

TOWN OF GREENVILLE
COMPREHENSIVE PLAN
VOLUME I

A VISION FOR GREENVILLE'S FUTURE
GREENVILLE, ORANGE COUNTY, NEW YORK

May 2002

Prepared for:
Town Board of the Town of Greenville

Prepared by:
Town of Greenville Comprehensive Plan Committee
with Technical Assistance from
GREENPLAN INC.

TOWN OF GREENVILLE, NY

COMPREHENSIVE PLAN

Prepared by: Town of Greenville
Comprehensive Plan Committee

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Comprehensive Plan Completed: May 1, 2002

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The Greenville Town Board had the foresight to recognize the importance of developing a new *Comprehensive Plan* and was instrumental in its creation. The Town Board is commended for taking the steps necessary to ensure that present and future Greenville residents will continue to enjoy a high quality of life.

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The *Comprehensive Plan* was prepared by the Greenville Comprehensive Plan Committee, and received input from other Town Boards and Committees. The Comprehensive Plan Committee wishes to thank the Planning Board, Zoning Board of Appeals, Farmland Protection Committee, Fire Department, Police Department, Volunteer Ambulance Corps, Minisink Valley Central School District, Town Historian Catherine Ardler, and the Orange County Planning Department for their suggestions and for reviewing this plan.

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CHAPTER 1. EXECUTIVE SUMMARY

Vision Statement

The Town of Greenville is committed to preserving its rural countryside, scenic beauty, and environmental resources, while allowing residential growth and economic development compatible with the Town's rural character, and providing services and recreation for the community.

Greenville's *Comprehensive Plan* presents a vision for land use and development over the next 10 to 20 years. It prepares the Town for growth and development during this period and provides a reliable basis for public and private investment.

When the previous *Town of Greenville Comprehensive Development Plan* was prepared in 1968, 90 percent of the Town's 30.2 square mile total land area was vacant. Today, the total undeveloped land area is only 36 percent, or about 7,000 acres. The majority

of new development in the Town has occurred through the conversion of farmland into sprawling residential subdivisions and through development of scattered residences.

Chapter 2 of the *Greenville 2002 Comprehensive Plan* describes in detail the effect of the conversion of farmland to residential development on the tax base. Studies that have examined the relative costs versus revenues of certain types of land uses have consistently shown that farms are one of the best tax ratables because they generate significantly more revenues for local government than they require in services. Residential development, on the other hand, consistently generates significantly less in tax revenues than is required to provide services to residents. To ensure a stable tax base, it is important for Greenville to maintain a balance of agricultural and residential land uses as well as other non-residential and open space uses that contribute to the tax base.

1.1 DEVELOPMENT PRESSURES IN GREENVILLE

Maintaining a balance of land uses is also crucial for preserving Greenville's community character. Since 1970, Greenville's rate of growth has outstripped both Orange County's and New York State's, as shown on Figure 1. Although the Town's population base is rather small, totaling 3,800 in the 2000 Census, its position along Interstate Route 84 and within one of the fastest growing counties in New York State makes it vulnerable to significant residential development pressures. The New York State Legislative Commission on Rural Resources has established a threshold of 150 persons per square mile to define a rural community. Greenville was well within that measure at 103 persons in 1990. However, by 2000, Greenville

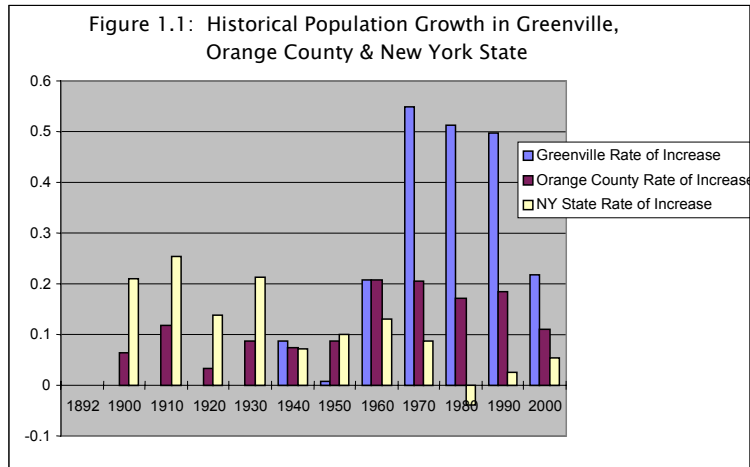
had 126 persons per square mile. This is a significant jump in population that, if unabated, will result in Greenville exceeding the Legislative Commission's rural threshold by 2010.

These findings were verified by a Population Projection conducted by The Saratoga Associates for the Town of Greenville in May 2001. That study was based on a "build-out" analysis of the Town. A build-out

analysis determines how much buildable vacant land exists in a community and estimates the potential impact of growth once all developable land has been converted to uses permitted under the existing zoning. A build-out analysis can help to measure the long-range effectiveness of zoning laws and visualize the pattern of growth such laws will produce. It also demonstrates the impact development may have on infrastructure and community resources.

The build-out analysis determined that Greenville currently has 4,278 acres of buildable vacant land.¹ Based on the current zoning, the study determined that Greenville could anticipate a population increase ranging from 67.5 percent to 168.9 percent by the year 2030.² The study concluded that Greenville must anticipate significant residential growth in the future, and a commensurable increase in costs for servicing this new growth. The current zoning, however, provides no direction about how big Greenville wants to be. Nor does it provide any direction about the Town's desired community. In other words, the current zoning, and the 1968 *Comprehensive Development Plan* on which that zoning is based, does not *plan* for Greenville's future.

Despite a recent surge of growth, Greenville is still primarily rural in character, with large tracts of open space and a significant critical mass of farmland. The overall



¹ Buildable vacant land consists of total buildable vacant acreage (in Greenville's case, 19,296 acres) minus wetlands and slopes greater than 16 percent.

² The range in figures depends on the environmental constraints of individual parcels. The projection that the estimated population increase will occur by the year 2030 is based on population trends in Greenville from 1940 to 2000.

goal of the *Greenville 2002 Comprehensive Plan* is to maintain the Town's rural countryside while allowing compatible growth at appropriate densities and in a range of choices. A wide variety of non-residential land uses and flexibility in the layout of new residential developments are the key features proposed. The *Comprehensive Plan* will allow Greenville to guide new development so that it maintains a stable tax base and preserves the existing rural character.

1.2 PREVIOUS PLAN

The previous *Greenville Comprehensive Development Plan* was adopted in 1968 as part of a regional plan for the Middletown Area. At that time, much of the planning that occurred throughout Orange County was based upon a suburban model. The pattern of development prescribed by that model was characterized by single-use districts, with uniform small- to medium-sized lot subdivisions dominating the landscape, and strip commercial development along highways.

Interestingly, the 1968 *Comprehensive Development Plan* did not entirely promote this type of development. The major goal of that *Plan* was to accommodate new development in a high- to medium-density community neighborhood in the vicinity of Smith's Corners. This area was planned to include a neighborhood center containing public facilities such as a Town Hall, park, and library, and a convenience shopping district serving the everyday needs of adjacent residential neighborhoods. Very low-density residential development was planned for the remaining open space areas of the Town. The 1968 *Comprehensive Development Plan* essentially called for a version of what is now known as "neo-traditional" or "smart growth", with a hamlet center accommodating the bulk of new development and a few homes scattered throughout the rest of the Town.

1.3 CHANGES IN THE PLANNING ARENA

There are a number of reasons why the previous *Comprehensive Development Plan* was not fully implemented. The proposed hamlet never materialized because the necessary investment in capital improvements in public water and sewer in this area were never made. The low-density residential development proposed for the other areas of the Town was implemented by formula with two-acre minimum lot size zoning. This density was not low enough to protect the Town's open space and rural character and, instead, has served to make parts of Greenville resemble suburban areas. As Greenville has experienced, single-family homes on medium acreage lots simply consume the landscape faster. Even larger lots of five to ten acres may not readily retain the Town's rural character, since such lots can be very

land consumptive as well. Lots of this size might help to protect the Town's open spaces, but they also present a number of other problems, including possibly precluding affordable housing.

Since the adoption of the 1968 *Comprehensive Development Plan*, innovative new planning techniques have emerged, and recent amendments to the New York State Town and other enabling laws affecting planning and zoning have been enacted that provide greater flexibility in the way land use is controlled. These changes can help Greenville accommodate new growth while retaining its rural character.

1.4 NEED FOR A NEW COMPREHENSIVE PLAN

The previous *Comprehensive Development Plan* promoted suburban-style residential development, allowing consumption of open space and farmland. The result has been that, since 1968, Greenville's open space lands have developed at a faster rate than its population. Residential subdivisions have eaten up open space and farmland. The loss of farmland and the lack of commercial and industrial growth have resulted in skyrocketing municipal and school district taxes.

Today, Greenville residents no longer favor this pattern of development. Many Greenville residents are concerned about the way their current *Comprehensive Development Plan* is changing the character of their Town. While recognizing the desirability of growth, residents also wish to preserve Greenville's rural character. In response to this new interest, the Greenville Town Board recognized the need for a new *Comprehensive Plan*. Citing a large increase in single-family building permit activity between 1997 and 1999, the Greenville Town Board enacted a blanket six month moratorium on new development in the Town in December of 1999. This was to provide the community with adequate time and "breathing room" to be able to update the Town's 32 year old plan without a rush to diligence by real estate developers. The Town Board also created a Comprehensive Plan Committee, composed of a cross-section of Greenville residents, and charged them with developing the *Comprehensive Plan* and accompanying Zoning to reflect the community's vision of Greenville in the new millennium.

1.5 THE PLANNING PROCESS

One of the first steps of the Comprehensive Plan Committee was to solicit input from the community. With technical assistance from the Town Planner, Ted Fink of GREENPLAN, Inc., the Comprehensive Plan Committee developed a Public Opinion Survey that was mailed to all 1,625 landowners in the Town. The survey

was also made available to residents at the Town Hall, where approximately 100 surveys were distributed. Every effort was made to ensure maximum participation from the community in the planning process. The public participation process was based on the premise that, when planning begins with a lively exchange of information and ideas, it will result in effective actions with broad support.

The Public Opinion Survey concentrated on issues relating to future growth and development in the Town, as well as protection of the natural and man-made environment. Over 425 residents (25 percent of the Town population) responded to the survey, an extraordinarily high percentage given that the typical response rate is only five percent. The results of the survey were compiled and presented at a community meeting in the Town Hall on February 22, 2000. Over fifty residents attended the meeting, where additional input on community issues was sought. The Comprehensive Plan Committee also met with individual organizations and special interest groups throughout the Town to solicit their input. The high level of public participation in the planning process indicates the commitment of Greenville residents to the future of their Town.

The Public Opinion Survey revealed a strong consensus amongst Greenville residents on issues pertaining to conservation. The vast majority of residents (in the ninetieth percentile) favored farmland and open space protection, and the preservation of natural and scenic resources. However, a clear mandate did not emerge on the issue of development. While the Public Opinion Survey indicated that Greenville residents have concerns about the way development is currently occurring in the Town, residents were divided about how new development should be patterned, particularly about its location and density.

To arrive at consensus on this issue, the Comprehensive Plan Committee sponsored a Community Image Survey. On March 14, 2000, approximately 50 residents attended a public planning workshop in the Town Hall where they rated a series of slides illustrating different types of development. The slides contrasted development styles and configurations, with emphasis on sprawl-type development versus more compact development. The survey was structured to elicit responses from participants on the following issues:

- 🗨️ Commercial development, including conventional strip development, town center development, and commercial use versus impact;
- 🗨️ Residential development, including both single-family neighborhoods and multi-family development;
- 🗨️ Ridgeline development; and
- 🗨️ Development impacts on scenic resources, such as meadows, woodlands, stream corridors, and viewsheds.

The Community Image Survey and the Public Opinion Survey allowed the Comprehensive Plan Committee to analyze and better understand both the problems and the potentials that exist in the Town. The 1968 *Greenville Comprehensive Development Plan* and the current Zoning were evaluated with this understanding in mind. Where the existing planning and zoning allowed the type of development that residents disliked, the Comprehensive Plan Committee considered ways to rewrite those documents to better reflect residents' preferences. The results of the two surveys, which are referenced throughout this *Comprehensive Plan*, can be found in the *Special Studies Supplement*.

1.6 PLANNING ASSISTANCE

Throughout the planning process, the Comprehensive Plan Committee invited resource people to provide information on the issues being studied. The Town Planner, Ted Fink, provided the Board with background information and data, and assisted with new and promising planning techniques. Information was gathered from previous plans, and studies by various agencies and organizations were consulted. Many of the Comprehensive Plan Committee members also served on various boards and committees of the Town. In addition, several of the members had professional expertise in the areas of discussion. The Committee met with a wide variety of interests groups, made up predominately of Town residents, for input on their specific needs.

Most importantly, the planning process was guided by the Greenville community who participated in the *Plan's* development. The *Comprehensive Plan* is designed to be a document that can be easily read and understood by these residents. Illustrations have been used throughout, and technical studies and analyses have been placed in a separate *Special Studies Supplement* where they can be read by those who wish to review them in detail.

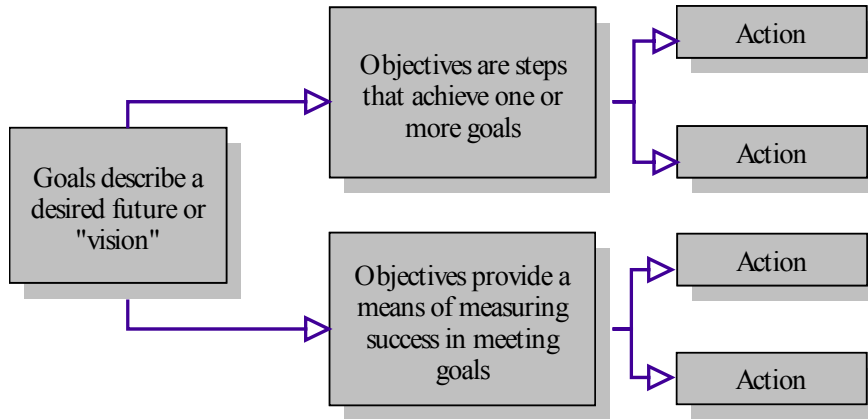
1.7 GOALS, OBJECTIVES, AND ACTIONS

The success of any planning process depends upon reaching a consensus on community goals. Objectives bring the community closer to achieving its goals, while actions assist in implementing objectives.

- 🔊 **A Goal** is a broad policy description of community desires for the future. It is a long-term end toward which programs or activities are directed.
- 🔊 **An Objective** is a specific intermediate end that is achievable in the short-term and progresses towards a goal.

📌 **An Action** is the specific program or project designed to implement an objective and ultimately achieve a goal.

The relationship between goals and objectives can be seen in the following illustration:



The goals presented below and discussed throughout the *Greenville Comprehensive Plan* were developed over many months by the Comprehensive Plan Committee. During the planning process, these goals were periodically revisited to provide continuous guidance in developing the *Comprehensive Plan*. The overall goals for the Town of Greenville are:

1. **Retain** agriculture as a dominant land use by conserving farmland and providing economic incentives for the local agricultural industry.
2. **Protect** and enhance Greenville’s natural, cultural, and historic resources for present and future generations to enjoy.
3. **Minimize** sprawl and conversion of open space by using innovative planning techniques to fit new residential subdivisions and single-family homes into the landscape.
4. **Encourage** economic growth to enhance the tax base, provide more local employment opportunities, and create convenience shopping.
5. **Create** an identifiable Town Center in the vicinity of Smiths Corners to allow for the development of fully integrated, mixed-use pedestrian oriented neighborhoods designed to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation.

6. **Ensure** that public facilities and services, including recreation, are adequate in location, capacity, and design to properly serve planned development and growth of the Town.

Objectives and actions were added to these goals as they were recommended by Committee members, residents, business people, planners, and other interested parties. Some of the recommended actions were undertaken while the *Comprehensive Plan* was under preparation to begin implementing those objectives of greatest concern to the community. The Comprehensive Plan Committee believed it was important to seize opportunities as they arose to ensure that the *Comprehensive Plan* would be a “living” document and would provide meaningful guidance to the Town. The objectives and actions to implement the goals for Greenville appear in Table 1 at the end of this chapter. The underlying themes embodied in the goals and objectives resulted in the Vision Statement for the Town of Greenville.

1.8 THE VISION STATEMENT

A vision statement is the formal expression of the overall image of how a community wishes to present itself in the future. The goals and objectives formulated during the planning process provide a basis from which the vision statement emerges. The vision statement developed for the Town of Greenville appears at the head of this chapter.

1.9 COMPREHENSIVE PLAN ELEMENTS

To achieve the community’s vision for the future of Greenville, the *Comprehensive Plan* focuses on six plan elements: retention of agricultural land and industry; natural and cultural resource protection; creative residential subdivision design; development of a Town Center; economic growth; and community facilities and services. Each of the six chapters on the *Comprehensive Plan* elements includes specific recommendations to achieve the community’s goals. Some of these recommendations are priority areas for immediate action, while others will require long-term strategies for future implementation. The recommendations made throughout the *Comprehensive Plan* are summarized in Table 1 at the end of this chapter. A guide to conservation subdivision design, called *Growing Greener*, appears in Appendix A of this *Comprehensive Plan*. The Recommended Land Use Map can be found in the back pocket of this document.

Background studies to the *Comprehensive Plan* have been included in a supplemental volume. These studies include the results of the Public Opinion Survey, the Community Preference Survey report, the results of the Greenville Farmland

Protection Committee farmer profile survey, cost-of-community-services studies, and a summary of national studies on the costs of sprawl versus compact growth.

1.10 SUMMARY

It is clear that Greenville residents want to preserve the rural character of their Town, particularly its cherished open spaces. However, residents also recognize that open space cannot be protected simply by prohibiting new growth. Growth cannot be *stopped* and a moratorium on new development cannot be instituted permanently. Nor is such a situation desirable. New residents can invigorate a community and contribute substantially to its quality of life.

Growth can and should, however, be guided. To guide growth properly, Greenville must make a conscious choice about the desired type and location of new development. Greenville has the option to continue to allow new development in the manner it is occurring today, with predominately single-family homes on medium to large lots consuming the landscape. A second and more desirable option is to encourage more compact development with large contiguous tracts of open space conserved. Concentrating new development in a Town Center, and using conservation design for new residential subdivisions will be two of the most effective tools for preserving Greenville's open spaces. By prioritizing areas for conservation and by designating other areas for development, Greenville can continue to grow while protecting its rural character. Based on input from the community image survey, the public opinion survey, topical planning workshops, and other public participation techniques, the *Comprehensive Plan* recommends that Greenville chose this second option.

AGRICULTURE		
GOAL	OBJECTIVES	ACTIONS
Retain agriculture as a dominant land use by conserving farmland and providing economic incentives for the local agricultural industry.	Expand the responsibilities of the newly established Greenville Farmland Protection Committee.	<ul style="list-style-type: none"> ✓ Appoint an agricultural representative to the Planning Board to advise the Board on issues pertaining to farming and farmland protection. ✓ Prepare an Agricultural and Farmland Protection Plan.
	Purchase or transfer development rights from farms to permanently protect agricultural land and compensate landowners for the equity in their land.	<ul style="list-style-type: none"> ✓ Apply for State and Federal funds to purchase development rights from participating farmers. ✓ Amend the Zoning to permit voluntary transfer of development rights from farmland to areas of the Town where greater density is desirable. ✓ Amend the Zoning to permit incentive zoning in the Town Center and establish a "resource bank" for funds to be allocated to purchase development rights from farmland.
	Encourage the economic viability of local agriculture.	<ul style="list-style-type: none"> ✓ Amend the Zoning to permit accessory businesses and recreational uses on farms. ✓ Promote "agri-tourism" and support continued production of an Orange County map listing farm stands, farm products, pick-your-own farms and other farms available for visits. ✓ Establish a farmers' market in the Town. ✓ Lower speed limits and install "Livestock Crossing" signs in the vicinity of working livestock farms to reduce the possibility of injury to livestock and drivers and to protect the Town against liability. ✓ Ensure farmers will continue to be issued burn permits necessary for farm related activities.
	Reduce land use conflicts between farms and residential development.	<ul style="list-style-type: none"> ✓ Adopt a local "right-to-farm" law. ✓ Add "ag notes" itemizing the "right-to-farm" law to all residential developments within 500 or more feet of a farm. ✓ Require vegetative buffer zones in new subdivisions contiguous to farmland. ✓ Use SEQOR more effectively to protect Greenville's agricultural heritage.
	Protect the Town's agricultural heritage.	<ul style="list-style-type: none"> ✓ Encourage farmers to take advantage of New York State's investment tax credits and Barns Restoration and Preservation Program for the rehabilitation of historic barns. ✓ Encourage the Minisink Valley Central School District to incorporate "ag in the classroom" in the elementary schools and to develop an Agricultural Education Program for the higher grades.
	Promote community awareness of the importance of agriculture to the Town.	<ul style="list-style-type: none"> ✓ Encourage residents to learn more about the economic benefits of preserving farms and farmland, particularly as pertains to tax revenue.

NATURAL AND CULTURAL RESOURCES

GOAL	OBJECTIVES	ACTIONS
<p>Protect and enhance Greenville's natural, cultural, and historic resources for present and future generations to enjoy.</p>	<p>Preserve groundwater and protect this important resource from pollution to ensure an adequate supply of safe drinking water for present and future needs.</p> <p>Protect wetlands to control flooding, maintain groundwater quantity and quality, and provide important plant and wildlife habitat.</p> <p>Protect scenic resources such as open space, scenic viewsheds, the Shawangunk Ridge, and scenic roads.</p>	<ul style="list-style-type: none"> ✓ Develop an aquifer overlay zone to protect Greenville's aquifer and recharge areas. ✓ Identify locations of high yielding wells that can be used to supply wells for public water systems. ✓ Protect all wetlands in the Town with a 150 foot buffer area.
	<p>Strengthen Greenville's sense of place by preserving and commemorating significant historic and archaeological structures and sites.</p>	<ul style="list-style-type: none"> ✓ Inventory the Town's natural, cultural and scenic resources and map the visual qualities that residents most value. ✓ Encourage cluster development, conservation subdivision design, and other "smart growth" techniques that allow for smaller residential development and permit the remainder of a parcel to be preserved as open space. ✓ Enact regulations to establish clear guidelines for future development and protection of the Town's ridgelines. ✓ Designate roads with significant natural, cultural and scenic resources and adopt a Scenic Roads Program to protect and enhance these corridors. ✓ Develop alternative standards for new subdivision roads to create new scenic roads in the Town and allow for greater flexibility in retaining the scenic qualities of the involved area. ✓ Join the Hudson River Valley Greenway and apply for planning and implementation funds from the Greenway to develop a <i>Comprehensive Open Space Plan</i> and a <i>Greenway Trail</i>. ✓ Support the efforts of local residents to commemorate local historic sites in Greenville with historic markers. ✓ Conduct an historic survey of the Town to identify individual structures potentially eligible for listing on the National and State Registers of Historic Places. ✓ Permit a wider variety of uses in historic structures, including agricultural buildings, to permit adaptive reuse of these structures and ensure the Town maintains its cultural heritage. ✓ Adopt illustrated design standards for planning, siting and construction of all new development, including such features as landscaping, signage, parking and lighting, to encourage innovations in design that reflect vernacular site layout and architectural styles. ✓ Revise the Zoning to specify appropriate locations and compatible architectural design and landscaping standards for franchise businesses. ✓ Carefully consider information on potential archaeological sites in the Town during SEQOR reviews of proposed developments. ✓ Inform the responsible State agencies when new archaeological sites are discovered in the Town.
	<p>Protect rare and endangered plant communities and animal species habitat in the Town.</p>	<ul style="list-style-type: none"> ✓ Give the Class 1 State Protected wetland associated with Binnewater Pond special attention if further development is proposed in the vicinity. ✓ Work with nonprofit environmental organizations and land trusts to purchase habitat areas that are extremely sensitive to any development.

RESIDENTIAL DEVELOPMENT		
GOAL	OBJECTIVES	ACTIONS
<p>Minimize sprawl and conversion of open space by using innovative planning techniques to fit new residential subdivisions and single family homes into the landscape.</p>	<p>Plan for new residential subdivisions that integrate open space into their design and protect the scenic and cultural resources that define Greenville's rural character.</p>	<ul style="list-style-type: none"> ✓ Amend the Town's cluster subdivision regulations to permit clustering in subdivisions of 10 lots or more, to broaden the list of environmental resources requiring protection, and to promote conservation subdivision design. ✓ Establish a standard of 50 percent or more protected open space in new subdivisions as a precondition for achieving full density. ✓ Adopt a GEIS to streamline the environmental review process for cluster subdivisions. ✓ Amend the Zoning to permit conservation density subdivisions, limited development subdivision design, and area based allowance zoning as alternatives to conventional subdivisions. ✓ Establish the position of Zoning Code Enforcement Officer for additional regulatory enforcement to meet the need of increased development activity in the Town.
	<p>Integrate new single family homes into the landscape.</p> <p>Create more options for the provision of affordable housing and housing for senior citizens.</p>	<ul style="list-style-type: none"> ✓ Adopt guidelines for the siting of single family homes, particularly on ridgelines, near open fields, and in forested areas. ✓ Permit apartments above commercial structures and allow greater density in residential streets in the proposed Town Center. ✓ Encourage development of two-family homes by allowing a reduced minimum lot size if the developer can demonstrate sufficient soil carrying capacity. ✓ Permit accessory units in single family homes and on single family lots. ✓ Create a new special use permit category that would allow developers to gain an increase in density in exchange for providing a certain percentage of affordable housing units. ✓ Adopt incentive zoning that would grant a density bonus to developers in exchange for providing affordable housing. ✓ Adopt a Senior Citizen Floating Zone and encourage the location of senior citizen housing in the proposed Town Center.

ECONOMIC GROWTH		
GOAL	OBJECTIVES	ACTIONS
<p>Encourage economic development to enhance the tax base, provide more local employment opportunities, and create convenience</p>	<p>Encourage development of small-scale retail and service businesses without detracting from the Town's rural character and scenic beauty.</p>	<ul style="list-style-type: none"> ✓ Permit small-scale retail and service businesses to locate in a new Town Center. ✓ Limit the length of commercial districts along roadways to stop strip commercial zones and instead, allow commercial development in greater depth with shared driveways and parking, high quality landscaping and architecture, and a mix of adjacent uses. ✓ Limit the square footage of new commercial development to prohibit large "big box" retail establishments. For community-sized retail uses, place them along with parking to the rear and a connected row of smaller more attractive storefronts set close to the road and along entrance drives. ✓ Adopt illustrated design standards for new commercial development to ensure that it is compatible with the Town's rural character. ✓ Appoint an Architectural Review Board to review project designs.

shopping.

<p>Encourage light industry in Greenville</p>	<ul style="list-style-type: none"> ✓ Determine suitable areas for light industry in the vicinity of Interstate 84. ✓ Adopt performance standards, special use permit provisions, and design standards for light industry to ensure it does not have adverse impacts on natural resources or community character.
<p>Encourage a wide variety of home occupations to promote economic vitality and diversity in the community.</p>	<ul style="list-style-type: none"> ✓ Amend the Zoning to a two-tier structure that distinguishes between home occupations that require a special permit (Class 2) and those that do not (Class 1) ✓ Adopt performance standards for Class 2 home occupations to protect the residential quality of neighborhoods in which they are established.
<p>Encourage Internet-based businesses in the Town.</p>	<ul style="list-style-type: none"> ✓ Establish a Telecommunications Task Force to determine which broadband access would be most feasible in the Town, and lobby for this service as quickly as possible.
<p>Promote agriculture and tourism.</p>	<ul style="list-style-type: none"> ✓ Include agri-businesses in all future economic development plans in the Town. ✓ Promote farmers markets and pick-your-own operations. ✓ Amend the Zoning to encourage development of inns, bed-and-breakfasts and other facilities serving tourists. ✓ Work with Orange Co. Tourism to promote Greenville as a "destination to stay." ✓ Establish Greenville as a tourism destination by permitting and promoting accessory farm businesses and by developing a Greenville Greenway Trail.
<p>Promote senior citizen housing as a form of economic development.</p>	<ul style="list-style-type: none"> ✓ Adopt a Senior Citizen Floating Zone and encourage the location of senior citizen housing in the proposed Town Center.
<p>Protect the Town from the impacts of undesirable businesses.</p>	<ul style="list-style-type: none"> ✓ Amend the Zoning to regulate Adult Uses to minimize their secondary adverse effects.
<p>Encourage economic development that maintains the rural and agricultural quality of life important to Greenville residents.</p>	<ul style="list-style-type: none"> ✓ Appoint an Economic Task Force to prepare and implement a comprehensive economic development strategy for the Town. ✓ Develop strategies to attract sector businesses and enterprise centers. ✓ Seek input from local entrepreneurs to identify and develop existing, small-scale local enterprises. ✓ Approach area banks to invest in Greenville's economic development. ✓ Set up a revolving loan fund to "jump start" local home-based businesses and to attract related out-of-town businesses to Greenville. ✓ Provide expertise to assist new businesses in the development review process. ✓ Review applications and recommend changes that will improve a project's compatibility with Greenville's long term goals.

TOWN CENTER		
GOAL	OBJECTIVES	ACTIONS
<p>Create an identifiable Town Center in the vicinity of Smiths</p>	<p>Establish a Town Center District, with appropriate design standards, to accommodate small-scale retail and service businesses in the vicinity of Smith's Corners.</p>	<ul style="list-style-type: none"> ✓ Amend the Zoning Map to designate a single TC District. ✓ Adopt TC District Zoning regulations and development guidelines, as recommended in Chapter 7.

<p>vicinity of Smiths Corners to allow for the development of fully integrated, mixed-use pedestrian oriented neighborhoods designed to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation.</p>	<p>Encourage development of the Town Center.</p>	<ul style="list-style-type: none"> ✓ Adopt a Generic Environmental Impact Statement for the TC District. ✓ Amend the Zoning to permit incentive zoning in the TC District. ✓ Establish a “resource bank” for funds generated by incentive zoning for the development of community water and sewer systems in the Town Center. ✓ Conduct a fiscal impact study to determine whether financing the provision of public water and sewer in the TC District through a municipal bond would be more beneficial to the Town in the long-term than the increased costs to service continued sprawling development. ✓ Encourage the Minisink Valley Central School District to locate a satellite elementary school in the Town Center. ✓ Negotiate with the US Postal Service to establish a Post Office in the Town Center. ✓ Invite speakers to Greenville who have experience in “neo-traditional” development. ✓ Market the Town to “neo-traditional” developers, and attract private investment. ✓ Develop a marketing plan to attract businesses that are compatible with the Town Center character. ✓ Consider establishing a “business improvement district” in the TC District.
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COMMUNITY FACILITIES AND SERVICES		
GOAL	OBJECTIVES	ACTIONS
<p>Ensure that public facilities and services, including recreation, are adequate in location, capacity, and design to properly serve planned development of the Town.</p>	<p>Increase recreational opportunities in the Town without increasing taxes.</p>	<ul style="list-style-type: none"> ✓ Plan for a townwide recreational trail system, with assistance from the Hudson River Valley Greenway, on land preserved through conservation subdivision design, density bonuses and easements. ✓ Identify the location of the planned trail network on the proposed <i>Open Space Plan</i> and Official Town Map. ✓ Develop the trail system by enlisting volunteers, and/or using funds derived from recreation fees assessed to developers. ✓ Provide a 3 to 5 foot wide shoulder for pedestrians and bicyclists on the Town’s main roads when they are repaved. ✓ Develop an overall long term recreation plan that evaluates present and anticipated future needs for recreational facilities in the Town, based on projected population growth. ✓ Review the Town’s recreation fee schedule and update it, if necessary, to mitigate the impacts of new residential development on the Town’s recreational facilities. ✓ Establish a dedicated fund for recreation fees for trail and new park development.

<p>Improve municipal and civic services</p>	<ul style="list-style-type: none"> ✓ Locate additional Fire Districts within the Town. ✓ Limit development on the Shawangunk Ridge where steep roads encumber accessibility. ✓ Obtain emergency vehicles that can better maneuver roads on the ridge. ✓ Install community water and sewer systems in the area designated for the Town Center. ✓ Establish a satellite elementary school in Greenville, preferable in the proposed Town Center. ✓ Work with the US Postal Service to establish a small post office in the proposed Town Center. ✓ Establish a small library that provides interlibrary loan services in the proposed Town Center. ✓ Encourage medical and professional offices to locate in the Town Center to provide easier access to these important services.
<p>Encourage volunteerism necessary to provide fire and emergency services, and recreational and cultural programs in the Town.</p>	<ul style="list-style-type: none"> ✓ Develop a brochure explaining the various Town committees and local facilities where volunteers are needed. ✓ Establish a "welcome wagon" program to welcome new residents to the Town and encourage them to volunteer in the community.

CHAPTER 2. GREENVILLE TODAY

Greenville is a small rural community located in the southwest corner of Orange County in the historic Hudson River Valley. The Town was originally part of the Town of Minisink. Minisink was one of the first towns in Orange County, and the Minisink Patent, which covered much of its land, dates back to 1700. The Minisink Patent placed the southern half of what is now Greenville in New Jersey. In 1774, the New Jersey claim line resulted in a land dispute between the two states which erupted into the New York/New Jersey Line War. When the dispute was resolved, all of what was to become Greenville was included in New York State. When Greenville incorporated in 1853, it included the hamlet of Minisink, which at that time had a post office, two churches, twelve houses, and a number of small shops, including a general store and a hotel. The surrounding countryside was primarily agricultural or forested.

Until recently, development pressures had bypassed Greenville. While only a few buildings remain from its original hamlet and the last of its three post offices closed in 1921, the Town experienced relatively little growth. Between 1940 and 1950, Greenville's total population increased by only 5 people. By 1968, when the Town's previous *Comprehensive Development Plan* was adopted, Greenville had only 500 dwellings and a population of only 1,303 persons.¹ Today Greenville is the second fastest growing community in Orange County.

2.1 POPULATION²

Over the past thirty years, population growth has been transforming Greenville from a predominantly rural-agricultural community to a suburban-residential community. The Town's remaining open space lands are currently facing strong pressure from development activity. The manner in which these demands are addressed will have a profound effect on the future character of the Town.

2.1.1 An increasing population

The Town of Greenville has experienced rapid growth in the last thirty years, as shown on Figure 2. In 1970, the population was 1,379 persons. By 1990, the

¹ This population was estimated by a special census conducted in 1967 for the 1968 *Greenville Comprehensive Development Plan*.

² All data in this chapter, unless otherwise specified, are from the US Census Bureau. Complete data referenced herein can be found in the *Special Studies Supplement to the Greenville Comprehensive Plan*. The most recent (2000) census information has been used.

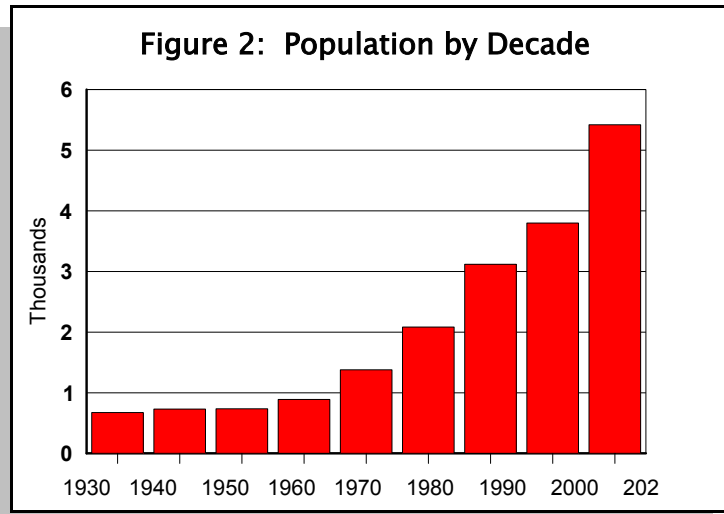
population had more than doubled to 3,120 persons, and the US Census Bureau year 2000 Census showed a population of 3,800 persons.

The rural nature of the Town is reflected in its population density which, in 2000, was 126 persons per square mile, one of the lowest in the county.³ However, between 1970 and 1990, Greenville's population increased 126.25 percent, making the Town one of Orange County's fastest-growing towns.

Moreover, continued growth is expected; the population projection for 2020 is 5,420 persons.⁴ This projected growth could create a density of 179 persons per square mile, which will exceed the New York State Legislative Commission on Rural Resources' threshold of 150 persons per square mile for a "rural" community. The continued growth in population will influence the demand for housing, services, utilities, recreation, roads, and shopping facilities in and around the Town.

2.1.2 A maturing population

The distribution of population by age groups in Greenville is important to determine which services will be needed in the future. Consistent with the statewide trend, Greenville has seen a decrease in the number of young people as a percentage of total population. In 1980, persons aged 35 and under comprised 58 percent of the total



**Table 2:
Changing Age Profile**

Age Group	Percentage of Total Population		
	1980	1990	2000
under 5	7.5	7.6	6.7
5-19 ⁵	24.6	22	26.1
20-34	25.9	23.3	15.1
35-54	24.6	31.5	34.8
55-64	7.5	6.3	8.6
65 and over	10	9.2	8.6
Total Population	2,085	3,120	3,800

³ In comparison, Orange County's population density in 2000 was 418 persons per square mile.

⁴ This projection was derived from a simple trendline analysis. Trendline analysis assumes that past and current population trends will continue into the future. This may or may not be the case and caution is urged in the use of this data. However, any other more detailed population projection technique to be employed now may not achieve more desirable results since accurate Census data is now over 10 years old and such techniques would be based largely on outdated information.

⁵ The 1980 and 1990 Census data grouped school age children from 5 to 17 years of age. Therefore, direct comparisons with 2000 data should take this Census Bureau change into account.

population in Greenville, in 1990, they comprised 52.9 percent, and in 2000, 47.9 percent. The number of school age children has also declined, although less dramatically, from 24.6 percent in 1980 to 22 percent in 1990. In 2000, school age population was 26.1 percent but the Census Bureau's age cohort changed from a 5 to 17 year old group to a 5 to 19 year old age group. This decline reflects the nationwide trend toward smaller household sizes, as discussed below.

However, unlike the statewide trend, which has seen an increase in elderly residents, this segment of the population has declined in Greenville, from 10 percent in 1980 to 9 percent in 1990. In contrast, persons age 65 and over in New York State comprised 20.16 percent of the total population in 1990. The decline in the number of elderly residents in Greenville may reflect a lack of housing options for senior citizens in the Town, forcing these residents to move elsewhere. Affordable housing is a major concern for senior citizens on fixed incomes. Smaller lots with less upkeep, and the desire to live in close proximity to other elderly residents are also housing determinants for this segment of the population. The need for senior citizen housing in Greenville is discussed in greater detail in Chapter 5.

The greatest increase in age groups in Greenville is seen in the "baby boom" generation. The baby boom, which occurred between 1946 and 1964, is reflected in the 36-54 year old segment of the population, which increased dramatically from 24.6% to 34.8% of Greenville's total population between 1980 and 2000. Baby boomers represent the largest segment of Greenville's population, and will have a strong voice in setting the community's priorities in the future. The growing number of baby boomers is reflected in the growth in single-family housing in Greenville. Moreover, as the baby boom generation enters retirement in the next 10 years, it will create additional needs for services for senior citizens, such as affordable housing, recreation, emergency services, and long-term care needs.

Finally, the maturing of Greenville's population is reflected in the median age of Greenville residents, which has risen from 31.1 years of age in 1980, to 36.1 years of age in 2000.

2.1.3 Increasing school enrollments

While the number of school age children has not significantly increased as a percentage of Greenville's total population since 1968, the growth in Greenville's population has been accompanied by an increase in the number of children enrolled in school. In 1999-2000 there were 837 students from Greenville enrolled in the Minisink Valley Central School District. This has increased to 876 in 2000-2001.⁶ Resident live births have also increased dramatically in Greenville from 18 a year in

⁶ Source: Minisink Valley Central School District.

1970 to 36 a year in 1995.⁷ Total enrollment in the Minisink Valley Central School District has been increasing an average of two percent per year for the last five years.

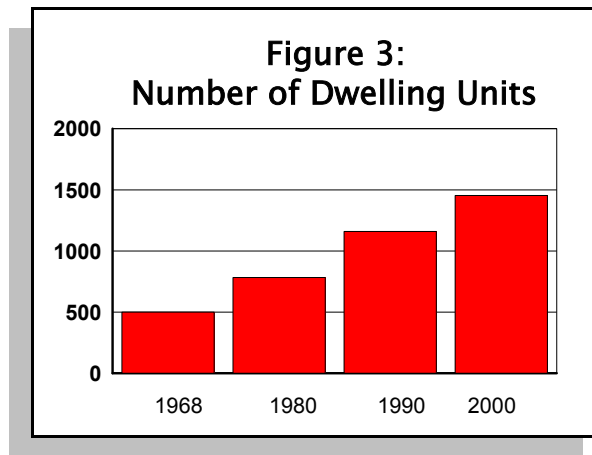
2.1.4 A predominantly middle income population

The median household income in Greenville in 1990 was \$41,025, which was slightly above the countywide median of \$39,198. The percentage of persons below poverty dropped from 9.9 percent in 1979 to 5.4 percent in 1989. This was well below the 1989 countywide level of 9.3 percent. Income for 2000 should be updated when the 2000 Census data become available.

2.2 HOUSING

2.2.1 An expansion of housing stock

In 1968, when the previous *Comprehensive Development Plan* was adopted, there were approximately 500 housing units in Greenville. In 2000, the Town housing stock totaled 1,365. This represents an increase of 173 percent. Between 1990 and September 2000, Greenville issued 284 single-family home building permits and 10 two-family building permits. The greatest increase occurred in 1999 when 49 single-family building permits were issued. The Planning Board is currently reviewing a number of new subdivisions, and many previously subdivided lots are now being developed.



In 1990, Greenville's housing was dominated by single-family homes, which comprised 82 percent (948 units) of the housing stock. The remainder of housing in the Town consisted of 65 multi-family homes (of 2 to 4 units each), and 147 mobile home units, trailers, or units designated as other. Occupied units accounted for 88 percent of Greenville's housing, with the remainder being either vacant, or used for seasonal or occasional purposes.

⁷ Source: New York State Office of Biostatistics.

2.2.2 Decreasing family size

The housing stock increased at a greater rate than the population, which grew by 175 percent between 1970 and 2000. This condition reflects the nationwide trend toward smaller-sized households. The average household size in the Town has fallen from 3.61 persons per unit in 1960 to 3.09 in 2000.

2.2.3 Ownership

Of the total housing units in the Town in 2000, 87.4 percent were owner-occupied and 12.6 percent were renter-occupied. Approximately four (4) percent of Greenville's housing units were for seasonal, recreational, or occasional use in 2000. In contrast, the 1968 *Comprehensive Development Plan* states that a "substantial portion" of Greenville's single-family homes were seasonal. This change reflects the growing number of people who are making Greenville their permanent home.

2.2.4 Housing costs

The median value of owner-occupied housing in the Town skyrocketed from \$44,300 in 1980 to \$145,000 in 1990. In both years, the value of Greenville's owner-occupied housing was above the county median; however the Town's 1990 increase from the previous decade was 3.5 percent less than the County's. Despite this indication that the rise in median value is leveling off in Greenville, the percentage of moderately priced housing is limited, and Greenville faces a growing need for affordable housing.

Greenville has a responsibility as well as an economic need to provide for the development of affordable housing. The *Orange County Comprehensive Plan* suggests that affordable housing is the responsibility of each municipality. While low and moderate income housing requires government subsidies, local communities must still be the applicants for these funds and must encourage local sponsors of these projects. The *County Plan* also indicates that urban areas, such as existing and new village centers, are expected to absorb this type of housing. To protect the county's scenic character, the *Plan* states that rural areas should be "*only for farm related dwellings and custom built homes on lots in excess of two acres.*"⁸

The median value of Greenville's contract rent rose from \$318 in 1980 to \$456 in 1990, a 43.4 percent increase. However, the county's median rent increased 94.3 percent, from \$264 in 1980 to \$513 in 1990. Thus the median value of Greenville's

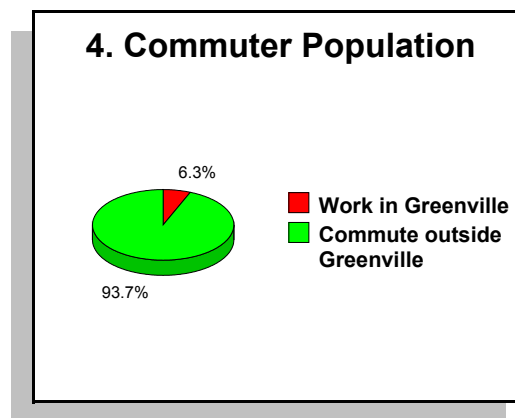
⁸ The original *Orange County Comprehensive Plan* called for a minimum lot size of one acre. However, the 1988 *Amendment to the Comprehensive Plan*, which focuses on *Preserving Scenic Qualities in Orange County*, suggests a minimum lot size in rural areas of two acres, exclusive of natural constraints.

contract rent, which was greater than the county's in 1980, was less than the county's in 1990. This decline indicates there is less of a demand for rentals than for single-family home ownership in Greenville.

2.3 ECONOMIC CHARACTERISTICS

Knowledge of the extent and character of Greenville's current economic conditions, including employment and tax rates, is a prerequisite for forecasting many aspects of community development. At present, the level of economic activity in Greenville is small. For the most part, Greenville's residents are employed outside the Town.

Economic activity in the Town is limited to agriculture, home occupations, and scattered commercial establishments. The Town has no industrial sites,⁹ no major shopping district, and no commercial office space. Expanding employment opportunities in Greenville will enhance the tax base and provide a better quality of life for its residents. However, it is important that this growth occur in a manner that is consistent with the Town's major goals, particularly the protection of rural character.



2.3.1 A large number of commuters

Greenville has a large commuter population. According to the 1990 Census, 93.7 percent of the employed population commuted to jobs outside the Town. The majority of these (79.5 percent) commuted to jobs in Orange County, while 1.9 percent worked outside the County, and 8.6 percent worked outside the State. The vast majority of these commuters travel by car.

Interestingly, Greenville's commuter population has declined slightly since 1980, when 95.6 percent of Greenville residents worked outside the Town. This decline may result from the growing number of people who are now working out of their homes, particularly by telecommuting. Nonetheless, Greenville's large commuter population, which is the second largest in the county, is indicative of the shortage of local employment opportunities in the Town.

2.3.2 Shift from a manufacturing work force

Reflecting the countywide trend, employment in Greenville is shifting away from manufacturing to the non-manufacturing sector. Manufacturing as a percent of total employment dropped from 18 percent in 1980 to 13 percent in 1990, a 27 percent decline

⁹ The amount of land in industrial use in the Town has decreased since 1968.

in that category. The greatest decline in any single category occurred in farming, which fell from 5.9 percent of total employment to 2.7 percent, a 54 percent decline. The greatest increases were in construction, real estate/finance/insurance, transportation, and public administration, in that order. The employment decline in farming and the increases in construction and real estate are reflected in the conversion of land uses in Greenville from agriculture to residential, discussed below.

2.3.3 Major industries

Agriculture is Greenville's sole major industry. Most of Greenville's agricultural land is devoted to dairy, with the remainder consisting of beef, vegetables, sheep, hay, and replacement heifers. While dairy farming has declined in Greenville in recent years, the Town still has a significant block of working farms. Moreover, the majority of Greenville's farmers plan to continue farming for as long as possible, and about half of them have children who may continue the farming operation in the future.¹⁰

Industries, such as agriculture, that produce a product that can be exported to other towns or regions are important to a rural economy. Export-based businesses bring money *into* a town, and they have significant growth potential because they serve a broader market than the local community. Since the local community is small, businesses that serve only this market do not have as much opportunity for growth. For these reasons, the strength of Greenville's economy depends in part on retaining its agricultural base. Agriculture also contributes to Greenville's scenic and rural character, and is an important part of the Town's heritage. Strategies to enhance Greenville's agricultural industry are discussed in Chapter 3.

2.3.4 Unemployment rate

In 1980, Greenville had the highest unemployment rate in the county with 11.2 percent of the workforce unemployed. In 1990, five (5) percent of the labor force was unemployed.

2.4 TRANSPORTATION NETWORKS

Transportation refers to the movement of people, goods, services, and information. It is a term that covers various modes of getting around, including driving, walking, bicycling, public transportation, and telecommuting. The condition of a community's transportation networks impacts its quality of life.

¹⁰Source: Town of Greenville Farmland Protection Committee *Farmer Profile and Survey* (2000). The survey and results can be found in the *Special Studies Supplement* to the *Greenville Comprehensive Plan*.

2.4.1 Regional road networks

When the previous Greenville *Comprehensive Development Plan* was adopted in 1968, Interstate 84 had not been completed. Completion of this major corridor provides excellent access to Port Jarvis and Middletown, where many Greenville residents shop and work, as well as to points further west and east. Better access to regional employment centers has made Greenville a more desirable place to live. The tremendous residential growth that Greenville has experienced since the previous comprehensive plan was adopted can be attributed, in part, to the completion of this corridor.

Other major corridors that provide regional access to Greenville include State Route 6, which runs northeast-southwest, combined County Route 35 (Mountain Road)/County Route 55, a north-south route, and County Route 1, an east-west route.

2.4.2 Town roads

Greenville has a responsibility to maintain and serve approximately 58 miles of Town roads. The majority of these roads are paved. In the Public Opinion Survey, residents were split on the need to upgrade unpaved roads in the Town, with 43 percent favoring a road upgrading program, and 40 percent opposed. Seventy-eight percent of survey respondents live on paved roads, while 21 percent live on unpaved roads. The majority of respondents (54 percent) said some secondary roads in the Town should remain unpaved. Greenville also has many miles of scenic roads, and 65 percent of respondents felt the Town should establish a scenic roads program to preserve the beauty of these roads. Steps to accomplish this are discussed in Chapter 4.

2.4.3 Alternative transportation

Conventional land use planning separates residential, commercial and other uses, which results in an increased reliance on cars as the sole means of transportation. The ensuing traffic congestion and loss of opportunities for social interaction have threatened the quality of life in many communities. Air quality is also affected by excessive vehicle traffic; according to the US Environmental Protection Agency, Orange County is a non-attainment area for ozone. As Greenville continues to grow, it should take steps to promote alternative modes of transportation where feasible, such as walking, bicycling, and telecommuting, to avoid these problems.

At present, Greenville has no formal network of trails, and no Town Center with walkable streets. Recommendations for promoting alternative transportation, such as developing walking and bicycling trails, paving county road shoulders for bicyclists, developing a Town Center with well-designed streetscapes that encourage social interaction, and lobbying for high-speed Internet access in the Town, are made in Chapters 4, 6, and 7 of this *Comprehensive Plan*.

2.5 LAND USE

The high percentage of natural, open space, and agricultural lands gives Greenville the scenic beauty that is so valued by its citizens. When the 1968 *Comprehensive Development Plan* was prepared, ninety percent (17,690 acres) of the town's total land area was vacant. Today, only 36 percent, or 7,000 acres of the Town's total land area is undeveloped. The majority of new development in the town has occurred through the conversion of farmland into sprawling residential subdivisions and through development of scattered residences. The continued demand for new housing, and the economic hardships of farming are the two major trends shaping land use changes in the Town. Existing land use in the Town is shown on Map 1 at the end of this chapter.

2.5.1 Projected effects of current trends

In 1968, only 2.8 percent of the Greenville's total land was residential. Today, 33 percent of the Town has been developed for residential use. Moreover, land in Greenville is being consumed at a faster rate than population growth. In 1968, the population was estimated by a special census at 1,303 persons living on 550 acres of land devoted to residential use, a density of 2.6 persons per acre. In 2000, the estimated population is 3,800 persons living on 6,408 residential acres, a density of 0.6 persons per acre. Based on the 2020 population estimate of 5,420 persons, and using the year 2000 density rate of 0.6 persons per acre, an additional 927 acres of open space will be converted to residential use in twenty years' time. Thus, at the current rate and pattern of development projected through the trendline analysis (for which caution is urged in the use of these figures), in the year 2020, 38 percent of Greenville's total land will be in residential use, and only 52 percent will be open space, an enormous decline from 92 percent open space in 1968. This will have a profound effect on the Town's rural character, need for services, and municipal costs.

2.5.2 Natural Constraints

The analysis of the Town's physical conditions conducted in 1968 indicated that nearly 7,000 acres of land, or 37 percent of the total land area of Greenville had various limitations restricting development. These limitations include steep slopes

Category	Percentage of Total Land Area			
	1968	1985	2000	2020 ¹¹
Vacant and Agricultural	91.7%	70%	57.23%	52.33%
Residential	2.8 %	25%	33.2%	38.24%

¹¹ As projected from the trendline analysis. Caution is urged in the use of this figure.

(15 percent or greater), wetlands, floodplains, lakes, streams, shallow soils with poor permeability, and soils with shallow depth to bedrock.

The Town's physical constraints, particularly the Shawangunk Ridge in the western portion of the Town, present opportunities to enhance the rural environment. However, the presence of wetlands around the Interstate Route 84 Interchange limits the potential for significant light industrial development in this area of the Town. Access to interstate highways is one of the key determinants for new light industrial development, as is an area that is not in close proximity to existing residential uses. The scattered residential development that has occurred in Greenville in the last two decades makes it difficult to locate an ideal alternative area for light industry that would not conflict with existing residential uses.

CHAPTER 3. AGRICULTURAL LAND AND INDUSTRY

Community Goal

Retain agriculture as a dominant land use by conserving farmland and providing economic incentives for the local agricultural industry.

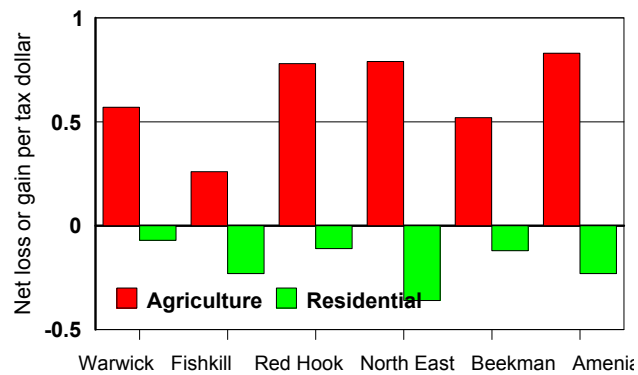
Greenville has a significant block of agricultural land. While dairy farming has declined in recent years, agricultural uses still comprise approximately one-quarter of the land in the Town. Maintaining a critical mass of farmland is one of the most important determinants for agriculture's survival in Greenville. Farming in the midst of subdivisions is virtually impossible, and a large number of farms is necessary to ensure the availability of

agricultural services to support the industry. In the public opinion survey, 93 percent of Greenville residents said that protecting agriculture in the Town was important.

Farming is a vital industry that makes significant economic, social and cultural contributions to Greenville. Farming, without a cost to the community, preserves the scenic roads, historic sites, and spectacular views that make Greenville so attractive. Redirecting growth and at the same time preserving agriculture can make Greenville even more attractive while enhancing the value of homes.

Moreover, *cost-of-community-services* studies prepared in other Hudson Valley communities show that agriculture makes a significant contribution to the tax base. According to a recent study, the Town of Warwick reaps an average net gain of 57 cents for every dollar a farm contributes in taxes. In contrast, residential development results in an average net loss of 7 cents per tax dollar

**Figure 5:
Cost of Community Services**



contributed. This disparity occurs because residential development, unlike agriculture, costs more in services than it provides in taxes. One reason for this is that “*cows don’t go to school.*”¹

In the Public Opinion Survey, Greenville residents frequently expressed concern that the proliferation of new residential development is increasing their taxes. If farmers are forced to plant houses instead of crops, Greenville’s taxes will continue to rise. Maintaining a balance of agricultural and residential land uses will ensure a stable tax base. To achieve that balance, steps must be taken to retain Greenville’s agricultural land and industry. The best way to ensure the future of agriculture in Greenville is to increase farmers’ options so they can protect their land and enhance their businesses.

3.1 FARMLAND PROTECTION

3.1.1 Farmland Protection Committee

The Town Board recently appointed a Farmland Protection Committee to assist the Town with development of conservation techniques to protect farmland. This Committee will serve as an active liaison between the Town government and the agricultural community. It will also network with local farmers to help them take advantage of available tax opportunities, programs, and land use options.

In addition, the *Comprehensive Plan* recommends that one member of the Planning Board should be an agricultural representative. This representative would advise the Planning Board on issues pertaining to farming, such as buffering and conservation subdivision design, as discussed in Chapter 5.

3.1.2 Greenville Agricultural and Farmland Protection Plan

One of the primary tasks of the Farmland Protection Committee is to help the Town prepare an Agricultural and Farmland Protection Plan. In 1992, New York State gave local governments more responsibility to develop plans and strategies to enhance agricultural and farmland protection programs. These new rights were contained within the amended New York State Agricultural Districts Law. Greenville is taking advantage of this opportunity by preparing an Agricultural and Farmland Protection Plan.

The preparation of a local agriculture plan began with a survey of Greenville farmers. The *Greenville Farmer Profile and Survey* asked farmers how long they have been farming in the Town, how long they plan to continue farming, and whether they plan to buy or sell farmland in the future. Information was gathered about factors that hinder or help

¹ Two recent studies conducted in five Dutchess County towns reach similar results. On average, these towns reap a net gain of 64 cents for every dollar a farm contributes in taxes, and lose 21 cents per tax dollar for residential development. These studies are referenced in the Town of Warwick Cost of Community Services Study, which appears in the *Special Studies Supplement* to the *Greenville Comprehensive Plan*.

farming. The survey also asked farmers for their suggestions on how to retain Greenville’s agricultural land and industry. These suggestions became the basis for the recommendations in this *Comprehensive Plan*.²

The survey results indicate that:³

- 100 percent of farmers are strongly in favor of Greenville adopting a local “Right-to-Farm” law.
- 100 percent of farmers are strongly in favor of more flexible land use and zoning regulations to ensure the survival of Greenville’s agricultural industry. As one farmer wrote, “*if we want farmers to remain in Greenville, we have to find creative ways to help them.*”
- 90 percent of farmers expressed interest in New York State’s Purchase of Development Rights Program.
- 100 percent of farmers are in favor of Greenville preparing an Agricultural and Farmland Protection Plan.

One advantage to adopting a local agriculture protection plan is that it will give Greenville priority in applying for State and Federal money for purchase-of-development rights. Communities that demonstrate a strong commitment to the future of agriculture are more likely to receive funding to protect farmland. Equally important is the commitment of Greenville farmers to the future of agriculture in the Town. The *Greenville Farmer Profile and Survey* indicates that 70 percent of Greenville’s farmers plan to continue farming for as long as possible, and about half of them have children who may continue the farm operation in the future. Sixty percent of farmers surveyed stated that they did not plan to sell farmland in the next five years; of those who did plan to sell, the main reason was “only if I have to.” Moreover, 30 percent of farmers plan to buy land in the next five years to expand their farming operation. This commitment warrants development of a Greenville Agricultural and Farmland Protection Plan, and will assist the Town in securing funding for purchase-of-development rights.

3.1.3 Purchase of Development Rights

The purchase of farmland conservation easements, frequently known as Purchase of Development Rights (PDR), preserves farmland through direct compensation to landowners for some or all of the equity in their land. Under a PDR arrangement, the farmer sells the development rights and receives compensation for the restrictions placed on the land. The farmer retains title to the land and can sell or bequeath the land to others. The conservation easement is attached to the land in

² The *Greenville Farmer Profile and Survey* and *Survey Report* can be found in the *Special Studies Supplement* to the *Greenville Comprehensive Plan*.

³ Additional survey results are referenced in pertinent sections of this chapter.

perpetuity, often prohibiting residential development except for the owners, their children or farm laborers.

The goal of PDR is to preserve both farmlands and farming. The tool provides long-term protection of farmland. The farmer can use the capital gained from the sale of development rights to repay debt, reinvest in equipment, or for other purposes. The program is voluntary and can be implemented at the local, county or state level.

The most important consideration in using PDR is prioritizing which farmland to preserve. The decision should be based on the significance of land to the practice of agriculture. When preparing for such a program, a town should always consider the productivity of soils for farming. Other important factors to look for include a critical mass of farms within the Town to maintain the rural fabric and viability of farming within the community, and economic factors that show the overall stability of agriculture.

The use of other planning techniques, such as Cluster development, Conservation Subdivision Design, and Limited Development Subdivision, can also serve to protect farmland in Greenville. These planning techniques are discussed in Chapter 5. The agricultural representative on the Planning Board could assist with implementing these recommendations.

3.1.4 Density Transfer

Another potential farmland protection technique is the use of a density transfer program. This is a voluntary means of transferring development rights among two or more property owners, but within the overall density standards of the Town's zoning regulations. The transfer of development rights (TDR) makes it possible to limit development in one area (called the Sending District) where there is an important resource, such as active farmland or significant open space, and transfer those development rights to another area (called the Receiving District) where there are little or no impediments to higher density. The density is transferred from a "sending" parcel to a "receiving" parcel. The sending and receiving parcels do not have to be contiguous.

By creating receiving parcels as markets for the sale of unused development rights in the sending parcels, a TDR program encourages the maintenance of agriculture and other sensitive features of the designated sending parcels. When the owner of a sending parcel sells development rights to the owner of a receiving parcel, the purchaser increases the development rights beyond otherwise permissible limits, and the selling landowner places a conservation easement on the original property limiting further development. In this way, the Town can protect resources of critical importance to its citizens while providing a mechanism to compensate sending area landowners for any diminution in land development potential.

A special permit application for a density transfer would be required from the Planning Board and both property owners would sign the application. The selling landowner

would first have to demonstrate to the Planning Board the ability to develop the number of lots under the present zoning code on the property for which the development rights will be sold. The receiving property owner would get a density credit for the additional building lots.

In addition to the landowners demonstrating to the Planning Board that all of the Town's special permit standards have been met, they would also need to demonstrate that:

- The transfer of density units to the receiving parcel will not adversely affect the surrounding area.
- The density transfer will benefit the Town by protecting open space of conservation value.
- The density transfer is consistent with the Town *Comprehensive Plan* and Zoning Law.
- A conservation easement must be executed on the sending parcel reducing the number of dwelling units by an amount equal to the number of units transferred to the receiving parcel.

3.1.5 Incentive Zoning

If a developer wishes to receive a density credit but there is no selling landowner available at the time, the developer could make the equivalent cash payment to a "resource bank" which the Town could use for purchase of development rights in the future. This can be established through a mechanism called "incentive zoning", which is permitted under § 261-b of New York State Town Law.

Incentive zoning encourages developers to provide community benefits or amenities in exchange for increased density. Incentives that may be offered to developers include increasing density by allowing more residential units or a greater building floor area than the Zoning otherwise permits. These incentives are given in exchange for the developer providing community benefits, such as open space, parks, affordable housing, community sewer and/or water, or "*other specific physical, social or cultural amenity of benefit to the residents of the community.*" Where it is not feasible or practical for these benefits to be provided directly, the developer may make a cash payment to the Town in lieu of the benefit. This sum would be held in a trust fund or "resource bank" to be used exclusively for the specified benefit or amenity.

Since it appears that residents would like to establish a Town Center in Greenville, that area of the Town could be identified as one where zoning incentives were permitted. In exchange for developing this area at a greater density, the developer would provide the Town with a cash payment that could be earmarked for purchase-of-development rights from participating Greenville farms. The developer

would have to demonstrate the same list of requirements as in a density transfer. The conservation easements on the farm could be held and monitored by a local land trust. The Town could hold third party enforcement rights or could hold the easement if appropriate legislation were enacted.

This program has two advantages; it is entirely voluntary, and it benefits both the developer and the Town. The developer would gain the economic advantage of greater density, and the Town would benefit from protecting farmland. In fact, the Town would benefit in two ways from this program because it would achieve two of the main goals favored by Greenville residents--to establish a Town Center in Greenville and protect the Town's open space.

3.2 PROMOTE AGRICULTURE AS AN INDUSTRY

To preserve Greenville's working landscapes, not only farmland but farming itself must be protected. If the land is protected, but the farms go out of business, Greenville will lose its largest industry and a major contributor to its tax base. The *Comprehensive Plan* presents a number of possible strategies that can play a role in promoting farming in the Town. No single technique will do the whole job; each plays a role in achieving the desired result.

3.2.1 Accessory Farm Businesses

Greenville farmers are competing in an international market. Food imported from other countries with significantly lower labor costs and lower or nonexistent property taxes place local farmers at a disadvantage. Greenville farmers should be permitted to supplement their farm income by operating small-scale businesses compatible with farming on their properties. The *Comprehensive Plan* recommends that Greenville farmers be permitted the following four types of accessory farm businesses:

1. *Accessory Retail Businesses*

Pick-your-own" operations, road stands and farm markets, wineries, greenhouses, food processing facilities, inns, Bed and Breakfasts, and other low impact endeavors will improve a farmer's prospect for economic success. Permitting these accessory businesses will provide flexibility to farmers in the use of their existing buildings to generate income.

To ensure that new accessory farm businesses are compatible with other land uses, it will be essential to recognize that their impact on the community is more important than the actual use. Thus, any zoning changes that would permit a variety of accessory farm businesses should also include the development of performance standards so that these new uses do not negatively affect their neighbors or the Town.

2. *Recreational Uses*

Recreational uses can strengthen the financial viability of farming and ensure that agricultural soils are protected for future generations. Passive and non-motorized outdoor recreational uses that are clearly related to agriculture or to the enjoyment of nature and open space and that coexist with, not replace, agriculture, should be permitted on farmland properties under the Town's Zoning Law. These activities might include fishing, cross-country skiing, camping, hunting, hiking and biking trails, and limited special events, such as harvest festivals and hay rides.

3. *Agri-tourism*

The *Comprehensive Plan* recommends that "agri-tourism" be encouraged and local farming operations be promoted. Examples of agri-tourism might include educational working farms, the establishment of a bike tour highlighting farming operations, farm tours, establishing Bed and Breakfasts on the farm, sponsoring or supporting harvest festivals and "dairy days," and supporting continued production of an Orange County map listing farm stands, farm products, and farms available for visits. These activities promote local agriculture and may encourage the development of other tourism-related businesses in the Town.

4. *Farmers' Market*

As part of its recommendations for the Town Center, discussed in Chapter 7, the *Comprehensive Plan* recommends that a farmers' market be a centerpiece of a new Town Center. Until the Town Center is developed, a farmers' market could be established in the parking lot of the Town Hall, or perhaps the VFW.

3.2.2 Other Protections

The following other protections are recommended to ensure the economic viability of the agricultural industry in Greenville:

1. *Right-to-Farm Stipulations*

The New York State Constitution acknowledges the necessity of agriculture, and laws enacted by the Legislature have affirmed that State and local legislative and other decisionmaking activities must not interfere with or serve to discourage agriculture. The Town should consider adoption of a local "right-to-farm" law.

Such legislation is encouraged by the New York State Department of Agriculture and Markets and would be designed to protect a farmer against regulations and private nuisance suits that would prevent the farmer from conducting normally accepted agricultural practices. A local right-to-farm law could also identify the importance of agriculture to the Town's economy and quality of life, its visual appeal, and the manner in which farming generates social well-being in the community. The law could make clear that Greenville encourages farming and urges understanding and cooperation with the necessary day-to-day operations involved in farming. Moreover, "Ag Notes" itemizing the right-to-farm law could be added to all residential subdivision plans approved within 200 or more feet of a farm in all zoning districts where farming is a permitted use. Since the New York State Agricultural and Markets Law specifies 500 feet as an appropriate distance for the filing of an Agricultural Data Statement, consistency with this requirement may be appropriate.

2. *Buffer Zones*

Vegetated buffer zones in new subdivisions that are developed contiguous with farmland should be required to prevent land use conflicts. Buffer zones function to protect the farmer from nuisance complaints by members of the new residential community who do not understand the urgency of time and the procedures used in many farming practices. Buffer zones can serve to supplement agricultural notes that should be placed on all subdivision plat maps in the Town.

3. *State Environmental Quality Review*

The State Environmental Quality Review Act (SEQR) can be effectively used to help protect Greenville's agricultural heritage. Applications for new development that involve existing farm structures should consider the effect of the loss of these structures on the Town's agricultural character. The Town should also consider whether amendments to the Town's Zoning Law, concerning the protection of agricultural character, are appropriate.

4. *Historic Barns*

The Town should encourage owners of historic barns to take advantage of New York State's investment tax credits for their rehabilitation. In 1996, the State Legislature enacted the "Farm Protection and Farm Preservation Act." This Act allows a credit of 25 percent of a taxpayer's qualifying rehabilitation expenditures for any barn that is considered a qualified rehabilitated building.

More recently, New York State launched a Barns Restoration and Preservation Program to help pay for the renovation of barns and other aging farm buildings that are at least 50 years old to preserve them as monuments to the state's agricultural heritage. The \$2 million program will help pay for as much as 80 percent of the cost of repairs, up to

\$25,000 per project. Owners must pay the other 20 percent in cash or labor. This program is administered by the state Office of Parks, Recreation and Historic Preservation. Structures being improved for active agricultural use, that are visible from scenic roads, that are fixtures in the rural landscape, or that are on or eligible for the State and National Historic Registers will be given priority. The Town should encourage local farmers to take advantage of this program.

5. *Speed Limits*

Over the years, many of Greenville's roads have been widened and straightened, which has resulted in increased speeding in the Town. Speeding is of concern to Greenville farmers due to the presence of livestock, particularly when livestock are crossing roads. The *Comprehensive Plan* recommends that the Town attempt to lower speed limits and install "Livestock Crossing" signs on Town roads in the vicinity of working livestock farms to reduce the possibility of injury both to livestock and drivers, and to protect the Town against liability.

6. *Burn Permits*

In the *Greenville Farmer Profile and Survey*, 90 percent of Greenville farmers expressed concern that it may become more difficult to obtain burn permits in the future as the Town becomes more densely populated and suburbanized. Burning cuttings from pruning and other related farm activities is a necessary practice in operating a farm. The Town should ensure that farmers will continue to be issued burn permits necessary for farm related activities.

7. *Assessments*

Ninety percent of the farmers surveyed by the Farmland Protection Board favor a "value and use" assessment for farmland in Orange County, rather than the current "highest and best use" assessment. While this concern is outside the authority of the Town, the *Comprehensive Plan* recommends that the Greenville Farmland Protection Committee explore this issue further with the Orange County Legislature.

8. *Citizen Education*

Citizens who wish to learn more about the economic benefits of preserving farmland are encouraged to read the cost-of-community-services studies in the *Special Studies* supplement of the *Comprehensive Plan*. As discussed above, these studies typically find that farms are one of the best tax ratables because they generate tax revenues significantly greater in value than the cost of services they require. Residential development, on the other hand, generates significantly less revenues than the cost of services provided to the residents.

The *Comprehensive Plan* also encourages the Minisink Valley Central School District to incorporate “ag in the classroom” in elementary schools, and to develop an Agricultural Education Program for the higher grades. This may encourage young people to chose farming as an occupation, and will provide trained people to work in local agricultural and related vocations, helping to maintain the viability of the local farming industry.

CHAPTER 4. NATURAL AND CULTURAL RESOURCES

Community Goal

Protect and enhance Greenville's natural, cultural and historic resources for present and future generations to enjoy.

Greenville is blessed with an abundance of natural and cultural resources, including scenic views, farms, fields, forests, wetlands, a major aquifer, and the magnificent Shawangunk Ridge. Much of the town's historic landscape remains undisturbed due to the commitment of individual landowners to continue farming or simply to keep their lands in a natural state. In addition, the dedicated work of local historians have produced historic markers that commemorate important sites and events in the Town's history.

The Public Opinion Survey indicated a strong consensus amongst Greenville residents that efforts to preserve and enhance the Town's natural and cultural resources should continue. Ninety-four percent of respondents to the survey said it is important to protect the natural resources in the Town, and 80 percent favored preservation of architectural character and historic places. Many primary natural resources in Greenville, such as steep slopes, wetlands and floodplains, are already given some protection by federal and state regulations. However, secondary conservation areas, such as farmland and open space, scenic roads, fieldstone walls, historic buildings and scenic viewsheds, are currently unprotected. **Adopting local policies to conserve natural, cultural and scenic resources will maintain Greenville's position as a community of value.**

4.1 WATER RESOURCES

4.1.1 Groundwater

Groundwater resources are critical to future development in Greenville. Since all of the Town relies on well water to meet domestic needs, it is essential to ensure that there is an adequate supply for future growth, and that this supply is protected from potential pollution.

The term groundwater refers to the water below the land surface that fills openings in soil and rock. An aquifer is a water-bearing underground reservoir. Aquifers may either exist in openings such as fractures or cavities in consolidated (solid) rocks or in intergranular spaces in unconsolidated (broken) materials, such as sand and gravel.

Greenville has one surficial aquifer located in the center of Town, just north of Smith Corners. This aquifer is stratified clay and silt with no thin layers of sand and gravel at the land surface or below the water table. In the Public Opinion Survey, 81 percent of respondents believed that groundwater aquifers that provide water for human consumption should be protected by Town regulation. Eighty-four percent of these respondents were in favor of restrictions on certain land uses to protect groundwater. The *Comprehensive Plan* recommends that Greenville's aquifer and recharge area be protected through the development of an aquifer overlay zone. An overlay zone does not change the underlying zoning district regulations, but imposes additional requirements, usually in the form of performance standards, to protect the resource.

Although a few isolated areas exist in the Town where rock formations do not yield sufficient quantities of groundwater for the development of single family homes, for the most part quality groundwater is still available almost anywhere in Greenville. Most of the wells serving Greenville residents tap into groundwater stored in fissures and fractures in the bedrock. In some cases, these wells must be drilled fairly deep to get an adequate supply. However, scattered throughout the Town are numerous favorable locations for targeting high yielding bedrock wells. These type of wells often produce a yield adequate enough to be used as supply wells for public water systems. Map 2 at the end of this chapter illustrates Aquifers and Potentially High Yielding Bedrock Well Locations in the Town.

4.1.2 Wetlands

Freshwater wetlands are an invaluable resource that purify water, control flooding and provide important plant and wildlife habitats. Greenville has numerous wetlands located throughout the Town. These wetlands fall under the jurisdiction of the New York State Department of Environmental Conservation (DEC) and/or the US Army Corps of Engineers. Close regulatory control by these agencies strictly limits development that would lead to the loss of wetlands or impair their functioning and benefits.

Wetlands over 12.4 acres (5 hectares) in size, as well as certain smaller but important wetlands, are mapped and protected by the DEC. Construction activities that might impact these wetlands, such as excavation, filling, or building, are regulated whether the activities occur in the wetland itself or impinge on a protected 100 foot adjacent area.

Section 404 of the Clean Water Act provides the US Army Corps of Engineers with jurisdiction over wetlands determined to be waters of the United States. The Corps uses a combination of soil type, hydrology, and plant communities to determine the presence and extent of wetlands. In 1986, the Corps issued a comprehensive set of wetland regulations, which require that a permit must be obtained for the discharge of dredged or fill material into wetlands. This means that individuals cannot undertake activities involving the dredging or filling of a wetland, without a Corps permit. Federal wetland

regulations differ from New York State's in that all wetlands are potentially protected if they are defined as "waters of the United States", no buffer area is protected, and the Corps does not map wetlands. This places the burden on the landowner to determine whether federal wetlands exist prior to dredging or filling any wet areas on their property. If a property under consideration for construction contains soils classified as hydric (or as having hydric inclusions), the landowner needs to hire a wetland biologist or contact a Corps representative to review the area to ensure that federal wetlands regulations are complied with.

The Shawangunk Ridge plays a dominant role in the distribution and flow of water resources in the Town. The elevation and topography of the Town keeps water on the move as it flows down the ridge. The Town's wetlands are generally found arrayed in a north/south direction, where depressions are created in the slope down from the ridge by smaller successive ridges. In many cases it appears that these depressions are located above where fracture lines occur in the underlying bedrock. The surface waters become trapped in these depressions, creating small lakes and wetland areas as the water rises until it can find an outlet around the intervening uplands. These wetland areas and small water bodies play a critical role in flood control and in maintaining groundwater quantity and quality. They capture the surface water runoff flowing off the ridge, allowing floodwaters to be stored and released more slowly. Many of the sediments contained in the runoff are deposited in the wetlands, and the reduction in the severity and speed of the runoff greatly reduces the erosion that occurs downstream. The temporary storage of these floodwaters and the long-term retention of other runoff allows for recharge of the underlying aquifers. Since Greenville is not blessed with deep sand and gravel aquifers and relies heavily on fractures in the underlying bedrock to store adequate water for human consumption, the slow and steady recharge provided by the wetland areas is essential to maintain adequate supplies of potable water. Because wetlands are so critical for maintaining Greenville's supply of water, the *Comprehensive Plan* recommends that all wetlands in the Town be protected including a 150 foot upland buffer area.

Wetlands also provide critical habitat and food resources for the Town's wildlife population, as well as the many migratory species that use the Shawangunk Ridge each year. Freshwater wetlands are considered among the most prolific types of ecosystems found on earth for the variety and volume of life they support.

The portion of Greenville located north of I-84 has seven State regulated wetlands. All of these wetlands are considered to be important and of high quality by the DEC, except for the one located on top of the ridge. Five of these wetlands are rated Class II by the DEC, and the wetland associated with Binnewater Pond (OT-21) is rated Class I. Class I wetlands have the highest value based upon a number of criteria

including special features such as the presence of endangered species,. Ecological associations, hydrological and pollution control.

Of the 13 State regulated wetlands located south of I-84 in the Town of Greenville, 9 are rated as Class II wetlands. The remaining wetlands are rated at Class III, which signifies that there is either a water quality problem associated with the wetland or else there has been a significant invasion of nonnative plants (e.g., purple loosestrife or phragmites) with less habitat and food value for native creatures.

The two largest of these wetlands (UN-1 and OT-33) are crossed by I-84 and are highly visible from the Interstate. UN-1 is located near where Mountain Road crosses I-84 and OT-33 is located just east of where Greenville Turnpike crosses I-84. OT-33 constitutes the headwaters of Rutgers Creek. Map 3 at the end of this chapter identifies wetlands, and other water features in the Town.

4.1.3 Streams and Lakes

Surface waters in New York State fall under the protection of the DEC. In order to prioritize protection, the DEC has developed a classification system. Streams that contribute directly to water supply reservoirs or that have public water supply wells drilled adjacent to them are considered Class AA or A and given the highest level of protection outside of the State's Forest Preserve. Class B streams are those with high water quality and where primary contact recreation is possible. Class C streams are suitable for fishing and have average quality, while Class D streams are intermittent or may not be conducive to fish. A "T" or "TS" designation means that the stream is capable of supporting trout or trout spawning respectively. Streams are automatically protected if they have a "T" or "TS" designation or if they are classified AA, A, or B without the trout designation. A permit from DEC is required to disturb any protected stream or water body. The severity of the conditions attached to any stream disturbance permit will be based in part on the classification of the involved water body.

As stated above, the Shawangunk Ridge is the dominant force in determining the course water takes as it flows through Greenville. There are a few streams that flow west down the ridge towards the Delaware River. Many of these streams are classified as trout streams by the NYSDEC. Small water bodies like Hawthorne Lake and Clarks Pond, which sit on top the ridge near springs that flow from bedrock fractures, feed the trout streams. The springs are vital to the trout since they provide a steady stream of cold water that the trout need to survive.

The streams in the northeastern portion of Greenville constitute an important area for the Middletown Watershed and are thus designated Class A by the DEC. This area is defined by the top of the ridgeline to the west and by Greenville Turnpike and Eatontown Road to the east. There are four wetlands in this area, which help to feed and cleanse these streams, including the one associated with Kagan Lake.

South of I-84, there are high quality Class B streams that flow down the east side of the ridge, eventually joining with Rutgers Creek in state regulated wetland UN-11 and linking this wetland with UN-1 (the large wetland located adjacent to the Mountain Road exit off I-84).

The remainder of the streams and waterbodies in the Town of Greenville are rated Class C or D. This does not mean that these surface waters are not valuable and deserving of protection, just that the existing water quality is lower than the ones cited above. Many of these streams have already felt the impact of development in the Town and are carrying the associated burden. Some of these contamination problems may be caused by past agricultural practices, the most damaging of which have been primarily eradicated through education and the development of “Best Management Practices” for agricultural operations.

Of the ponds and lakes in the Town, only Kagan Lake is Class A and only Lake Hawthorne has a Class B rating. Clarks Ponds, Lake Arkin, Elm Lake and Binnewater Pond are all Class C, while Willow Lake is the only Class D water body.

4.1.4 Floodplains

Floodplains are areas adjacent to waterbodies that are inundated during times of significant flooding. Development in these areas limits their capacity to hold floodwaters and can significantly worsen the extent and severity of flooding downstream. In addition, structures constructed within the floodplain are subject to water damage and enhanced erosion. Any chemicals stored in these areas may be consumed by the floodwaters and contaminate the associated water body.

Floodplains are also significant to wildlife in several ways. Often, they are home to important habitat areas used by wildlife that forage for food in and adjacent to the waterbodies. Floodplains provide uninterrupted greenways used by wildlife to travel through their territories. Certain animals that dwell in the water must have adjacent upland areas to lay eggs or provide nests for the rearing of young.

In Greenville, the largest floodplain is that associated with Rutgers Creek. In most of the other areas of the Town, the surface runoff travels down an adequate slope to prevent floodwaters from building up. The Rutgers Creek basin, however, collects water off the ridge while flowing south parallel to the ridge, until emptying from the Town through the ravine adjacent to the Minisink Turnpike in Greenville’s southwest corner. Six of the Town’s state-regulated wetlands are associated with this floodplain (including its two largest). Map 2 at the end of this chapter shows streams, lakes and their associated floodplains.

4.2 SCENIC RESOURCES

The noted naturalist John Muir has stated that “*We need beauty as well as bread.*” The Town of Greenville has certainly been blessed with an abundance of the type of natural beauty praised by Mr. Muir. From the spectacular Shawangunk Ridge to the beauty of the Rutgers Creek passing through the wetlands and agricultural lands in southwestern Greenville, the scenic character of the Town cannot be denied. That character is defined not only by the natural beauty of the land, but also by the working landscape of old fields surrounded by fieldstone walls and occupied by historic farm houses. The combination of the natural beauty and the historic agricultural use of the land has left a scenic Town with a tremendous sense of place. The Town’s open spaces, including its fields, meadows and woodlands, create a scenic place that is valued by its residents, as evidenced by the following responses received as part of the Public Opinion Survey:

“Greenville’s most redeeming feature is its open, rural, pastoral beauty, which should be retained at all costs.”

“Communities all over New York and Pennsylvania are struggling to preserve open space. It is not too late for Greenville, but it will be soon.”

“Open space, once lost, can never be recovered.”

It is clear from the passion of these quotes that the preservation of open space is a high priority for Greenville residents. The primary responsibility for preserving open space will always lie with individual landowners; however, the Town can take measures to encourage preservation of its scenic beauty. One way to accomplish this is by encouraging *cluster development*, which allows for smaller residential lots to be developed than would normally be allowed with the remainder of the parcel preserved as open space. This and other “smart growth” techniques will be discussed in the following chapter on residential development.

4.2.1 Scenic Viewsheds

Scenic viewsheds are the broad vistas visible to the public that exemplify the natural beauty of the area. The portion of the Shawangunk Ridge located in Greenville is an excellent example of a scenic viewshed that can be seen from tremendous distances in New York, Pennsylvania and parts of New Jersey. One of the most important factors in considering the quality of a viewshed is the consistency of the view offered. Incongruous development can stick out like the proverbial sore thumb in such a setting. To protect the scenic viewsheds of the ridge, the Town should consider enacting regulations that

would prohibit development from breaking up the continuous ridgeline. Houses developed directly on top of the ridge become visible for great distances and distract from the viewshed's beauty. The ridgetop in Greenville is predominately forested, and the cutting of these trees as a precursor to development significantly changes the view for everyone. Since the scenic beauty of the ridge adds substantial value to the Town as a whole, and embodies Greenville's sense of place, the preservation of it as a viewshed is critical.

4.2.2 Scenic Roads

Many of Greenville's roads exemplify scenic qualities that are pleasing to residents and add greatly to the attractiveness of the Town. Stone walls or wooden fences, old trees that line the road, views of open fields and ridgelines, streams, ponds, and other natural landforms are all features that define the scenic quality of a road. The road itself, whether paved or unpaved, can also be scenic. Narrow country lanes and winding roads that curve around hills opening on to spectacular vistas can delight the traveler or the life-long resident. Fifty-four percent of Greenville residents felt that some secondary roads in the Town should remain unpaved, and 65 percent said that the Town should preserve the scenic beauty of roads by establishing a scenic roads program.

Scenic roads can be designated under both the New York State Scenic Roads Program and a Local Scenic Roads Program. The State program has recently been revised and is far more user friendly. Previously, documentation had to be provided on each tenth of a mile of road to be designated, which weighed the scenic and negative aspects of the road on a numeric scale. Although documentation is still required based on criteria developed by NYSDOT, a more holistic approach is taken, and the reporting on each tenth of a mile has been eliminated. Local Scenic Road Programs are adopted by the Town Boards as local laws. They may be tailored to fit the community, but must include specific designations and regulations that are related to protecting the identified resource.

The *Comprehensive Plan* recommends that the Town designate roads with significant natural, cultural, and scenic resources and adopt a scenic roads program to protect and enhance these corridors. To preserve their visual quality, scenic corridors should require increased setbacks and natural screening around new developments. This buffer space would not only help to preserve the road's visual quality but would allow added space for walkways and non-motorized traffic. Specific portions of roads with particularly valuable visual elements and/or historic sites, should receive protection by formal designation.

The scenic roads program should include the most attractive portions of at least the following roads:

Eatontown Road	Rutgers Creek Road
Fort Van Tyle Road	Prospect Road
Greenville Turnpike	Carpenter Road
Grahamtown Road	Case Road
Logtown Road	Cortright Road
Minisink Turnpike	Toad Pasture Road
Mountain Road	Bushville Road
Mullock Road	Old Mountain Road

A *Comprehensive Open Space Plan* (discussed in more detail below) should also be developed to officially designate scenic road segments and detail appropriate policies for assuring their preservation. These policies should include efforts to preserve the fieldstone walls, hedgerows in old fields and significant old trees that are important elements in the roadside scenery. To further assist in creating new scenic roads as development occurs, the Town should develop alternative standards for new subdivision roads to allow for greater flexibility in retaining the scenic qualities of the involved area.

4.3 HISTORIC FEATURES

Greenville’s scenic landscape and historic structures represent the legacy of the past. The changes that our predecessors who lived in the Town of Greenville wrought on the earth and the structures that they built are the foundation that the Town stands on today. To preserve these features is to pay homage to those who toiled here before us and to strengthen Greenville’s sense of place in the rapidly changing world.

4.3.1 Dedication of local landmarks

Local historians have been active in a program to commemorate significant events and places in the Town’s history with the creation and placing of historic markers around Greenville. The first marker was placed at “Fort Van Tyle,” a stone structure built in 1771. On this site the first meeting of the Town of Minisink, which at that time included what is now Greenville, was held in 1789. A second marker commemorates the one room schoolhouse on County Route 55, that was used as the Town Hall after Greenville incorporated in 1853. The site of Greenville’s first post office, which was established in 1819 and served the Town for 102 years, was also commemorated with a marker. The post office was located in a general store in what later became the hamlet of Greenville. By 1860, this hamlet contained a town hall, two churches (one of which was

converted into a schoolhouse), 12 houses, a hotel, a blacksmith shop, a wagon shop, a butcher, and a medicine manufacturer. The former Justice Court on Mountain Road (CR 55) was used as the town hall until the schoolhouse was no longer in use as a school. The Town Board then moved into the schoolhouse and the original town hall became the Justice Court and the Town Justices no longer held court in their houses.

Between 1819 and 1921, two other post offices were established, on Logtown Road and in Bushville. Greenville has not had its own post office since 1921 and the Town now has eight different zip codes.

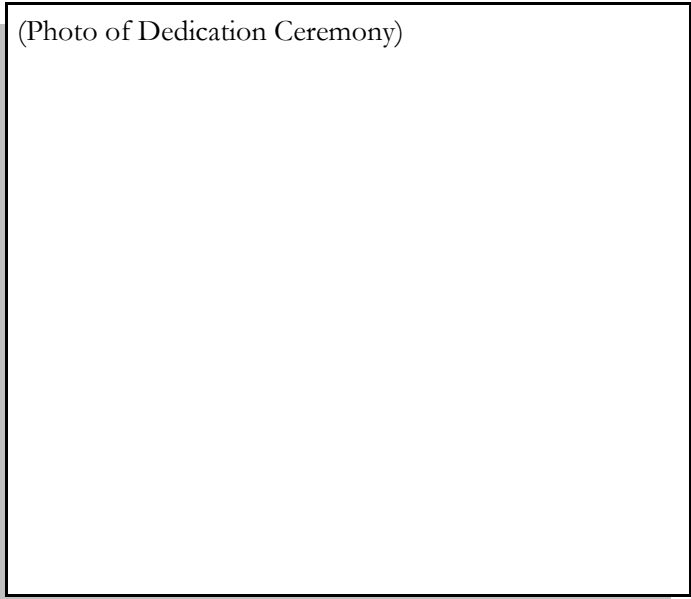
Other markers commemorate the site of an 1809 stagecoach tollhouse, the Greenville Methodist Church built in 1881, and the location of the New Jersey claim line that, between 1692 and 1774, put the bulk of Greenville in New Jersey as part of the Minisink Patent. The line resulted in a land dispute between the two states that erupted in the New York/New Jersey Line war.

The goal of local historians is to unveil an historic marker a year. The *Comprehensive Plan* recommends that the Town support this local effort to commemorate historic sites in Greenville.

4.3.2 Historic Sites and Buildings

The Town of Greenville is rich in both archaeological and historic resources. It is interesting to note, however, that no sites in the Town are listed on the National or State Register of Historic Places. The *Comprehensive Plan* recommends that a thorough historic survey of the Town be undertaken to identify individual structures potentially eligible for listing, including some of the sites already commemorated with historic markers. The list could be provided to the New York State Office of Parks Recreation and Historic Preservation, which maintains a database of potential historic structures. Assistance could then be provided to any owners of the named structures that wanted to pursue National Register listing. In addition, a wider

(Photo of Dedication Ceremony)



variety of uses should be permitted in historic structures (including agricultural buildings) to permit the adaptive reuse of these structures and ensure that the Town maintains its cultural heritage.

Equally important to maintaining Greenville's cultural heritage is the character of new development. To ensure that new development enhances Greenville's character, the Town should adopt guidelines to encourage innovation in designs that reflect vernacular architectural styles. One of the greatest threats to the architectural character of a town is franchise development. In 1997, franchise sales accounted for 40.9 percent of all retail sales in the US, one out of every 12 business establishments was a franchise business, and nationally, a new franchise opened every eight minutes of each business day¹

Franchise businesses can have a profound effect on community character, since corporate policies tend to prescribe uniform buildings and signage. In part, this franchise policy is designed to make their stores readily recognizable, wherever they may be located. Greenville cannot prohibit franchises from locating in the Town, but it can use zoning to control the look of these businesses and ensure that they blend into the community by being consistent with its rural architectural character. The *Comprehensive Plan* recommends that Greenville revise its zoning law to specify appropriate franchise locations and compatible architectural design and landscaping for new businesses. Design guidelines should be developed for planning, siting and construction of all new development and redevelopment, including such features as landscaping, signage, parking, and lighting. The guidelines should include diagrams and photographs of actual structures to illustrate the type of desirable development the Town is seeking.

4.3.4 Archeological sites

Archeological sites, artifacts and structures provide our best source of knowledge about past human life and activities. The New York State Office of Parks Recreation and Historic Preservation and the New York State Education Department both maintain data on known archeological sites in the State. This information is available to municipalities in generalized form to warn them when development may threaten an important site.² The Town should be careful to review this information for each new development proposal and should inform the responsible State agencies when new sites are discovered. There are many known prehistoric and historic sites within Greenville that warrant protection. It is the responsibility of the Town Planning Board to ensure that archaeological concerns are properly addressed during the SEQR reviews of proposed developments. Aside from new development, one of the largest threats to archeological sites is from collectors. To deter collectors from permanently destroying significant sites,

¹ Scenic America, *Principles for Scenic Conservation*, 1997.

² The information is available on the New York State Site Inventory Map, also known as the "circles and squares map." On this map are shown one-half mile radius circles and squares showing the generalized location of known archaeological sites.

specific and detailed locations of sites are not provided by the State, and this information is not subject to Freedom of Information disclosure.

4.4 WILDLIFE HABITATS

Many of the natural resources cited earlier in this chapter are rich in excellent wildlife habitats. Wetlands are some of the most productive, but fields and forests are just as important to different species. The DEC's Natural Heritage Program maintains a database of rare and endangered plant communities and animal species habitats. As with other sensitive resources discussed earlier, the Natural Heritage Program information is provided in a generalized form and is not for distribution to the general public due to the sensitivity of the information. Besides loss of habitat and predation, collectors present one of the greatest threats to rare plant and animal species. This is why the State considers the information sensitive and prohibits its release to the public without their permission.

The Shawangunk Ridge is known to be an important habitat area to a variety of plant and animal species. The most visible types of rare and endangered animals are the variety of raptors whose migratory routes follow the ridge. The ridge provides thermal updrafts that allow the birds to soar effortlessly while searching the open fields below for prey. Twice a year the ridge is full of these beautiful birds. Many stay to nest and bear their young there, increasing their limited numbers. Known nesting sites for these birds must be protected to ensure their survival. The wetland associated with Binnewater Pond is rated as a Class I wetland by the DEC, indicating that the pond may be associated with a significant habitat. This wetland and the surrounding area should receive special attention if further development is proposed in the vicinity.

Some habitat areas are extremely sensitive to any development. The only sure way to protect these areas is to purchase them. There are a number of private nonprofit environmental organizations and land trusts at work in the region already protecting land in this manner. One such wildlife preserve sign along Minisink Turnpike announcing "Rutger Creek, Wildlife Conservancy in Greenville" gives evidence that such efforts are already underway in Town.

Identified habitats in the Town include patches of Pitch Pine-Oak-Heath Rocky Summit along the Shawangunk Ridge. The Pitch Pine-Oak-Heath Rocky Summit grades into Chestnut Oak Forest. The Chestnut Oak Forest is the dominant community type along the Shawangunk Ridge. In the downslope areas, this community grades into Appalachian Oak-Hickory Forest. Hemlock Northern Hardwood Forest occurs in the ravines and lower areas of the Ridge. It is considered an extremely large example of this community type, with much of the area in good to excellent condition.

4.5 HUDSON RIVER VALLEY GREENWAY

The Hudson River Valley Greenway is a state agency whose jurisdiction extends throughout the counties along the Hudson River between Albany and New York City. The Greenway's focus is on natural and cultural resource protection, regional planning, tourism promotion, agricultural protection, and heritage and environmental education. One of the Greenway's primary missions is to support communities' efforts to develop or enhance their own special sense of place. The Greenway assists communities in the Hudson Valley with the development of voluntary local Greenway planning projects and with funding for their implementation. Communities that participate in the Greenway receive financial benefits and planning assistance. They are given funding advantage for grants from state agencies, and are eligible to apply to Greenway Small Grants Program. Joining the Greenway is entirely voluntary and grassroots oriented, and many communities have already joined, including all of Dutchess County. Upon joining, communities are requested to form a local Greenway committee to guide the municipalities' efforts in this area.

As an Orange County community, Greenville is eligible to join the Greenway. Many of the Greenway's stated goals match those expressed by Greenville residents in the Public Opinion Survey and embodied in this *Comprehensive Plan*. The *Comprehensive Plan* recommends that Greenville join the Hudson River Valley Greenway and establish a local Greenway committee.

4.6 COMPREHENSIVE OPEN SPACE PLAN

The first task of the local Greenway committee should be to inventory the Town's natural, cultural, and scenic resources and to map the visual qualities that residents most value. The committee can then develop a *Comprehensive Open Space Plan* specifying strategies to conserve these resources. A key component of the *Open Space Plan* should be to identify and preserve an interconnected network of significant open spaces that can be the foundation of the Greenville Greenway Trail. The recreational and economic benefits of a Greenway Trail are discussed in more detail in Chapter 6 and Chapter 8. As stated above, the local Greenway committee can apply for planning and implementation funds from Hudson River Valley Greenway to assist in these efforts.

CHAPTER 5. RESIDENTIAL DEVELOPMENT

Community Goal

Minimize sprawl and the conversion of open space by using innovative planning techniques to fit new residential subdivisions and single family homes into the landscape.

Protecting Greenville’s rural character is the defining goal of the *Comprehensive Plan*. However, Greenville must also permit housing that meets the present and future needs of its residents. Innovative planning techniques applied to residential developments can provide for housing while integrating open space into the community and protecting the scenic and cultural resources that define Greenville’s rural character.

In the Public Opinion Survey, the majority of respondents said that the type of residential development they would like to see in Greenville is large lot single-family homes. However, taken by itself, large lot zoning can consume open space rapidly and often leads to sprawl-type development unless it is paired with other conservation planning techniques that produce what is known as “smart growth.”

The National Association of Home Builders (NAHB), an affiliation of more than 800 state and local home builder associations, has recently issued a publication on smart growth, which it defines as “*meeting the housing demand in ‘smarter’ ways by planning for and building to higher densities, preserving meaningful open space, and protecting environmentally sensitive areas.*” According to the NAHB, smart growth “*has exploded onto the national consciousness as one of the most critical issues confronting America today.*” It is certainly one of the most critical issues confronting Greenville. In the Public Opinion Survey, overdevelopment topped the list of the most serious problems in Greenville today, and was regarded as even more pressing than rising taxes. Ninety-one percent of residents who responded to the survey said that developers should be required to preserve open space in new developments, and 90 percent said developers should pay for the increased costs of municipal services incurred by this development. As discussed below, preserving meaningful open space and keeping municipal costs to a minimum cannot be accomplished through traditional large lot zoning alone.

A principal goal of smart growth is to use land more efficiently by encouraging compact development and by channeling growth to areas where infrastructure exists or where it would be appropriately developed. Well designed, compact development not only protects open space and creates more attractive and livable communities, it also reduces infrastructure and development costs, which creates significant savings

both for developers, who must build that infrastructure, and for the Town which must maintain it.

To achieve smart growth, the NAHB recommends innovative planning techniques for residential subdivisions, such as “cluster development” and “conservation subdivision design.” The *Comprehensive Plan* recommends that Greenville use these and other design techniques to provide housing for its residents while preserving and enhancing the Town’s rural character and quality of life.

5.1 BENEFITS OF COMPACT DEVELOPMENT

In 1997, the Southeast Michigan Council of Governments (SEMCOG) completed a study of *The Costs of Current Development Versus Compact Growth*.¹ Eighteen Michigan communities of various types and sizes and in different geographic settings were analyzed to determine the differences in land consumption and costs for infrastructure and municipal services that would result from alternative future development patterns. The study compared the cost impacts of current low density, single-family development (suburban sprawl), and more compact development characterized by somewhat higher density and protected open space, more diversity of housing types and increased nonresidential development near existing residential concentrations (compact development). Findings were measured in four areas: land consumption, infrastructure requirements (roads, water and sewer connections), housing costs, and cost revenue impacts to municipalities and school districts.

The contrast in fiscal impacts of sprawling versus compact development were startling. Communities that were willing to accept density increases of 20 to 30 percent in areas targeted

Compact Versus Sprawling Development

Unbalanced Budgets

- *New Jersey’s plan for compact growth will save the state \$700 million in road costs, \$562 million in sewer and water costs, \$178 million in school costs, and up to \$380 million in operating costs per year.*
- *15 years of continued sprawl would cost Maryland \$10 billion more than compact growth patterns.*
- *A 1989 Florida study demonstrated that planned, concentrated growth would cost the taxpayer 50% to 75% less than continued sprawl.*

Source: American Planning Association

Compact Versus Sprawling Development

Traffic

- *Sprawl has generated traffic congestion by forcing people to drive everywhere. It has also increased costs to individuals. The average American family now spends one sixth of its total budget on transportation, which is more than it spends on food, clothing, or healthcare.*
- *When compared to compact planned development, sprawl growth patterns result in 600% higher police response times, 50% higher ambulance response times, and 33% higher fire response times.*

Source: American Planning Association

¹ The *Summary of Findings of the Costs of Current Development Versus Compact Growth* can be found in the *Special Studies Supplement to the Greenville Comprehensive Plan*.

for such density while adopting a more resource-protective development pattern, were projected to save 11.9 percent on local road construction, 15.1 to 18.1 percent on utility costs (water and sewer) and 6.4 percent on housing costs. The cost revenue impacts to municipalities and school districts declined about 3.2 percent annually.

The SEMCOG study cites ten other nationwide studies that reached similar conclusions. These studies determined that compact development would save communities an average of 14.8 to 19.7 percent for roads, 6.7 to 8.2 percent for utilities, 2.5 to 8.4 percent on housing costs, and would have a municipal fiscal impact of 6.9 percent savings annually. In some areas of the country, the savings were even higher.

Studies undertaken in California, Florida, Minnesota and New Jersey indicate average savings of approximately 25 percent for roads, 5 percent for schools, and 15 percent for utilities. Nationwide, compact development is estimated to save 43.5 percent of overall land consumed by development over a twenty-year growth horizon. The studies showed that, in compact communities, the consumption of agricultural land was reduced by 18 to 29 percent, and 20 to 27 percent more fragile environmental lands were protected.

The SEMCOG study also found that, with proper planning and landscaping, a ten percent increase in density was barely discernible. Clustered, compact development at a greater density saved farmland, preserved fragile environmental lands, increased the amount of open space available for recreation, reduced commercial strip development, reduced traffic congestion, and reduced costs to communities. In sum, compact development occasions noticeable savings over current suburban-style development trends and, by preserving open space, it protects rural character as well.

5.2 RESIDENTIAL SUBDIVISIONS

Conventional zoning determines the number of residential units allowed on a parcel by setting minimum lot sizes. This results in suburban-style subdivisions with uniform lots that permanently alter the landscape and the Town's rural character. Although areas in Greenville that are not designated for the Town Center need to

Compact Versus Sprawling Development

Dirty Growth

- *Sprawl worsens non-point source pollution by generating 43% more stormwater runoff with 3 times greater sediment loads than traditional development.*

America's Disappearing Landscape

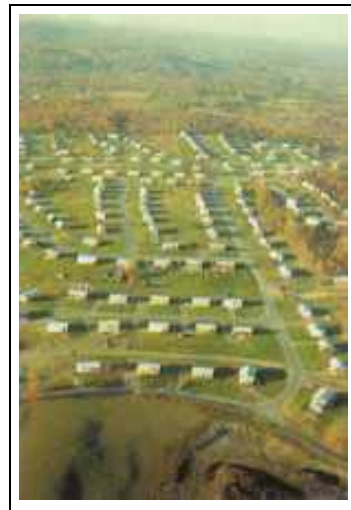
- *Every hour of every day, 50 acres of prime farmland are lost to development.*
- *If sprawl continues, Maryland will consume as much land in the next 25 years as it did in the past 300 years.*

Source: American Planning Association

maintain low densities, they do not need to have large minimum lot sizes. Large lots simply consume the landscape faster than smaller lots.

The *Comprehensive Plan* recommends separating density from lot size, allowing very small lots as long as overall density guidelines are maintained. Well-planned, high-density developments with dedicated open space will fit better with the Town's rural character than low-density, uniform sprawl development. A characteristic feature of the rural landscape is the clustering of farm buildings on the edges of fields, which preserves land for cultivation. Houses scattered over the landscape in the manner of sprawl detracts from this rural legacy. To protect Greenville's rural character and reduce development and maintenance costs for infrastructure, the *Comprehensive Plan* recommends that the Town consider adoption of zoning techniques such as clustering, conservation subdivision design, conservation density subdivisions, limited development subdivision design, and fixed area or sliding scale density for residential subdivisions. These techniques, discussed in detail below, could apply to all new residential subdivisions in the Ridgeline Preservation District and the proposed Rural-Agricultural District

The Town of Greenville currently has six zoning districts. The Town Center area in the vicinity of the I 84 interchange includes four districts: Designated Town Center (DTC), Designed Shopping Center (DSC), Highway Interchange Service Area (HISA) and Industrial Park (IP). The Shawangunk Ridge is included in the Ridge Preservation (RP) District, and the remainder of land in the Town falls within the Balance of Town (BT) District.



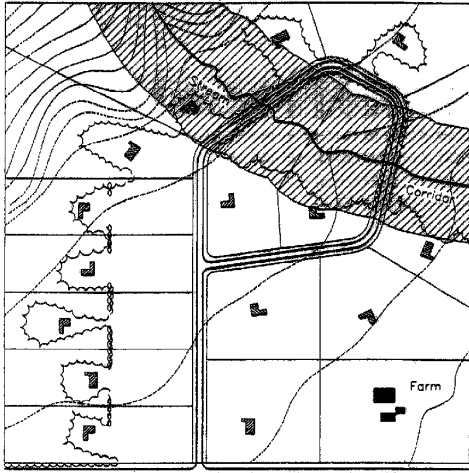
Suburban sprawl is expensive to build and maintain, and erodes the rural character of towns.

The *Comprehensive Plan* recommends that these districts be simplified and redefined. The *Plan* recommends that the Town establish a Rural-Agricultural District (RA) for all areas of the Town now covered by the Balance of Town District, and that the existing four TC Districts be reduced to one. The *Plan* also recommends that future updates of the Town Zoning Code strengthen subdivision and site plan requirements to assure that such regulations enhance the Town's rural character and maximize environmental protection, particularly of significant natural resources. The following recommendations for residential development will achieve that goal.

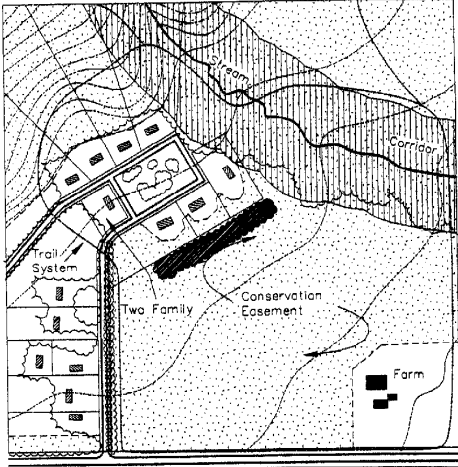
5.3 CLUSTER SUBDIVISIONS

Clustering refers to residential developments where half or more of the buildable land area is designated as undivided, permanent open space. This is achieved in a density neutral manner by allowing a developer to cluster new residential units in a designated

area of the development parcel on smaller lots than would be allowed without clustering, leaving the remaining area of the parcel intact. For example, if zoning allows two units per acre, a typical 50 acre parcel would permit 25 homes on two acre lots spread evenly over the landscape. With clustering, homes would be built on one acre or smaller lots (with favorable soils), leaving at least 25 acres of permanently protected open space. The developer or owner agrees to legally protect the undeveloped area of the parcel from future development. A permanent conservation easement, which runs with the chain of title in perpetuity and specifies the various conservation uses that may occur on the property, is placed on the open space area. This area can be used for agriculture, recreation, or other conservation purposes. Public use is not normally allowed, but the residents of the subdivision usually have the benefits of the land available to them. Of course, public use would be permissible if the ownership arrangements made as a condition of subdivision approval by the Planning Board allow for this.



Conventional development spreads houses uniformly over the landscape and detracts from rural character.



Creative development clusters the same number of homes on smaller lots and permanently protects the remaining open space.

Cluster subdivisions are encouraged under Section 278 of the New York State Town Law, and clustering has been a component of planning in Greenville for many years. However the Town’s current Zoning regulations appear to mandate conventional subdivision design, specifying that clustering is required for subdivisions of 50 or more lots but that the lots must occupy “50 to 100 percent of the site.” The *Comprehensive Plan* recommends that the Planning Board be granted the authority to

mandate clustering on all parcels when certain environmental resources are present on site. These could include:

- Active farmland within a New York State certified Agricultural District.
- Sites containing wetlands, streams, ponds, lakes, floodplains, or other surface water resources.
- Unique natural or geological formations.
- Recreation or potential recreation areas.
- Sites containing unique vegetation, rare, endangered, or threatened species of flora or fauna.
- Sites where steep slopes are predominant.
- Aquifer or watershed protection areas.
- Sites within or adjacent to historic properties.
- Trails, bikeways, or other areas recommended for pedestrian or bicycle use.
- Soils classified in group 1 to 4 of the New York State Soil Classification system (prime agricultural soils).
- The Ridge Preservation Overlay District.
- Critical Environmental Areas.
- Sites bordering designated state, county or local Scenic Roads (if any) or identified scenic viewsheds.
- New York State Protected Streams or a Town Designated Protection Area.
- Sites where community sewer, community water, or community water and sewer are available or are proposed.
- “Special Features,” such as publicly owned or designated open space areas or privately owned, designated natural areas, scenic viewsheds, and links in the Greenville Greenway Trail, identified in the *Comprehensive Plan* and the anticipated *Open Space Component*.
- Mature forests over 100 years old or locally important vegetation.

If soil conditions are such that a cluster subdivision would be impracticable, other creative engineering and legal techniques can be used to assure that this technique can be employed. This could include the siting of septic systems on the common open space areas of the cluster subdivision so that the required minimum separation distances between a well and septic system can be achieved on small lots.

As noted above, clustering cannot provide more units than a conventional lot layout would allow. Although clustering would not change the permitted density on a property, the size of the individual lots would be reduced, thereby preserving open space. Cluster development can also be used as a tool to help preserve farmland by allowing the working fields to be considered the “open space” of the development. Such subdivisions should be designed to have the least impact on farmed lands. Recommendations proposed in Chapter 3 of this *Comprehensive Plan* should be followed to ensure that this would not create strip housing along the roads surrounding farms. Permitting a greater use of clustering than is currently allowed would create an economic advantage to struggling farmers who would be able to gain a return on the development potential of their land yet still farm it. Proposed subdivisions should also be placed behind existing wooded areas to keep the natural settings of the roadsides.

Where cluster subdivision is not mandated, conventional subdivision could be allowed. However, to effectively encourage clustering, the *Comprehensive Plan* recommends that the Town set a community standard of 50 percent protected open space in new subdivisions as a precondition for achieving full density. Conventional subdivisions that do not meet this standard would be subject to a density reduction. In addition, the *Plan* recommends that the Town prepare a Generic Environmental Impact Statement (GEIS) for cluster subdivision. Proposals for cluster subdivisions that do not exceed the thresholds established in the GEIS would have a streamlined environmental review process. Conventional subdivisions, on the other hand, would require a full environmental review. This would create incentives for developers to follow cluster subdivision recommendations. Finally, conventional subdivisions should also include demonstrations of buildability in accordance with the current Town, County, State, and Federal requirements. This would include a demonstration that viable septic systems could be provided for each lot in the conventional layout, that road layouts and drainage are attainable given the presence of steep slopes, and that natural constraints, such as wetlands and other important resources, would not be affected by the regrading that would be necessary to construct Town roads.

5.4 CONSERVATION SUBDIVISION DESIGN

A more environmentally-sensitive form of cluster development is conservation subdivision design. Conservation subdivision design protects prime agricultural soils, scenic views, or other sensitive resources by requiring that the residential clusters be located outside these areas. This form of development is well established as part of our nation’s rural heritage. Traditionally, farm buildings were clustered on the edges of fields to preserve the remaining land for cultivation. Conservation subdivision design is modeled on these conservation practices of farmers, and is now

frequently used to protect open space and rural character in towns across the country.

The most important step in conservation subdivision design is to begin by identifying land that is to be preserved. This includes both constrained areas, such as wetlands, water bodies, floodplains, and steep slopes, and lands of conservation value that are typically not protected under current codes, such as prime agricultural soils, woodlands and mature tree stands, critical wildlife habitats, views from the road, hedgerows, fieldstone walls, and sites of historic, cultural and archaeological significance. Portions of the site that are not constrained by these features become the potential development areas.

Calculations are then made to determine the number of dwellings allowed by the zoning on the parcel, in the same way that a cluster subdivision lot count is determined. The permissible number of dwelling units and roads are then located around the portion of the parcel that is to remain undeveloped in a manner which permanently preserves significant open space. These areas can be used for farming, community gardens, trails and recreation areas, or pastures and paddocks. They can also serve as visual and sound barriers to other incompatible land uses. And of course, they provide residents in the subdivision with permanent view protection.

The open space in a conservation subdivision is most commonly maintained by a Homeowners' Association (HOA). The developer submits a management plan for the HOA to the Planning Board, who must approve it prior to granting final subdivision approval. The current Greenville Zoning Code has provisions for establishing such associations. The Zoning Code should be amended to recognize additional types of conservation areas (i.e., woodlands, farmland, trails), and describe recommended management practices for each one, such as the frequency of mowing meadows, the buffering of farmland, or procedures for trimming woodlands. Alternatively, easements for certain community rights on the open space part of the property can be developed. Or the easement can be owned by an individual landowner, such as a farmer who wishes to work the land and keep it in the family.

The protected open space areas in a conservation subdivision can also be dedicated for public park land or a link in a community-wide trail network. If a parcel of land is located in an area that the Town has identified for these uses, the developer can be given a density bonus to encourage him or her to dedicate this portion of the parcel for these public uses. Density bonuses can also be granted to developers who preserve more than the required minimum standard of open space.

Property tax assessments in both a clustered and a conservation subdivision should not differ, in total, for those on conventional subdivisions because the number of houses and acres of land involved is the same in both cases.

Conservation subdivision is explained in detail in Appendix A, *Grower Greener*, of this *Comprehensive Plan*. An illustrative example of conservation versus conventional subdivision is shown below.

This process reverses the sequence of steps normally used in designing a conventional subdivision. In a conventional subdivision, development is superimposed on the landscape without regard for its natural features. In conservation subdivision design, the landscape’s natural features and constraints are identified first and lot lines are drawn in as the final step. The result is development that fits into the landscape and preserves its rural setting.

The *Comprehensive Plan* recommends that conservation subdivision design should be mandatory for all residential subdivisions where clustering is required, and should be recommended for all others.

The following summarizes some of the many benefits of conservation subdivision design over conventional subdivisions:

Conservation Subdivision	Conventional Subdivision
<ul style="list-style-type: none"> • Farm fields can still be used. • Scenic views are retained. • Rural setting of the landscape is retained. • More compact roads result in lower construction and maintenance costs. • Residents have views of open fields and woods. 	<ul style="list-style-type: none"> • Productive farmland is lost forever. • Scenic views from the road are lost. • Large lots divide up and dominate the landscape. • Longer roads result in greater construction and maintenance costs. • Residents cannot enjoy special site features.

5.6 CONSERVATION DENSITY SUBDIVISION

A conservation density subdivision allows trade-offs in Town road requirements in exchange for reduced development density. Normally, this involves allowing a developer to construct a private, unpaved or minimally paved road owned and managed by a Homeowners’ Association, or through common use and maintenance agreements and easements, in return for a permanent commitment to low density.

For example, if the underlying zoning requires a three acre minimum lot size, a conservation density subdivision might require an average minimum lot size several times larger than would otherwise be required, with a minimum for these “country properties” of ten acres. The number of lots using the private road would need to be controlled, such as five lots on one access or a maximum of ten if there are two access ways. Permanent conservation easements imposed on each of the larger lots must guarantee no further increase in density.

Establishing clear design standards for the private road are essential to ensure conflicts do not develop in the future, one of the greatest problems posed by private roads. Common use and maintenance agreements and/or homeowners' association requirements must also be carefully written and based upon Planning Board requirements as a condition of approval to avoid burdening the Town in the future. This would include requirements such as having the power to assess each lot-owner their share of maintenance costs, establishing a maintenance fund or bonding as appropriate, ensuring that private roads are accessible to emergency vehicles, and prohibiting an offer of dedication to the Town. Finally, if private roads are allowed, they must be self-supporting and the deeds to each lot should contain an unconditional waiver of any right to offer or seek dedication to the Town as well as a covenant against further subdivision.

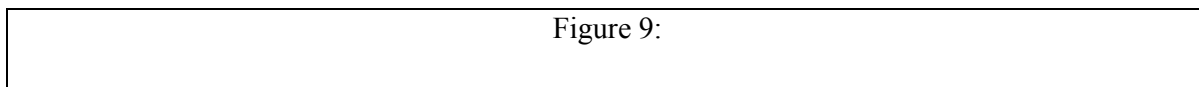
5.7 LIMITED DEVELOPMENT SUBDIVISION DESIGN

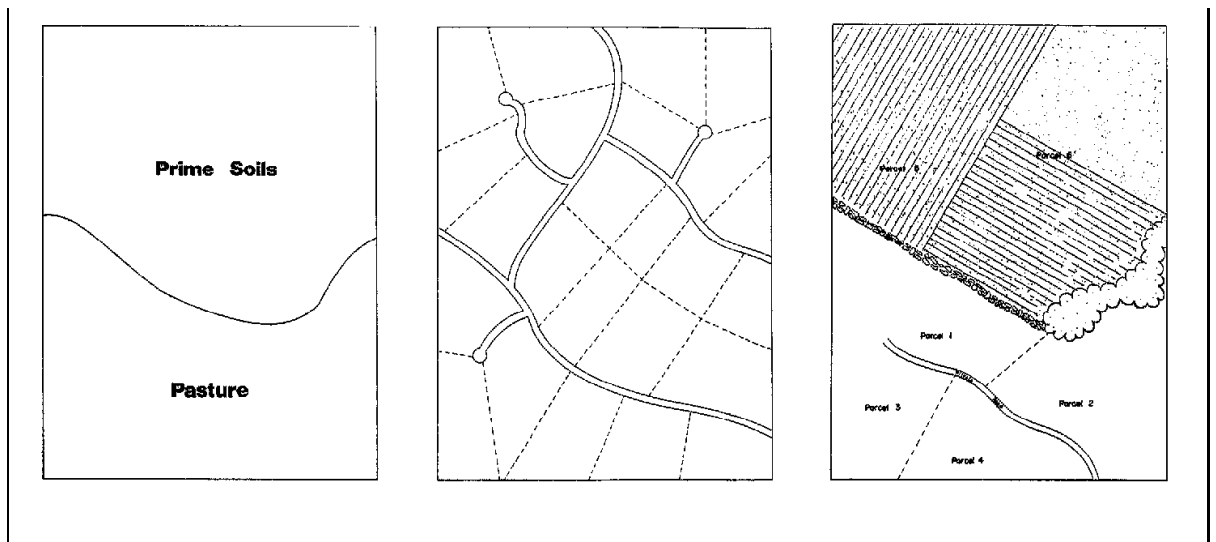
This is a voluntary technique in which a developer or landowner sells their land for partial development with preservation restrictions placed on the remaining open space or farmland. The development should be designed so that the limited number of home sites will not conflict with the resource (e.g. farmland) being protected. The protected land is normally encumbered with a conservation easement, which could be held by a land trust or a governmental agency, such as the Town of Greenville.

There are a number of benefits to this kind of development. The few high value scenic homesites are assured of permanent open space by paying for the open space protections. The landowner benefits from a tax reduction on the land protected by the conservation easement, and, if the protected land is agricultural, by being able to continue to farm it. The Town benefits both from the increased assessment on the subdivided building lots (as opposed to vacant land) and from the very low density, which incurs lower municipal and school district expenses, associated with the limited development.

This type of development would be especially effective in Greenville, where much of the farmland is in dairy. With appropriate buffers, this form of agriculture is the most compatible with residential development. The Town should put into place a mechanism for acceptance of this type of conservation easement provided there are appropriate protections to the Town incorporated therein.

An illustrative example of limited subdivision design is shown below.





120 Acre Farm

Conventional Subdivision

Limited Development Subdivision

5.8 AREA BASED ALLOWANCE ZONING

Area based allowance zoning is another technique used to establish the permitted number of dwelling units that can be built. With this technique, the number of dwellings permitted is based on the area of the tract or property. But, the dwellings must be built on small building lots, thus leaving large areas intact for agriculture or conservation, unimpeded by development. The regulations can direct that dwellings be sited on the areas of the site with little conservation or agricultural value. The two forms of area based allowance zoning include fixed area and sliding scale area based zoning techniques.

5.8.1 Fixed Area Based Zoning

Fixed area based zoning allows one dwelling for a specified number of acres owned. For example, one dwelling could be developed for every 5 or 10 acres of land area on a site, rather than specifying a minimum lot size for each dwelling unit.

5.8.2 Sliding Scale Area Based Allowance Zoning

In the sliding scale area based zoning, the number of dwellings is also based on acreage owned, but this technique requires more acreage per dwelling for larger tracts than for smaller ones (i.e. higher densities are allowed on smaller lots). Sliding scale based zoning is particularly well suited to agricultural zoning because it assumes that

smaller tracts are more difficult to farm and have already passed out of the agricultural land market and into the residential land market. Higher densities are generally needed in order to satisfy legal mandates that municipal regulations permit some economically beneficial use on smaller tracts where farming is less economically feasible. Shrewsbury Township, PA uses the following formula in its zoning regulations:

Size of Parcel	# of Dwellings Permitted
0 - 5 acres	1
5 - 15 acres	2
15 - 30 acres	3
30 - 60 acres	4
60 - 90 acres	5
90 - 120 acres	6
120 - 150 acres	7
over 150 acres	8, + 1 dwelling/30 acres over 150

5.9 SINGLE FAMILY HOMES

Clustering and conservation design are the most important techniques to balance the need for housing with the protection of rural character in residential subdivisions. However, not all residential development in Greenville will occur through large developments. The Town must also adopt guidelines for single family development.

The *Comprehensive Plan* recommends general siting principles to help landowners and the Planning Board fit single family homes into the rural landscape. To protect Greenville's scenic resources, particularly its open spaces and ridgeline, homes should be sited to harmonize with the natural landscape. Situating a home in a highly visible location, such as the middle of an open field or the crest of a hill, intrudes on the rural landscape and detracts from scenic views. Ideally, buildings should be placed on the edges of fields next to woods, or on the slopes of ridges and hills. As with conservation subdivision design, the defining principal in siting single family homes is to work around the site's natural features.

5.10 TOWN CENTER DENSITY

The purpose of a Town Center is to allow for the development of mixed-use pedestrian oriented neighborhoods. The uses include residential, commercial, open space, and civic buildings. Residential density in the Town Center is high, with small lots fronting streets interconnected as blocks. Residential streets are tucked in behind the main commercial crossroads. Residential apartments are also permitted above shops in commercial buildings on the main roads.

Permitting high residential density in a Town Center has many benefits. The smaller homes and lots create attractive affordable housing for small families, persons of moderate income, and seniors. Seniors and children also benefit from the pedestrian oriented design of the Town Center, which allows them to walk to shops and to visit friends. Moreover, designating a small area of the Town for higher density residential development permits the building of single family homes which do not detract from the rural landscape. The Town Center is described in more detail in Chapter 7.

5.11 AFFORDABLE HOUSING

Greenville has a responsibility as well as an economic need to provide housing for all its residents, including the elderly, young households, and families of moderate income (defined by the US Department of Commerce statistics as lower middle income housing).

One way to create affordable housing is to promote development of two-family homes in appropriate locations. This can be encouraged by allowing a reduced minimum lot size if the developer can demonstrate sufficient soil carrying capacity. Current regulations require a three acre minimum for two-family homes. Regulations regarding lot size should take into consideration the number of bedrooms in each unit since frequently a unit in a two family home is smaller than a single family dwelling.

To facilitate affordable housing on a lesser scale, allowing accessory units in certain large, one-family houses on larger one-family residential properties would provide the opportunity for development of small, rental or owner-occupied housing units. These provisions would encourage a more efficient use of the Town's existing housing stock, help preserve historic and rural structures, and provide an incentive for their maintenance. Guidelines for accessory units should assure that the new unit remains subordinate to the primary living quarters, preserving the single-family character. Limitations may include such factors as: a) allowing only one accessory unit per lot; b) restricting the size to less than 25 percent of the principal unit but not less than 400 square feet; c) allowing a maximum of only two bedrooms; d) requiring that one unit must be occupied by the owner; and e) permitting accessory units with existing structures that are a minimum of ten years old.

There are a number of other ways to create affordable housing in the Town. These techniques are summarized below:

1. Allowing for mixed uses in the Town Center by permitting apartments above commercial structures, and by allowing greater density in the streets located behind the commercial crossroads.
2. Enacting a zoning amendment that creates a new special use permit category that would allow developers to gain an increase in density in exchange for providing a certain percentage of the units as affordable (usually protected by deed restrictions on resale), as long as overall density in the Town is maintained.
3. SEQOR has been used to gain affordable housing in some communities, where their comprehensive plan addresses affordable housing and where a “comprehensive housing needs study” has been prepared. This would be a prerequisite to the use of SEQOR to gain affordable housing in the Town.
4. Incentive zoning is a relatively new technique which was added to New York State Town Law in 1992. Incentive zoning involves the granting of a density bonus to a developer in exchange for providing community amenities, such as affordable housing. A study must first be made, through a Generic Environmental Impact Statement, of the potential effects of increasing density.

5.12 SENIOR CITIZEN HOUSING

As discussed in Chapter 2, a lack of housing options for senior citizens in Greenville may be forcing these residents to move elsewhere. Many senior citizens are on fixed incomes. With increased costs, these residents are in danger of losing their homes and being forced to move to another community. Sixty-one percent of respondents to the Public Opinion Survey felt that senior citizen housing should be encouraged in the Town.

The *Comprehensive Plan* recommends that the Town adopt a Senior Citizen Floating Zone that would allow density to be increased at appropriate locations in the Town when housing is developed exclusively for senior citizens and when substantial amenities have been provided. One such location might be the proposed Town Center, where greater density is desirable and where the provision of shopping and personal services within easy walking distance would afford senior citizens the freedom of mobility.

5.13 ZONING CODE ENFORCEMENT OFFICER

Oversight and enforcement of zoning regulations and Planning Board decisions are now carried out by the understaffed and overworked office of the Building Inspector. In most towns in the region, this activity is the responsibility of a dedicated Zoning Code Enforcement Officer. With the increasing development activity in the Town, there is a strong need for additional regulatory enforcement. *The Comprehensive Plan* recommends

that the Greenville Town Board establish the position of Zoning Code Enforcement Officer.

CHAPTER 6. ECONOMIC GROWTH

Community Goal

Encourage economic growth to enhance the tax base, provide more local employment opportunities, and create convenience shopping.

residential growth outweighs commercial development, it is difficult for local government to find the revenues necessary to maintain services for its residents. Like agriculture, commercial development provides more in tax revenues than it costs to provide services. In contrast, residential development costs more to service than it provides in taxes. Thus, some commercial development in Greenville is necessary to enhance the tax base and provide for more balanced municipal service funding.

Limited commercial development is also desirable in Greenville because it will provide greater convenience for local residents. At present, Greenville has almost no retail or service businesses. Town residents must travel to Middletown, Port Jervis, or towns in New Jersey and Pennsylvania to fulfill their daily shopping needs. Not only is this inconvenient, it also results in additional traffic on local roads, the added expense of long-distance travel, and the loss of tax revenues in the Town, which could be used to rectify the fiscal imbalance created by predominantly residential development.

Greenville's 2000 population of 3,800 persons represents a potential \$20 million in consumer spending that is currently being expended elsewhere. This \$20 million

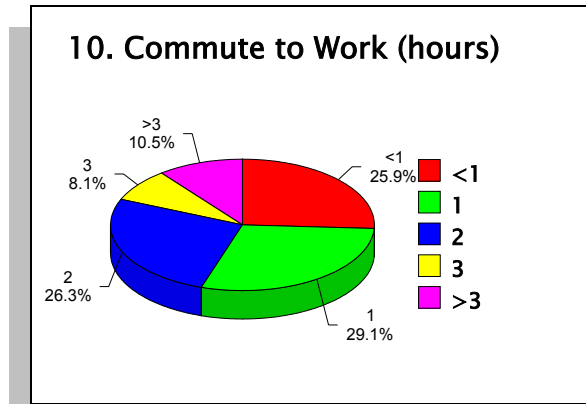
One of the most frequent responses to the Public Opinion Survey was the concern about rising taxes and the minimal services these taxes provide. In particular, road maintenance and snow plowing were repeatedly cited by Greenville residents as services that needed improvement.

This combination of problems--high taxes and minimal services--results from an imbalance of land uses. When

Town	Residential Development	Commercial & Industrial	Open Space & Agricultural
Warwick, NY	1:1.07	1: 0.49	1:0.53
New Hartford, NY	1:1.48	1: 0.17	1:0.25
Lansing, NY	1:1.56	1:0.16	1:0.16
Ithaca, NY	1:1.14	1:0.41	1:0.40
North East, NY	1:1.36	1:0.29	1:0.21
Beekman, NY	1:1.12	1:0.18	1:0.48
Red Hook, NY	1:1.11	1:0.20	1:0.22
Fishkill, NY	1:1.23	1:0.31	1:0.74
Amenia, NY	1:1.23	1:0.25	1:0.17
Durham, CT	1:1.07	1:0.27	1:0.23
Farmington, CT	1:1.33	1:0.32	1:0.31
Litchfield, CT	1:1.11	1:0.34	1:0.34
Pomfret, CT	1:1.06	1:0.27	1:0.86
Becket, MA	1:1.02	1:0.83	1:0.72
Franklin, MA	1:1.02	1:0.58	1:0.40
Leverett, MA	1:1.15	1:0.29	1:0.25
Westford, MA	1:1.15	1:0.53	1:0.39
Hopkinton, RI	1:1.08	1:0.31	1:0.31
West Greenwich, RI	1:1.46	1:0.40	1:0.46
Little Compton, RI	1:1.05	1:0.56	1:0.37
Average	\$1:\$1.19	\$1:\$0.35	\$1:\$0.39

could potentially support the development of retail, food, entertainment, and personal services in a new Town Center. As discussed below, most Greenville residents would like the convenience of a number of small-scale retail and service businesses in Town, as long as these enhance Greenville's rural character.

Commercial development can also provide Greenville residents with more local employment opportunities. Most respondents to the Public Opinion Survey say they commute outside Greenville to work, and a large number indicate they commute as many as two or three hours a day. Commuting is both expensive and inconvenient. The high cost of gasoline and car maintenance can significantly reduce annual net earnings. Time spent on the road can be disruptive of family life and community. Commuting also contributes to increased traffic in the area. Moreover, towns with local employment opportunities have greater community cohesion, since people get to know each other when they work and shop nearby.



Source--Greenville Public Opinion Survey

The *Comprehensive Plan* recommends that the following strategies be adopted to enhance Greenville's tax base, provide convenient shopping, and create more local employment opportunities for Greenville residents.

6.1 SMALL-SCALE RETAIL/SERVICE BUSINESSES

Small-scale retail stores and services that meet the day-to-day needs of local residents were frequently cited in the Public Opinion Survey as types of businesses that should be encouraged in Greenville. Residents cited the need for a grocery, hardware, and general merchandise store, along with a bakery, bookstore, video store, coffee shop, and pharmacy. Offices, a post office, and personal services such as a hairdresser, bank, laundromat, and dry cleaners, were also frequently cited as desirable. A gas station, car wash, and auto repair shop were desired by many residents, although these services also appeared on the list of

Greenville residents were divided on whether businesses serving automobiles, such as a gas station, car wash and auto repair shop, were desirable. The Community Image Survey indicated that this issue could be resolved through better design.

undesirable businesses. A clear consensus emerged that residents do not want fast food franchises or adult uses, such as strip clubs or adult bookstores.

6.1.1 Location of Retail/Service Businesses

While Greenville residents desire small-scale retail and service businesses in Town, they are strongly opposed to commercial strip development. Fifty-four percent of respondents to the Public Opinion Survey said that this type of retail development should be discouraged in Greenville, with thirteen percent remaining undecided. Strip commercial development consistently received the most negative ratings in the Community Image Survey. Slides depicting features of this type of development, such as big box stores, large parking lots dominating lot frontages, minimal or no landscaping, and large commercial signs, received average ratings of -7 on a scale of +10 to -10, with +10 for most desirable and -10 for least desirable.

While Greenville residents desire the convenience of retail and service businesses, they do not want development that is destructive to the rural character and scenic beauty of their community. The *Comprehensive Plan* therefore recommends that strip malls and scattered retail development should be prohibited. In addition, the size of new commercial development should be limited by square footage to prohibit “big box” retail establishments. Small-scale businesses can be accommodated without detracting from the Town’s rural character by locating them in a new Town Center.

In the Public Opinion Survey, residents were equally divided about the desirability of developing a Town Center in Greenville, with 43.4 percent in favor of it, 43.4 percent opposed, and 13.3 percent undecided. However, in the Community Image Survey, most slides depicting Town Center style development received either positive or neutral ratings. It appears that residents who were previously uncertain about this alternative favored it when presented with visual images of what it could look like. A

Land Use Strategies for Economic Development

- ☞ Permit small-scale retail and service businesses to locate in a new Town Center.
- ☞ Encourage light industry in Greenville.
- ☞ Revise and expand zoning regulations for home occupations.
- ☞ Establish a Telecommunications Task Force to lobby for high speed broadband access in Greenville.
- ☞ Promote farmers markets and pick-your-own operations.
- ☞ Permit the adaptive reuse of agricultural barns by providing for expanded use of these structures.
- ☞ Capitalize on Greenville’s location near major tourism destinations by encouraging inns, bed and breakfasts and other tourism oriented businesses.
- ☞ Develop a Greenville Greenway Trail as a destination attraction.
- ☞ Work with Orange County Tourism to promote Greenville as a “destination to stay.”
- ☞ Identify locations for elderly health or retirement developments.

Town Center could provide businesses that enhance the Town's tax base while conveniently serving the daily needs of Greenville residents, and without detracting from the Town's rural character. Development of a Town Center is discussed in detail in Chapter 7.

6.2 LIGHT INDUSTRY

Light industries are generally not objectionable because they do not generate excessive noise, truck traffic, fumes, or other nuisances. Light industry should have a minimal negative impact on neighbors or on the natural environment. Some examples of light industries include research facilities, professional offices, small manufacturing, and high tech firms. Many Greenville residents listed these as types of businesses they would like to encourage in the Town.

Light industry needs an effective transportation system to work. Greenville should capitalize on its location near Interstate 84 by allowing light industry to locate near this major road. Natural constraints such as wetlands in the area immediately adjacent to the Interstate's access ramps prohibit light industrial development at this location. However, the area south of Smith's Corners may be an appropriate location for light industry as it would allow the traffic required by this use easy access to the Interstate system without unduly disrupting residential neighborhoods. While this area is not served by the infrastructure normally required for industrial and manufacturing facilities, it could accommodate an enterprise center or incubator for sector businesses identified by the Economic Task Force, as discussed at the end of this chapter. These industries could play a growing part in Greenville's future economic development.

Special-use permit provisions will protect natural resources from potential impacts by such facilities. The negative aesthetic and traffic impacts of office and light industrial structures can be reduced by design requirements related to architecture, parking, and access. Most zoning regulations control just the size and location of the building. However, building form should be subject to architectural guidelines or standards, such as those published by the New York Planning Federation or the Hudson River Valley Greenway. A minimum frontage requirement of up to 300 feet with landscaping should be provided to reduce the visual impacts from the road. Approaches should also be made appealing to those arriving in ways other than in the automobile. Paved parking areas should be placed as far from public view as possible, preferable to the side or rear of the building. Moreover, current planning and engineering standards support reducing the minimum parking space formulas, requiring less paved area. Additional limitations should restrict curb cut width and spacing, reduce the number of entrances onto major roads, as well as eliminate the possibility of continuous paved access. Large screened buffer areas should be required between light industrial and adjacent residential uses.

By providing architectural guidelines, regulating the location of parking lots, and requiring proper screening, the visual impact of light industrial and office uses can be

minimized. This is particularly important at the I-84 access, since this is a major gateway to the Town.

6.3 HOME OCCUPATIONS

With the advent of telecommuting, more and more people are working out of their homes. Others operate small service and retail businesses, or produce small items in their place of residence. Nationwide, home occupations have risen, reflecting fundamental changes in the American economy. In 1997, the US Bureau of Labor Statistics reported that 4.1 million self-employed individuals were working at home and that this figure is rising each year.

Home occupations can provide numerous benefits for both home-based workers and the Town. Home-based businesses provide useful services and encourage business growth by eliminating the initial need for some small businesses to rent commercial space, an important factor to someone who is just starting a new venture. Working at home also saves commuting and child care costs and reduces traffic congestion. Home occupations can also provide many people who might be unable to work outside the home (including single parents, the elderly and the disabled) an opportunity to earn a living. And by creating activity in residential neighborhoods that might otherwise be deserted during the day, home occupations help to reduce crime.

Most people agree that home occupations are a good thing as long as they do not create disturbances in their neighborhood. By clearly defining home occupations and setting performance standards for them, this industry can flourish while preserving the residential quality of the neighborhood. Since impact is more important than use, performance standards should be developed to provide clear guidance to both zoning officials and those interested in conducting a home-based business. A performance standard approach will protect the rights of home-based workers without creating nuisances in residential neighborhoods. Appropriate standards include such factors as noise, odors, traffic, and parking.

The *Comprehensive Plan* recommends that a variety of home occupations be encouraged in Greenville to promote economic vitality and diversity in the community. A performance standard approach should be adopted rather than regulating specific uses. The current zoning could also be amended to a two-tier structure that distinguishes between home occupations that require a special permit and those that do not. Home occupations that are located in the occupant's home, do not depend on daily high volume customer traffic, employ fewer than three people, and do not have other negative effects on residential neighbors would be a permitted use subject to a use permit issued by the Town Building Inspector. All

other home occupations, including those located in an accessory building on the property, would require a special permit and would be subject to review and performance standards during the permit process. If the home occupation outgrows the owner's residence and needs to expand by adding employees and/or additional space, the performance standards will ensure that the use no longer qualifies as a home occupation.

6.4 TELECOMMUNICATIONS

The Public Opinion Survey indicates that Greenville residents also desire to encourage Internet-based businesses in Town. To encourage these low impact businesses, Greenville should lobby for broadband services that provide high speed access. Currently, most Internet service in Greenville is provided by dial-up access over a regular phone line. Broadband access, which is at least ten times faster, is a requirement for any serious Internet-based business. It is also becoming more essential to telecommuters and professionals working out of home offices. As these forms of work become more prevalent, the possibility of increasing employment opportunities in Greenville may depend on the Town's ability to secure high speed Internet access. In the near future, high speed access will be essential to attracting new Internet-based businesses.

There are two types of broadband Internet access that offer greater speed and ease of use of the Internet: cable-based and Digital-Subscriber Line (DSL). The *Comprehensive Plan* recommends that the Town establish a Telecommunications Task Force to investigate which broadband access would be most feasible in Greenville, and to lobby for this service as quickly as possible. This will attract more telecommunications businesses to Greenville, which will provide local employment opportunities without affecting the Town's rural character.

6.5 FARM STANDS AND ACCESSORY BUSINESSES

Many Greenville residents expressed a desire for fresh local produce and farmstands in the Town. Agricultural farm outlets that are allowed to sell a variety of local farm produce should be encouraged in Greenville and allowed by special use permits. Landscaping and signage requirements, curb cut limitations and setbacks should be used to limit the visual impacts on the road. The *Comprehensive Plan* recommends that farming as a viable business be included in any future economic development plans prepared for the Town. Farmers markets and pick-your-own operations should also be promoted. Protecting and enhancing Greenville's agricultural industry is discussed in greater detail in Chapter 3.

To help preserve historic or unique farm structures that merit special attention, utilization of these buildings for special commercial operations, such as a bed and breakfast, should

be encouraged using a performance based approach. Special consideration should be given to preserving preexisting farm structures such as barns.

6.6 TOURISM

Greenville is well situated near major regional tourism attractions, such as the Upper Delaware Scenic and Recreational River, the Wallkill National Wildlife Refuge, the Appalachian Trail, the Basha Kill State Wildlife Management Area, the Delaware Water Gap National Recreation Area, New Jersey's High Point State Park and Stokes State Forest, and the Shawangunk Ridge. The Town should capitalize on its location near these recreational destinations by encouraging inns, bed and breakfasts, and other facilities serving tourists. As these businesses are established, the Town should work with Orange County Tourism to promote itself as a "destination to stay," with lodgings for visitors to these regional sites. The current Zoning regulations should be revised to encourage these businesses.

The Town can establish itself as a tourism destination by permitting and promoting accessory farm businesses and by developing the Greenville Greenway Trail proposed in Chapter 4. Towns similar to Greenville along the Harlem Valley Rail Trail in Dutchess County have reaped economic gain from the presence of trails, which attract people to shop and support businesses that serve recreational needs. Recreational tourism businesses should also be encouraged and promoted in the Town.

6.7 SENIOR CITIZEN HOUSING

Senior citizen housing is a special form of economic development. Because this type of development is intended to house residents fifty-five years of age and older, and usually includes minimum age requirements prohibiting persons under the age of 19, senior citizen housing is one of the few forms of residential development that does not create an increased burden on school taxes or generate traffic congestion. For this reason, many towns in New York regard senior citizen housing as a form of economic development.

The majority of respondents to the Public Opinion Survey were in favor of senior citizen housing. Sixty-one percent felt that this type of development should be encouraged in Greenville. As discussed in more detail in Chapter 2 and Chapter 5, there is a need in Greenville for this type of development. An ideal location for this type of economic development would be the proposed new Town Center, which, by encouraging walking, would allow seniors the freedom of mobility.

6.8 UNDESIRABLE BUSINESSES

At the time this *Comprehensive Plan* was prepared, Greenville did not have any businesses that could be classified as “adult uses.” However, numerous residents who responded to the Public Opinion Survey stated that they would like to discourage this type of business from locating in the Town. Examples of adult businesses include adult bookstores, adult video and/or novelty stores, topless/bottomless bars, adult hotels and motels, adult movie theaters, escort agencies, massage parlors, peep shows, and the like.

The concerns with adult uses are the secondary effects that these businesses could have on the residents of the Town and the character of Greenville’s neighborhoods. Numerous studies conducted by a wide variety of municipal planning departments across the nation have found a direct relationship between the presence of adult uses in a neighborhood and secondary adverse effects, such as increased crime rates and depreciated property values. Local governments have used land use controls, based on the planning studies, to regulate the locations of adult uses in order to minimize secondary adverse effects, and the courts have consistently sanctioned the use of land use regulations that are directed at those secondary impacts.

Adult uses are appearing with increasing frequency in Hudson Valley communities. Neighboring Wawayanda, for example, which is a rural Town like Greenville, currently has at least three adult businesses. Greenville should consider the land use issues associated with adult uses before it is faced with an actual proposal. At present, adult bookstores, novelty stores, and strip clubs are prohibited in all zones of the Town by the Greenville zoning code. However, the First Amendment prohibits banning these uses outright. While the current zoning will discourage most adult businesses from locating in Greenville, if challenged in court, is not likely to be upheld. Moreover, the current zoning does not adequately cover all forms of adult uses. Many of these could “fit” into a variety of uses in the Town’s use schedule without any restriction.

While the First Amendment prohibits banning these uses outright, Greenville can set specific minimum distances between locations of adult uses (to prevent the concentration of adult uses in any one neighborhood) and between land uses that are particularly sensitive to their secondary impacts, such as residential developments and places where children congregate like schools, parks, churches, and playgrounds. The US Supreme Court has affirmed the authority of local government to restrict the locations of adult uses based upon their known secondary adverse impacts. The *Comprehensive Plan* recommends that the current zoning be amended to regulate Adult Uses to minimize their secondary adverse effects.

6.9 ECONOMIC TASK FORCE

To provide for economic growth that maintains the rural and agricultural quality of life important to residents of Greenville, the *Comprehensive Plan* recommends that the Town establish an Economic Task Force. The goal of the task force would be to prepare a comprehensive economic development strategy for the Town.

Information can be gathered through a careful study of economic trends in the Hudson Valley. Task force members should also tour towns in the area that have been successful in attracting new businesses and discover what strategies these towns adopted to encourage economic growth. Examples of industry sectors that might be toured include: high tech in the East Fishkill IBM facility in Dutchess County; environmentally-oriented economic development such as within the New York City-Catskill Watershed area, and tourism destination creation at Canyon Ranch in the Berkshires of Massachusetts and Mohonk Mountain House in Ulster County.

The Economic Task Force should also work closely with the Orange County Partnership to devise a strategy to concentrate economic development efforts on a sector of businesses that are located near each other and share other common features, such as a shared market, a product, a technology, a resource, or a work force need. The Town's comparative advantages should be analyzed and used as a basis to recruit firms and services that support the targeted sector. In addition, the Town could establish an enterprise center or incubator that provides small businesses in the same or related industries with a facility and shared services.

The Economic Task Force can also marshal expertise by inviting conference speakers to Greenville to address economic development. In addition to the Orange County Partnership, the Task Force could invite speakers from Mid-Hudson Patterns for Progress, New York State Economic Development, Regional Plan Association, Orange County Community College, and the Dutchess County Economic Development Corporation. From March 1999 to March 2000, Dutchess County experienced the highest job growth rate in the State, with gains in virtually every broad industry category in the private sector--this, despite the fact that the County lost its major employer, IBM, just a few years previously. The Economic Task Force should carefully analyze the reasons for Dutchess County's success.

Greenville does not have the infrastructure or land conditions necessary to attract major industries. Economic growth in Greenville will be most successful if the Town can identify and build on existing, small-scale local enterprises. To achieve this goal, the Economic Task Force should seek input from local entrepreneurs who are working on the cutting edge of new business creation. One way to identify these entrepreneurs is through the US Patent Office. Searches can be made through the US Patent Office's Internet website of all patents granted to individuals or companies by zip code. Economic growth in Greenville may occur by identifying

the specific needs of these innovative thinkers and assisting them in developing their ideas into business ventures.

Most importantly, the Economic Task Force should stay focused, and be patient. Developing a viable local economy will take time and effort.

Other strategies that the Greenville Economic Task Force should consider include:

- *Approach area banks to invest in Greenville's economic growth. The Community Reinvestment Act of 1997 requires that banks affirmatively seek out lending opportunities in the local communities they serve.*
- *Set up a revolving loan fund to "jump start" local home-based businesses and to entice related out-of-town businesses to locate in Greenville.*
- *Provide information and technical assistance directly to businesses in the targeted sector.*
- *Provide expertise to assist new businesses in the development review process.*
- *Review submissions and recommend changes that will improve a project's compatibility with Greenville's long term goals.*

CHAPTER 7. TOWN CENTER

Community Goal

Create an identifiable Town Center in the vicinity of Smiths Corners to allow for the development of fully integrated, mixed-use pedestrian oriented neighborhoods designed to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation.

Edward T. McMahon of the Conservation Fund has said that our present suburban-sprawl development pattern has “*made cars happy and people miserable.*” Since the Second World War, most new development has been designed around the car. The separation of residential and commercial uses, one of sprawl’s key features, forces people to drive to shop and to work. Within residential subdivisions, homes are separated on large lots, which forces people to drive to visit their neighbors and sometimes even to pick up their mail at the end of a long driveway. Even in more compact developments, the

orientation towards the car is seen in the predominant place given to the garage, which faces the road the way porches did in the past. Strip commercial development along highways can only be safely reached by car, and road widenings and straightenings throughout communities have encouraged speeding and further imperiled pedestrians.

Historic Town Centers, on the other hand, took their form before the advent of the car. People lived in tightly clustered mixed-use settlements because their only means of transportation was by foot or horse. We cannot simply return to this type of development because the automobile is a reality that is here to stay. However many people are now dissatisfied with the pattern of development that privileges the car to the exclusion of other forms of transportation, such as walking and bicycling. The planning movement known as “neo-traditionalism” or “smart growth” presents a new set guidelines for the construction of traditional-style Town Centers that can accommodate the car.

7.1 GREENVILLE’S TOWN CENTER

Historically, Greenville’s Town Center was located in the Smiths Corners vicinity, and was anchored by a post office, general store, and hotel. Reestablishing a Town Center at this location has been a goal of Greenville residents for many years. The 1968 *Greenville Comprehensive Development Plan* envisioned Greenville “*as a primarily*

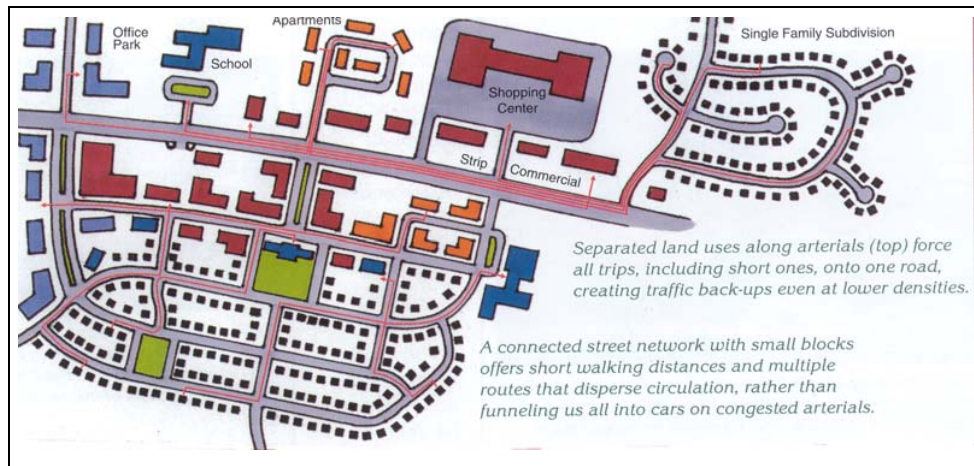
low-density residential community with a substantial commercial area and medium-density residential community in the vicinity of the interstate Route 84-Mountain Road-Route 6 interchange area.” In the Community Image Survey conducted in February 2000, slides depicting Town Centers received positive ratings, and in the Public Opinion Survey, 70.6 percent of respondents felt the ideal location for a Town Center would be Smiths Corners.

Since the previous plan’s adoption in 1968, a number of exciting changes have occurred in the planning arena that today make the development of a Town Center in Greenville more feasible. While professional planners have been advocating Town Center development for years because of its economic and environmental advantages over sprawl, these ideas have now percolated down to the grass-roots level. Alternatives to sprawl have become part of the national agenda, primarily because ordinary citizens have recognized the expense of sprawl and its negative impacts on the environment and community character. As a result, “smart growth” initiatives have been developed by State governments, including Maryland, New Jersey, and Oregon, and planners have responded by creating specific zoning requirements and development guidelines for Town Center development. Perhaps most important, private developers are now leading the way in creating Town Centers, frequently petitioning government officials to amend their zoning ordinances to permit this type of development. The National Association of Home Builders is just one example of an organization representing private development interests that has recently advocated for Town Center or “neo-traditional” development. These conditions did not exist at the time of the 1968 *Greenville Comprehensive Development Plan*.

7.2 CHARACTERISTICS OF A TOWN CENTER

Town centers are called “mixed-use” developments because they include both residential and commercial uses. Apartments are located on the second story of small-scale retail and service shops that meet the day-to-day needs of residents in the community. Single family homes are tucked into neighborhoods located behind the main commercial crossroads. These residential neighborhoods are characterized by significantly higher densities than are allowed in conventional subdivisions.

Perhaps the key feature of a Town Center is that it is designed primarily around pedestrians. Everything is within easy walking distance, and streets are laid out in an interconnected “grid pattern” that encourages walking and bicycling. In fact, the easiest way to visualize a Town Center is to reverse sprawl’s orientation towards the automobile and think in terms of “*pedestrians first*.” While pedestrians are not the exclusive mode of transportation, Town Centers are designed primarily to make walking safe and convenient. Streets are designed with sidewalks and other pedestrian amenities, while cars are accommodated with on-street parking and small parking lots behind buildings. Smart growth uses the traditional principals that governed the layout of historic Town Centers, and adapts them to the realities of modern life.



7.3 BENEFITS OF A TOWN CENTER

The benefits of Town Center development are many. By including a mix of commercial and residential uses in close proximity to each other, Town Centers allow people to walk to shops and to work. This reduces traffic congestion on local roads and creates greater community cohesion as people meet and greet each other on the street. It also gives children the freedom of greater mobility as they are able to play in the neighborhood without needing to rely on parents to drive them to “play dates.” Seniors and other citizens who do not own cars have the freedom to shop without needing to rely on neighbors or family.

Town Centers also accommodate residential growth while preserving farmland and protecting natural and scenic resources. By concentrating new development in an area with greater density, Town Centers discourage the sprawling development that consumes open space. Moreover, since residential development in a Town Center occurs on smaller lots, or is provided in apartments above shops, it is often more affordable for seniors, young families, or those of lesser means.

Town Centers are also less costly to service, since infrastructure, such as roads and utilities, is more compact. By serving more people with fewer miles of roads and utility lines, Town Centers maintain lower taxes. The tax base is also stabilized by the Town Center’s provision of commercial development, which, like farmland, contributes more in taxes than it demands in services. But Town Centers provide for commercial development without the negative effect on community character that so often results from the commercial strip development pattern of sprawl.

Perhaps most importantly, a Town Center satisfies a basic human need to belong to an identifiable “place,” which is built on a human scale, encourages social interaction, and fosters community well-being.

7.4 A NEW GREENVILLE TOWN CENTER

A Town Center is traditionally “anchored” by a key business, service, or civic building, such as a grocery store, post office, or school. Interestingly, these are three types of development that Greenville residents desire in their Town. At the present time, most Greenville residents must commute to Port Jervis or Middletown for groceries. When asked what types of businesses should be encouraged in Greenville, residents ranked a grocery store and small retail and personal service establishments as the most important, even more important than light industry.¹ Moreover, many residents would prefer that their young children attend elementary school closer to home, rather than make a lengthy commute to Minisink. And a majority of respondents thought Greenville should have its own Post Office.²

Many of the small proprietorship retail and service businesses that are traditionally found in a Town Center are precisely the ones that many Greenville residents identified in the Public Opinion Survey as most desirable for Greenville. These include a:

- Diner
- Pharmacy
- Laundromat
- Retail dry cleaner
- Take-out restaurant
- Old-fashioned general store
- Local coffee shop
- Car wash
- Gas station³
- Bank
- Bookstore
- Sport shop
- Barber/beauty shop
- Hardware store

Moreover, while a large majority of Greenville residents desire these types of businesses in Town, the majority (53.9 percent) also wishes to discourage commercial strip development, and this type of development received the most negative ratings of all the slides shown in the Community Image Survey.⁴ The best way to provide residents with convenient small-scale shops and services, without encouraging commercial strip development, is to develop a Town Center.

The Public Opinion Survey also indicates that Greenville residents have a strong interest in preserving the rural character of their Town, particularly its open space and farmlands. Ninety-three percent feel it is important to protect agriculture in the Town, and 94 percent feel it is important to protect natural resources. Sixty-one percent of respondents

¹ The full results of the Public Opinion Survey can be found in the *Special Studies Supplement* to the *Comprehensive Plan*.

² 46.2 percent felt Greenville should have its own Post Office, 43.3 percent were opposed, and 10.5 percent were undecided.

³ As discussed in Chapter 8, car-oriented establishments, such as gas stations, received mixed reviews in the Public Opinion Survey. However, the Community Image Survey determined that this could be resolved through better design.

⁴ A full report on the Community Image Survey can be found in the *Special Studies Supplement* to the *Comprehensive Plan*.

to the survey also wish to provide more housing opportunities for senior citizens in Greenville, with 17.3 percent undecided. Moreover, Greenville residents expressed numerous times throughout the Public Opinion Survey that they wish to maintain low taxes. As discussed above, preserving open space, providing affordable housing for seniors, and maintaining a stable tax base are just a few of the benefits of Town Center development. Establishing a Town Center in Greenville would satisfy many of the goals of Town residents. For these reasons, the *Comprehensive Plan* recommends that Greenville establish a new Town Center in the vicinity of Smiths Corners.

7.5 CREATING A TOWN CENTER

The first step in creating a Town Center is to establish a Town Center (TC) zoning district. The purpose of this district is to allow for the development of a mixed-use, pedestrian oriented neighborhood that would minimize traffic congestion and reduce suburban sprawl, infrastructure costs, and environmental degradation. The provisions of the TC district adapt conventions that were normal in the United States from colonial times until the 1940s, when suburban sprawl became the dominant land use pattern.

The previous *Greenville Comprehensive Development Plan* also recommended the establishment of a Town Center District. However, the previous plan's vision of a Town Center was still essentially suburban in nature. It separated residential and commercial uses and permitted some commercial strip development along Route 6. The suburban nature of this Town Center is reflected in the current Greenville Zoning Code, which includes three separate zoning districts: the Designated Town Center (which is a medium to high density residential area), the Designated Shopping Center, and the Highway Interchange Service Area.

This *Comprehensive Plan* recommends that a single TC district be established and that it permit fully integrated mixed-use development according to the design recommendations made in the section below. Commercial strip development would be discouraged. Permitted uses to serve the needs of the resident population in a convenient walking environment would include:

- important civic structures, such as a post office, elementary school, and small library connected to regional interlibrary loan services;
- small-scale retail, personal service, office, and workplace businesses;
- medium and high density single family detached, single family attached, and multi-family residential;
- home occupations;

- bed and breakfast inns;
- open space areas, including pocket parks, squares, and greenbelts; and
- parking

The recommended boundaries for the TC District can be seen on the Recommended Land Use Map in the back pocket of this *Comprehensive Plan*.

7.6 TOWN CENTER DESIGN

The next step to establish a Town Center in Greenville is to adopt TC District Zoning regulations and development guidelines. To design a Town Center that is convenient for pedestrians, the minimum development size should be 40 acres with a maximum development size of 200 acres. Maximum permitted densities and the total number of dwelling units could be established during the site plan review process. Greenville's subdivision plat approval procedures would govern specific applications. Recommended design principles for the new TC Zoning district regulations include the following:

- All neighborhoods have identifiable centers and edges.
- Edge lots are readily accessible to retail and recreation by non-vehicular means (a distance not greater than ¼ mile).
- Uses and housing types are mixed and in close proximity to one another.
- Street networks are interconnected and blocks are small.
- Civic buildings are given prominent sites throughout the neighborhood.

Small-scale commercial uses would be permitted along the main crossroads in the TC district: Route 6, Mountain Road, and Minisink Turnpike. These uses would be located on the first floor of two- to three-storied buildings, with apartments and offices above. The buildings would be pulled close to the street, with a sidewalk and planting area located between the buildings and the street. Parallel parking would be permitted along both sides of the street. The planting area and street-side parking create a safety zone for pedestrians on the sidewalk, while accommodating the car. Smaller municipal and private parking lots would be located behind the buildings.

Street trees would be planted every 20 to 40 feet on-center (depending on mature tree size) between the sidewalk and the street. The area would be lit with human scale street lights. Benches and other pedestrian amenities would further encourage walking. As the Town Center becomes established, speed limits in the area would be lowered to the minimum allowed by law, and textured crosswalks and other traffic calming measures would be installed to facilitate safe pedestrian crossings of these roads. Signage would be of pedestrian scale, since there would be no need for the large, garish signs required by auto-oriented commercial strip development.

The architecture of these mixed-use buildings would be in keeping with the historic character of the Hudson Valley, as reviewed by the Architectural Review Board.

7.6.1 Residential Neighborhoods

Residential streets in the TC district would be located behind the commercial crossroads. Street networks would be interconnected and have small blocks. Streets would be designed to have narrow roadways, curbside parking, sidewalks, street trees, and modest front yard setbacks, with front porches and back garages. Houses would be situated in the same visible relationship to the street and to each other to create an unbroken streetscape that encourages walking. This is an appropriate prototype for medium density single-family neighborhoods within walking distance to the commercial crossroads.

It should be noted that this type of development received one of the highest ratings (6.4) of any slide presented in the Community Image Survey. Moreover, images of multi-family residential development, in a Town Center also received a positive rating of 4.0.

7.7 GENERIC ENVIRONMENTAL IMPACT STATEMENT

To further encourage and guide development of a Town Center, the *Comprehensive Plan* recommends that the Town consider preparation and adoption of a Generic Environmental Impact Statement (GEIS) for the TC district. A GEIS encourages appropriate development by streamlining the environmental review process. The GEIS studies potential environmental impacts of development in an area and establishes thresholds for impacts and mitigation. Future site-specific SEQR review is then limited to those projects that exceed one or more of the established thresholds. If a Type I or Unlisted action falls within the thresholds established in the GEIS, the Lead Agency may issue a Negative Declaration on that basis. Development guidelines would establish a checklist of issues to be addressed so that new development is built in accordance with the GEIS.

By preparing a GEIS for the TC district, the Town could offer a developer the ability to simply prepare an Environmental Assessment Form (EAF), instead of having to prepare a full Draft Environmental Impact Statement, so long as the developer is willing to follow the plans and designs of the GEIS. This creates an incentive for development of the Town Center, and also discourages development that is beyond the scope of the GEIS and inconsistent with the goals of the TC district.

The goal of the GEIS would be to provide a walkable mixed-use neighborhood as an alternative to sterile and monotonous auto-oriented suburban tract development.

Pedestrians would be the pivot point around which the development would be oriented, not the automobile. This would be accomplished by incorporating appropriate planning principles that recognize pedestrian orientation into the GEIS provisions.

Such a strategy will ensure that more concentrated development will occur where environmental constraints permit it, and may lessen development pressures in other areas of the Town.

7.8 CAPITAL IMPROVEMENTS

Due to the high density of development in the Town Center, this area may require community water and sewer services. Since the land area included in the TC district is small, the financial feasibility of providing public water and sewer service to this area is maximized. The *Comprehensive Plan* recommends that a combination of two techniques be employed to fund the provision of these services.

7.8.1 Incentive Zoning

The first technique, which is discussed in more detail in Chapter 3, occurs through “incentive zoning.” Incentive zoning encourages developers to provide community benefits or amenities, such as community water and sewer, other community facilities, or open space preservation in exchange for increased density. Where it is not feasible or practical for these benefits to be provided immediately, the developer may make a cash payment to the Town in lieu of the benefit. This sum would be held in a trust fund or “resource bank” to be used exclusively for the specified benefit or amenity at the appropriate time.

The Town Center could be identified as one area where zoning incentives were permitted. In exchange for developing this area at a greater density, the developer would provide the Town with community benefits or amenities. Alternatively, a developer might receive a density bonus for a parcel outside the Town Center, as long as it was developed according to conservation subdivision design. In exchange for this increased density, the developer would make a cash payment to the resource bank to be used for the development of community water and sewer in the Town Center or other benefits.

This program is entirely voluntary and benefits both the developer and the Town. The developer would gain the economic advantage of greater density, and the Town would benefit from establishing a Town Center. Moreover, this funding program would have the support of Greenville residents; 90 percent of respondents to the Public Opinion Survey said developers should pay for the costs of expanding sewers and other services that are needed by new development.

7.8.2 Municipal Expenditures

The second strategy to finance development of community water and sewer services is through municipal expenditures. In general, Greenville residents are opposed to this method. In the Public Opinion Survey, 50.4 percent opposed the development of public water and sewage systems to direct future growth in certain areas of the Town, with 27.6 percent approving, and 22 percent undecided. The large percentage of people who were undecided warrants further exploration of this issue.

The *Comprehensive Plan* recommends that a fiscal impact study be done to determine whether financing public water and sewer through a municipal bond would be more financially beneficial to the Town in the long-term than the increase in services incurred by continued sprawling development. If the financial impacts of public water and sewer are shown to outweigh the increased costs of sprawl, while at the same time preserving Greenville's rural character and quality of life, more residents may be in favor of this expenditure, particularly if it could be reduced through funds provided through incentive zoning.

7.9 ATTRACTING PRIVATE DEVELOPMENT

One role of the Economic Task Force recommended in Chapter 6, should be to market the Town Center to development firms that specialize in "neo-traditional" development. The Task Force might begin by inviting speakers to Greenville with significant direct experience in this area, such as Andres Duany of Duany Plater-Zyberk Architects and Town Planners, Victor Dover of Dover Cole Associates, Peter Calthorpe of Calthorpe Associates, or Peter Katz of the Congress for New Urbanism. Once the Town Center is established, the Economic Task Force should develop a marketing plan to attract businesses that are compatible with the Town Center character.

CHAPTER 8. COMMUNITY FACILITIES & SERVICES

Community Goal

Ensure that public facilities and services, including recreation, are adequate in location, capacity, and design to properly serve planned development and growth of the Town.

The desirability of any community as a place to live depends in part on the availability of community services, such as parks, schools, emergency services, and fire and police protection. At present, Greenville contains a few community facilities of its own, but its residents must rely on neighboring municipalities, particularly Middletown, for others. While large facilities, such as a Community College or hospital, are the type of services that can only serve a large area, other facilities, such as recreation, fire and

police protection, can be provided by Greenville itself. These services can be provided at a reasonable cost through innovative strategies and by encouraging volunteerism.

8.1 RECREATION

According to the Consumer Survey on Growth Issues conducted by the National Association of Homebuilders in 1999, two of the most important amenities that influence people to move to a new community are parks and walking-jogging trails. Greenville currently owns one recreation facility of approximately 4 to 5 acres bordering Binnewater Pond and accessed off Binnewater Road. This park contains two picnic pavilions, several barbecue stoves, a playground area, and a fishing area. The park is serviced by water and electricity. Public access to a number of streams in the Town permits fishing, and the DEC stocks Rutgers Creek with several species of trout. Private landowners permit members of the local rod and gun club to hunt on their property. The Miniskink Valley Central School site in the Town of Waywayanda has a number of athletic fields that can be used by Greenville residents by request. In addition, the Town is located relatively close to High Point State Park in New Jersey, as well as the Upper and Middle Delaware River National recreation areas.

In the Public Opinion Survey, 57.5 percent of respondents said there is a need for more recreational opportunities in Greenville; however an equal number said they do not want these improvements to affect their taxes. Fifty-two percent of survey

respondents said they would not support the purchase, maintenance, and operation of land for outdoor recreational activities if it meant an increase in taxes. The majority of respondents (43 percent) do not believe Greenville should acquire land for park use on the ridge,¹ and 53.2 percent were opposed to the Town developing a year-round recreational building. Residents are also against the Town sponsoring more supervised recreational activities, with 47.1 percent opposed, 34.2 percent in favor, and 18.7 percent undecided.

The challenge to provide more recreational facilities without an increase in taxes can be met through the development of trails and through a reexamination of the Town's recreation fee schedule. As stated above, the NAH's survey found that trails are an important determinant to where people decide to live. This is true in Greenville as well. When asked which facilities should be added or improved in Greenville, bicycling and hiking received two of the top three rankings.² Moreover, 52.2 percent of respondents to the Public Opinion Survey were in favor of providing a 3 to 5 foot wide shoulder for pedestrians and bicyclists as the main roads of Greenville are repaved, and a majority felt Greenville should plan for a townwide trail system for recreational purposes.³

Trail development would provide the kind of passive recreational activities Greenville residents desire most, and would be cost-effective as well. Chapter 5 of this *Comprehensive Plan* discusses how land can be preserved for trails in new residential developments through conservation subdivision design and density bonuses. Trails can be developed on this land through volunteer efforts, with assistance from the Hudson River Valley Greenway (as discussed in Chapter 4), and by requiring that residential developments provide an appropriate recreation fee that is sufficient to pay for trail and new park development. Recreation fees are used by most in towns in New York State to mitigate the impacts of new residential development on a town's recreational facilities. In the Public Opinion Survey, 90 percent of respondents felt that developers should pay for the costs of providing new services to the Town. Reviewing current recreation fees to determine whether they are sufficient to pay for new park and recreation development should be undertaken as soon as possible.

Before the Town can increase its recreation fees, it must first develop an overall long term recreation plan that evaluates present and anticipated future needs for recreational facilities in the Town, based on projected population growth. To ensure a functionally linked network of trails, the location of trails should also be identified as part of an *Open Space Plan*, as discussed in Chapter 4. Once identified, the trail network should be included on the Official Town Map.

¹ Thirty-two percent said the Town should acquire land for park use on the ridge, and 25 percent were undecided.

² Of the 15 recreational activities listed in the survey, bicycling ranked first, followed by fishing and picnicking tied in second, and hiking which was third. The rated listing of all recreational facilities can be found in Appendix 1, "Public Opinion Survey and Results, in the *Special Studies Supplement* to the *Greenville Comprehensive Plan*.

³ 43.8 percent of respondents were in favor of trails, 39.3 percent were opposed, and 16.9 percent were undecided.

These investments would be well worth making. Developing a network of trails in Greenville will significantly improve resident's quality of life. Moreover, as discussed in Chapter 6, trails are also an important tourism attraction. Developing a network of trails in Greenville will bolster the local economy.

8.2 SCHOOLS

There are no school facilities in Greenville. All Town students attend the Minisink Valley Central School located in South Centerville in the Town of Waywayanda, or parochial schools located in Port Jervis, Middletown or Goshen. In recent years, about 20 percent of the Minisink Valley Central School's enrollment has come from Greenville. The School District enrollment has been expanding on average 2 percent per year over the last five years.

Many Greenville residents are concerned that young children are bussed a great distance to the Elementary School in South Centerville. Town officials have responded to this concern by meeting with School District representatives to discuss the possibility of establishing a satellite elementary school in Greenville. An appropriate location for this school would be the proposed Town Center. This area is centrally located in the Town, and developing a school here would be an important anchor for the Town Center. The successful establishment of a Town Center in Greenville will depend on the development of important civic buildings, such as a school, in this area.

8.3 MUNICIPAL SERVICES

Municipal services are provided in the new Town Hall located on Route 6. The Town Justice Court and Constables are also headquartered there, along with a substation of the New York State Police. The Constables are assisted by the Orange County Sheriff's Department and the State Police on an "as needed" basis.

Fire protection is provided throughout the Town by volunteers and is supported by local property taxes. The Greenville fire station is located in Smith's Corners. Emergency medical care and ambulance services are provided townwide 24 hours a day by highly trained volunteers from within the Town and neighboring communities. One of the most frequent problems cited by these volunteers is the difficulty serving homes on the Ridge, where steep roads encumber accessibility. Limiting development on the Ridge, as recommended in Chapter 4, will ensure this problem is not intensified. Future plans include locating a second Fire District and obtaining vehicles to maneuver driveways on the Ridge.

8.4 VOLUNTEER SERVICES

Many services in Greenville are provided by volunteers, from fire and emergency services to sports and cultural programs. These are all excellent examples of citizens providing for their community, and are evidence of the strong attachment Greenville residents feel to their Town. However, volunteerism is made more difficult by the modern-day demands of two working parents and long commutes to work. Given the vital nature and economic contributions of volunteers, every effort should be made to promote volunteerism in the Town.

Newcomers can be an important source of new volunteers. It is important that newcomers to Greenville become integrated into the community and become full participants in Town activities. A brochure explaining the various Town committees and local facilities where volunteers are needed is one way to integrate these new residents into the community and encourage volunteerism in the Town. The brochure could be produced by a Town-appointed committee, which could also establish a “welcome wagon” program. The time this committee invested to promote civic, recreational and other volunteer opportunities in Greenville would reap returns in recruiting new volunteers.

8.5 LIBRARY AND POST OFFICE

The Town of Greenville does not have its own post office or library. The Town is currently served by three separate zip codes, and residents must travel to libraries in Middletown or Port Jervis. A majority (46.2 percent) of residents who responded to the Public Opinion Survey believe Greenville should have its own Post Office, with 43.3 percent opposed and 10.5 percent undecided. However, 54.8 percent of respondents do not favor a new Post Office if it means an increase in taxes. The *Comprehensive Plan* recommends that these important civic services be provided in Greenville. A small post office and a library that provides interlibrary loan services should be located in the new Town Center, both for the convenience of local residents and to strengthen the Town Center as a social gathering place.

8.6 MEDICAL SERVICES

The Town is served by Bon Secour Hospital in Port Jervis, Horton Medical Center in Middletown, and Arden Hill Hospital in Goshen. In addition, Horton Medical Pavilion in Crystal Run outside Middleton provides out patient services. There are currently no local doctor’s offices in the Town.

While Greenville's population is too sparse to attract a major medical facility, local residents would benefit from closer proximity to medical offices of doctors, dentists and the like. The establishment of a Town Center in Greenville would provide the appropriate location for medical and professional offices and would meet this need.

8.7 UTILITIES

All of Greenville is currently served by individual wells and septic disposal systems. To protect the Town's rural character as it continues to grow, it may become necessary to install community water and sewer systems in the area designated for the Town Center, to accommodate denser development proposed for that location. Only portions of the Town are currently served by cable.

CHAPTER 9. IMPLEMENTATION

9.1 PURPOSE OF LAND USE PLANNING

New York State Town Law states that “*among the most important powers and duties granted by the legislature to a town is the authority and responsibility to undertake town comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens.*” [§ 272-a]. A comprehensive plan is a guide to the development or redevelopment of a community. Although it is the core document providing the basis for land use and policy decisions, the comprehensive plan is general in nature so that changes in the community and development trends can be addressed as they arise.

Town Law does not dictate the elements of a comprehensive plan, but suggests that it consider issues appropriate to the needs of the community, such as existing and proposed land uses, historic and cultural resources, community facilities, natural resources and the environment, demographic and socio-economic trends, housing and affordable housing, transportation facilities, open space, recreation, and educational facilities. The comprehensive plan includes the supporting data, documents, maps, charts and written analysis of each element that forms the foundation for goals, objectives, actions, and recommendations. It concludes with strategies to facilitate the implementation of the plan, thereby, achieving the objectives and, ultimately, the goals for each element.

The comprehensive plan is often confused with the zoning regulations of the community. However, the function and process of each is distinctly different. The comprehensive plan and its land use element is a function of the legislative responsibility of the Town Board and provides broad recommendations for the general location of residential, commercial, industrial and other uses, along with underlying policies, such as environmental protection. Zoning stems from the regulatory or police power of the Town and assigns regulations to specific districts which, ideally, are consistent with the comprehensive plan. Zoning is a tool to implement the plan, and the Town Board, Planning Board, and Zoning Board of Appeals use the recommendations in the plan as a guide to new construction, expansion and/or change in use of existing development, rezonings, zoning variances, and other relevant regulatory decisions.

It is critical to view the comprehensive plan as part of an ongoing planning process, periodically reviewed and revised as needed. Typically, the time frame of a comprehensive plan ranges from ten to twenty years; however, during this time, conditions can change radically. Therefore, the goals and objectives of the

comprehensive plan should be revisited annually, with implementation progress monitored regularly. An update of the plan may be warranted five years after adoption.

The Town Board of Trustees has the responsibility for preparation of the comprehensive plan, or the Board may, by a resolution, assign this responsibility to the Planning Board or to special Boards, such as the Town's Comprehensive Plan Committee. Final adoption of the comprehensive plan is by the Town Board of Trustees, upon recommendation by the Comprehensive Plan Committee and the Planning Board, after all required public hearings and the State Environmental Quality Review Act (SEQR) compliance procedures have been completed.

9.2 IMPLEMENTATION OF THE COMPREHENSIVE PLAN

9.2.1 State Environmental Quality Review (SEQR)

The first step that the Town must take to implement the *Comprehensive Plan* is to comply with the requirements of the New York State Environmental Quality Review Act (SEQR). This State law requires that government agencies identify the environmental effects of their actions, including adoption of community comprehensive plans. This action, which is under the sole jurisdiction of the Town Board, is classified as a Type I Action. The SEQR regulations require that the Town Board, as lead agency, identify any potential areas of environmental concern related to the action, thoroughly analyze the identified areas of environmental concern to determine whether an Environmental Impact Statement will be prepared, and then to set forth its Determination of Significance or Non-Significance in a written form.

9.2.2 Adopting the Plan

The next step in putting the *Comprehensive Plan* to work is for the Town Board to adopt it as its recommendations for the future growth and improvement of the Town. Once adopted, there are many strategies that the Town and its citizens can use to implement the *Comprehensive Plan*. Many of these are already in use within the Town and County. These and other techniques are described below.

Prior to adopting the *Comprehensive Plan* and after conducting its SEQR environmental review, the Town Board should follow the requirements of § 272-a of New York State Town Law. This enabling act requires that the *Comprehensive Plan* be referred to the Orange County Planning Department for their review and comment, and that a public hearing be held by the Town Board. Historically, Greenville's Planning Board had been responsible for preparation and review of the previous *Comprehensive Development Plan*. While not required by New York State Town Law or the Town's Code, the Comprehensive Plan Committee recommends that the *Comprehensive Plan* be referred to the Planning Board for their comments prior to adoption.

9.2.3 Implementing the Plan

Implementation of a community's plan for its future rests largely in the hands of the local government. The local government, in turn, can enlist the participation of private citizens to supplement the work of elected and appointed Town officials. Organized groups of individuals participate in Greenville's government in the form of several bodies which have been granted specific powers by State statute.

Statutory Bodies

The Town Board, the Planning Board, and the Zoning Board of Appeals have statutory authority. The citizens named to the Planning Board and the Zoning Board of Appeals by the Town Board conduct their business according to prescribed procedures, and must perform as required by State law. Each of these Boards has a role in implementation of the *Comprehensive Plan*.

Advisory Groups

The Town Board has, from time to time, created official bodies that focus on particular areas of concern and perform the duties specified by local governmental resolution. The Town of Greenville currently has constituted a Farmland Protection Committee which has made valuable contributions to this *Comprehensive Plan*. The Comprehensive Plan Committee will be recommending that the Town Board also establish an Architectural Review Board, a Recreation Commission, a Conservation Advisory Commission, and a local Greenway Committee. All of these bodies can make valuable contributions to the local community and can each assist the Town Board with implementation of the *Comprehensive Plan*.

9.2.4 Maintaining the Plan

Frequent review of the *Comprehensive Plan*, to make sure that it meets any new conditions arising subsequent to its adoption, is one of the most important elements of the planning process. The *Comprehensive Plan* must reflect current Town planning goals and policies if it is to be respected and regularly used. A reexamination of the *Plan* should continue to be undertaken at least once every five years. Future amendments to the *Plan* can be accomplished by means of meeting minutes, resolutions, studies, reports, and other descriptive materials that may be adopted as part of the *Comprehensive Plan* or through a comprehensive revision process, such as occurred for the preparation of this 2002 *Comprehensive Plan*.

9.2.5 Zoning/Town Regulations

Zoning controls the way in which land is used. While such controls cannot require that private lands be developed for uses proposed in the *Comprehensive Plan*, they can prevent land from being developed contrary to the *Plan*.

Following adoption of the *Comprehensive Plan*, a revision of the Zoning Regulations should be considered to ensure that its provisions remain in accordance with the Town's development policies, as established in this *Plan*. Zoning regulations serve as a major instrument in carrying out the recommendations of the *Plan*, and the *Plan* acts as a firm foundation on which to base specific provisions of the regulations. New York State Town Law also requires that all land use controls must be adopted in accordance with a comprehensive plan.

Zoning can be expected to change, as it has in the past, to meet the changing objectives of the Town and its residents. Such changes should be made in accordance with the Town *Comprehensive Plan*. Special zoning and regulatory controls are often used to accomplish public purposes. They might be formulated to promote design zoning, protect sensitive environmental areas, preserve historic structures, etc. These possibilities are discussed in further detail below.

Strict enforcement of zoning regulations is needed to ensure realization of the Town's goals. Ways also need to be found to increase the effectiveness of the Building Department's enforcement efforts, such as by adding a Zoning Enforcement Officer and instituting tight follow-up monitoring. Performance bonding is a tool that can be used to ensure that proposed site improvements are indeed carried out in accordance with the plans that are approved by the Planning Board.

Zoning and Other Land Use Controls

ZONING REGULATIONS

This *Comprehensive Plan* has recommended consideration of a number of revisions to the Town of Greenville Zoning Law. To ensure consistency and comprehensiveness, it is recommended that any amendments be devised, considered, studied under SEQRA, and enacted into law at the same time.

SUBDIVISION REGULATIONS

While zoning regulates the use of land, subdivision regulations guide the layout and design of new roads and help to ensure that all improvements required within subdivisions are properly accomplished. Each subdivision, whether residential or commercial, should be designed so that it will fit into the planned overall pattern of roads, pedestrian, bicycle and other related facilities. The Town of Greenville Subdivision Regulations have not been updated since they were first adopted in 1959, with only a few minor changes made in 1996. Since 1991, there have been a number of amendments to New York State Town Law affecting subdivision review procedures and substantive

matters. To ensure that the Subdivision Regulations are compatible with the goals and objectives of this *Comprehensive Plan*, as well as New York State enabling laws, it is recommended that the Planning Board and Town Board consider amendments to the Subdivision Regulations as soon as possible.

CLUSTER SUBDIVISION

In cluster subdivisions, the number of building lots permitted cannot exceed the number that would have occurred in a conventional subdivision under current zoning on the site. However, by clustering the same number of homes on smaller lots, areas of the parcel which are of greatest environmental, scenic, or recreational value can be permanently preserved. The potential exists, through the use of cluster subdivisions, to preserve significant amounts of open land proportionate to how tightly the dwellings are clustered. Reserved land can also be used to form an open space buffer around the subdivision. The *Comprehensive Plan* recommends specific changes to the Town's cluster subdivision regulations. Such changes can help ensure that Greenville's scenic and open space lands are conserved for future generations.

Natural Resource Protection Regulations

Land use controls dealing with natural resource protection are now firmly established in the State enabling acts, and use of such measures by local government have been increasingly upheld by the courts. These controls include:

WETLANDS, LAKES, AND STREAM BUFFER AREA PROTECTION

Special application procedures can be required whenever a development proposal involves construction adjacent to a water body. Buffer areas can be utilized to keep development away from areas such as wetlands, lakes, ponds, streams, or flood prone lands, as a means of protecting water quality and scenic beauty, and enabling recreational access.

AQUIFER PROTECTION

Densities and land uses in aquifer recharge areas should be regulated to permit maximum recharge and also to protect water quality. The use of the overlay zoning technique and Critical Environmental Area designation are recommended.

DRAINAGE CONTROLS

"Zero Runoff" is a concept in drainage control that requires the rate of runoff to be the same or less after the completion of development than it was before construction began. This technique should be used in all areas of the Town together with appropriate enforcement mechanisms.

STEEP SLOPE PROTECTION

Means for controlling development in steep slope areas could involve complete prohibition or, alternatively, a program of regulation wherein the degree of development permitted is related to the amount of slope involved, construction techniques, soils data and vegetation cover and runoff.

EROSION AND SEDIMENTATION CONTROLS

Approval of erosion control plans by the Town Planning Board or Building Inspector should occur before any building permits are issued. Erosion control plans are currently submitted by potential developers along with their applications for subdivision or site plan approval. Ideally, the Town should encourage designs that will avoid potential difficulties and preserve natural drainage to the greatest extent possible, rather than devising expensive engineering solutions.

Existing Non-Conforming Uses

As the zoning revision process moves forward, some existing uses may become non-conforming. These uses should be allowed to continue for their useful life and be allowed to expand to a reasonable extent. The reasonable use and reuse of these facilities should be the prime consideration for any rezoning.

Environmental Impact Statements

The State Environmental Quality Review (SEQR) process requires the preparation of an Environmental Assessment Form (EAF) at a minimum before approving any land use development project. The Town may require an Environmental Impact Statement (EIS) to be completed where a development has the potential to cause one or more environmental impacts. The SEQR review process can be exceedingly helpful in identifying and resolving the environmental and planning issues that affect the proper development of a major project or environmentally sensitive site.

9.2.6 Official Town Map

The Official Town Map is a foundation for the Town to base certain decisions and policies, such as reserving rights-of-way in subdivisions, providing appropriate locations for trails, parks, and drainage facilities, or for new roads. Once an Official Town Map has been adopted by the Town Board, an applicant for a subdivision or other development cannot develop within such proposed areas without giving the Town the opportunity to develop the land as indicated on the Official Map. The Town Board may also require developers to locate roads or provide rights-of-way for future roads that connect to adjacent parcels. The *Comprehensive Plan* recommends that the Town Board adopt an Official Town Map showing the location of all existing and proposed streets, highways, bike paths and trails, including the proposed Greenville Greenway Trail.

9.2.7 Capital Improvements Program

The ways and the places in which Greenville spends money for public improvements, whether for parks, recreational facilities, open space, schools, roads, or municipal buildings, and the standards to which they are built have a major effect upon the development of the Town. The Town may undertake what is known as a public or capital improvements program. This is a systematic scheduling and projecting of various public works and land acquisitions that will be needed over a period of years as the Town grows and develops. Six years is a common projection period in use by many municipalities. Projects scheduled for the first year should be incorporated into the Town's proposed budget for the next fiscal year. Each year the program would be restudied and revised in light of the changes in priorities, which may be needed due to changing conditions, and extended another year into the future.

Such a program would provide a continuously updated picture of estimated future improvement needs and costs facing the Town. It could also help to give greater stability to the tax rate by spreading improvement costs systematically over a period of years.

Although the Town has no direct control over the school districts, the County, or the State, cooperation by these units of government should be requested and encouraged. This will benefit these agencies, as well as the Town. It is also now required that such units of government consider the policies and recommendations made in this *Comprehensive Plan* in all their capital projects.

9.2.8 Land Transactions

It is sometimes necessary and desirable for the Town to acquire land in order to improve municipal facilities and services. The following explains ways that this might occur.

Direct Acquisition

Direct acquisition is the simplest and most effective method of obtaining open space. It is also the most expensive.

First Refusal Options

A first refusal option is the right to purchase a property before it is released for public sale, in the event that a decision is made to sell it. An approach such as this would be of great value in gaining some control over the disposition of lake front

lands and other properties now held for private recreational purposes. If the Town were ultimately to benefit from this approach, it would need to begin securing such options now, either as gifts or as purchases.

Easements

An easement is a right in property that is less than full ownership. In conveying a conservation easement to the Town, the owner of property voluntarily gives up the right to use the property in any way that is not consistent with its natural or historic character, as defined by the easement, in perpetuity. The owner continues to pay taxes on the land but the real estate taxes could be adjusted downward to reflect any reduction in the development value of property. Easements are particularly appropriate for preserving open space, agricultural lands, historic buildings, stream corridors, wetlands, steep slopes, and other sensitive environmental features while permitting them to remain in private ownership.

If property owners establish easements and covenants on their property, as described above, assessors can take such agreements into account when establishing the tax rate on this property. Fair market value is the basis of property assessment and easements or covenants on a parcel of land or building usually reduce market value and, thereby, total assessment. For historic structures, reducing assessed valuation can be made conditional on undertaking restoration or other improvements.

9.2.9 Recreation/Open Space Fees

The *Comprehensive Plan* recommends that residential developments continue to provide recreation areas (10 percent of the land cover) or fees contributed to a general park fund. The fees currently charged by the Town of Greenville, however, are low. These should be adjusted upward to reflect the actual costs of providing recreational land and services to new development in the Town. A fee of \$5,000 per unit has been upheld by the courts elsewhere in the Hudson Valley. Before the Town can adjust its recreational fees, however, it must first evaluate present and anticipated future needs for park and recreational facilities in the Town, based on projected population growth, among other factors.

The fee could also be linked to the land value, i.e. 10 percent of the value of the portion of the land to be developed or an equivalent acreage equal to 10 percent of the equivalent value of the developed land in the subdivision. This value would be determined by the tax assessor. This procedure could presumably result in two acres of developable land being equaled to ten acres or more of wetland or mountain terrain of equal value. This technique has been utilized successfully in other communities and may be appropriate for Greenville.

Recreation fees could be used to provide opportunities beyond those in the Town park. As noted in the *Comprehensive Plan*, opportunities for open space preservation and recreation access should be included as well. This requires that an overall long term recreation plan be developed to help define desirable acquisitions and easements as well as set priorities.

9.2.10 Real Estate Tax Inducements

In communities such as Greenville, the pressures of rapid growth and the steady demand for more and improved services have combined with inflation to keep the level of property taxes continually rising. Owners of large land holdings frequently find that these increasing costs become prohibitive, and are forced to sell their land for development purposes. Farms, with their large expanse of land, are usually ideal for development and are particularly susceptible to these pressures. Means of reducing burdensome real estate taxes are described below:

Agricultural Districts

Under the New York State enabling legislation, Orange County farmers can, as a group, petition the County legislature to form an Agricultural District. Most of the farming acreage in Greenville is currently part of Agricultural District #2. The primary benefits of an Agricultural District designation include an agricultural value assessment for a net real estate tax break, stipulations that agricultural uses cannot be restricted, and an agreement that agricultural uses cannot be required to pay for development of utility services. Minimum requirements must be met to qualify. In addition, if the land is sold for another use, the owner must pay a rollback tax.

Historic Districts or Properties

The Tax Act of 1986 provides incentives for the rehabilitation and restoration of historic buildings. These include a 20 percent investment tax credit for the rehabilitation of historic commercial, industrial or income producing residential buildings, and a 10 percent allowance for nonresidential buildings in service before 1936. These credits are not available to the normal homeowner who may rehabilitate his or her own home.

To qualify for the historic tax credit, properties must be listed on the National Register for Historic Places or be a contributing element in an Historic District. There are currently no properties on the National Register in the Town of Greenville. However, several are considered to be eligible. It is recommended that a survey of historic structures be undertaken as a follow-up to the *Comprehensive Plan*.

The Town also has the right to create local historic districts or recognize historic properties. Local incentives, land use allowances, etc. may also be implemented to help preserve these unique features.

Private Development and Philanthropy

The great bulk of development in Greenville has been and will continue to be carried out by private individuals and organizations. Therefore, it is private action that is the most important element in developing the community, guided and regulated by the Town as described above.

Neither the *Comprehensive Plan*, the zoning or subdivision regulations, nor the Town agencies which administer these regulations, can force any private individual or agency to develop a particular piece of land for a particular use. But where there is a good *Comprehensive Plan* and it is followed on a continuing basis, private enterprises have a more reliable foundation upon which to plan and build. This encourages good development, as well as helps to accomplish some of the specific recommendations of the *Comprehensive Plan*.

The active solicitation of donations of conservation easements to a municipality's private trust is an increasingly successful open space and landmark preservation implementation device. For many landowners, such donations can be the source of a significant tax benefit. Current federal income tax regulations permit the write-off of up to the full market value of the donation or easement. However, any such regulations devised will have to be reviewed in terms of changing tax laws. Also, many property owners have come to love and appreciate the open space or historic quality of their property. Donation can guarantee that their property will be preserved as they desire.

Private organizations such as the Orange County Land Trust, Trust for Public Land, Open Space Institute, The Nature Conservancy, and the Audubon Society have played an active role in open space and landmark preservation by seeking land or easement donations or, alternatively, by purchasing properties.

9.3 SUMMARY

The *Comprehensive Plan* in itself does not change the zoning or other land use control regulations of the Town, nor assure implementation of the proposals which it recommends. A community is developed over the years by hundreds of individual and group decisions--decisions by private citizens to build houses, by businesses to locate in the Town, by Town officials to create new public facilities, and so on. The ultimate accomplishment of the *Comprehensive Plan*, as modified from time to time, requires the cooperative action of many people and agencies. All interests, whether public or private,

have a stake in an attractive, orderly, and environmentally sound community. The *Comprehensive Plan* is designed to be a guide for achieving this shared goal.