Plan starts out with describing a vision statement and recommended actions for agriculture. Importantly as well, agriculture is a cross cutting topic: it helps to define the rural community character and contributes to the economic well-being of the Town of White Creek. Farms generate jobs and tax revenues without requiring many taxpayer-funded services, such as schools, new roads, or sewer services. Maintaining a healthy agricultural sector ensures that the Town will continue to enjoy open spaces and rural landscapes.

Additionally, the Comprehensive Plan’s completion was funded by the NYS Department of Agriculture and Markets. This agency encouraged the community to develop a specific vision statement for the agricultural sector and define what

the Town of White Creek denotes as agriculture. Below is the Township's vision for the future of agriculture in White Creek.

#### **4.1.1 Vision Statement**

Our Vision for the future of Agriculture is...

*Agriculture is the primary land use in White Creek, is the foundation of our local economy, and provides stability to the Town and entire region. Farmland remains available for current and future generations of farmers. Farms are successful, prosperous, and family-owned and are supported by key agricultural infrastructure. There are opportunities for new farm start-ups and efforts to add value to locally grown products. White Creek offers a quality of life that makes our Town attractive to young people who want to enter the agricultural profession. Farming is done in an environmentally safe way. Consumers enjoy increased availability to a local supply of fresh farm products grown in White Creek. This helps make our Town a self-sufficient and healthy community. Farmers and their non-farm neighbors live in harmony, seek to understand each other and treat each other with consideration and respect. The non-farm community is informed and educated about agriculture and agricultural practices, and enhanced relationships create ongoing, two-way communication. Agricultural practices are understood by farmers and non-farmers. Farmers and farmland owners are supported in their efforts through land use policies and regulations that promote and support continued farming. Impacts of new development on farms are minimized.*

#### **Definition of Agriculture in White Creek**

Agriculture is an activity that produces food, fiber, animal products, horticulture, timber, and other goods and services from the land including but not limited to maple syrup, bee products and Christmas trees. A farm is the location where agriculture takes place and includes both hobby farms that produce goods not for profit, and commercial farms that produce goods for profit. Farm operations refer to buildings, equipment, processing facilities and practices on the farm which contribute to the production, preparation, or selling of crops, livestock, produce and wood products.

#### 4.1.2 Goals and Objectives

- Key infrastructure supports farms and farmland remains available for future farmers.
- Farms are diverse, successful and family-owned.
- Farmers and their non-farm neighbors live in harmony, seek to understand each other and treat each other with consideration and respect. The non-farm community is informed and educated about agriculture and agricultural practices and we foster enhanced relationships with non-farmers to create ongoing, two-way communication. Agricultural practices are understood by farmers and non-farmers.
- New farms start-up, farm-related entrepreneurs and young people are attracted to the agricultural profession in White Creek.
- Farming is done in an environmentally safe way.
- Farmers and farmland owners are supported in their efforts through land use policies and regulations that promote and support continued farming.
- Impacts of new development on farms are minimized.

Objective: Integrate agriculture as a critical resource to be evaluated in all development review processes and adopt Town policies on growth and development that are farm-friendly, support farming businesses, and that minimize negative impacts on agriculture.

Objective: Increase market opportunities and marketing efforts for local agricultural produce. Attract small businesses and local processing facilities that will support, enhance and sustain a diversity of farm operations.

Objective: Market the Town to new farmers and farm-related entrepreneurs.

Objective: Develop programs to preserve critical farmlands.

Objective: Promote farm support businesses and organizations.

Objective: Develop strong partnerships between farmers, non-farmers, local businesses, elected officials, and the general public to educate people and promote agriculture, improve communication, and increase participation in local farms and food systems.

#### 4.1.3 General Recommendations

- (1) Establish an agricultural implementation committee and appoint members to represent farmer, open space, agri-business, and local government interests. The primary role of this committee would be to facilitate implementation of the agricultural recommendations of this plan. This advisory committee should be an appointed, standing committee of the Town that is responsible for representing the farm community, encouraging and promoting agricultural-based economic opportunities, and preserving, revitalizing, and sustaining the Town's agricultural businesses and land. The Town Board should assign terms of service, establish a time table and benchmarks for

different actions as per this plan, establish a mission statement for the committee, and outline expectations for communicating with each other. This committee should be the implementing body for the agricultural recommendations in the plan, and should report regularly to the Town Board. If feasible, this committee should be shared between one or two other adjacent towns in Washington County to assist both in implementing their plans.

- (2) Approach Cornell Cooperative Extension in Washington County, Washington County Supervisors and other groups and professionals to aid in facilitating the agricultural implementation committee (above). Explore funding opportunities to hire a person to coordinate and facilitate this committee for multiple farm communities near White Creek.
- (3) Support programs, organizations, and agencies that assist farmers and farmland owners. Successful implementation will depend on a team approach. These include but are not limited to Cornell Cooperative Extension, Soil and Water Conservation District, Natural Resource Conservation Service, and Agricultural Stewardship Association (ASA). Coordinate implementation efforts with these organizations.
- (4) Encourage the County to continue to fund an ag-economic development specialist and/or circuit rider staff person to assist local farmers in expanding and retaining their farm operations.
- (5) Aggressively urge Washington County (legislators and staff and the Agricultural and Farmland Protection Board) to update and fully implement the County Agriculture and Farmland Protection Plan. Work to elevate the importance of that Plan with Washington County officials.
- (6) Aggressively urge New York State (Department of Agriculture and Markets, legislators, Governor) to implement the state-level actions identified in the Agriculture sections of this Plan.
- (7) Seek funding for implementing the agricultural development sections of this Plan. Funding sources, especially public-private opportunities to be explored include, but are not limited to:
  - USDA: Has a variety of loans and grant programs including the Value-Added Producer Grant and the Rural Business Enterprise Program.
  - NYS DAM: Has a variety of loans and grant programs including the Agri-Tourism Project, Specialty Crop Block Grant, Farmers Market Grants, SARE Farmers/Grower Grant Program, Grow NY including Ag Research and Development Grants, Farmland Viability Grants, Enterprise Program, and Non-point Source Abatement and Control Grants

- NYS DEC: Offers the Environmental Farm Assistance and Resource Management Program
  - NYS Office of Small Cities: Offers Community Development Block Grants
  - Warren - Washington County IDA – Microenterprise Assistance Program.
  - NYSERDA: Offers Innovation in Ag Grants
- (8) Incorporate the importance of agriculture in all town functions. Use every opportunity to convey the importance of agriculture to the town by implementing this plan and using town websites, newsletters, press releases, etc. to keep agriculture on people’s minds.
- (9) Work with neighboring towns and Washington County to monitor development of large scale regional development initiatives such as the Luther Forest Technology Park (Global Foundries) and its potential impacts on the Town of White Creek. Offer input into future environmental reviews associated with that project or other such major developments to ensure that negative impacts to the Town from outside growth are mitigated. The Town of White Creek should participate in hearings and other review processes to ask about and mitigate any potential impacts related to increased traffic, use of water resources, cumulative residential and commercial growth impacts, etc. Such impacts could negatively affect the ability of White Creek farms to remain sustainable and impact housing and land values

#### **4.1.4 Agricultural Economic Development**

- (1) Ensure that the Town Assessor, farmers and farmland owners have up-to-date information on all tax relief programs available and make this available to farmers. When land that has been subject to an agricultural assessment is converted to non-agricultural use, enforce and potentially stiffen penalties as per New York Agriculture and Markets Law 25-aa.
- (2) Encourage further education about and use of agricultural assessments by landowners when they are eligible.
- (3) Aggressively work with economic development staff and organizations in Washington County to:
- a. Promote agricultural buying cooperatives to reduce farm production costs;
  - b. Promote businesses and organizations that support agriculture.
  - c. Promote purchase of locally grown products by local and regional markets and restaurants.

- d. Establish ag economic development areas to promote agri-businesses in White Creek.
- (4) Enhance other funding opportunities in the forms of loans, grants, and tax incentives directly for new farm, farm expansion, and ag-business development.
- (5) Consider establishing a local Agricultural Local Development Corporation to provide incentives and tax benefits for new and expanding agricultural businesses.
- (6) Encourage Washington County to implement agricultural economic development strategies outlined in their 2007 Washington County Economic Development Strategic Plan. Twenty-one different actions are suggested in that plan, that when implemented, will strengthen agriculture in White Creek. (See Chapter 12.0 Washington County Strategies to Grow Agriculture and Forestry.)
- (7) Encourage Cornell Cooperative Extension to create an easily accessible, coordinated clearinghouse of information including websites, and educational materials that can be used to help new farming and ag business start-ups.
  - a. Continue support of local farmers' markets in southern Washington County.
  - b. Many materials have already been developed by a variety of agencies and organizations. These materials should be consolidated into a single "one-stop-shopping" as a small farm marketing and business development tool kit.
- (8) Promote and enhance use of the local branding program - "Pride of Washington County". This brand can be an important marketing tool and should be more effectively utilized in White Creek.
- (9) Establish a Town web site. Include all farms in Town on a farm-oriented page within the site and links as available. At the least, include a listing of all farms in Town – especially those that sell direct to consumers. Since agriculture is so vital to White Creek, the website should reflect this role and highlight the farm businesses in town. Links could include farm location, product availability, prices, etc. Also consider the following ideas:
  - a. Tourism should be carefully planned for in the future as too much tourism may be contrary to the goals of the Town. Work with local farms that offer agri-tourism activities to encourage them to be listed on brochures and farm market maps.
  - b. Work with local farms and encourage them to be listed in the New York MarketMaker website. This is an interactive mapping system that locates businesses and markets of agricultural products in New York, and provides a link between producers and consumers ([www.ny.marketmaker.uiuc.edu](http://www.ny.marketmaker.uiuc.edu))



- (10) Organize farm tours, especially for local and county elected officials so that they can understand farm operations and issues.
- (11) Use the Grow NY and Pride of NY materials to promote fresh foods and agriculture. Provide schools, restaurants and businesses that buy or sell local food products in and around Town with these promotion materials that advertise Washington County fresh, local foods. (See NYS Department of Agriculture and Markets website).
- (12) Promote the Farm to School program, Ag in the Classroom program and other education opportunities.
- (13) Establish programs to encourage entry of young and new entrepreneurial farmers into agricultural businesses. Incentives such as using a modified Lease of Development Rights program (LDR, see below) for this purpose where taxes are reduced in turn for agreeing to farming for a set amount of time may be feasible.
- (14) Promote diversification of farm operations, community supported agriculture (CSA), niche farming, and agri-tourism opportunities with landowners and farmers. Use existing resources such as the Agricultural Marketing Resource Center ([www.agmrc.org](http://www.agmrc.org)) and the Small Scale Food Entrepreneurship program ([www.nysaes.cornell.edu](http://www.nysaes.cornell.edu)) to help.
- (15) Work with Washington County and New York State to enable provision of cable and high-speed internet access to all locations in the Town.
- (16) Develop facilities to market and process animals from area farms. Work with Washington County and surrounding towns to support existing, and develop sufficient USDA slaughterhouses to support area farms.
- (17) Help local value-added food producers explore for-rent community kitchens. A good example is the Battenkill Kitchen, Inc. ([www.battenkillkitchen.org](http://www.battenkillkitchen.org)).
- (18) Work with agricultural entities and utility companies to promote opportunities for development of clean energy (e.g., methane digester or solar panels) that could provide energy to local businesses and clusters of homes.
- (19) Chambers of Commerce should be a strong advocate for agri-businesses. Farms are local businesses and should have an increased voice in the areas chambers of commerce. Chambers should reach out and recruit farms as members. Farmers should be educated about the benefits of Chamber membership.

#### **4.1.5 Farmland Protection**

- (1) Establish an education campaign to publicize the value of farming to the total community and improve public understanding of farm practices. Concepts to

concentrate on include the role of agriculture in the community (aesthetic, environmental, recreational, and economic), and the role agriculture plays in the community. Develop an action plan for education and outreach to landowners, public officials, and the general public. This could include brochures, web page, press releases, public meetings, mailings to landowners (especially those of high priority parcels). Education needs to be three-pronged: for the general public, for local and county elected officials, and for farmers. Some ideas to consider include, but are not limited to:

- a. Farm tours, especially for the children and elected officials;
  - b. Work with school districts that serve town residents and establish Farm-to-School, school-based/community gardens, and farm-based school trips;
  - c. Support local farmers markets and events to promote farms by including links, advertisements and other marketing material in Town Hall and on a future Town website;
  - d. Develop welcome packets for new residents with maps, coupons, and other farm-related promotional materials, including information about farm practices, the agricultural district, local regulations and plans, and the Town right to farm law.
  - e. Work with Cornell Cooperative Extension and other agencies and organizations to help farmers learn ways to promote positive farmer/non-farm neighbor relationships.
  - f. Place Right to Farm Law signs around Town.
- (2) Support purchase of development rights (conservation easement) programs. Solidify a local Purchase of Development Rights program and seek ways to further fund this. (With a PDR program, a landowner voluntarily sells his or her rights to develop a parcel of land to a public agency or a qualified conservation organization such as the ASA. The landowner retains all other ownership rights attached to the land, and a conservation easement is placed on the land and recorded on the title. The buyer of the development rights essentially purchases the right to develop the land and then extinguishes that right permanently, thereby assuring that development will not occur on that particular property.) In setting up and implementing a local PDR program, consider the following:
- a. The Farmland Priority map should be used to identify critical parcels and establish eligibility criteria so that the PDR program and its funds can be targeted to those lands first.
  - b. Once established, advertise, promote and solicit participation. The Town of White Creek should:

1. Establish a Board or Committee to oversee the implementation of a PDR program and to ensure that program dollars are spent wisely to acquire properties that meet the goals and objectives of the program. A committee consisting of representatives from the Town Board, ASA, and members of the public works best.
  2. Identify Sources of Funding. External funding sources include federal and state grants, foundations, land trusts, and public money donations such as through local tax levies. Frequently used funding sources which White Creek could explore include:
    - Local appropriations from general or discretionary town funds;
    - General obligation bonds (voted on as a referendum by the general public);
    - Establishing fees. (White Creek should review and update the Town's development fees to ensure that the costs of providing services and infrastructure are equitably apportioned to new development;
    - Town property taxes (often called PDR tax with funds dedicated to purchasing development rights. Sometimes this tax funds the payment on bonds);
    - Town real estate transfer taxes (when authorized by New York State);
    - Federal funding (USDA Farmland Protection Grants, Farmland Protection Programs of the Farm Bill)
    - State funding (NYS Farmland Protection Grants)
  - c. Any administrative process associated with a local PDR program needs to be consistent, fair, and equitable to all landowners who may want to participate. There should be a process for publicizing and identifying the parcel selection process, recording, monitoring, funding, application review, valuation, and expectations for the deed of easement. It should outline acceptable appraisal approaches.
- (3) In addition or as an alternative to a PDR program, consider establishing a Lease of Development Rights Program (LDRP). This is similar to a PDR program except that properties are not permanently protected, but a term easement is placed on the property, usually for 10 to 15 years in return for a lease payment or other incentive such as reduction of property taxes.
- (4) Enhance Planning Board review of projects to include how they might impact farms. To ensure that impacts to farming operations are included in the project review process, the Planning Board should include the following in their process:
- a. Review the NYS Agricultural District Map in relation to the proposed project.

- b. Review the Ag Data Statement submitted by the applicant as required by NYS Agriculture and Markets Law.
- c. Understand current farming activities in the area near the project and evaluate the projects impacts on them. Some questions that the Planning Board should ask to determine if a project will negatively impact farms include:
  - o What potential conflicts between the existing farm and the new use will be created? How will these conflicts be prevented?
  - o Will the new use negatively impact a farmers' ability to use existing right-of-ways or farm roads needed to access fields?
  - o Will the new use affect land values and rental rates for agricultural uses?
  - o If new public roads are to be built, will they accommodate agricultural equipment and traffic?
  - o Will this new use spur additional non-farm development in the area in the future?
  - o Is the landowner familiar with the nearby agricultural practices that will be used and how will they be educated about them?
  - o Will the new use remove significant land from being available for farming?

(5) The Town adopted a subdivision law in 1993. It authorizes White Creek to review and approve land subdivisions to ensure that new lots are designed and developed in a way that results in the safe and orderly development of the Town. As part of this Comprehensive Plan, the subdivision law was reviewed in relation to the town vision, goals, and objectives. This review (see Chapter 8.0, Appendix C, Audit of Subdivision Law) resulted in the identification of several areas where improvements could be made. Amend the subdivision law as per this Audit.

Some of the suggested amendments to the Subdivision Law include the following. The Audit of the Subdivision Law (Appendix C) offers explanations and details about these and other recommendations.

- a. Consider expanding the policy statements to include protection and promotion of rural character and farmlands.
- b. Consider requiring more detail to be included on subdivision applications than currently required so that the Planning Board has all the information it needs for its review such as identifying the presence of farmlands that are in the NYS Ag District, locations of well and septic systems, driveway locations, new curb cut construction, and the "envelope" of disturbance proposed to take place.
- c. Identify and notify neighbors and farmland owners adjacent to and within 500 feet of the subdivision of the proposed action consistent with the 'Agricultural Data Statement' as currently required by the NYS Ag and Markets Law 25-AA.

- d. Consider adding references to other New York State requirements and procedures. Reference the need for both SEQRA and County Planning Board referrals, and filing requirements that must be met for both minor and major subdivisions.
  - e. Review and consider clarifying the section related to exempt and agricultural subdivisions. Review this section of the law to ensure that a loophole has not been created that will allow development to occur un-reviewed.
  - f. Consider amending existing standards for road construction (not driveways) that minimize pavement widths and follow typical rural road dimensions and standards (such as 18' to 20' paved widths). Consider language that discourages use of suburban style cul-de-sac roads and encourage use of rural road designs for dead end roads including "T" or "Y" designs.
  - g. Consider expanding the existing law to allow for new hamlet and traditional neighborhood design standards for major subdivisions. This could help ensure that large developments are consistent with the rural character of White Creek.
  - h. Consider adding definitions to ensure all terms needing definition included.
  - i. Review the definition of what constitutes a minor or major subdivision.
- (6) To preserve farmland, open space and promote environmentally sustainable residential development, consider establishing a land use law and policy that uses the following methods:
- a. Consider a local law that establishes a density for new residential development for major subdivisions of one dwelling per 5 acres of land. No minimum lot size would be required for lots created within a major subdivision provided the number of dwellings allowed does not exceed 1 per 5 acres. No density or minimum lot sizes would be set for minor subdivisions.

Density controls how many new housing units can be developed on any given parcel of land. It allows the town to control how much development takes place, but leaves the size of lots up to the landowner and the Planning Board to determine during the subdivision approval process. Currently, the size of a new lot in White Creek is regulated only by the Department of Health requirements for water wells and septic systems (usually ½ acre). Continuation of this policy may result in a development style that results in rural sprawl, loss of farmland, negative environmental impacts, and loss of rural character.

Density is usually established as the number of houses allowed per acre (for example, 1 dwelling per 5 acres). Minimum lot size would remain whatever the Department of Health requires if individual wells and septic systems are needed.

When the minimum lot size is de-emphasized, then you can create small, affordable lots at the same time as leaving land open for farming or open space. A conservation subdivision design could result in a clustered subdivision, or strategically placed new lots that preserve the best open space for farming or the environment. A density is not a minimum lot size. Density tells one how many new homes could be accommodated on the parcel, not how big the lots need to be.

For example, if the town had a 1 dwelling per 5 acre rule, a 50 acre lot could be split into 10 lots. If conditions were acceptable for wells and sewer, you could create five ½ acre lots, three 1 acre lots, and two 2 ¼ acre lots. Provided the overall density is met, any combination of lot sizes would work. The advantage of this method is that it makes it very easy to create more affordable lots at the same time as allowing for farming or other open space uses on the parcel.

- b. Incorporate the voluntary use of conservation subdivision design for major subdivisions in the existing subdivision law. If used, a minimum of 50% of the land would be permanently preserved open space. Open spaces to be preserved in this manner would primarily be farmlands, environmentally sensitive areas such as wetlands, stream areas, and floodplains, and slopes over 20% (See Section 13.0 Appendix H, Definition). The illustrations show the result of development designed in a conservation subdivision.



A conservation subdivision is a siting and design process. This process would take place within the normal procedures of the Town's subdivision law. With this technique, a landowner is able to subdivide his property but design the layout of the new lots in a way that preserves a minimum of 50% of the land as useable farmland or important open spaces. In order to accomplish this, the conservation subdivision process allows for much flexibility in the design of lots and setbacks. This open space would be required to be permanently protected

through a conservation easement. The process for designing a conservation subdivision follows four specific steps:

Step 1: Identify critical agricultural and environmental areas (See Definitions).

Step 2: Locate new house sites so each site will have direct or visual access to the ag or environmental areas.

Step 3: Connect houses with trails, roads and driveways that minimize road building.

Step 4: Draw in lot lines (the least important aspect).

Open Space must be defined and specific criteria of how much and what kind of open space to be preserved must be included in the details of a conservation subdivision section within the subdivision law. Local laws should include language that ensures any preserved land within a conservation subdivision includes agricultural land as open space.

The conservation subdivision technique can also be used, especially in large subdivisions, to encourage new development that is in a traditional, hamlet-style pattern (with small lots and structures closer to the street). Use of this technique could also be used to create new hamlets designed using the same traditional and historical land use patterns already present in White Creek.

- c. Establish an incentive program that would encourage use of the conservation subdivision design process. A density bonus program for major subdivisions would give a landowner additional residential development capacity if they permanently preserve open space and agricultural lands on their parcel. A density bonus allows the landowner to increase the number of lots that could be created in exchange for permanent provision of certain public amenities such as protecting farmlands.

This program would offer a 50% density bonus when a conservation subdivision design is used. Further, it could also offer additional bonuses when even more than the required 50% minimum open space is preserved. Should White Creek establish a density bonus program, it must follow New York State Law 261-b and it must clearly identify the types of amenities the Town desires, the density bonus that could be given, and the criteria to be used by the Town Board in granting a bonus. Offering density bonuses would always be at the discretion of the Town Board.

Density bonuses offer a win-win situation: the developer gains the possibility of creating more lots and the Town retains a desired resource. A density bonus



allows the landowner to increase the number of lots that could be created in exchange for permanent provision of certain public amenities such as protecting farmlands, environmentally sensitive locations, scenic areas, or access to open spaces. Some communities even give bonuses for provision of senior housing.

*An example of a density bonus (from the Town of Cairo) is:*

*a. Open Space/agricultural land preservation - A residential density bonus may be granted for the preservation of open space that exceeds the fifty percent requirement for a conservation subdivision. For every additional ten percent of land set aside as open space, a five percent residential density bonus may be approved. The maximum residential density bonus that may be granted for the protection of open space/agricultural land preservation shall be fifteen percent.*

*b. Public access and recreation. A residential density bonus of up to twenty-five percent may be approved for the creation of public recreational lands or trails, public access to streams, railroad rights-of-way, or open space land, or for the protection of public fishing/hunting rights.*

**Putting White Creek's Recommended Land Use Density and Subdivision Strategies together:**

Minor subdivisions –No minimum lot size for minor subdivisions (consistent with existing law in White Creek).

Major subdivisions – if designed in a conventional subdivision where no open space were preserved, the *density* of development would be 1 dwelling per 5 acres.

Major Subdivisions – if designed using the conservation subdivision method and 50% of the parcel was preserved, then the parcel could be divided at a higher density of 1 dwelling unit per 3.3 acres. If more than 50% of the parcel were permanently preserved, then additional density bonuses would be offered.

Example if the Town were to have a 1 dwelling per 5 acre density for major subdivisions and no minimum lot size for any type of subdivision:



A minor subdivision on a 5 acre parcel would create two lots. Each could be 2.5 acres in size, or one could be one acre if the soils were adequate and the other could be four acres. This scenario is the same as currently exists.

A major subdivision on a 30 acre lot could be split into 6 lots if it were designed as a conventional subdivision. New lots could be of various sizes, but all the land would be “used” as part of those 6 residential lots with nothing preserved. If however, a conservation subdivision were used, the landowner would be eligible for nine lots (the original six plus three bonus lots). This design could result in 8 lots that were 1 acre in size and one that was 22 acres. The 22 acre parcel could be a preserved farm parcel to meet the 50% open space requirement. There could be many different lot sizes designed under this method. If the landowner took advantage of the added density bonuses, then additional lots could be attained. Preservation of 60% of the parcel would yield 10 lots, for example.

- (7) Consider requiring new development to have setbacks from adjacent property lines of 50 feet. The setback should be required as part of development of a new lot (not from an adjacent parcel) and should not restrict farm operations in any way.
- (8) The Town adopted a site plan law in 1997. It authorizes the Town to review and approve site plans for certain commercial developments to ensure that structures are designed and developed in a way that results in the safe and orderly development of the Town. As part of this Comprehensive Plan, the site plan law was reviewed in relation to the town vision, goals, and objectives. This review (see Chapter 8.0, Appendix C, Audit of Site Plan Review Law) resulted in the identification of several areas where improvements could be made. Amend the site plan review law as per this Audit to enhance the review of a project’s impact on agriculture, the environment, and community character, and to ensure proper siting of new development in a manner that reduces negative impacts on the Town.

Some of the major suggested amendments to the Site Plan Law include the following. The Audit of the Site Plan Law (Appendix C, Audit of Site Plan Review Law) offers explanations and details about these and other recommendations.

- a. Consider removing or lowering the size limit so all commercial structures are reviewed.
- b. Consider changing the size of business signs that are to be reviewed so only the smaller signs (16 sf or smaller) are exempt from requiring site plan approval.
- c. Consider enhancing review of a proposed project’s impact on agricultural operations. The Town should ensure that new projects do not adversely affect agricultural operations.

- d. Consider requiring site plans to include information on the exterior design of the building and more information on natural features found on the site so that natural resource considerations during a site plan review can be done by the Planning Board.
  - e. Consider amendments to the current section ‘Rural Design Guidelines’ to better define and illustrate design expectations so that the law more fully describes what would be consistent with the Town’s rural and small town character.
  - f. Consider incorporating innovative tools such as use of shared parking lots, shared curb cuts, and shared driveways to minimize impervious surfaces, control traffic, and promote efficiency in commercial development in the law.
  - g. Amend the site plan law to ensure procedural consistency with NYS Town Law 274-a and update the definitions so more terms used in the law are defined.
- (9) The Town adopted a Right-to-Farm law in 1992. It is designed to enhance agricultural operations in the Town by protecting farmers from nuisance lawsuits and recognizes the town’s support of person’s right-to-farm. As part of this Comprehensive Plan, the right-to-Farm law was reviewed in relation to the town vision, goals, and objectives. This review (See Chapter 8.0, Appendix C, Audit of Site Plan Review Law) resulted in the identification of several areas where improvements could be made. Amend the Town of White Creek Right to Farm Law as per this Audit to strengthen it.

#### **4.1.6 Recommendations for Washington County**

The Town of White Creek Comprehensive plan offers recommendations to Washington County and New York State with respect to agriculture. White Creek recognizes that in order to fully promote and protect agriculture, collaboration between the Town, Washington County and New York State needs to take place. As such, the following recommendations for both Washington County and New York State are needed to be part of the solution:

- (1) Keep the County Agriculture and Farmland Protection Plan up-to-date.
- (2) Dedicate more resources to promoting agriculture in the County.
- (3) Fund an ag-economic development specialist and/or circuit rider staff person to assist local farmers in expanding and retaining their farm operations.
- (4) Expand County Industrial Development Authority (IDA) and Local Development Corporation (LDC) programs to better support production agriculture. Promote agricultural business development in this agency so that the same incentives are given to farms and ag businesses as other businesses. Currently the Microenterprise Assistance Program (MAP) provides funds to small businesses and entrepreneurs and

many small value-added, specialty and niche farms in Washington County have taken advantage of this program. However, there is potential for expanding IDA programs such as by establishing a revolving loan fund, an agricultural local development corporation, and rural business grants, etc.

- (5) Establish a Washington County Agri-Business Revolving Loan Fund. This could target entrepreneurial, emerging and expanding agri-businesses. Such a program should ensure that production agriculture, not just processing facilities are included so that it could be used to promote additional farming operations. The loans should be set up so that farmers can use the funds to purchase capital goods, such as:
  - Inventory (including livestock)
  - Machinery and Equipment
  - Furniture
  - Fixtures and Signage
  - To make leasehold improvements directly related to needs of business and working capital.
- (6) Re-consider establishing a program that connects land sellers in Washington County to potential farmers to promote available farmlands to other farmers. Develop a program modeled on the Jefferson County “Come Farm with Us” program ([www.comefarmwithus.com](http://www.comefarmwithus.com)). A marketing program could promote farmlands as opportunities for potential niche farms to urban residents seeking a rural business/local food opportunity.
- (7) Develop a program to market the ‘made in Washington County’ products building on the regional agricultural successes like the Battenkill Valley Creamery, award winning Maple Syrup producers, etc.
- (8) Consider joining regional efforts in the Hudson Valley promoting agricultural economic development and marketing activities, such as Hudson Valley Bounty and Hudson Valley Agribusiness Development Corporation

## ***4.2. Community Character***

### **4.2.1 Goals and Objectives**

- Open lands including farm fields, streams, wetlands, hilltops and vision corridors are protected. Farms and forests remain the major landscape features.
- White Creek is a place for young and old to live and work.
- Cultural heritage resources and cultural events exist.
- People in White Creek are friendly, caring, helpful, and concerned.
- More residential development takes place in or near the village or hamlets to keep farmland open and productive.
- White Creek is not over regulated.
- Our pastoral and scenic beauty remains.
- There are high levels of volunteerism and involvement in the community.
- People take pride in our community and individual properties.
- Historic properties are maintained and are a valued part of the community.
- Old-fashioned, rural, and small town lifestyles are maintained with a high level of pride.
- Non-farmers are informed and educated about farms and farm practices, and recognize the contributions of farms to open space and rural lifestyles.
- White Creek is a safe community.
- We have a strong sense of community.

Objective: Develop and support community activities, events and programs, and citizen participation that increases community pride, and that promotes volunteerism and intergenerational interaction.

Objective: Through flexible and innovative methods, direct development to those areas of town, and to those locations within a parcel where agriculture and the natural resources are less vulnerable to damage and reduction in quality. Direct development to hamlet areas, the Village and the existing industrial park so that traditional hamlet and countryside development patterns are continued. Hamlet style development (smaller lots and structures closer to the road) should be promoted in hamlets.

Objective: Establish land use standards that will guide development to be of a scale and design that is compatible with existing resources, agriculture, adjacent land uses, and White Creek's character.

Objective: Strengthen review processes for the existing site plan and subdivision laws to ensure that negative impacts to farms, historic structures, the environment, and community character is minimized or eliminated when new development occurs.

Objective: Celebrate and heighten awareness of the community and its history.

#### 4.2.2 Recommended Actions

- (1) Consider increasing the residency requirement for local elected officials to the maximum level consistent with state election law and ensure that candidates for elected office are notified about and have access to this Comprehensive Plan which establishes the direction for the Town.
- (2) Improve and expand communications between the Town and residents through a town web site and articles in the newspaper.
- (3) Hold an annual town meeting day for the entire community to come and talk about longer term issues and concerns among residents and elected officials.
- (4) Support the Town historian and other town historic preservation efforts including taking a complete inventory of all the Town's historic places and structures.
  - a. Work to educate residents and landowners about the resources and role of history and historic structures in the community. This education should include ways that landowners can rehabilitate and protect historic resources. Other programs that could assist include:
    - Historic exhibits
    - Record oral history
    - Community interpretive guide
    - Historic landowner recognition awards (Develop a recognition program for landowners who restore, rehabilitate or otherwise protect a historic resource. Recognize these efforts with a certificate or marker of some kind and publicity. Or consider nominating such projects to the Washington County entity which coordinates such a recognition program)
    - Expanded use of historic markers
    - Develop a historic slide show of the Town of White Creek so the public can learn about where these places are, and what is in danger of being lost.
- (5) Ensure that any State Environmental Quality Review process (SEQR)<sup>4</sup> done by the Town or Planning Board as required for site plan and subdivision approvals includes and thoroughly examines proposal impacts on White Creek's historic and archaeological resources. Historic resources should be included as information to be reviewed during site plan and subdivision processes.

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<sup>4</sup> The building of single-family dwellings are not required to meet New York State Environmental Quality Review Act procedures.

- (6) Consider establishing local incentives and/or seek grants that encourage property owners to carry out stabilization, rehabilitation, and improvements to historic structures. Work with the New York Preservation League to provide educational materials to residents that explain tax benefits, deferred assessments, and other tools that could benefit the homeowner when historic renovation takes place.
- (7) The Planning Board should request an advisory opinion from the NY State Historic Preservation Office when a project has potential impacts to historical resources.
- (8) Consider collaborating with other municipalities to appoint a Task Force to identify additional community services needed, with a special emphasis on meeting the needs of seniors, children, and teens. This group should develop a community services plan and identify sources of funding to help implement it.
- (9) Create a process to ensure that Town residents are protected with an updated Emergency Preparedness Plan and disseminate the contents of that plan to the community.
- (10) Certain large or industrial land uses such as toxic waste dumps may not be consistent with the intent of this comprehensive Plan. As such, the Town may want to consider establishing one or more local laws in the future that would prohibit such uses.
- (11) Consider creating a simple residential-oriented site plan review process for all new construction of houses (including mobile homes) built in White Creek. An expedited process that could be done in one meeting of the Planning Board would allow for some oversight, but not be onerous for landowners who wish to build. Consider establishing setbacks for residential uses. Examples of criteria could include:
  - a. Minimize clearing of vegetation
  - b. Retain stone walls, hedgerows, other rural landscape elements
  - c. Place buildings and roads in tree lines or along edges of fields
  - d. Avoid construction on the steepest slopes, or on active agricultural lands
  - e. Locate structures and septic systems more than 100' from streams, ponds, etc.
  - f. Re-use farm roads when possible
  - g. Maintain scenic views
- (12) Consider expanding building design standards for commercial (non-agricultural) buildings in the existing Site Plan Law. These should be specific enough for people to understand the Town's expectations, but not too prescriptive so as to prevent innovative designs and freedom of choice. Signs, lighting, and parking lots should be incorporated into these standards and consider setting a retail commercial building size cap. Encourage industrial and commercial development to be located near existing, similar uses.

## **4.3 Environment**

### **4.3.1 Goals and Objectives**

- We have clean air, water, and aquifers.
- Diverse wildlife habitats are preserved.
- White Creek is a model for alternative energy and self-sufficiency.
- Some growth occurs, but it is compact, and well-planned to minimize impact on open space, farms, and other critical environmental characteristics of White Creek.
- Our forest resources are sustainably managed.
- Maintaining and expanding local use of State Forests.
- White Creek has defined and identified critical and sensitive environmental locations.

Objective: Work with the Department of Environmental Conservation and local organizations like the Battenkill Conservancy, etc. to monitor air, groundwater, lake, stream, wetland, soil, forest quality and wildlife habitats, and maintain up-to-date information on these resources for use by the Planning Board.

Objective: Enforce existing environmental laws and development review processes to maximize environmental protection (e.g. freshwater wetlands, SEQRA and subdivision, federal flood plains).

Objective: Develop land use guidelines and standards that direct future growth and development so that there is a minimal negative impact on the Town's open spaces and natural resources.

Objective: Develop a plan to increase local community use of State Lands/Forests.

### **4.3.2 Recommended Actions**

- (1) Use known data, define, and map critical and sensitive environmental areas potentially including wetlands, floodplains, streams, stream corridors (Comprised of floodplains, adjacent slopes, wetlands, soils with a high water table, hydric vegetation.) Ephemeral waterways, Aquifer recharge areas, wildlife habitat areas, wildlife corridors, steep slopes, unique flora/fauna areas (e.g. old growth timber areas, areas with threatened, rare or endangered flora/fauna.), unique geologic outcrops and ridge tops.
- (2) Identify significant wildlife habitats. Map these habitat locations and determine any potential conflicts or threats to them. Set protection goals, involve the public, and adopt policies that can protect these areas. Planning techniques that could be considered to protect wildlife habitats include use of low density residential development in prime habitat areas, use of conservation subdivisions, use of setback

requirements, and selective purchase of critical conservation areas through an easement program with defined local criteria.

- (3) Connect critical wildlife habitats together with as large and continuous vegetated corridors as possible.
- (4) Enhance protections of stream banks and stream side vegetation when new structures are built. Both the site plan and subdivision laws can be amended to accomplish this. Stream side areas (called riparian areas) are critical wildlife habitats and contribute greatly to the water quality of the stream. White Creek should maintain a natural tree vegetative filter along stream corridors.
- (5) When the Planning Board determines that development has the potential to impact visual resources of importance to the Town, the Planning Board should require use of the DEC Visual Environmental Assessment Form during the SEQRA process to help evaluation of visual impacts during site plan or subdivision reviews. The Town should promote use of screening, relocation, camouflage, low profiles, or downsizing visible structures.
- (6) Development on slopes greater than 20% should be carefully planned to avoid erosion.
- (7) Development on slopes greater than 25% should be minimized.
- (8) Consider use of purchases, PDR, or LDR programs to protect certain areas of environmental vulnerability.
- (9) Establish Town policy related to personal use wind turbines and commercial wind farms. Any policy should make a distinction between the two. Allow personal use wind turbines with site plan review and recognize that farms located within a NYS Agricultural District cannot be limited as to placement and use of personal use wind turbines. Any future local law related to wind turbines should address noise, safety issues, setbacks, aesthetic impacts, and shadow flicker (for larger wind farm projects) impacts.
- (10) Consider establishing a Conservation Advisory Council (CAC) to advise the Planning Board and other Town agencies in conservation and environmental matters. CAC's are authorized under NYS General Municipal Law and have an advisory capacity only.
- (11) Explore use of solar panels and other alternative energy generators at the Town Hall.
- (12) Promote local residents' involvement in development of unit management plans of State Forests and encourage DEC to reach out to the community in development of the plans.



- (13) Work with local conservation organizations including the rod and gun club, hunting club, and snowmobile club to promote common goals.
- (14) Promote sustainable energy use and opportunities working with the agriculture sector, local development corporation and New York State.

## ***4.4 Economic Development***

### **4.4.1 Goals and Objectives**

- Commercial development is oriented to local businesses and is primarily located in or near the Village of Cambridge where there is a vibrant Main Street, and at other locations in concentrated nodes where commercial development already exists.
- A small, light manufacturing sector offering jobs to local residents is retained and modestly expanded in the industrial park, Village and hamlets.
- There is a diverse local and regional economy that provides jobs to residents.
- There are local jobs and opportunities for young people.
- Small businesses serve local residents.
- 21<sup>st</sup> century technologies and communications support our farms and other businesses.
- Our existing businesses are retained.
- Agriculture is the primary land use and economic base in Town that maintains stability for the Town and Region. Farms are successful, prosperous, and locally-owned. Farmland remains available for future farmers and key infrastructure supports farms. Agri-businesses such as veterinarians, feed stores, fuel suppliers, and equipment dealers are available locally to support town farms.
- Assist and support local manufacturing, retail businesses and other local commercial entities provided they are appropriately located and of a scale consistent with the Plan's vision and goals.
- Local manufacturing can capitalize on the railroad line passing through town.
- Support development of an information economy for home businesses using 21<sup>st</sup> Century technologies.
- Promote the Town as a good place for craftsmen and artisans.

**Objective:** Establish an economic development program to develop programs and seek funding to attract local business, small light manufacturing entities, craftsmen and artisans, and agri-businesses to White Creek. Coordinate this with County and regional efforts. Advocate implementation of the County Economic Development Plan provided it is consistent with the Town of White Creek Comprehensive Plan.

**Objective:** Advocate implementation of the economic strategy for the County with a sound understanding of the rural economy here.

**Objective:** Focus economic development on the unique strengths of White Creek and the region (don't try to be something that you are not), especially the opportunities for specialty agriculture that can serve the Capital District and other metropolitan areas. Encourage marketing of this economic niche to leverage the distinct assets here, and promote entrepreneurs and locally grown companies.

Objective: Work with County, State and Federal contacts to advocate for expansion of high speed internet services in Town.

Objective: Assist and support local small light manufacturing, retail businesses and other local commercial entities, consistent with the Town's character. Collaborate with the Village.

Objective: Retain and support existing businesses.

#### **4.4.2 Recommended Actions**

- (1) Work with Washington County and New York State to enable provision of broadband and high-speed internet access to all locations in the Town.
- (2) Use a Town/Village cluster approach to economic development. The Town of White Creek, together with the Town of Cambridge and Village of Cambridge can formally and informally collaborate to enhance economic opportunities that would benefit all three municipalities. The town/cluster approach recognizes the role that each municipality has in the cluster and builds on strengths to form a cohesive unit. Using this as the basis, other actions to promote economic development are:
  - a. Understand shared and unique economic resources of the three-municipalities.
  - b. Create a collective economic vision that promotes agriculture in White Creek along with other appropriate development. Work with local retailers to understand why people are or are not buying locally and build regional markets for local products.
  - c. Work with Washington County's local economic development corporation (LDC) and other existing non-profits including the Towns and Villages of Battenkill Valley (TVOBV) and the Cambridge Valley Community Development and Preservation Partnership, Inc (Community Partnership) and Chamber of Commerce to implement this economic cluster approach. More emphasis of existing programs needs to be directed to southern Washington County. Any effort should have active participation from agriculture and local government. Ensure that White Creek appoints a resident to the Washington County LDC who represents agriculture.
  - d. Such organizations' efforts should support our needs and be based on our local priorities. Support local entities and other private and public efforts to revitalize the economy. Groups like the Community Partnership representing farms, businesses, local government, and the public can hold property, buy and sell, and incur debt. An LDC would be beneficial to the White Creek/Cambridge cluster by concentrating on public improvements needed, enhancing broadband services, providing low-interest loans, revitalizing Main Street in the Village, and focusing on re-localizing retail and services for the community, promoting agri-businesses, and re-using vacant commercial properties. These properties could be used as local incubators to attract local entrepreneurs by offering affordable space, and advice on management, marketing and business planning.

- e. Explore the feasibility of using area dairy farms to convert manure into methane that could be sold and used locally more affordably and thereby lowering energy costs for businesses and residences.
  - f. Implement the agricultural economic development strategies outlined in this plan. Help form a regional economic development committee to assist the Town in implementing the economic development related sections of this plan and to help attract appropriate small businesses and agri-businesses to the area.
  - g. Define what locations, scale, and standards are appropriate for new businesses.
- (3) Identify and understand the White Creek/Cambridge retail and service “leakage” to other areas. Leakage is when people go outside the area for their goods and services. To re-localize our economy, this leakage should be understood. Once known, there should be an effective public information program to inform residents of the leakage and its long-term impacts. Local merchants and service providers should understand the results so they can increase marketing where needed, and a buy-local campaign should be started to promote regional markets for local products.
- a. Develop a Town website that promotes local businesses.
  - b. Encourage Cambridge Valley Chamber of Commerce to promote a buy-local program.
- (4) Consider incentives to support, retain and attract locally-oriented businesses, especially ag-related and manufacturing sector jobs.
- (5) Start and promote buy-local campaigns in regional markets for local products
- (6) Maintain and promote use of the Railroad Track to transport goods more sustainably to and from the community.
- (7) Open regular communications with existing local businesses to discuss needs and issues in order to assist in helping retain these businesses in the community.
- (8) Work with Washington County, New York State, and local community colleges to establish programs that help the White Creek/Cambridge region in training (leadership training and skill-building for businesses), planning (developing a coherent economic development strategy), coaching (providing a circuit rider to each community to provide guidance and recommendations) and grants.
- (9) Work with other communities to bring three-phase electric to White Creek so that there are opportunities for generating clean energy from methane digesters at local farms. Cleaner, less expensive energy will promote local business development and will benefit farms.

- (10) Make available information and encourage community members to develop business plans with assistance from organizations like SCORE,<sup>5</sup> Adirondack Community College, Hudson Valley Community College and the Washington County Local Development Corporation micro enterprise program.
- (11) Provide building site guidance and commercial design standards to ensure that retail chains' buildings are compatible with the community character desired to be retained by White Creek.

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<sup>5</sup> SCORE is a nonprofit association dedicated to educating entrepreneurs and helping small businesses start, grow, and succeed nationwide. It is a resource partner with the U.S. Small Business Administration (SBA).

## ***4.5 Arts, Culture and Recreation***

### **4.5.1 Goals and Objectives**

- Opportunities are oriented to outdoor and natural resource based recreation.
- There is enhanced access and connections to greenways and trails, and enhanced awareness and use of state parks and state lands.
- Indoor recreational programs and facilities are available.
- The Town promotes local heritage, arts, recreation and community building activities.
- There is a Town park or recreation center for children.
- We promote organized sports and youth groups such as boy and girl scouts, and 4-H clubs.
- The community offers diverse arts and cultural opportunities.

Objective: Support organizations seeking funding for arts, culture and recreation programs.

### **4.5.2 Recommended Actions**

- (1) Encourage the Recreation Committee to identify specific arts, cultural, and recreational opportunities and to implement these programs.
- (2) Seek funding for arts, culture and recreation programs.
- (3) Support the local library.
- (4) Support the Community Arts Center at Hubbard Hall.
- (5) Encourage opportunities to present arts programs at Jermain Hall.
- (6) Support the activities of artists and artisans.
- (7) Identify existing public trails and seek locations suitable to expand and link these areas especially in State-owned forest lands.
- (8) Improve access points to trails by identifying locations needing signage, parking, or other facilities to enhance usage. Develop and distribute locally, brochures and maps that describe and identify hiking and biking opportunities in White Creek.
- (9) Consider establishment of a community center.
- (10) Continue to support local events such as the White Creek Tournament and White Creek BBQ.

- (11) Work with sport and youth groups to support and expand their activities.
- (12) Coordinate marketing and promotion of local events with the Village of Cambridge and other nearby communities. Utilize a Town web site for the promotion of existing and forthcoming programs and community events. Support efforts of regional organizations such as the 'Towns and Villages of the Battenkill Valley' and Washington County Tourism.
- (13) Explore a multi-use trail network, e.g., hiking, cross-country skiing, or mountain biking, snowmobile, motorcycles, and ATV's, that links the Town's natural areas and hamlets to provide additional recreational opportunities and improve access to the Towns' valuable recreational resources – especially the state-owned forests. Work with organizations with expertise in open space preservation. Liability issues are a concern, but other solutions exist and the Town should explore these. The Town could start by identifying willing landowners to provide land or access. The New York Recreation Use Statute indemnifies landowners from liability. This process should include education of trail users on trail etiquette, resource protection and user responsibility.
- (14) Establish a system of greenways in stream corridors for resource protection purposes and suitable recreational uses.
- (15) Support existing youth commission, library and senior citizen's efforts to promote and address social and recreational needs. Encourage use of existing establishments for these purposes, such as the school.
- (16) Explore with willing landowners, other options for enhancing open space and recreational opportunities in the Town of White Creek, including leasing of lands from private owners, and use of preferential tax assessments for provision of amenities that benefit the Town.
- (17) Develop more family friendly recreation programs that encourage youth involvement and place youths and seniors together for social activities.
- (18) Heighten awareness of the Historic District in White Creek and the Village of Cambridge.
- (19) Increase awareness of and support the Recreation Committee and encourage them to expand opportunities at the Ben Niles Recreation Field.

## ***4.6 Services and Infrastructure***

### **4.6.1 Goals and Objectives**

- White Creek offers affordable public services to prevent over-taxation.
- Our roads are high quality and are maintained as rural roads.
- Modern cable, phone, and internet services are available (addressed in other goals).
- We have excellent schools that are supported by the community.
- We have affordable taxes.
- Keep and support fire department and rescue squads.
- We promote shared services with other municipalities to keep public service costs down.
- The railroad line remains an important transportation infrastructure.

Objective: Develop and adopt a capital improvement program to manage roads, staff, equipment, and budgets.

Objective: Meet with school officials to open up lines of communication to discuss mutual areas of concern, the vision for the community and opportunities for collaboration.

Objective: Expand support for fire department and rescue squads.

Objective: Seek ways to share services with adjacent municipalities to help control taxes.

### **4.6.2 Recommended Actions**

- (1) Enhance capital improvement planning. Consider developing a Continue the Capital Improvements Program (CIP), in addition to the annual Highway Department operating budget, to better plan for all large and capital projects in the Town. This plan should include identifying needs, budgeting, physical, real estate, staffing and equipment needs related to roads, parks facilities, etc. A CIP is a management and fiscal planning tool used for financing and constructing needed public improvements and facilities. Properly designed, a CIP enables a community to identify its capital needs, rank them by priority, coordinate their scheduling, and determine the best method of paying for them.
- (2) Support the railroad in maintaining the rail lines in Town.
- (3) Update town road specifications within the subdivision law to ensure that any road construction in White Creek is appropriate for use and consistent with the existing low volume, rural Town roads. These standards should minimize the pavement width and length. Narrower and shorter roads reduce impervious surfaces, reduce the need for a lot of cut and fill, preserve rural character, and are friendlier for bikes and people



walking. For example, the following width and length standards are typical of new roads built for rural areas:

Street Type	Maximum Width	Maximum Street Length
Alley	2 8 foot lanes	400'
Low volume residential street	16-18' or 2 ten foot lanes maximum	600'
Medium volume residential street	18 to 20'	1320'

- (4) Also consider authorizing the Planning Board to allow for use of shared driveways that connect two or more homes, or alternative driveway surfaces to reduce water impermeability. Apply site design strategies that minimize dead-end streets (see illustration below).



Example of a loop road

- (4a) Where feasible, consolidate municipal services and/or cooperate with other government agencies to limit the duplication of services and the costs of providing such services. The Shared Municipal Services Incentive Grant Program through the Department of State provides financial assistance to municipalities interested in investigating opportunities to work together.
- a. Conduct a feasibility analysis and needs assessment to determine whether it makes sense economically, operationally, and administratively to consolidate any town and county highway departments. Utilize the New York State Comptrollers cooperation and consolidation consulting services (3CS) program to assist in this feasibility study. This program offers municipalities consulting services to conduct studies and audits to examine the service improvements and cost savings that can be gained through cooperation or consolidation.
  - b. Apply for funding through the DOS Shared Municipal Services Incentive Grant Program for the purchase of shared equipment for the Town and County Highway departments.

- (5) Increase communication and cooperation between the town and School District officials. Consider creating a steering committee comprised of representatives from the town and School District representatives to address issues of joint concern. For example, the Town could invite representatives of the school district to public information workshops to communicate and introduce residents to the various municipal and school issues of joint concern, budget needs, and governmental functions.
- (6) Establish a town website.
- (7) Should the need ever arise to provide public sewer in any locations within White Creek, investigate opportunities for innovative and alternate technologies to provide public sewer disposal to the existing hamlets and other future densely populated areas. Some of these ideas include a community-level septic system for small hamlets or a program of decentralized management of individual on-site septic systems. Support the Village in developing a public wastewater treatment system and public water system if they so desire.
- (8) Consider requiring filing of well-logs when new wells are drilled with the Town so that in the future, that information can be used to study and understand water quantity and capacity in the Town.
- (9) Promote volunteerism. Heighten understanding of the existing \$200 tax break given to volunteer firefighters. Consider creating a Fire Safety Committee comprised of a representative of the fire districts and a Town Board liaison to discuss ways of attracting additional volunteer emergency personnel and address other issues. This group could also pursue funding opportunities such as grants and develop additional mechanisms to provide financial support to the Town's volunteer fire and ambulance squads in order to maintain a high level of public safety.
- (10) Work with Washington County and the Retired and Senior Volunteer Program (RSVP) to increase availability of county-subsidized transportation for residents, especially senior citizens, to provide access to shopping areas and health care facilities. Explore other transportation options such as a van driving service for seniors.

## **4.7 Housing**

### **4.7.1 Goals and Objectives**

- White Creek is an affordable place for all families.
- We promote home-ownership, retention of single-family homes and support use of manufactured homes.
- There is a diversity of housing stock.
- Housing maintains the historic character of our community.

Objective: The mobile home law is updated and clarified.

Objective: Land use policies support affordable housing.

Objective: Subdivision methods such as conservation subdivisions and use of rural siting guidelines help new housing development maintain the rural and historic character of White Creek.

### **4.7.2 Recommended Actions**

- (1) Land use policies support affordable housing conditions. Allow for a density bonus when an applicant proposes senior housing or affordable housing opportunities.
- (2) Seek grants to build homeownership opportunities for Town residents.
- (3) Seek grants to assist homeowners with rehabilitation of older or sub-standard homes and improving energy efficiency.
- (4) Help residents and Town officials understand various state and federal programs that already exist to assist in providing affordable homes such as the tax abatement program on lots that are part of an affordable housing program or tax breaks for energy efficiency.
- (5) Encourage the development of senior (55+) housing opportunities in the Town. Development is recommended in areas adjacent to the Village so resources and services can easily be accessed by senior adults. Density bonuses in areas suitable for senior housing can be used for encouragement.
- (6) The Town has an adopted Mobile Homes and Mobile Homes Parks and Travel Trailer Parks Ordinance. It establishes specific requirements and regulations governing the occupancy and maintenance of mobile homes, mobile home parks, and travel trailer parks. As part of this Comprehensive Plan, the mobile home ordinance was reviewed in relation to the town vision, goals, and objectives. This review (See Chapter 8.0,

Appendix C) resulted in the identification of several areas where improvements could be made. Update the mobile home law using recommendations from this Audit.

- (7) Consider establishing an expedited site plan review process for all residential homes, including mobile homes. See also Section 4.2.2 (11).
- (8) Help educate homeowners about the grants and tax incentives that may be available for the rehabilitation of historic structures located within the White Creek Historic District.

#### ***4.8 Additional Recommendations for New York State and the Town***

- (1) Specific recommended actions that New York State should implement include:
  - a. Encourage New York State to study, share information with and help interpret data with the Town about groundwater and aquifers in the Town. Consider studying the groundwater and aquifers in town so that White Creek understands how much water capacity there is and where sensitive recharge areas exist. This will be important to support farms, residences, and businesses in the future.
  - b. Encourage New York State to promote agricultural economic development by initiating a family farm innovation fund. Patterned on a North Carolina program, this project should emphasize lowering energy costs for farms, implementing renewable energy projects such as finding affordable solutions to converting manure to methane, and developing and implementing value-added products.
  - c. Encourage New York State to pass a real estate transfer tax to assist in funding farmland and open space protection programs.<sup>6</sup>
  - d. The Ag and Markets permit/inspection system for cider operations should be revised to pro-rate fees based on the size of the operation. This would allow smaller operations to pay less in fees than larger ones.
  - e. The State should promote labeling of products so that the place of origin is labeled to raise customer awareness and allow for consumers to choose to purchase locally produced products.
  - f. The State should revise the milk pricing system used to pay dairy farmers for their product.

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<sup>6</sup> A real estate transfer tax of a set percentage (usually 2%) is applied when real estate is transferred from one person to another only when the transaction amount is above a certain identified market value - usually the median sale price of the area. Such a tax must be authorized by the New York State Legislature. If allowed by the State, it would authorize the Town residents to vote on a local referendum approving this tax. All monies collected from the real estate transfer tax goes to a dedicated account to protect open space and farmland.

- g. The Department of Agriculture and Markets should investigate ways to become more competitive with farm producers in the western U.S.
- h. The State should increase support for farmland protection and farm viability programs across New York State so that farms and agricultural related businesses remain strong contributors to the state's rural economy. Adequately fund the state Farmland Protection Program to develop new farmland protection projects and address the backlog of projects that have been awarded funding.
- i. Ensure that any agriculture is a key component of the State's economic development programs.

(2) In the future, the Town of White Creek may determine that establishing a comprehensive land use law is an acceptable method to meet the goals of this Comprehensive Plan. Although such a land use tool may not be necessary or desired at this point in time, any future land use law considered by the Town should incorporate the following philosophies to successfully guide growth in the future and also meet the desire to balance community needs with private landowner desires.

Any future land use law should:

- a. A land use law should be farm-friendly and not put barriers up to new or expanded agricultural businesses and operations. Allow flexibility in regulations to accommodate the unusual needs of agricultural businesses. Incorporate the Town Right-to-Farm law into it.
- b. Incorporate use of the conservation subdivision coupled with density bonuses described in this plan.
- c. Provide for incentives to accomplish Town goals to the maximum extent possible.
- d. Attempt to promote growth within the hamlets of White Creek, and Eagle Bridge and the Village of Cambridge for houses and mixed uses rather than throughout the open spaces of the countryside.
- e. Be written clearly and simply stated so that all citizens of White Creek can understand.
- f. Coordinate land use at the boundaries of the Town and the Village of Cambridge and other municipalities.
- g. Not concentrate on separating uses but instead concentrate on the performance of uses. Two districts could work: hamlet and non-hamlet. That would promote

maintenance of the distinction between hamlet and “country” and allow White Creek to concentrate on performance of uses, not separation of uses in different districts.

- h. Define, and protect environmentally sensitive areas, especially streams, stream corridors, and wetlands, as valuable resources to the community, and should promote sustainable development and maintenance of linked and unfragmented open spaces.
- i. Residential development overall is desired to remain low density but planned in the future so that more concentrated density is directed to the existing hamlets of White Creek and Eagle Bridge, or even to new hamlets. For large developments, residential clusters designed in a hamlet-style and with traditional neighborhoods would be desirable. Hamlets and the Village of Cambridge offer community focal points and offer appropriate opportunities for retail and other services in those locations. Agricultural areas should remain lower density. Density for new residential growth should not emphasize use of a minimum lot size. Landowners should be given flexibility to create small lots through use of averaging lot sizes over the whole parcel instead of requiring each lot to be a minimum size provided water and septic systems can be approved by the Health Department.
- j. Establish development standards for light manufacturing that would allow such uses in Town provided they are of a scale, design, and appropriate to the Town and consistent with this Plan.
- i. Establish rural-scale development and design standards that result in growth that is unique to White Creek and not based on a suburban model. For residences, such standards should be common sense and should address basic siting needs to preserve rural character and farms but should not address housing styles, designs, color, or other aesthetic features. For commercial buildings, siting is equally important, but building design features such as roof style, building size, landscaping and screening, signage, location of parking lots, lighting, and architectural style are important to pay attention to.
- j. Establish a planning climate in White Creek that fosters a Town perspective that views each new development proposal in a larger context rather than a stand alone “pod” that bears no relationship to its neighbors.
- k. Future streets should promote pedestrian opportunities, accommodate both car and farm vehicles, and be designed for low volume, rural scale roads. New residential streets should connect with each other and with existing roads and limit creation of isolated “pods”.

## 5.0 Implementation Steps

Implementing the Comprehensive Plan will require a series of Town Board policy decisions, program initiatives and coordination with local, county, regional and state organizations and agencies. Some actions recommended in the Plan will also require finding the funds to make things happen.

Success will be based on setting the right priorities and allocating scarce resources – people and funding – to the most important priorities. Priorities, on the following pages, list the major actions required by the Town Board to implement this plan. The suggested priority of each action is indicated as follows: Key to Types of Action

Each strategy suggested in this Plan represents a specific type of action that the Town can take. These types of actions are:

- CI. Capital Improvement: Any action that results in an investment and improvement in property, structures, equipment, staff or other similar items.
- A. Administrative: Any action that results in enhanced administration of town functions.
- P. Policy and Program: Any action that results in establishment of a plan, activity, committee, proposal, or similar items.
- R. Regulatory: Any action that results in the development of new or amendment of existing land use related laws in the Town. This typically refers to site plan review, subdivision laws, or zoning.

### 2. Entity to Implement

The Town Board (TB) oversees all aspects of implementation of the Plan and directs all work to be done in the future. At the Town Board's request, the following boards, organizations, or individuals can assist the Town Board in implementation:

TB	Town Board
PB	Planning Board
HD	Town Highway Department
Ag	Agriculture Committee to be formed by Town Board
PA	Professional Advisory including Attorney, Engineer, Planner or other
C	Washington County
NC	New committee recommended in this plan to be formed by Town Board
NY	New York State
O	Other organizations and agencies such as Cornell Cooperative Extension, Soil and Water Conservation District, Natural Resource Conservation Service, ASA, etc.

### 3. Organizing Actions to be Implemented

The table that follows lists all the recommended actions in the Plan. It is organized to help the Town Board and other entities helping them implement this Plan. Certain actions should be implemented immediately after adoption of this Plan. The following list is priority actions that the Town Board should begin implementing soon after adoption. Note that the many other recommended actions not included in this priority list are still important. The Town Board and other groups should review the table on an annual basis to identify other actions that should be implemented next.

#### **Priority actions for the Town of White Creek Town Board to implement include:**

Update existing local laws, including the Subdivision, Site Plan, Mobile Home and Right-to-Farm laws. These updates include incorporating concepts such as conservation subdivisions to protect open space, incentives for quality development using density bonuses, simple site plan review for new residences, development standards for commercial buildings, and update of laws to update definitions and consistency with State Town law;

Consider increasing the residency requirement for local elected officials to the maximum level consistent with state election law and ensure that candidates for elected office are notified about and have access to this Comprehensive Plan which establishes the direction for the Town;

Establish an Implementation Committee composed at minimum of a diverse group of representatives of the Town Board, Planning Board and Comprehensive Plan Steering Committee to help guide implementation of the plan.

Establish an Agricultural Committee to spearhead implementation of the agriculturally-oriented recommendations in this Plan;

Establish new local laws related to establishing density of development, wind turbine and heavy industrial uses;

Establish a website for the Town.

Explore collaboration with and potential for shared services between White Creek and adjacent municipalities to reduce taxes and promote efficiency; and

Review the Table of Actions (below) and develop an annual scope of work to continue to implement this plan.



<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Establish an agricultural implementation committee and appoint members.	TB	Agriculture Section 4.1.3	(27) #1	P
Consider increasing the residency requirement for local elected officials to the maximum level consistent with state election law and ensure that candidates for elected office are notified about and have access to this Comprehensive Plan which establishes the direction for the Town.	TB	Community Character Section 4.2.2	(43) #1	A
Amend the subdivision law as per the Audit. (See Chapter 8.0 Appendix C).	TB with PB and PA	Farmland Protection Section 4.1.5	(34) #5	R
Establish an incentive program that would encourage use of the conservation subdivision design process by giving density bonuses.	TB with PB and PA	Farmland Protection Section 4.1.5	(36) #6c	R
Consider establishing a land use law and policy that uses conservation subdivisions and development density.	TB with PB and PA	Farmland Protection Section 4.1.5	(35) #6ab	R
Consider establishing one or more local laws in the future that would prohibit toxic waste dumps and other large industrial uses.	TB with PB and PA	Community Character Section 4.2.2	(44) #10	R
Update the mobile home law using recommendations from the Audit (See Chapter 8.0 Appendix C).	TB with PB and PA	Housing Section 4.7.2	(57) #6	R

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Consider creating a simple residential-oriented site plan review process for all new construction of residential houses (including mobile homes) built in White Creek.	TB with PB and PA	Community Character Section 4.2.2  Housing Section 4.7.2	(44) #11	R
Consider establishing building design standards for commercial (non-agricultural) buildings.	TB with PB and PA	Community Character Section 4.2.2	(44) #12	R
Provide building site guidance and commercial design standards to ensure that retail chains' buildings are compatible with the community character desired to be retained by White Creek.	TB with PB and PA	Economic Development Section 4.4.2	(51) #11	R
Development on slopes greater than 25% should be minimized.  Development on slopes greater than 20% should be carefully planned to avoid erosion.	TB with PB and PA	Environment Section 4.3.2	(46) #6 & 7	R
Establish Town policy related to personal use wind turbines and commercial wind farms.	TB with PB and PA	Environment Section 4.3.2	(46) #9	R
Consider requiring new development to have setbacks from adjacent property lines of 50 feet.	TB with PB and PA	Farmland Protection Section 4.1.5	(39) #7	R
Amend the Town of White Creek Right to Farm Law as per the Audit (Also See Chapter 8.0 Appendix C).	TB with PB and PA	Farmland Protection Section 4.1.5	(40) #9	R
Use the guidelines and philosophies included in this Plan as basis for any future land use laws.	TB with PB and PA	Other Recommendations Section 4.8	(59) #2	R

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Work with Washington County and New York State to enable provision of broadband and high-speed internet access to all locations in the Town.	TB with C, NY, and O	Economic Development Section 4.4.2	(49) #1	P
Update town road specifications to ensure new roads are consistent with our low volume, rural Town roads and designed appropriately for use.	TB with PB and PA	Services and Infrastructure Section 4.6.2	(54) #3	R
Consider allowing use of shared driveways.	TB with PB and PA	Services and Infrastructure Section 4.6.2	(55) #4	R
Help heighten awareness in the community of the White Creek and Village of Cambridge Historic Districts	TB with PB	Arts, Culture, Recreation Section 4.5.2	(53) #18	P
Educate landowners on grants and tax incentives that are available for properties within the White Creek Historic Districts	TB with PB	Housing Section 4.7.2	(58) #8	P
Consider incentives to support, retain and attract locally-oriented businesses, especially ag-related and small, light manufacturing sector jobs.	TB with PA and O	Economic Development Section 4.4.2	(50) #4	P
Consider use of purchases, PDR, or LDR programs to protect certain areas of environmental vulnerability.	TB with PA and O	Environment Section 4.3.2	(46) #8	P, C
Establish a Town web site and include all farms in Town on a farm-oriented page.	TB with PA	Agricultural Economic Development. Section 4.1.4	(30) #9	A

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Establish programs such as incentives, Lease of Development Rights, etc. to encourage entry of young and new entrepreneurial farmers into agricultural businesses.	TB with PA	Agricultural Economic Development. Section 4.1.4	(31) #13	P
Improve and expand communications between the Town and residents through a town web site and articles in the newspaper.	TB with PA	Community Character Section 4.2.2	(43) #2	A
Consider establishing local incentives and/or seek grants that encourage property owners to carry out stabilization, rehabilitation, and improvements to historic structures.	TB with PA	Community Character Section 4.2.2	(43) #6	P
Where feasible, consolidate municipal services and/or cooperate with other government agencies.	TB with PA	Services and Infrastructure Section 4.6.2	(55) #4	P
Towns of White Creek and Cambridge along with the Village of Cambridge should collaborate to enhance economic opportunities.	TB with O and PA	Economic Development Section 4.4.2	(49) #2	P
Identify and understand the White Creek/Cambridge retail and service "leakage" to other areas.	TB with O and PA	Economic Development Section 4.4.2	(50) #3	P
Support purchase of development rights (conservation easement) programs.	TB with O and PA	Farmland Protection Section 4.1.5	(32) #2	P
In addition to a PDR program, consider establishing a Lease of Development Rights Program.	TB with O and PA	Farmland Protection Section 4.1.5	(33) #3	P

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Encourage the development of senior (55+) housing opportunities in the Town.	TB with O and PA	Housing Section 4.7.2	(57) #5	P
Encourage the recreation committee to identify new recreation and art program opportunities	TB with O	Arts, Culture, Recreation Section 4.5.2	(52) #1	P
Seek funding for additional arts, culture and recreational programs	O with support of TB	Arts, Culture, Recreation Section 4.5.2	(52) #2	P
Support the local library	TB with O	Arts, Culture, Recreation Section 4.5.2	(52) #3	P
Support activities at Hubbard Hall	O	Arts, Culture, Recreation Section 4.5.2	(52) #4	P
Encourage more use of Jermain Hall for arts and cultural activities	O	Arts, Culture, Recreation Section 4.5.2	(52) #5	P
Support artists and artisans	O with support of TB	Arts, Culture, Recreation Section 4.5.2	(52) #6	P
Consider establishment of a community center.	O	Arts, Culture, Recreation Section 4.5.2	(52) #9	C
Coordinate marketing and promotion of local events with the Village of Cambridge and other nearby communities.	O	Arts, Culture, Recreation Section 4.5.2	(53) #12	P

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Explore with willing landowners, other options for enhancing open space and recreational opportunities.	O with TB	Arts, Culture, Recreation Section 4.5.2	(53) #16	P, C
Develop more family friendly recreation programs that encourage youth involvement and place youths and seniors together for social activities.	O with TB support	Arts, Culture, Recreation Section 4.5.2	(53) #17	P
Consider collaborating with other municipalities to appoint a Task Force to identify additional community services needed, with a special emphasis on meeting the needs of seniors, children, and teens.	TB with O	Community Character Section 4.2.2	(44) #8	P
Make available information and encourage community members to develop business plans with assistance from organizations like SCORE, Adirondack Community College, Hudson Valley Community College and the Washington County Local Development Corporation micro enterprise program.	TB with O	Economic Development Section 4.4.2	(51) #10	P
Open regular channels of communication with existing local businesses to identify their needs and help retain these businesses	TB with O	Economic Development Section 4.4.2	(50) #7	P
Use known data to define and map critical and sensitive environmental areas	TB with O	Environment Section 4.3.2	(44) #1	P
Develop land use policies that support affordable housing conditions	TB with O	Housing Section 4.7.2	(57) #1	P

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Seek grants to build homeownership opportunities for Town residents.	TB with O	Housing Section 4.7.2	(57) #2	A, P
Seek grants to assist homeowners with rehabilitation of older or sub-standard homes and improving energy efficiency.	TB with O	Housing Section 4.7.2	(57) #3	A, P
Help residents and Town officials understand various state and federal housing programs.	TB with O	Housing Section 4.7.2	(57) #4	P
Increase communication and cooperation between the town and School District officials.	TB with O	Services and Infrastructure Section 4.6.2	(55) #5	P
Work with other communities to bring three-phase electric to White Creek so that there are opportunities for generating clean energy such as from methane digesters at local farms.	TB with NY, O and PA	Economic Development Section 4.4.2	(50) #9	P, C
Work with local conservation organizations to promote common goals.	NC with support of TB	Environment Section 4.3.2	(46) #13	P
Work with Washington County and New York State to establish business training, planning, coaching, and grant opportunities to support local entrepreneurship.	TB with C, NY and O	Economic Development Section 4.4.2	(50) #8	P
Work with Washington County to increase availability of county-subsidized transportation.	TB with C	Services and Infrastructure Section 4.6.2	(56) #10	P

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Urge New York State (Department of Agriculture and Markets, legislators, Governor) the critical need to implement the state-level actions identified in this Plan.	TB with Ag	Agriculture Section 4.1.3	(28) #6	P
Incorporate the importance of agriculture in all town functions.	TB with Ag	Agriculture Section 4.1.3	(29) #8	P
Ensure that the Town Assessor, farmers and farmland owners have up-to-date information on all tax relief programs available and make this available to farmers.	TB	Agricultural Economic Development. Section 4.1.4	(29) #1	A
Encourage further education about and use of agricultural assessments by landowners when they are eligible.	TB	Agricultural Economic Development. Section 4.1.4	(29) #2	P
Work with Washington County and New York State to enable provision of cable and high-speed internet access to all locations in the Town.	TB	Agricultural Economic Development. Section 4.1.4	(31) #15	P
Work with neighboring towns and Washington County to monitor development of large scale development projects like the Global Foundries initiative and its potential impacts on the Town of White Creek.	TB	Agriculture Section 4.1.3	(29) #9	P
Continue to support local events such as the White Creek Tournament and White Creek BBQ.	O	Arts, Culture, Recreation Section 4.5.2	(53) #10	P



<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Work with sport and youth groups to support and expand their activities.	O with TB support	Arts, Culture, Recreation Section 4.5.2	(53) #11	P
Support existing youth commission and senior citizen's efforts.	TB	Arts, Culture, Recreation Section 4.5.2	(53) #15	P
Hold an annual town meeting day for the entire community.	TB	Community Character Section 4.2.2	(43) #3	A
Support the Town historian and other town historic preservation efforts including taking a complete inventory of all the Town's historic places and structures.	TB	Community Character Section 4.2.2	(43) #4	P
Create a process to ensure that Town residents are protected with an updated Emergency Preparedness Plan and disseminate the contents of that plan to the community.	TB	Community Character Section 4.2.2	(44) #9	P
Consider establishing a Conservation Advisory Council (CAC) to advise the Town on conservation and environmental matters.	TB	Environment Section 4.3.2	(46) #10	A
Explore use of solar panels and other alternative energy generators at the Town Hall.	TB	Environment Section 4.3.2	(46) #11	P
Enhance planning for capital improvements and consider developing a Capital Improvements Program (CIP).	TB	Services and Infrastructure Section 4.6.2	(54) #1	P
Establish a town website to improve communications and efficiencies.	TB	Services and Infrastructure Section	(55) #6	A

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
		4.6.2		
If needed, investigate opportunities for innovative and alternate technologies to provide public sewer disposal to the existing hamlets and other future densely populated areas.	TB	Services and Infrastructure Section 4.6.2	(56) #7	C, P
Consider requiring filing of well-logs when new wells are drilled with the Town.	TB	Services and Infrastructure Section 4.6.2	(56) #8	R
Promote volunteerism.	TB	Services and Infrastructure Section 4.6.2	(56) #9	P
Connect critical wildlife habitats together with as large and continuous vegetated corridors as possible.	PB with O	Environment Section 4.3.2	(46) #3	P
Ensure that any State Environmental Quality Review process (SEQR) done by the Town or Planning Board includes and thoroughly examines proposal impacts on White Creek's historic and archaeological resources.	PB	Community Character Section 4.2.2	(43) #5	A
The Planning Board should request an advisory opinion from the NY State Historic Preservation Office when a project has potential impacts to historical resources.	PB	Community Character Section 4.2.2	(44) #7	A

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Enhance protections of stream banks and stream side vegetation when new structures are built.	PB	Environment Section 4.3.2	(46) #4	P, R,
The Planning Board should use of the DEC Visual Environmental Assessment Form during the SEQRA process to help evaluation of visual impacts.	PB	Environment Section 4.3.2	(46) #5	A
Enhance Planning Board review of projects and how they might impact farms.	PB	Farmland Protection Section 4.1.5	(33) #4	A
Work with Cornell Cooperative Extension in Washington County and other groups and professionals to aid in facilitating the agricultural implementation committee.	O	Agriculture Section 4.1.3	(28) #2	P
Identify existing public trails and seek locations suitable to expand and link these areas.	O	Arts, Culture, Recreation Section 4.5.2	(52) #7	P
Improve access points to trails.	O	Arts, Culture, Recreation Section 4.5.2	(52) #8	P
Promote local residents' involvement in management plans of State Forests.	NY	Environment Section 4.3.2	(46) #12	P
Work with New York State officials to implement the recommendations state-oriented recommendations of this plan.	NY	Other Recommendations Section 4.8	(58) #1	P
Identify and map significant wildlife habitats.	NC with O	Environment Section 4.3.2	(45) #2	P

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Promote sustainable energy use and opportunities working with the agriculture sector, local development corporation and New York State.	NC	Environment Section 4.3.2	(47) #14	P
Keep the County Agriculture and Farmland Protection Plan up-to-date.	C	Actions for County Section 4.1.6	(40) #1	A
Dedicate more resources to promoting agriculture in the County.	C	Actions for County Section 4.1.6	(40) #2	P
Fund an ag-economic development specialist and/or circuit rider staff person to assist local farmers in expanding and retaining their farm operations.	C	Actions for County Section 4.1.6	(40) #3	P
Expand County Industrial Development Authority (IDA) programs to better support production agriculture.	C	Actions for County Section 4.1.6	(40) #4	P
Establish a Washington County Agri-Business Revolving Loan Fund.	C	Actions for County Section 4.1.6	(41) #5	P
Re-consider establishing a program that connects land sellers in Washington County to potential farmers.	C	Actions for County Section 4.1.6	(41) #6	P
Develop facilities to process and market animals from area farms.	Ag with PA	Agricultural Economic Development. Section 4.1.4	(31) #16	P

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Consider establishing a local Agricultural Local Development Corporation to provide incentives and tax benefits for new and expanding agricultural businesses.	Ag with PA	Agricultural Economic Development. Section 4.1.4	(30) #5	P
Chambers of Commerce should be a strong advocate for agri-businesses.	O	Agricultural Economic Development. Section 4.1.4	(31) #19	P
Aggressively work with economic development staff and organizations in Washington County to promote agriculture.	Ag	Agricultural Economic Development. Section 4.1.4	(29) #3	P
Encourage Washington County to implement agricultural economic development strategies outlined in their 2007 Washington County Economic Development Strategic Plan.	Ag	Agricultural Economic Development. Section 4.1.4	(30) #6	P
Encourage Cornell Cooperative Extension to create an easily accessible clearinghouse of information including websites, and educational materials.	Ag	Agricultural Economic Development. Section 4.1.4	(30) #7	P
Promote and enhance use of the local branding program - "Pride of Washington County".	Ag	Agricultural Economic Development. Section 4.1.4	(30) #8	P
Organize farm tours, especially for local and county elected officials.	Ag	Agricultural Economic Development. Section 4.1.4	(30) #10	P

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Use the Grow NY and Pride of NY materials to promote fresh foods and agriculture.	Ag	Agricultural Economic Development. Section 4.1.4	(31) #11	P
Promote the Farm to School program, Ag in the Classroom program and other education opportunities.	Ag	Agricultural Economic Development. Section 4.1.4	(31) #12	P
Promote diversification of farm operations, CSA's, niche farming, and agri-tourism opportunities with landowners and farmers.	Ag	Agricultural Economic Development. Section 4.1.4	(31) #14	P
Help local value-added food producers explore for-rent community kitchens.	Ag	Agricultural Economic Development. Section 4.1.4	(31) #17	P
Work with agricultural entities and utility companies to promote opportunities for development of clean energy.	Ag	Agricultural Economic Development. Section 4.1.4	(31) #18	P
Support programs, organizations, and agencies that assist farmers and farmland owners.	Ag	Agriculture Section 4.1.3	(28) #3	P
Urge Washington County (legislators and staff and the Agricultural and Farmland Protection Board) the critical need to update and fully implement the County Agriculture and Farmland Protection Plan.	Ag	Agriculture Section 4.1.3	(28) #5	P
Establish an education campaign to publicize the value of farming to the total community and improve public understanding of farm practices.	Ag	Farmland Protection Section 4.1.5	(31) #1	P

<b>Summary of Recommended Action</b>	<b>Entity to Implement (Town Board, or Other Entity as Listed with Town Board Support)</b>	<b>Topic of Action</b>	<b>(Page) and Action #</b>	<b>Type of Action</b>
Expand opportunities for recreation at the Ben Niles Recreation Field	O with TB support	Arts, Culture, Recreation Section 4.5.2	(53) #19	P, C
Develop a multi-use trail network.	O with TB support	Arts, Culture, Recreation Section 4.5.2	(53) #13	P, C
Establish a system of greenways in stream corridors.	O with TB and PB support	Arts, Culture, Recreation Section 4.5.2	(53) #14	P
Encourage the County to continue to fund an ag-economic development specialist.	Ag	Agriculture Section 4.1.3	(28) #4	P

## 6.0 Appendix A: Prioritizing Farmland in White Creek and Trends in Agriculture

### 6.1 Prioritizing Farmland

Land Evaluation and Site Assessment, also referred to as LESA, is a tool to help citizens and local officials to prioritize those lands that should be protected from conversion to nonagricultural uses. LESA was developed by the United States Natural Resources Conservation Service, and is based on a technique developed in Orange County, NY in 1971 (the first place it was used in the United States.) LESA has a long history of use in New York, and throughout the United States. It is basically a rating system designed with local conditions and needs in mind. It is a tool that can help local officials identify farmlands needing protection by taking into account soil quality and other factors that affect agricultural practices.

LESA is an analytical tool. It is not a regulatory program. LESA's role in White Creek is to provide a systematic and objective procedure to rate and rank parcels in order to help people make decisions on where to target farmland protection programs. A LESA system can be useful to answer questions such as what lands are most appropriate to designate for long-term continuation in agricultural uses, and which farms should be given the highest priority for purchase of development rights or other monies.

Farmland preservation is an investment in the future of agriculture as an industry and in the future quality of life of the non-farm community. In addition to providing environmental and other amenities for farmers and non-farmers, farmland preservation itself can shape the future environment within which agriculture operates. The vision for White Creek's agriculture includes diversity, profitability, and sustainability and in order to attain this vision, agriculture must be resilient. Being resilient means that agriculture must:

- Efficiently produce food and fiber, while providing the quality and safety that consumers demand.
- Be environmentally compatible and fit into the landscape of industries that are viewed as non-threatening to the environment and quality of life.
- Allow farmers to make a decent profit and have a good quality of life.
- Be appropriate, given the local, regional, and national context within which it exists.
- Be flexible enough to withstand the instabilities and uncertainties associated with providing food products.
- Be able to deliver many of the environmental and scenic amenities that the public demands.
- Take advantage of opportunities to supplement farm income, such as through ecotourism and farm-based recreation and thereby enhance viability and sustainability.



## How LESA Works

LESA is a rating system. The LESA system combines soil quality factors with other factors that affect the importance of the site for continued agriculture. It ranks a variety of features and characteristics that are known to influence the ability of farmland to remain in that land use. In order to provide an unbiased method of selecting properties for the future farmland protection programs, the Town of White Creek developed a ranking system that evaluates all lands in White Creek and gives points to each farmland parcel based on the agricultural characteristics present.

The following table was developed by the Comprehensive Plan Committee and reviewed by the farmers and public. It represents a community-based “definition” of what factors define the critical farmlands in White Creek. Priority farmlands were identified through a Geological Information System (GIS) analysis and mapping software program that calculated the points and ranks for each parcel of land. The Farmland Prioritization Map shows the results. Agriculture is defined broadly and includes such operations as maple syrup and timbering. Thus, slope is not included as a singled-out factor that is weighed more or less. Some lands that have steeper slopes may therefore show on the LESA map as priority farmlands.

**Town of White Creek  
Criteria for Prioritizing Agricultural Lands**

Group	Criteria	Points and Criteria			Comment
		Rank	Points	Criteria	
<b>Soil Resources = 50% weight (.5)</b>					
A.	1. Percent of parcel in prime soils or soils of Statewide Importance need to use one or the other as there is too much overlap	.8	80 60 50	>75% of parcel 50 to 74% of parcel 25% to 50% of parcel	Priority is given to land that is considered on a state and national level to be of high quality for agriculture. Soils considered to be ranked with some points by the County are included in the "Other" category.
	2. Other soils as ranked by the County (not prime and not statewide)		.2	60	
<b>Farm Resource Criteria = 25% weight (.25)</b>					
B.	3. Is farm in NYS Agricultural District	.05	100	Parcel is in a NYS Ag District	Areas in a NYS Agricultural District are given a higher priority
	4. Does farm receive Agriculture exemptions/assessments	.05	100	Parcel receives an Ag Assessment	Areas having active agricultural uses as defined by the assessor or as parcels receiving ag assessments are given a higher priority.
	5. Is parcel in active agricultural use (ag property class, ag exemption, local identification of farms)	.4	100	Parcel has a 100 class tax code or identified in Plan as being in active ag use	
	6. Size of Parcel	.2	100 80 60 40 20	Parcel 100+ acres Parcel 49.99 to 99.99 acres Parcel 24 to 49.99 acres Parcel 7 to 23.99 acres Parcel < 7 acres	Larger parcels are ranked higher.
	7. Percent of parcel adjacent to lands in ag production	.3	100 80 40 20	75%+ 50 to 74% 25% to 49% <24%	Farms that are surrounded by farms have a higher chance of remaining in active use.

Group	Criteria		Points and Criteria		Comment
<b>Development Pressure Criteria = 15% weight (.15)</b>					
C.	8. Percent of parcel adjacent to Protected Lands (Purchased or Easements)	.4	100 80 40 20	>50% 25% to 49% 10% to 24% 0% to 9%	Areas that are adjacent to parcels that are already protected are ranked higher.
	9. Distance to State Roads and Major Intersections	.3	100 60 40	0 to ½ mile ½ to 1 ½ miles 1 ½ mile to 3 miles	The closer a farm is to a state road or major intersection, the higher the long-term development pressure could be.
	10. Distance to hamlets and Village of Cambridge	.3	100 60 40	0 to ½ mile ½ to 1 ½ miles 1 ½ mile to 3 miles	Farmland closest to existing or potential public infrastructure has a greater chance of being converted to non-farm uses.
<b>Environmental Resource Criteria = 10% weight (.10)</b>					
D.	11. Wetlands and Wetland Buffers	.5	100	Parcel contains wetland and/or 100' wetland buffer	Parcels with critical environmental resources on them are also ranked higher
	12. Streams and Stream Riparian Corridors, also included ponds or lakes that fall within the stream corridor	.5	100	Parcel contains stream and/or 100' stream corridor	

\* Ag lands that are already protected will not receive a prioritization.

## 6.2 Trends in Agriculture

See the Town of Creek Comprehensive Plan: Data Gathering Phase Report (2007) for the full set of data on the Town. This section details agricultural-related data along with 2008-year updates.

Land Use in White Creek (2008 data)

Land Use Classification	Acres	% of Land Use in Classification	# of Parcels	Mean Parcel Size (acres)
Residential (Rural Residential All other residential)	13,222.9	44.9%	1,199	11.0
Agriculture	7,162.4	24.3%	96	74.6
Vacant	5,422.6	18.4%	336	16.1
Wild, Forested, Conserved Lands and Public Parks	2,893.0	9.8%	14	206.6
Commercial	97.0	0.33%	71	1.4
Industrial	40.1	0.14%	11	3.6
Public Services	93.0	0.31%	7	13.3
Community Services	494.8	1.7%	36	13.7
Recreational and Entertainment	36.7	0.12%	3	12.2
<b>Total</b>	<b>29,462.5</b>	<b>100%</b>	<b>1,773</b>	<b>16.6</b>

Agricultural Land Uses in White Creek (2008 data)

Property Class Code	Land Use	No. of Parcels	Acreage
112	Dairy Products: Milk, butter, cheese	16	2,112
117	Horse Farms	1	6.4
120	Field Crops	4	344.7
241	Primary Residential also used in agricultural production	39	3,147
105	Agricultural Vacant Land	74	4,480
110	Livestock and Products	1	219
321	Abandoned Agricultural Land	3	237
	<b>Total</b>	<b>138</b>	<b>10,546.1</b>

Although most agricultural statistics are reported by county, the 2002 Census of Agriculture also segregates information by zip code. The Town of White Creek predominantly encompasses two zip codes; one for Eagle Bridge (12057) and the other for Cambridge (12816). Several residents in the Town are also served by Buskirk, but the number and acreage associated with this zip code is very small. In aerial extent, the lower two-thirds of the Town is located within the Eagle Bridge zip code and the remaining northern one-third is located in the Town of Cambridge's zip code. The zip code for Cambridge also encompasses portions of the Town of Cambridge and the Town of Jackson.

<b>Census Data by Zip Code</b>	<b>Eagle Bridge 2002</b>	<b>Eagle Bridge 2007</b>	<b>Cambridge 2002</b>	<b>Cambridge 2007</b>	<b>Total 2002</b>	<b>Total 2007</b>
Farms by Size – All Farms	42	41	63	48	105	89
1 to 49 acres	10	14	19	15	29	29
50 to 999 acres	31	25	44	32	75	57
1000 acres or more	0	2	0	1	0	2
Value of all Agricultural Products Sold – Total Farms	42	41	63	48	105	89
Less than \$50,000	25	24	50	37	75	61
\$50,000 to \$249,999	9	5	5	4	14	9
\$250,000 or more	8	12	8	7	16	19
Farms with One Operator	26	19	34	19	60	38
Farms with Multiple Operators	16	22	29	29	45	51
Farms with Women Operators	12	19	25	27	37	46
Farms with Principal Operator Living on the Farm	42	36	52	41	94	77
Farms Whose Primary Occupation is Farming	29	24	33	23	62	47
Farms with Primary Operator Working Off the Farm	12	11	23	17	35	28
Farms with Farm Related Sources of Income	16	25	18	21	34	46
Farms with Direct Sales to the Public	9	9	6	6	15	15

The following numbers are based on the Identified farms used for the LESA Ranking Calculations. They include some residential parcels that were identified as having an agricultural use by the committee:

The Town has 179 parcels, comprising 11,450.5 (+/-) acres, which are located within

Agricultural Districts. There are three Agricultural Districts within the Township. A large majority of those parcels are within Washington County Consolidated *Agricultural District Number #24*. This area in the southern part of the Town contains the largest block of active farmland. Portions of Agricultural District Number #3 and Number #5 are also located within the Town. The purpose of Article 25-AA of Agriculture and Markets Law is to encourage the continued use of farmland for agriculture production.

As of 2009, Agricultural District No. 24 had 11,151 acres in the district, 9,185 acres of which were part of farms . According to the Data Gathering Phase Report, 4,718 farmland acres were owned by farmers and 2,495 were rented. 5,747 acres were in crops. Twenty-nine farms were contained within this district an increase in previous years (i.e., 27 farms in 1987 and 21 in 1979).

As of 1995, the number of dairy cattle has decreased to 1,068, down from 1188 in 1987 and 1,535 in 1979.

Ag District No. 24

438 parcels	11,151acres
153 farmed parcels	9,185 farmed acres

Breakdown of the farmed parcels:

55 Ag vacant land (105)	3,257 acres
1 Livestock and products (110)	219 acres
12 Dairy products (112)	1,505 acres
1 Field crops (120)	93 acres
43 Residential parcels (210, 240, 270, 280)	1,289 acres
26 Residential w/ag use (241)	2,080 acres
15 Vacant or other use	742 acres

Ag District No. 5

60 parcels	2,589acres
24 farmed parcels	2,162 farmed acres

Breakdown of the farmed parcels:

9 Ag vacant land	938 acres
4 Dairy products (112)	607 acres
1 Residential parcel (210)	3 acres
3 Residential w/ag use (241)	203 acres
7 Vacant parcels	411 acres

Ag District No. 3

5 parcels	143acres
2 Farmed Parcels	103 farmed Acres

Breakdown of the farmed parcels:

2 Ag Vacant Land (105)	103 acres
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A very small portion of Agricultural District No. 5 is included within White Creek (including 60

parcels representing 2,588.7 acres).

In Ag District No. 24, 82 parcels covering 6,428 acres receive agricultural exemptions. In Ag District No. 5, 10 parcels covering 725 acres receive agricultural exemptions.

One strategy to protect agricultural lands for future generations is to sell development rights. The Agricultural Stewardship Association (ASA) is a local, not-for-profit land trust that serves the Washington County region. Its primary objective is to permanently protect land available for agriculture in this region. As of February 2007, the ASA in collaboration with land owners and state and federal agencies has conserved over 250 acres of land in the Township including 119 acres on Route 22 south of the Village of Cambridge, 70 acres on County Route 68 (encompassing two parcels), about 65 acres on Bates Road and a number of acres along side County Route 67.<sup>[1]</sup>

## 7.0 Appendix B: Summary of Public Input

### Visioning Workshop

Town of White Creek  
Results of Public Workshop  
January 21, 2009

#### Major Elements Included in the Vision Statements

Agriculture	No change
Alternative and green energy	No hunting
Balance	No tourism
Community and Quality of Life	Open space
Community Spirit	Pride
Culture and History	Quiet
Diversity	Recreation and cultural
Education	School children
Highways	Sense of community
Housing	Small Town environment
Infrastructure	Sustainable energy
Land Use	Taxes
Low crime	Young Adults
Minimal laws	

#### Specific Vision Elements Identified by Participants

A place children will stay in	environment – skiing, hiking,
A rural prosperous farming community	snowmobiles, art, fishing, etc.
Access to connected greenways and trails	Become a model for alternative energy
Affordable services, cable, phone, internet	Being able to keep older folks in their own homes
Ag and eco tourism to encourage new business to support growth	Better roads
Ag is strong and vibrant, diverse and value added	Better sense of organization
Ag is understood	Business development in village part of town and not rural part
Agriculture still the main business in town	Century farms
Amish Village	Clean water
Avocations of residents oriented to the outdoors and playing in the natural	Cluster housing is used to make land available but minimize impact on open land that will be needed for ag, or hunting or wildlife



Commercialization limited to village and hamlets and major intersections  
Comprehensive housing growth  
Continued development of local farmers markets – continual access to local produce  
Continued health of larger family farms  
Control and protection of the development of open lands including hilltop and vision corridors  
Controlled and selective development  
Cooperative projects among farmers to reduce costs. Generating electricity, buying from each other as farms diversify  
Cultural heritage resources and events  
Development controls  
Development of the town is well thought out  
Diverse ag businesses  
Diverse cultural and arts events  
Diverse local economy  
Diversity of architecture  
Diversity of local jobs  
Enough good jobs to keep population in town and create/attract population diversity  
Facilities for shopping, groceries, pharmacy, doctor, culture/art  
Farms and forests  
Farms are thriving with fresh produce and meats available  
Good excellent medical care in easy access and close by  
Good schools and charities  
Has locally owned business  
Have many farms  
Having land available from ownership and rent for farmers  
High quality cultural activities  
High quality public services such as roads, police, fire, EMS  
Housing opportunities for young families  
Indoor recreation like YMCA  
Intergenerational transfer of farms

Internet speeds for the current needs  
Its perfect now – no need to over-think it  
Keep agriculture for food and land  
Large amount of undeveloped land  
Large and small farms  
Less factory farms  
Local availability of goods,  
Local merchants and services to satisfy basic needs  
Local sustainable energy services  
Lots of rural dirt roads  
Low taxes  
Maintain organic farms  
Maintain the farmland  
Maintaining good roads  
Maintaining neighbor knows neighbor atmosphere  
Many farms of all types  
Many small business persons  
Moderate to light business  
More industry  
More jobs  
More recreational opportunities  
Mountains are mountains and open areas are open areas  
Multi-generational farming is thriving and economically viable  
Need to have new ways for energy  
New residential development occurs within existing population centers  
No development such as malls  
No hotels in town  
No hunting allowed in town  
No more town laws  
No multi-unit housing  
No sprawl  
Not a bedroom community  
Not over regulated  
Older homes and farms are still standing and maintained  
Open ag land with working farms  
Open land  
Open space through purchase of development rights

Open spaces and places for recreation  
Open woodlands, rivers, streams, open fields  
Opportunities for young adults  
Pastoral beauty  
People pitch in with local government, volunteering  
People take pride in their homes and properties  
Place for non-ag businesses that support the town financially with no impact on rural landscape  
Planned development with open spaces  
Preservation of existing historic buildings  
Progressive education in public schools  
Protected open space (hunting, fishing, hiking, etc.)  
Quiet way of life  
Recreational fields  
Respect neighbors  
Retain rural life while allowing controlled development to grow tax base to share tax burden  
Roads for ag equipment and cars  
Safe community and streets  
Same open spaces and farmers as in 2009  
Scenery is preserved  
Schools growth of technology  
Schools the same size or smaller  
Self-sufficient community with local food and fuel supplies  
Self-sufficient energy  
Services have kept up with growth  
Shopping is conveniently clustered in the village and not sprawling mini-malls  
Single family homes sporadically throughout  
Slow development

Small farm opportunities – alternative farms  
Small town environment  
Small town rural feel  
Smart growth  
Some growth and development – progressive businesses and employment opportunities, housing but planned  
Spaces available for recreation – horse riding and snowmobiles  
Sparsely populated still a rural feeling  
Stay away  
Stay the way it is  
Strong business structure  
Strong community backing for school  
Successful farms, working farms  
Tax free farm land  
Taxes lower/affordable  
The ball field still hosts the White Crick Tournament  
Tolerance and patience with farm vehicles on the road  
Town park or recreation center for children  
Up to date cable and cell service  
Valuable services for taxes  
Vibrant Main Street  
Walkable community  
Well funded schools  
White Creek BBQ still thrives  
Wildlife and open space has been preserved  
Wildlife habitat preserved  
Wish to see small farms still around White Creek  
Would like to see majority of country people still in town  
Youth center for young adults who have no outlets in town, such as YMCA

## Summary Vision Statements by Table

### Table 1:

State parks, state land, trails, 3000 acres  
Vibrant Main Street, Spirit, local food, fuel supply (wood, geothermal)  
Small town environment  
Dirt roads  
Open spaces  
Century Farms, intergenerational, transfers of properties  
Culture and History  
Young Adults have opportunities and jobs

### Table 2:

Sustainable community using agriculture as a base to create jobs and opportunity to develop the next generation of farmers and other supportive businesses. Diversification of use of land with agriculture and eco-tourism, fiber, nursery stock, organic foods. Energy independent.

### Table 3:

Maintain a low population  
People feel safe in town  
Maintained and upgraded infrastructure  
Protected agriculture land and natural resources  
Keep old fashioned community  
Economically viable

### Table 4:

Spaces and places for diverse outdoor recreational pursuits  
No sprawl, compact development, planned development  
Low taxes  
A rural, prosperous farming community  
Diverse available jobs and services that support the area (health,, agriculture, non-agriculture)  
Architecture  
Infrastructure and energy independence

### Table 5:

Balance between development and maintaining open space  
Infrastructure is present, reliable and progressive  
Recreation and cultural  
Education is strong, community supported, and progressive  
Farming is diversified, family oriented, starting new farms  
Alternative green Energy  
Sense of community

## **Agricultural Focus Group Meeting**

Town of White Creek  
Summary of Farm Focus Group Meeting  
December 17, 2008

### **Farm Types Represented at Farm Focus Group:**

Dairy	Forestry
Beef	Apples
Hay	Sheep
Lease Land to Other Farmers	

### **Farm Types Also Present in Town, but not at Focus Group:**

Horse	Berries
Grain	Alpaca
Organic Vegetables	Honey
Goats	Farm Stand
Vegetables	

### **Concerns Identified by Farmers Present (not in any kind of priority order):**

- Income: Payment farmers get for their product (mostly milk price) is low. This was identified as critical, but not a local issue. Farmers need to make a living.
- Taxes. School taxes especially were felt to penalize farmers for having larger amounts of land.
- Lack of Internet to support business.
- Fewer people in town who understand agriculture. Farmers feel some people look at this 1-sided, that they don't know about agricultural practices and this negatively affects them.
- Tourism: This increases traffic and encourages new residents to move here. Farms don't need it.
- Maintaining investment in farm in light of land use regulations: Concerned about potential local laws and how it will affect business in the future. They want to be sure to be able to maintain the ability to make land subdivisions in small lots in the future and wants the right to make land decisions without battles in the future.
- Farmer – Non-Farmer relationships: Sometimes farmers are not nice to their neighbors. They should be respectful of them as the farming operation may affect others property values. They are concerned about conflicts with non-farmers (mentioned intensity of farm traffic).
- Lack of Farm Diversity: There needs to be more focus on smaller farmers – small herds and startups.
- Lack of Resources for Startups: New farmers are not knowledgeable about resources that are available and this can prevent them from being successful.
- Traffic: There has been a deterioration in traffic lately and with farm equipment added to the mix – more problems occur.

- Rental Lands: There has been an increase in land rentals by larger farms.
- Lack of younger people in farming.
- Lack of labor: an issue with the larger farms
- Long term economic sustainability: Global influences and lack of people to take over long term are issues related to this.
- Concerned about landowner rights – farmers are subsidizing rural character for others.

### **What Keeps Farmers in White Creek?**

- Family heritage
- Nostalgia, community, friendly community
- We know neighbors and have family here
- It is a safe place
- We can grow our own food
- Good weather and soil
- Good group of progressive farms
- Lots of resources and knowledge available
- Washington County is a good area with lots of support among farmers, and support businesses exist
- We have clean water, air, wildlife and beauty
- Active farms keep the number of subdivisions down
- It is our duty to keep farming

### **What would we like agriculture to be like in the future in White Creek?**

- Prosperous
- More diversity in farms
- No manure pits that pollute water
- Farming is done in an environmentally safe way
- Less traffic on roads
- Slower speeds
- Farms are prosperous enough to attract new farmers and keep the next generation farming
- We still have vets, auction houses, and the agricultural infrastructure
- We have educated the non-farming community and they know how to be a rural community member
- Farm tours exist to help educate our children
- There is respect of land by those who don't own it (ATV's for example)
- There is a perfect balance between farms and development
- No landfill
- We try to keep land and farm whole – not in new houses. Land is kept open for children and other farmers
- Farmers sell development rights and there is need for more support from the Federal and State government to give money back to local communities for PDR

### **Solutions Offered to Strengthen Agriculture**

- Purchase of Development Rights (PDR) programs with more support for PDR
- Use Transfer of Development Rights (TDR) as an alternative.
- More tax exemptions for farmers
- Impose a tax on how far you have to travel to work
- Promote value-added products – there are opportunities (food and energy).
- Diversify farms
- Market locally grown foods
- Develop a Federally inspected slaughterhouse
- Farmers work closer together – example a cooperative methane digester
- Laws exist that help one generation pass farm onto the next easier. Tax issues related to farm transfers have been fixed
- Send federally oriented recommendations of this plan to US Senators and Representatives.
- Two-way communication and education farmers and non-farmers - people understand why farmers do certain things on farms.
- Figure out how to help farmers feel appreciated and not feeling guilty for doing normal and accepted agricultural practices (such as manure spreading).
- Educate non-farmers.

### **Second Agricultural Focus Group Meeting, March 18, 2009**

Attendees reviewed the draft agricultural vision statement and then brainstormed ideas or strategies to realize that Agricultural Vision. Ideas generated included:

- Reintroducing agricultural classes into the school.
- Producing welcome packets for new people providing information about agricultural life in the community
- Establishing a committee to keep up on and share information about trends in agriculture and agri-business.
- Include an appendix in the plan listing agri-businesses
- Use snow mobile trails to ride horses
- Use services available like Cornell Cooperative Extension

## 8.0 Appendix C. Audits of Current Land Use Laws in White Creek

This audit was done in light of and in relation to the draft vision and goals of the Town of White Creek Comprehensive Plan and to the desire to have land use regulations be consistent with our vision and goals. Four laws were reviewed: Site Plan Review (Local Law #1 of 1997), the Subdivision Regulations (Local Law #1 of 1993), White Creek Right to Farm Law (1992), and the White Creek Mobile Home, Mobile Home Parks and Travel Trailer Parks Law.

Each law was reviewed by the Town’s planning consultant, and issues and possible actions to address them were presented to the Comprehensive Plan Steering Committee. All issues and recommended strategies to improve these laws were discussed by the Comprehensive Plan Steering Committee and summarized in the tables below. The four audits below detail the findings of that review.

### Audit of Town of White Creek Site Plan Review Law (Local Law #1 of 1997)

Description	Recommended Strategy for Comprehensive Plan
<b>Article A - Introduction</b>	
<p>§3 – The law’s purpose statements are very comprehensive and adequately address agriculture and natural resources that are consistent with the goals of the plan. However, now that the Town will have a Comprehensive Plan, an additional purpose should be added to ensure that a project is consistent with the Comprehensive Plan.</p>	<p>Consider amending the site plan law to reference the need to be compatible with the adopted Comprehensive Plan of the Town.</p>
<b>Article B – Applicability and Definitions</b>	
<p>§2 – This exempts all commercial structures less than 7,900 square feet from needing a site plan approval. Keep in mind that most gas stations, convenience stores, franchise retail outlets (like Dunkin Donuts) and many small businesses are smaller than 7,900 sf. This exemption may mean in reality that a great deal of new commercial operations have no review whatsoever. Although it is recognized that the Town does not want to burden small business owners, this is a huge loophole and could result in many of the goals of the town and purposes of the law from not being met. It is recommended that this exemption be either removed entirely, or significantly lowered.</p>	<p>Consider removing or lowering the size limits for site plan review exemptions for commercial structures less than 7,900 sf in size.</p>
<p>The law exempts all ag uses and structures except composting. That is a very good approach. However, the exemption of composting is a topic to be discussed. Should composting be exempted – especially those that are on a farm. Why would composting require a site plan</p>	<p>Consider exempting composting facilities that are part of a farm operation from site plan review.</p>

Description	Recommended Strategy for Comprehensive Plan
approval when other ag uses such as manure pits, large freestall barns or other significant ag uses are exempt. Perhaps a composting facility that is part of an agricultural operation should be exempted.	
This law also exempts all home businesses from needing site plan approval. Home businesses are very desirable and should be allowed and continued. However, some home businesses may be very disruptive to neighbors or to the character of the area and this is where a site plan law could give everyone some protection. It is recommended therefore, that home businesses be redefined into minor and major home businesses. Major home businesses would be those that have parking lots, lighting, equipment storage, truck traffic, or noise. Minor home businesses would be those that do not have those features. It is recommended that minor home businesses be exempt from site plan review, but major ones are not exempt.	Consider defining minor and major home occupations, and exempt minor home occupations from site plan review, but require it for major home occupations.
The law exempts site plan review of all signs less than 32 sf in size that is not part of a project being reviewed. A 32 sf sign is quite large, especially for a rural area. A 32 sf sign may not be consistent with the rural character of White Creek. It is recommended that the site plan law have a lower sign exemption threshold.	Consider amending the site plan law to exempt only smaller signs (16 sf or smaller) from requiring site plan approval.
The site plan law does not address how it would be applied to changes of use, grading and clearing, and stand alone parking lots. The Comprehensive Plan should establish a strategy as to whether and how to deal with these uses. Some communities require timber operations to go through site plan review and you could discuss that too.	Consider amending the site plan law to address applicability of the requirements for other uses especially changes of use, grading and clearing, and stand-alone parking lots.
<b>§5</b> (Definitions). Definitions are adequate, but there are many that are missing. There needs to be a much more comprehensive set of definitions of terms used throughout the site plan law.	Consider amending the site plan law to develop a more comprehensive list of defined terms.
<b>Article C. Site Plan Procedures</b>	
<b>§2</b> – Sketch Plan Requirements. This section asks the applicant to show changes to the existing topography and natural features. That is very good, but “natural features” are not defined.	Define “natural features” in site plan law.
The sketch phase section does not adequately address agriculture. Agriculture and a projects’ impact on agriculture needs to be addressed early in the review process. Ag should be treated no different than “natural features”, and thus agricultural resources should be	Consider amending the site plan law to enhance its review of a project’s impact on agricultural operations. Adding location of important agricultural soils, active agricultural lands, farm access roads, etc.



Description	Recommended Strategy for Comprehensive Plan
identified and evaluated in terms of the new proposed use during the sketch phase just like other features.	will enable the Planning Board to adequately understand and evaluate a proposed project.
<p><b>§2</b> - Ag Data Statement. It is excellent that this is already included as a part of the site plan review. However, there is nothing in the law that tells the applicant or planning board what to do with this information. Procedures should include this information.</p>	Consider amending the site plan law to require that all land owners identified on the ag data statement be mailed, at the applicants' expense, a public hearing notice for the proposed project.
<p><b>§3(d)</b> – This references an application fee. Should the Town need to increase these fees in the future, then the law would need to be changed. Instead, it is preferable to have the Town Board establish, on a yearly basis, a fee schedule and remove all references to the actual fee amount from the law.</p>	Consider amending the site plan law to remove references to the dollar figure for all fees and instead refer to a “Fee Schedule as Established by the Town Board”.
<p><b>§3(e)</b> - This lists a variety of features that should be included by the applicant on the site plan to be reviewed. Some items are missing that are important to help meet the environmental and agricultural goals of the town. Asking the applicant for more information on the design of the building itself, identification of nearby active ag lands, and showing pertinent natural features on the site plan will be important for the Planning Board to make comprehensive decisions.</p>	Consider amending the site plan law to have submitted site plans include the exterior design of the building, identification of active and adjacent agricultural lands, elevation and façade treatments, and natural features such as streams, wetlands, wooded areas, floodplains, steep slopes, etc. Further, the Planning Board should have the ability to request a traffic impact analysis and a visual impact analysis if they feel it is critical to the review of a proposed project.
<p><b>§3(e)</b> - The site plan law should refer to the New York State stormwater pollution prevention plan requirements. This requires all commercial land activities that disturb more than 1 acre to file a stormwater pollution prevention plan. Including it in the law will help put everyone on notice as to those expectations.</p>	Consider amending the site plan law to properly reference the NYS Stormwater Pollution Prevention requirements.
<p><b>§4</b> – Less Intensive Review. It is good that the law has a method to allow the Planning Board to do less intensive review for some projects. However, it allows a less intensive review for structures 20,000 sf or less in size. 20,000 sf is still quite a large building and could be a loophole for comprehensive review by the town. It is recommended that this square footage be lowered. At the same time, a less intensive review should be allowed for a project that reuses an existing building and that creates no new parking, curb cuts, lighting or signage. Any waiver for a less intensive review should be at the request of the applicant, not the Planning Board.</p>	Consider amending the “Less Intensive Review” section of the site plan law to lower the size limits of what is considered a “less intensive structure” so that larger and more intensive uses are appropriately reviewed.
<p><b>§5 (e)</b>– Specifications for Site Plans. This limits</p>	Consider amending the site plan law to

Description	Recommended Strategy for Comprehensive Plan
<p>reimbursable costs for review of a project to only \$2500 if there is a negative declaration for SEQRA, or up to the limits set by the SEQRA law if there is a positive declaration. However, all costs associated with the review of a site plan application should be borne by the applicant. Current language would limit the ability of the Town to cover expenses, and tax payers would end up covering these sometimes very substantial costs. This language should be removed from this section and replaced with a broader section on establishment of an escrow account for reimbursing all costs related to review of a project.</p>	<p>fully establish an escrow section and language that will allow the town to be fully reimbursed by the applicant for all related project review costs.</p>
<p>Other items that should be addressed in a site plan law included segmentation (what to do with a project that is in phases), and revocation of a site plan approval.</p>	<p>Consider amending the site plan law to address segmentation of a project and revocation of site plan approvals.</p>
<p><b>Article D – Design Objectives</b></p>	
<p><b>§1</b> – This is an excellent introduction and goes far to introduce the desire for new development to be compatible with the rural, small town character of White Creek. However, that is not defined or described anywhere.</p>	<p>The Site Plan Review Law should clearly define what is “rural and small town character”.</p>
<p><b>§2</b> – General considerations. These are all important and good. However, there is little definition to help the applicant or planning board know what “adequate” or “compatible” means. These need to be further defined, articulated, or illustrated so that there is fair treatment to all and consistent interpretation. This section also should be strengthened so that the project minimizes negative impacts on farms.</p>	<p>Consider amending the site plan law to further define, articulate and illustrate design objectives for new projects that would be compatible with rural and small town character, and to strengthen the need to minimize impacts to farms.</p>
<p><b>§3</b> – Natural Resource Considerations. This section could be strengthened by also adding in the desire to prevent fragmenting woodlands, minimize impacts to agricultural operations, preserve scenic views, protect streams and stream corridors, and protect unique or critical wildlife or plant habitats. (These resources are not currently included).</p>	<p>Consider amending the site plan law so that agriculture, scenic views, streams and stream corridors and critical habitats are part of the natural resource considerations of the Planning Board when a project is reviewed.</p>
<p><b>§4</b> – Rural Design Guidelines. This is excellent that this section is in here already. The existing guidelines are good, but not very defined to help the applicant or Planning Board know what to really apply to a project. This is an area that the Town could strengthen to address the rural character goals of the Town. For instances, it does not give any indication what would be compatible with the rural and small town character, and it uses terms such as “designed traditionally” but with no</p>	<p>Review the section on Rural Design Guidelines included in the site plan law. Consider either amending this section, or providing a supplemental set of guidelines to give more definition and direction on how a project is expected to meet the character goals of the Town. White Creek could also reference the New York Planning Federation design guidelines for hamlets,</p>

Description	Recommended Strategy for Comprehensive Plan
<p>definition of this. More detailed guidelines could better define this. This is a critical section of your site plan law to review and strengthen.</p>	<p>rural areas, and buildings, and adopt these as the Town’s guidelines. Further, consider tools such as use of shared parking lots, shared curb cuts, and shared driveways to minimize impervious surfaces, control traffic, and be more efficient in commercial development in the future.</p>
<p><b>Article E – Administration. Section 4</b> (Amendments) should be re-written to clarify that amendments to the Site Plan Law are adopted by the Town Board and not the Planning Board. The law may allow for an advisory opinion on amendments from the Planning Board.</p>	<p>Review the site plan law and amend as needed to ensure procedural consistency with NYS Town Law 274-a.</p>

## Audit Town of White Creek Subdivision Regulations (Local Law #1 of 1993)

This audit was done in light of and in relation to the draft vision and goals of the Town of White Creek Comprehensive Plan and to the desire to have land use regulations be as “farm-friendly” as possible.

Description	Recommended Strategy for Comprehensive Plan
<b>Section 1-5: Policy</b>	
There is nothing in the policy statements that really convey the desire of the Town to have subdivisions fit in with the character of the Town, or protect farmlands. It does discuss the need to protect natural resources.	Amend the subdivision law to expand policy statements to establish the need for protecting and promoting the rural character of the Town and the need to preserve farmlands.
<b>Section 2-1: Pre-Application Review</b>	
It is excellent that the Town requires a pre-application review. This is a critical meeting to have and is useful for good subdivision design. The sketch plan submitted must include items required from Section 4-1. However, the sketch plan does not specifically ask whether the subdivision is in an Agricultural District nor does it ask for the Ag Data Statement or for identification on the sketch of farmlands and farmland owners.	Amend the subdivision law to require the Ag Data Statement as per NYS Ag Markets Law (identification of farmland owners adjacent and within 500 feet of the subdivision). The law should require that these landowners be notified about the subdivision (for a public hearing for instance). Further, the law should require identification on the sketch plan of locations of active farmlands adjacent to and within 500 feet of the subdivision. This will help the Planning Board evaluate potential impacts to agriculture as they are required to do under Ag and Markets Law.
<b>Section 2-2: Approval of Minor Subdivision</b>	
2-2.2 (Fees) establishes a fee of \$50 for minor subdivisions.	It is recommended that the law itself does not refer to the dollar amount of a fee. If the Town Board wants to change the fee, it has to amend the actual law and that is cumbersome. Instead, it is recommended that the dollar amount referred to throughout the law be removed and instead refer to a fee schedule as set by the Town Board. The Town Board should review the fee schedule on an annual basis and establish it at such a level to actually cover the costs of that review.
2-2.6 (Public Hearing) is good, but it does not mention the Ag Data Statement for subdivisions in or within 500 feet of the Ag District. This is the same comment for 2-3.6 (public hearing for a major plat).	Amend the subdivision law to ensure that the Ag Data Statement is used to identify farmland owners for notification of the public hearing.
There is no reference in the Review and Acceptance of a	Amend this section to include notification

Description	Recommended Strategy for Comprehensive Plan
Minor Plat section of any requirements for SEQRA or for referral as per NYS Town Law 239-m to the County.	that all SEQRA requirements (Part 617) and all NYS Town Law 239-m referral requirements must be met prior to decision on the minor plat by the Planning Board. This is also recommended to be added to Section 3 on Major Subdivisions.
There is no mention of any filing requirements for a minor subdivision. These still have to be filed with the County before they are legal.	Add a statement indicating filing of the approval and plat with the Town Clerk and County. This is similar to existing language in 2-4.7 for Major Plats.
<b>Section 2.3 Approval of Major Plat</b>	
2-3.1 (Application and Fee) is good and it includes one sentence stating that the applicant must pay all actual costs attributable to the review process before final approval. That is the right thing to do but it should have more detail on how the money is collected by the town to pay the costs, or how the applicant shall pay the costs. As currently written, it gives neither the applicant nor the planning board any process, amount, or direction on how to handle payment of review costs.	Amend the subdivision law or establish a new stand-alone local law establishing and Escrow account so that the Town can have a set of procedures and rationale for charging the applicant for review above the permit fee. This will ensure that all applicants are treated equally and that there is a set procedure for determining how this money will be spent and paid for the review. Section 5-1 has procedures for covering costs of improvements and inspection after approval, but does not address costs FOR approval which could include legal, engineering, planning, and other areas.
2-3.4 (Study of Preliminary Plat) is good, but it does not mention agriculture or the environment as part of what the Planning Board reviews.	This section should be expanded to offer more detail about what the Planning Board should be reviewing and considering including strong statements about giving more attention to agriculture in and around the subdivision and environmental conditions that warrant protection.
2-4.4 (Endorsement of State and County Agencies) discusses the need to have water and sewer approval. This does not note that there may be County (highway permit), NYS DOT approvals needed (curb cut), NYS DEC filings (stormwater, wetlands, stream bank disturbances, etc.) or even Federal (Army Corps of Engineers) as well as the 239-m referral to the County Planning Board.	This should be expanded to reference other possible county, State and Federal permits needed for the project. The applicant and Planning Board should be informed of those as well as the required referral of the application to the County in this section. No decision can be made by the Town until the County has approved the subdivision or 30 days has elapsed.
<b>Section 2-5 Application, Conditions, and Deferred Review</b>	
This is the section for exempt and agricultural	There are two issues here. 1) The Town has

Description	Recommended Strategy for Comprehensive Plan
<p>subdivisions. Included in the definition of exempt subdivision is for division of one parcel to be transferred to a family member, or bulk sale or exchange of land of forty acres or more of land, among others. An Agricultural subdivision is division of 5 or more acres of land for use or sale for ag purposes, including development of ag-related structures. A lot survey requirement is deferred when the new lot is transferred to a family member. This section clearly states that the transferred parcel must have a deed restriction preventing development of the new parcel without a new application being made to the Planning Board. It further states that an exempt or ag subdivision that is then later to be developed must go through the full subdivision process later. The rationale for this section is to make it easier to allow transfer of land to family members and for allowing subdivision of land for agricultural use. In White Creek, this provision has its place and use. The law establishes deed restrictions on the subdivided lots to require further review if they are developed at some later point in time.</p>	<p>no real authority to enforce a deed restriction. Deed restrictions are difficult and really enforced by the owners. How will the Town know if the parcel transferred to a family member and exempt from subdivision review is then not sold immediately to someone who plans to build on it and they don't tell anyone? Will the building inspector ask for the plat and see the deed restriction and then send them to the Planning Board? How does the Town know, in granting an exempt subdivision that it is actually being transferred to a family member. Do they ask for this information? And wouldn't an exempt land transfer really be done with the expectation that at some point in time the family member would build or sell it to be built on? So how can it be exempt?</p> <p>2) Once a lot is subdivided and filed with the County, it is a new parcel. In order for it to be legal lot it needs to be filed with the County. However, the County is required to only file a plat that has been approved by the Planning Board. So if it is exempt and not approved as a plat, how can it be filed as a new legal lot? Assuming somehow that this does take place, the new lot will be taxed as a new parcel and will have a separate deed, correct? How then, can the Planning Board go back to review the subdivision after someone decides to build on it and then do a subdivision review retroactively? The Planning Board might review the design and other features of the lot, but in essence, the lot has already been subdivided so there is no purpose in having a retroactive (deferred) subdivision review. <i>What might be better is for any lot that is deemed exempt or ag subdivision that is then later planned for development must go through site plan review.</i> That makes more sense to me.</p> <p>This item will take discussion with the</p>

Description	Recommended Strategy for Comprehensive Plan
	Committee. For the plan, it is my recommendation that the Town review this section to ensure it has not created a loophole that will allow un-reviewed development.
<b>Article III. Requirements and Design Standards for All Subdivisions</b>	
This Article deals mostly with road design. There is a section (3-1.4) dealing with preservation of existing features. This section lays the groundwork for minimizing disturbance to the existing landscape but does not really offer much in the way for rural design principles for environmental health or for taking agriculture into consideration.	Amend the subdivision law to add in rural design principles to guide subdivisions to have better design to protect farmland, environmental features, and rural character.
Section 3-2 details road designs. Among other dimensions, it requires new roads to have 26 feet minimum of pavement and for collector streets, 36 feet of pavement. Part of rural character comes from rural roads. A 26 foot paved road is probably not consistent with the rural character of Town or of the existing roads. Road standards in White Creek should be for low volume rural roads. It is my experience that these dimensions will result in suburban style roads and will contribute to loss of rural character in new subdivisions. Further, the road standards do not really ensure that the road construction will be in context to the landscape. Good rural roads have contextual design. Vermont is a leader in this.	Amend road standards to minimize pavement widths and add rural road dimensions and standards. Very low volume roads could have an 18 foot width. However, 20' is more acceptable to Highway Superintendents. There are lots of models for rural road standards and contextual design standards to use.
Section 3-2.9 (Cul-de-Sacs) establish a bulb radius of 65 feet at the end of a cul-de-sac. In rural areas, cul-de-sac's are not normally found. "T" or hammerhead dead ends are more traditional and recommended for rural areas. Minimize use of cul-de-sacs. Where they are used, minimize the turn-around to 45 feet. 65 feet will result in a very large empty paved area. Some cul-de-sacs have landscaped centers and those are better.	Amend the section related to cul-de-sacs to discourage their use and minimize their footprint. Use rural road designs for dead end roads including "T" or "Y" designs.
3.2-11 Improvements asks for roads to be improved with sidewalks, street lights, curbs, gutters, water mains, fire hydrants, etc. Although this can be waived by the Planning Board. For a major subdivision that is designed as a hamlet or in a traditional neighborhood, these are desirable improvements. For minor subdivisions on a low-volume rural road, these are not. It is recommended that the subdivision law include hamlet or traditional neighborhood design standards for major	Amend law to expand the improvement section to include hamlet and traditional neighborhood design standards for major subdivisions to ensure that large developments are consistent with the rural character of White Creek and not imposing a suburban style subdivision on the landscape.

Description	Recommended Strategy for Comprehensive Plan
subdivisions.	<p><i>Overall, the entire Article on design can be improved to help offer guidelines and requirements for improving the layout and design of subdivisions. Adding rural design as well as traditional neighborhood guidelines would help prevent suburban style lots, uniform and monotonous major subdivisions and will set the tone for new development to be done in context with White Creek. Other standards related to setbacks from streams, protection of ridgelines, limitations on development of very steep slopes (&gt;20%), and siting to preserve farm access to back lots are suitable for preserving the environmental and rural character of White Creek. This design may alternatively be addressed for major subdivisions via a site plan review requirement for major subdivisions. Consider either enhancing the design standards for major subdivisions or require site plan review for proper design and siting of structures.</i></p>
<b>Article IV. Required Data and Plats</b>	
4-1 (Sketch Plan Data)	See remarks above about adding in identification of farmlands and Ag District on the sketch.
<p>4-2 (Minor Subdivision) requires a copy of any deed restrictions, field survey, note showing that water and on-site sanitation has been met, and proposed subdivision name. A Minor subdivision is two lots. (Most minor's are 4 lots and majors are more than 4). Even though this is minor, it still is relevant to ensure that the split takes into consideration wetlands, streams, floodplains, steep slopes, and farmland as those are noted in the plan as critical components of what is highly valued in White Creek. The list of what is included on the minor plat is very deficient and really doesn't give the Planning Board much to actually review. The boundary line is less important in a rural area than the disturbance going to be taking place within the new lot.</p>	Consider adding plat requirements to include location of well and septic system, all the information already included and required on the sketch plan, location of driveway and new curb cut, and building envelope of where the structure and lawn will be placed.
4-3.1 (Major subdivision plat requirements) does not ask for identification of lands within the ag district, where farmland or farm activities are taking place, floodplains, unique habitats (such as a vernal pool), scenic views, etc.	Add additional items to be identified on the plat so that the Planning Board can do a thorough environmental review that includes impacts on rural character, the



Description	Recommended Strategy for Comprehensive Plan
	environment, and farming among the other topics they are reviewing.
<b>Article VI Variances and Waivers</b>	
6-1 (Variances). The Planning Board has no authority to issue a variance. This section is in error. However, they can issue waivers from some of the requirements of the subdivision law as stated in 6-2.	Amend the law to remove references to the Planning Board being able to issue variances. White Creek may want to add in a section that details the ability of someone aggrieved by a Planning Board decision to file an Article 78 proceeding.
<b>Article VIII Enforcement</b>	
Section 8-2 is a bit vague as to how enforcement of the subdivision approvals would proceed. You may want to be more specific about the enforcement as per NYS Town Law 268. There is nothing wrong with 8-2 per se, but it could be more detailed or clarified as to who enforces the law (not the Planning Board as they have no authority to do so)...and is usually the Code Enforcement Officer or Building Inspector.	Amend this section to be consistent with Town Law related to enforcement, penalties, and remedies for subdivision and clarify who has this role.
<b>Article IX Terminology and Definitions</b>	
The definitions that are here are adequate, but there are other terms used in the law that are not included. The definitions section is very important and should be as comprehensive as possible.	Consider adding to the definitions to ensure all terms that may need it are defined for use by applicants and the Planning Board.
<b>Other Items to Consider Not discussed Above</b>	
	Consider changing the definition of a minor subdivision to 4 lots or less.  Consider adding a new section to allow for clustering and conservation subdivision design to protect open space, farmland, and if a very large subdivision, result in hamlet or traditional neighborhood design. A minimum of 50% open space is the usual requirement associated with conservation subdivision designs.

## Audit, Town of White Creek Right to Farm Law (1992)

This audit was done in light of and in relation to the draft vision and goals of the Town of White Creek Comprehensive Plan related to agriculture, and in comparison to NYS model and other up-to-date county/town models of right-to-farm laws.

Description/Comment	Recommended Strategy for Comprehensive Plan
Organization of Sections: The current Town RTF law starts with definitions and then findings/policy.	Amend the Town of White Creek Right to Farm (RTF) Law by reorganizing the sections so that the Legislative Intent and Policy comes first.
<b>Section 2: Definitions:</b> The definition section should be expanded to include additional terms.	Amend the RTF law to define the terms “farmer”, “agricultural products”, and “agriculture”. Continue to define farmland and farm operations broadly so that a wide variety of farms are included.
<b>Section 3: Findings and Policy:</b> This statement lacks a critical piece – an actual declaration of the right to farm. It generally discusses the intent of the Town to enhance and encourage agriculture, but does not actually state that farmers have the right to farm, as most RTF laws have. It is implied, but not out-right stated.	Amend the RTF law to add a strong Right To Farm Declaration.
<b>Section 4: Nuisance:</b> The current law indicates that it is the purpose and intent of the law to clarify the circumstances under which an agricultural operation may be a nuisance, but it doesn’t actually outline those circumstances except in very broad terms. Overall, this section is critical and should be strengthened. Together with Section 3, this section does not declare that certain practices are acceptable and under what circumstances. There are six standards used in other RTF laws that should be added here.	Amend the RTF law to add language that addresses nuisance and what under circumstances a farm practice would not be considered a nuisance.
<b>Section 5: Disclosure:</b> This is generally very good, but does not reference the actual paragraph from State Law that requires this. This section could be strengthened by adding or referencing this disclosure requirement from NYS Section 310 of Article 25AA. Further, the actual Real Estate Transfer Disclosure Statement Form is contained as a legal part of this law. The law should require this and outline when and how, but probably not include the actual form. This form might better be treated as an appendix.	Amend the RTF law to add a reference to Section 310 of Article 25AA, and re-state the disclosure policy from that law (“It is the policy of this state and the Town of White Creek to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products and also for its natural and ecological value. This notice is to inform prospective residents that farming activities occur within the Town. Such farming activities

Description/Comment	Recommended Strategy for Comprehensive Plan
	<p>may include, but not limited to activities that cause noise, dust, smoke and odors.”) Further, move the actual disclosure statement from the body of the law to an appendix.</p>
	<p>Since agriculture is so important to White Creek, it is also recommended that the Town go further than requiring just real estate agents to use the disclosure form. Consider also requiring the disclosure form for any building permits for a new home or business located within the NYS Ag District, and for projects going through site plan and subdivision within the NYS Ag District to use of the statement. Some towns (Fort Edward, for example) include the disclosure statement as an attachment to the building permit and on the subdivision plat or site plan submitted to the town. That way, the Town ensures compliance with the disclosure statements rather than relying just on the real estate agents.</p>
<p><b>Section 10: Resolution of Disputes:</b> This comes at the end of the law, and seems out of place. Most RTF laws have their dispute resolution section as a major thrust of the law as it is what sets up a local mechanism to solve agriculture-related problems. The general intent of this section is fine. However, the language used could be problematic. For instance, it says that when a controversy arises, the parties “will submit” to a grievance committee to resolve the matter. Most language is such that IF the controversy cannot be settled in direct negotiation, then the controversy <u>MAY</u> be sent on. It is unlikely that the Town can require dispute resolution, but can offer it. (Most laws also call the committee a dispute resolution committee, not a grievance committee.)</p> <p>It should be clear that the attempted dispute resolution takes place prior to court action and prior to a determination by the Commissioner of Agriculture and Markets. This law establishes a role for the Town Board in this...if the dispute cannot be resolved and if both parties agree, the Town Board is authorized to resolve the dispute upon a report from the Grievance Committee. Putting the Town Board in</p>	<p>Move this section from the end of the law, to be after the disclosure statement section.</p> <p>This is a critical function of the RTF Law by establishing an avenue for local dispute resolution. This section has opportunities to be strengthened. Consider re-writing this section to reflect a dispute resolution process and remove the section that authorizes the Town Board to make a decision. This section should also reflect standard clauses such as that no legal counsel is allowed as part of the dispute resolution, and that any costs associated with the functioning of the committee process shall be borne by the participants.</p>

<b>Description/Comment</b>	<b>Recommended Strategy for Comprehensive Plan</b>
a place to make such a decision is problematic and not recommended. Legally, it is uncertain whether the Town Board has the authority to do this.	
The Law lacks a "Severability Clause". It should state that if any part of the law is found to be invalid or unconstitutional, that portion is deemed separate from the rest of the law which remains valid.	Add a severability clause.
Section 11. Posting of Law. The law requires posting of Right to Farm signs throughout the Town. Has this happened?	Ensure that Right to Farm signs are placed in appropriate locations throughout Town.

## **Audit of White Creek Mobile Home Law**

1. Definitions should be reviewed and updated. The definitions have changed significantly – as per federal law a mobile home is a manufactured home built PRIOR to the HUD standards (somewhere about 1978). Anything that has been built to meet the HUD standards is not a mobile home, but a manufactured home. Your definition of mobile home is quite vague and could include modular, panelized, and other kinds of manufactured homes.
2. Section 6, by referencing NYS Town law 274, requires all mobile home parks and travel trailer parks to undergo site plan review. It references however, the State law, and not the local site plan law in existence in White Creek. This should be amended to reference the Local Site Plan Law. Another issue is the reference to 274 – there is 274a which is Site Plan Review and 274b which is Special Use Permits. There is no Town Law that is 274 and this should be clarified which law it is referring to (it is assumed it meant site plan review).
3. The ordinance requires a report from both the safety inspector and the Planning Board to be completed and submitted to the Town Board. The Town Board is the decision-maker to issue a license or not. Upon receipt of the application, the Town Board has 90 days to make a decision. However, the Planning Board is assigned the job of doing the site plan review and it is unclear if 90 days is enough time for the Planning Board to do that process and the Town Board make its decision. In the middle all site plan applications are also referred to the County Planning Board for a mandatory 30 day review. The Town Board time frame should be from receipt of the site plan opinion from the Planning Board. Alternatively, the Town could consider removing the Town Board from the decision making process and just have the Planning Board conduct the site plan review and decision making. This would not only be more efficient, but would authorize the Planning Board to have the same role in decision making on mobile home parks as it does for subdivisions and other site plan reviews. See also Comment #8, below).
4. Section 6.7 indicates that the Town Board would issue a Certificate of Occupancy for the mobile or trailer travel park. It may not be feasibly legally for the Town Board to issue an occupancy permit. This would need to be researched.
5. The ordinance requires annual renewal of the license. This is acceptable provided that the Safety Inspector actually makes annual inspections to ensure that the provisions of the law are still being met.
6. The ordinance includes a fee schedule for the license. It is recommended that no local law or ordinance include the actual dollar amount of the fee but instead refers to a fee scheduled as established by the Town Board. In that way, the Town Board can review the fee structure of all its permits whenever it needs to and can update that without changing the local law.
7. Section 10 and 11 outline the specific requirements for a mobile home park and a travel trailer park. These seem adequate standards. No major issues were found. However, for

both mobile home parks and mobile homes located outside of parks (Section 12), some development standards may not be consistent any longer with the NYS Building code related to mobile homes – that should be reviewed and updated where needed. The NYS building code has very specific items related to the anchoring and pad construction. You may not need to repeat them in a local law. However, there may be other development standards you need to be consistent with.

8. Enforcement: This law establishes that the Town Board also issues a mobile home permit. Does the Town Board have any problem doing this review and issuing these permits? Have there been any issues in Town over this? This law might have been written before there was a planning board in Town, but it may be advantageous to have the review and approval done by the Planning Board. It is not recommend that the Town Board get involved with issuing these types of permits and is more appropriate to have the Planning Board conduct the review and issue the permit.

For mobile homes outside of parks, the Town Board still issues an occupancy permit. A far better way for the law to be written is for the Planning Board to approve the mobile home permit and then the Building Inspector/CEO issues the certificate of occupancy. It is uncertain if the Town Board even has the legal authority to issue a Certificate of Occupancy. Most towns have delegated that to the Building Inspector.

9. Section 18.1 says that if the Town Board finds a violation then it directs the Town Clerk to serve an order of remedy. Again, this is a very unusual role for the Town Clerk to play and it is recommended that this be changed to your town code enforcement officer (probably the building inspector). It is uncertain if it is legal to have the Town Clerk do this. This is a question an attorney should look at.
10. One area of concern raised in the mobile home law is that it singles out this particular type of single family home and treats it much differently than other types of single-family homes. Mobile home owners must go through both a permit process and a siting review process. The Planning Board may review siting issues during a subdivision approval, but owners who do not need to subdivide their land in order to build can simply go to the building inspector to get a building permit and then place their home anywhere at all. It should be pointed out that there are siting issues related to **all** homes built in town.

Some towns that do not have zoning use their site plan law for the review and siting of all residential structures. It is recommended that the Town of White Creek consider use of the existing site plan law to review the siting of all residential building envelopes. A residential site plan (similar to what is now required for mobile homes) would evaluate the placement of the building envelope. (A building envelope contains the areas on the parcel to be disturbed for the dwelling including the driveway, house site, and septic system areas.) Such a review would allow all single family houses, not just mobile homes, to go through a basic review to ensure that the goals of White Creek are being met. The comprehensive planning process is an excellent time to address this issue.

## **9.0 Appendix D. Maps**

Roads and Property Boundaries

Property Class

Protected Lands

Farmland Locations

Farmland Locations and Agricultural Districts

Farmland Soils

Farmland Prioritization

### **Maps in the Data Gathering Phase Report (Included in the Plan by Reference)**

School Districts

Parks, Trails and Conserved Lands

Agricultural Districts

Environmental Features

Existing Land Use

General Location

Agriculture in White Creek

Aerial Photograph

Hydrology of Southern Washington County

White Creek Election districts with Major Subdivisions from 1993 to 2005 Identified

## **10.0 Appendix E. Washington County Strategies to Grow Agriculture and Forestry**

The following strategies are excerpted from the Washington County Economic Development Strategic Plan related to promote the use of the County's available agriculture and timber.

### **Strategy 2.1 Proactively pursue agriculture development as a form of economic development by developing new markets and products.**

Action 2.1.1 Promote agriculture and rural lifestyle as important to the long-term economic health of Washington County.

Action 2.1.2 Target the County's economic development efforts towards the agricultural sector. This sector is already the focus of extensive investment and commitment by individuals, businesses, and the public sector. Agriculture should be fully integrated into the County's economic development policy and all significant public investment and economic development initiatives should consider the consequences to agriculture.

Action 2.1.3 Work with the Cornell Cooperative Extension, the Agricultural Stewardship Association and the Washington County Farm Bureau to market Washington County's unique agricultural resources to attract additional agribusiness and to retain existing farming operations.

Action 2.1.4 Improve and enhance agricultural marketing and agri-tourism marketing. Work with farmers to develop agri-tourism tours, such as visits to maple syrup farms, dairy farms, tree farms, fiber, etc.

Action 2.1.5 Work with the Cornell Cooperative Extension and the Washington County Farm Bureau to encourage local farmers to participate with the "With Pride from Washington County" program to enhance individual marketing efforts. This program allows farmers to utilize stickers, signs, promotional brochures, to promote Washington County agricultural products.

Action 2.1.6 Pursue non-dairy agriculture markets for new growth. The County must support and assist local farmers in site identification, land assemblage, and funding research to ensure that such facilities become a reality. Encourage the development of agribusinesses within the County. In agriculture, agribusiness is a generic term that refers to the various businesses involved in food production, including farming, seed supply, agrichemicals, farm machinery, wholesale and distribution, processing, marketing, and retail sales. Agribusiness refers to the range of activities and disciplines encompassed by modern food production.

Action 2.1.7 Partner with the Cornell Cooperative Extension to update the Washington County



Farm Fresh Guide using new GIS information to enhance marketing efforts of the local agricultural industry, including local roadside stands, farmers' markets, pick-your-own operations, nurseries and other agricultural items of interests such as fruit wineries, maple syrup, dairy, and herbs. Update the map to highlight annual seasonal tours such as the Maple Farm Tour hosted in March or the Washington County Fiber Tour in May.

Action 2.1.8 Seek grant funding from the NYS Department of Agriculture and Markets for the creation of Farmer's Markets Pavilions throughout Washington County.

Action 2.1.9 Work with the Greater Adirondack Resource Conservation and Development Council serving Washington County to further promote and protect the forestry and wood products industry in Washington County. The Council's mission is to promote the wise use of natural resources and enhance the economic vitality of the Greater Adirondack Area.

Action 2.1.10 Fully support the Agricultural Economic Development Specialist position in Washington County.

**Strategy 2.2 Support, sustain, and market the County's existing agriculture and Agro-forestry businesses.**

Action 2.2.1 Continue to promote the websites of Cornell Cooperative Extension, the Agricultural Stewardship Association, Adirondack Wood and the Washington County Farm Bureau that provide information to new and existing farmers, including but not limited to supportive agri-business information, Ag Economic Development Programs (AED), and grant opportunities for farmland protection to encourage and support new and existing farmers in Washington County. Utilize the websites to connect agriculture producers with each other on issues and topics. Expand the website to connect agriculture producers with the consumers through the "With Pride with Washington County" Program. All products purchased through the website should feature the program's logo, educating consumers of what is currently available and allow them to order the products direct from the local producers.

Action 2.2.2 Provide technical assistance to agri-businesses with taking advantage of marketing opportunities including online and mail order; sales to restaurants and specialty food stores; cooperative marketing; ethnic markets; subscription marketing and CSA farms (community supported agriculture); entertainment farming and agritourism; farm stands, roadside markets, and on-farm sales; pick your own; and farmers markets.

Action 2.2.3 Provide information to local farmers on the different mechanisms available to assist farmers in maintaining their properties. These include agricultural assessments, partial reduction in real property taxes for eligible NYS farmland, American Farmland Trust estate planning, and Farm Building Exemptions through NYS Office of Real Property Services (ORPS). Work with farmers to identify ways to reduce taxes.

Action 2.2.4 Work with local communities to promote agriculture and forestry industries.

Create natural partnerships between the agriculture and forestry industries with parks, historic sites, festivals, fee hunting, and bed and breakfast operations for business start-ups and enterprise development.

Action 2.2.5 Work with existing organizations, such as the Cornell Cooperative Extension and the Agricultural Stewardship Association, to implement existing programs, such as the Donation of Development Rights (DDR), the Purchase of Development Rights (PDR), the Agricultural Economic Development Program.

Action 2.2.6 Develop a County Open Space Plan to promote appropriate stewardship and maintenance of the County's public and privately owned lands.

Action 2.2.7 Continue to support the countywide Purchase of Development Rights (PDR) Program through the Agricultural Stewardship Association. Institute a transfer tax to fund the PDR Program.

Action 2.2.8 Inventory prime agricultural lands and vacant lands utilizing the expertise of the Agricultural Stewardship Association and updated GIS information. Identify and prioritize key properties throughout the County that should be preserved, as well as those properties that are most suitable for development. Utilize the inventory to apply for open space grants for the purchase of development rights from priority farms and open space properties.

Action 2.2.9 Encourage local communities to enact zoning, subdivision review, cluster subdivision regulations, scenic ridgeline protection overlays, and other land use regulations to preserve agricultural lands.

Action 2.2.10 Use available economic development tools to foster a viable agricultural economy. The agricultural industry can be supported through Agricultural Districts, agricultural tax exemptions, and any other appropriate tax exemptions. The County can apply for and facilitate the dissemination of loans and grants from State government agencies, as well as from quasi-government agencies, to local farmers. The County should apply for Grow-NY funding to assist business development whenever possible.

Action 2.2.11 Replicate Greenwich's Future Farmers of America program to facilitate relationship building between local educational institutions and the local agricultural community. Through the program students are introduced to the agricultural industry, while farmers benefit from the fresh perspective on target markets and marketing opportunities.

## **11.0 Appendix F. DEC Visual Addendum Used in a State Environmental Quality Review Act Process (SEQRA)**



## 12.0 Appendix G Resources

There are many resources available through federal, state, county, and private agencies. The following is a partial list of organizations and agencies that provide information, assistance, funding, or other support for farming and agriculture related activities. Many of the organizations listed below have multiple programs that are available, and each website should be thoroughly explored. The following are resources that may be most relevant to farms in Washington County:

Agricultural Marketing Resource Center ([www.agmrc.org](http://www.agmrc.org))

Agricultural Stewardship Association ([www.agstewardship.org](http://www.agstewardship.org))

Come Farm With Us In Jefferson County ([www.comefarmwithus.com](http://www.comefarmwithus.com))

Cornell Center For Food Entrepreneurship At The New York State Food Venture Center ([www.nysaes.cornell.edu/cecfe](http://www.nysaes.cornell.edu/cecfe)) see also A Technical Guide For Food Ventures: [www.nysaes.cornell.edu/necfe/pubs/booklet.html](http://www.nysaes.cornell.edu/necfe/pubs/booklet.html))

Cornell Community And Rural Development Institute Toolbox: ([www.cdtoolbox.net](http://www.cdtoolbox.net))

Cornell Community And Rural Development Institute (CaRDI): [www.cardi.cornell.edu/](http://www.cardi.cornell.edu/)

Cornell Cooperative Extension Washington County: <http://counties.cce.cornell.edu/washington>

Cornell Small Farms Program ([www.smallfarms.cornell.edu](http://www.smallfarms.cornell.edu))

Cornell Cooperative Extension: [www.cce.cornell.edu](http://www.cce.cornell.edu)

Environmental Protection Agency: [www.epa.gov](http://www.epa.gov)

Federal Grants: [www.grants.gov](http://www.grants.gov)

Market Maker (Food Industry Linking Agricultural Markets) ([www.bational.marketmaker.uiuc.edu](http://www.bational.marketmaker.uiuc.edu)). The New York Market Maker is ([www.marketmaker.uiuc.edu](http://www.marketmaker.uiuc.edu))

National Sustainable Agriculture Information Service: [www.attrancat.org/field.html](http://www.attrancat.org/field.html)

New England Small Farm Institute: [Http://www.smallfarm.org](http://www.smallfarm.org)

New York Agricultural Innovation Center ([www.nyaic.org](http://www.nyaic.org))

New York State Department of Agriculture and Markets ([Http://www.agmkt.state.ny.us](http://www.agmkt.state.ny.us)) and (<http://www.agmkt.state.ny.us/RelatedLinks.html>) and

New York City Watershed Agricultural Council: [www.nycwatershed.org](http://www.nycwatershed.org)

New York Farm Bureau: [Http://www.nyfb.org/](http://www.nyfb.org/)

New York Farm to Fork ([www.nyfarmtofork.org](http://www.nyfarmtofork.org))

New York Farm Viability Institute ([www.nyfvi.org](http://www.nyfvi.org))

New York Farmlink: [www.nyfarmlink.org](http://www.nyfarmlink.org)

New York State Department Of Agriculture And Markets: [www.agmkt.state.ny.us](http://www.agmkt.state.ny.us)

New York State Energy Research and Development Authority (NYSERDA):[www.nyserda.org](http://www.nyserda.org)

New York State Farmers' Direct Marketing Association: [www.nysfdma.com](http://www.nysfdma.com)

New York State Organic Resource Center: [www.agmk.state.ny.us/ap/organic](http://www.agmk.state.ny.us/ap/organic)

New York State Small Scale Food Processors Association: [www.nyssfpa.com](http://www.nyssfpa.com)

Northeast Organic Farming Association: [www.nofa.org](http://www.nofa.org) and

Northeast Organic Farming Association – New York: [www.nofany.org](http://www.nofany.org)

Northern New York Agricultural Development: [www.nnyagdev.org](http://www.nnyagdev.org)

New York Farm Net: [www.nyfarmnet.org](http://www.nyfarmnet.org)

Open Space Institute: [www.osiny.org](http://www.osiny.org)

Organic Alliance: [www.organic.org](http://www.organic.org)

Small Business Administration: [www.sba.gov/](http://www.sba.gov/)

Small Cities Program - Community Development Block: [www.nysmallcities.com](http://www.nysmallcities.com)

The Farmers' Market Federation Of New York: [www.nyfarmersmarket.com](http://www.nyfarmersmarket.com)

United States Department Of Agriculture (USDA): [www.usda.gov](http://www.usda.gov)

University of Vermont's Women's Agricultural Network: [uvm.edu/wagn](http://uvm.edu/wagn)

USDA Farm Service Agency (FSA): [www.fsa.usda.gov](http://www.fsa.usda.gov)

USDA Natural Resource Conservation Service: [www.nrcs.usda.gov/](http://www.nrcs.usda.gov/) or in New York: [www.ny.nrcs.usda.gov](http://www.ny.nrcs.usda.gov)

USDA Rural Business Programs: [www.rurdev.usda.gov/rbs](http://www.rurdev.usda.gov/rbs)

Value Added Producer Grant (Contact Is the Local Rural Development Office at 225 Dolson Ave. Suite 104, Middletown, NY 10940 At 548-343-1872, X 4)

Interns and internships may be located at a variety of web sites and organizations, especially through universities that offer agricultural programs. See also [www.agcareers.com](http://www.agcareers.com), [www.attra.ncat.org/attra-pub/internships](http://www.attra.ncat.org/attra-pub/internships), or [www.idealists.org](http://www.idealists.org).

## 13.0 Appendix H. Definitions

**Agritourism:** Activities conducted on a farm and offered to the public, or to invited groups, for the sale of agricultural products, education, recreation or active involvement in the farm operation. An agri-tourism activity may be secondary to the primary farm use on a property located in the RA District. Agri-tourism activities may be conducted in an accessory building or structure. Agri-tourism activities include, but are not limited to on-farm bed and breakfasts, farm stay programs, u-pick operations, and pumpkin patches.

**Aquifer:** An underground geologic formation that contains and transmits significant quantities of groundwater.

**Commercial Use:** Any activity involving the sale of goods or services carried out for profit; and other economic activities including mining, construction, manufacturing, transportation, communication, electric, gas, and sanitary services; wholesale trade; and any activity involving an office for conducting the affairs of a business, profession, service, industry or government; any use occurring on any commercial property.

**Conservation Easement:** A grant of a property right stipulating that the described land will remain in its natural or agricultural state and precluding future or additional development. Conservation easements are usually used for the preservation of open space, environmentally sensitive areas, scenic views, wetland buffers, or agricultural lands.

**Conservation Subdivision:** A residential subdivision where the dwelling units that would result on a given parcel under a conventional subdivision plan are allowed to be placed on the parcel in a flexible manner, where lot sizes, road frontages, and other bulk dimensions are allowed to be relaxed and where a majority of the remaining land is left in its natural open space condition in perpetuity. Conservation development results in a flexibility of design and development to promote the most appropriate use of land, to facilitate the adequate and economical provisions of streets and utilities, and to preserve the natural and scenic qualities of open lands.

**Density:** The ratio of lot area per family or dwelling unit on a lot.

**Environmental Assessment Form (EAF):** A form used to determine whether a project will have significant environmental impacts. Depending on the site's environmental features and the project's magnitude, either a short or full SEQRA Environmental Assessment Form will be completed.

**Floodplain or Flood Prone Area:** A land area adjoining a river, stream, watercourse, or lake, which is likely to be flooded.

**Open Space:** Land left in a natural state for conservation and agricultural purposes or for scenic purposes, devoted to the preservation of distinctive ecological, physical, visual, architectural,



historic, geologic or botanic sites. It shall also mean land left in a natural state and devoted to active or passive recreation. The term shall not include land that is paved, used for the storage, parking or circulation of automobiles, or occupied by any structure except agricultural buildings.

**Primary Conservation Area:** The area delineated in a conservation subdivision that has priority resource areas to be conserved including, but not limited to active farmlands, streams, floodplains, wetlands, critical habitats, and areas with slopes greater than 20%.

**Secondary Conservation Area:** The area delineated in a conservation subdivision that has secondary resource areas to be conserved including, but not limited to healthy woodlands holding important ecological functions such as soil stabilization and protection of streams, hedgerows and other vegetation features representing the site's rural past, historic structures or sites, and visually prominent features such as knolls, or hilltops.

**SEQRA Review (State Environmental Quality Review):** Review of an application according to the provisions of the State Environmental Quality Review Act, 6NYCRR, Part 617.

**Setback:** A minimum horizontal distance from a given point or line of reference, such as from a road edge or right-of-way, within which development is restricted.

**Subdivision, Minor:** As per White Creek Local Law #1 of 1993: Any subdivision containing not more than 2 lots, each fronting on an existing public street, not involving any new street or road or the extension of municipal facilities not adversely affecting the development of the remainder of the parcel or adjoining parcels, and not in conflict with any provision or portion of the Master Plan (if one exists).

**Subdivision, Major:** As per White Creek Local Law #1 of 1993: Any subdivisions not classified as a minor subdivision.