

**Report of Zoning Consistency with 2001 Comprehensive Master Plan
Town of Mamakating**

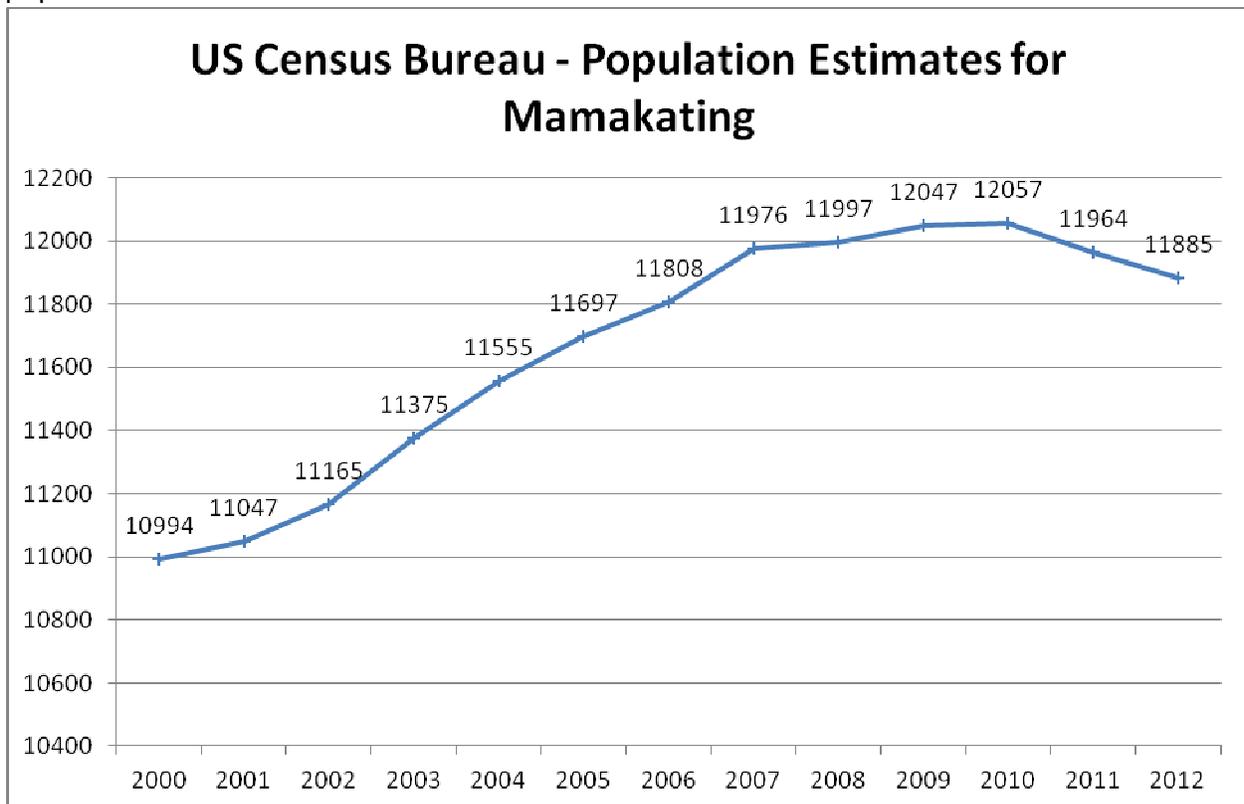
**Prepared for the Mamakating Town Board
by:
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Introduction

The Comprehensive Master Plan for the Town of Mamakating was last adopted in February of 2001. Zoning implementing the Comprehensive Master Plan (hereafter 2001 Master Plan) was adopted a month later in March of 2001. In 2005 a Committee was assembled to review the 2001 Master Plan and a Discussion Paper was prepared addressing any issues that had evolved over the intervening six years. This Discussion Paper, was never adopted as a supplement, revision or addendum to the 2001 Master Plan, yet provides insight into where the appointed Master Plan Committee perceived shortcomings in the Plan and/or Zoning just under 10 years ago.

The Discussion Paper points to a Committee with a strong desire for economic development. That Committee looked to achieve development through the broader permitting of non-residential use throughout the Town, encouraging private investment in utilities such as sewer and water, and adjusting where industrial, office and resort development should be permitted within the Town. It provides a snapshot of a Town that was undergoing strong growth in seasonal and year-round housing, but that was lagging in non-residential growth.

In the nine years following this report, the Town has continued to see little non-residential growth. Additionally, with the national recession from December 2007 through June 2009, residential development pressure has significantly diminished, and school enrollment and population has declined.



Despite favorable zoning intended to encourage industrial, office, resort and commercial development, little nonresidential development has materialized. Many residential developments were approved following adoption of the 2001 Master Plan, but due to the waning housing market these developments remain unconstructed, or are being constructed at slow rates.

Today Mamakating largely remains a rural community, most notable for its outstanding scenic beauty and environmental resources. The Bashakill Wildlife Management Area contains more than 3,000 acres of protected wetland and natural habitat. The Wurtsboro Ridge State Forest and the Shawangunk Ridge State forest adds another 6,000+ acres along the Shawangunk Ridge north of Route 17/Interstate 86. The natural beauty of the Ridge and the undeveloped and wild regions of the town remain its greatest economic development resource. Hikers, boaters, birders and fisherman flock to the Town each summer and seasonal residents remain a large proportion of the population driving the economies of Wurtsboro and Bloomingburg as well as the smaller hamlets.

In 2014, the Town retained Turner Miller Group to undertake several discrete services on behalf of the Town. These services were intended to address seeming inconsistencies between the Zoning regulations and adopted Comprehensive Master Plan. These discrete services included:

1. Review and potentially eliminate the provision (199-36) of the MG and RVP zoning districts that would allow a 40 fold increase in density based on the provision of packet sewer facilities and maintain the 1U/10A with limits on lot coverage and building size;
2. Review and recommend new commercial zoning along Route 209 to avoid strip malls and large industrial buildings out of character with the village and infrastructure;
3. Protect the viewshed of the Wurtsboro valley including consideration of the Shawangunk Ridge Management Program;
4. Review and recommend new zoning for PRO, PO and IO zones to accommodate changes in the community, including the potential for a future casino site;
5. Recommend a method of melding Wurtsboro Village zoning into Mamakating to encourage a strong economic center and a cohesive plan for the population to be concentrated towards the village;
6. The establishment of a Mamakating Park Historic District which is already on the National Register of Historic Properties and at 40 acres is the second largest district in Sullivan County. This could set a model for the other historic structures and neighborhoods in the Town.

At the outset of this work, Turner Miller Group investigated the Town's Comprehensive Master Plan and quickly came to the conclusion that the adopted zoning was not consistent with the

adopted Comprehensive Master Plan. Particularly, the Zoning seems to go beyond the recommendations of the Plan with regard to residential density, non-residential intensity, permission of uses, and the boundaries of zoning districts. These inconsistencies posed a significant threat to the existing character of the community, and a much more intensive development pattern was possible than was planned for.

Recommendations

The Town has undertaken a comprehensive review of the Town's Comprehensive Plan and Zoning. This process proceeded as a two-phase process. The first phase is to amend the existing zoning to bring it into close conformance with the goals, objectives and recommendations existing Comprehensive Master Plan. Essentially, the purpose of this first phase is to close the "loopholes" that exist that allow for development that is inconsistent with the Comprehensive Plan.

The second phase will be to undertake required periodic review of the 2001 Comprehensive Plan to determine if any amendments or modifications are necessary. It is important that the public be involved in and inform both efforts, but the second phase should include a robust engagement of the public from the outset in formulating an updated vision, to restate or update the 2001 Plan goals and objectives, and to formulate any additional required amendment to the zoning local law.

Specific recommendations for amendment to the Zoning Code are discussed below.

Land Use Plan Element

The 2001 Master Plan contained a detailed Land Use Plan Element that prescribed a pattern and density of land use, primarily based on the environmental constraints of land as well as the availability of infrastructure and proximity to established population centers. A land capability system was established in zoning based on a property's development potential, or its residential yield, based on the property's soil characteristics and topography. Clustering was permitted and encouraged.

The 2001 Master Plan prescribed density on a units per gross acre basis. In implementing zoning, a higher net density was permitted than recommended in the Plan with acknowledgment that constrained lands along with nondevelopable lands such as parkland and wetlands would yield the desired gross density.

It is noted that the 2001 Master Plan contained a Land Use Map. The Land Use Map itself, was a subject of revision and amendment late in the Master Planning process. Specifically, late in the process of preparing the 2001 plan, areas of more intensive development were expanded on the land use map, without necessarily reflecting the rationale for these decisions in the accompanying text. Because of this, the Town finds that the re-examination of the 2001 Master Plan's goals and objectives in light of recent developments, needs to include reconsideration of

the boundaries of the original land use areas, which are believed in some instances to be inconsistent with the overall goals of the Plan and the goals and intent of the land use districts and text description of where such land uses are appropriate.

The re-examination of the Town's various land use recommendations follows:

1. **RIDGE AND VALLEY PROTECTION AREA**

2001 PLAN RECOMMENDATION:

Several large, regionally significant and unique geologic and natural resource settings are prevalent in the Town, and lend Mamakating its unique sense of place. Destruction of these resources would diminish this unique character. The Shawangunk Ridge and the Bashakill Wildlife Management Areas are locations which should ultimately be retained for public use and benefit, and should remain in open space. Recreational uses consistent with their unique ecosystems will be encouraged. By encouraging the recreational use of these resources through hiking, mountain biking, fishing, etc., Mamakating can expand its tourism base by providing services and overnight accommodations for visitors as part of a balanced economy.

The Ridge and Valley Protection Area is not supportive of high density residential or nonresidential uses, due to the prevalence of:

- *steep slopes in excess of 25 percent;*
- *soils with shallow depth to bedrock which is poorly suited to the development of septic systems;*
- *bedrock poorly suited for the establishment of adequate water supply - groundwater research indicates that wells tapping Silurian bedrock may yield undesirable quantities of lead, zinc and copper.*

The New York State Department of Environmental Conservation owns a substantial amount of land in the Ridge and Valley Area to protect the ecologically sensitive Bashakill Wildlife Area and Shawangunk Ridge.

Most lot sizes on the ridge exceed 50 acres in size, reflecting the poor development suitability of this area. The Comprehensive Plan recommends that uses within the Ridge and Valley Protection Area be limited to:

- ***single detached residences at a gross density of 1 dwelling unit per 25 acres[emphasis added];***
- *wildlife, open space and hunting preserves;*
- *uses allowed by special permit such as: very low density resort overnight accommodations, conference centers, educational, research, and interpretative*

facilities associated with the study of the Shawangunk Ridge environment, and subject to architectural design considerations due to the visual prominence of the ridgeline; forest nurseries; and, dude ranches and stables.

The Comprehensive Plan acknowledges that the redevelopment of the Shawanga Lodge site is being pursued by Sullivan County economic development agencies. Shawanga Lodge is the site of a former hotel that burned in 1971. The property is situated on a plateau on Shawangunk Ridge immediately north of the Quickway and in the vicinity of Exit 114 where the Quickway cuts through the ridgeline. A portion of the Shawanga Lodge site has been retained by Sullivan County to construct a tourist gateway, interpretive center and trailhead. The Comprehensive Plan recognizes the former resort use of the Shawanga Lodge site and proposes that it is appropriate to develop it as-of-right. Prior disturbance of the site, and its location adjacent to the soon to be designated I-86 and attendant highway characteristics makes this site viable for resort reuse. Therefore, a modest increase in the intensity of use may be warranted for this location. During development review for any project that may be proposed on this site, the following factors should be taken into consideration:

- Shawanga Lodge property is located on Shawangunk Ridge which is visually prominent from the Bashakill Wildlife Area, the Quickway, and other major public viewing points. New development should be architecturally superior and draw inspiration from former and/or existing picturesque resorts on the ridge, e.g., Mohonk Mountain House. Special attention will be given to the location of principal and accessory structures, and building height, during site review to ensure that development minimizes visual impacts.*
- Shawanga Lodge is upslope and adjacent to new single family residential enclaves. The residential neighborhoods should be buffered from any commercial activities associated with a resort operation including buffers from parking and utilities, traffic, noise, storm water runoff, and similar operational characteristics.*
- The existing night-sky should be protected. Special consideration will be given to limiting night-time illumination at any development which might occur in this location.*
- Development of the site should ensure hiking trail continuity along the ridge.*
- Development should be generally restricted to the already disturbed portions of the site to the maximum extent practicable, and protection of unique or significant ecological habitat is encouraged.*

Here, as in all areas, the environmental impact of any propose development should be considered carefully.

UPDATED CONSIDERATION

In the 13 years since adoption of the 2001 Plan, development within the Ridge and Valley Protection Area (RVP Zoning District) remains extremely difficult. The following considerations are made:

- Where single-family homes have been built within this area, the Town has witnessed issues related to erosion and sedimentation associated with accessing flatter areas by steep private driveways;
- The Town has experienced issues related to the removal of mature tree canopy by individual homeowners resulting in scenic viewshed impacts;
- The Town has come to recognize the interrelatedness of the Basha Kill wetlands habitat ecology and the upstream watershed, especially along tributary stream corridors;
- The Plan recommends a two-option approach to the RVP and MG districts to achieve desired densities of 1 unit per 25 gross acres throughout the entire RVP district and 1 unit per 15 acres throughout the entire MG district. This two option approach utilizes a standard 10 acre minimum lot size, after deduction of environmental constraints, OR utilization of a soil-based density calculation that allows higher densities on flatter lands, and lower densities on steeper sloping lands and hydric soils (wetlands). Advances in mapping and Geographic Information System technology has allowed the Town to simulate buildout under this two-option approach. The target densities are generally achieved under the first option of 10 acre minimum net lot area, but under the soil-based option, a gross density of 1 dwelling unit per ~12 acres is possible in the RVP district and 1 dwelling unit per ~5 acres in the MG district. This is double the Plan-recommended density in the RVP district and triple the Plan-recommended density in the MG district;
- Despite the efforts of multiple agencies and the Town, there has never been a viable application for reuse of the Shawanga Lodge Site. While there was brief interest by a Casino speculator in 2014, this interest was short lived;
- The zoning code at 199-19 implementing the Plan allows year-round occupancy residential development at densities of 1 unit per acre in association with transient occupancy units of four units unit per acre for RVP properties within 2000 feet of an interchange of Interstate 86/Route 17. This provision of the zoning local law is aimed at the Shawanga Lodge site. This is clearly not in harmony with the recommendation of the 2001 Master Plan for "a modest increase in the intensity of use" beyond detached residences at 1 unit per 25 acres and lodging at "very low densities."
- The zoning code promulgates only one density standards for "resorts and country inns," despite the Plan recommending different densities for these uses.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Ridge and Valley Protection Area:

1. Because the soil based density option prescribed in Chapter 199-36 of the Mamakating Zoning Local Law for the RVP and MG district allows development at triple the density that was prescribed for the MG district, it should be adjusted so that maximum density for each soil unit is decreased by a factor of three as follows:

Slope Designation	Maximum Density
A (0%-3%)	1 unit/3 acres
B (3%-8%)	1 unit/6 acres
C (8%-15%)	1 unit/9 acres
D (15%-25%)	1 unit/15 acres
E (25%-35%)	1 unit/30 acres
F (35%-50%)	1 unit/45 acres
Hydric Soils	1 unit/15 acres

Although, this may result in lower than prescribed densities from the soil-based option in the RVP district, the standard (non-soils-based) 10 acre minimum lot area density calculation option of the existing zoning yields a gross density of 23.75 acres per unit (without deduction of environmental constraints) only slightly higher than that prescribed by the 2001 Master Plan. The continued authorization of the standard calculation should meet the intended gross density of the 2001 Master Plan for the RVP of 25 acres, with the adjusted soils-based formula providing the intended alternative to allow some relief for flatter sites in both districts, and without resulting in more density than intended throughout the two districts.

2. Transient-occupancy guest accommodation densities for "Resorts and Country Inns" are the same (one unit per 10,000 square feet or 4.356 units per acre) throughout the Town, despite different recommendations of the 2001 Master Plan for densities according to land use area. This density is not consistent with the recommendation for "very low density resort overnight accommodations." The lowest density accommodations permitted in the Town are for Dude Ranches as one unit per two acres. It is recommended that Resorts and Country Inns in the RVP Zoning District be limited to one unit per two acres after deduction of environmental constraints pursuant to 199-35.

More specifically the zoning text should be amended at 199-26(T)(2) as follows (deletions struck through, additions underlined):

The maximum number of guest units permitted shall be ~~one guest unit per 10,000 square feet of lot areas~~ one guest unit per 10,000 square feet of lot areas follows:-

Zoning District Density(after deduction of constraint pursuant to 199-35)

<u>RVP</u>	<u>1 unit per two acres</u>
<u>MG</u>	<u>1 unit per two acres</u>
<u>LIO</u>	<u>4 units per acre</u>
<u>PRO</u>	<u>4 units per acre</u>
<u>PO</u>	<u>4 units per acre</u>

A maximum of four principal buildings may be permitted for the housing of guest units. Kitchenettes shall not be permitted in individual guest units. An application for a resort hotel shall be subject to the requirements contained in § 199-19B(6)(c) of these zoning regulations.

3. Chapter 199-19 [Shawanga Lodge Site] of the Mamakating Zoning Local Law should be adjusted so that the permitted density for year round occupancy units is "one unit per 7.5 acres after deduction of environmental constraints pursuant to 199-35." Density of transient occupancy guest units should be one unit per acre after deduction of environmental constraints pursuant to 199-35." This would be 25% higher than the year round occupancy and twice the transient occupancy permitted elsewhere in the RVP District and consistent with recommendations for "modest increase in the intensity of use."

2. MOUNTAIN GREENBELT

2001 PLAN RECOMMENDATION:

The purpose of the Mountain Greenbelt is to retain the open space, outdoor recreational and very low-density residential character of Mamakating west of the Basher Kill and Homowack Kill valleys. Development should be clustered along existing Town and County roads, to minimize the cost of maintaining roads. Environmental conditions limit development in the following manner:

- *steep slopes in excess of 25 percent are present, although less prevalent than in the Ridge and Valley protection area;*
- *soils with perched water tables and shallow depth to bedrock are poorly suited to the development of septic systems;*
- *Upper Devonian bedrock is the most extensive consolidated aquifer in the County and a source of water supply, although in some areas, iron content is high.*

- *In the Mountain Greenbelt area north of Route 17, a greater prevalence of soil exists with moderate suitability for small-scale building development.*

The overall gross density of the Mountain Greenbelt, due to environmental constraints, will likely be one dwelling unit per 15 acres. [emphasis added] Minimum lot sizes will vary, based on soil conditions and topography. For example, in the Pine Kill area, recently subdivided single family detached lot sizes range between one acre on a small pocket of gravelly soils, to 10 acres with shallow soils and steep topography. A large number of existing lots are 50 acres and greater, particularly due to steep topography. Forest, open space and hunting preserves are recommended uses.

Commercial recreation areas, including cross country ski areas, snowmobile trails, country clubs, and golf courses, are recommended at a comparable minimum lot size. Agricultural uses are recommended on a minimum lot size based on a sliding scale which requires a larger parcel for larger animal stock, as well as nurseries and greenhouses.

Other uses that would be allowed by special permit would include: ***very low density resort overnight accommodations, [emphasis added]*** conference centers, and planned campus-type office and research development facilities subject to architectural design considerations; forest nurseries; dude ranches and stables; summer and day camps; kennels; and, restaurants. Planned campus type office and research development are recommended but limited to those areas of the Mountain Greenbelt within 2,500 feet (approximately ½-mile) of the U.S. Route 209, and Route 17 corridors. Sand and gravel quarrying would be allowed by special permit, subject to Town input on a reclamation plan.

Certain tracts of land within the Mountain Greenbelt can accommodate a higher density of residential development due to the prevalence of moderately suitable soils. The Comprehensive Plan recommends that a mechanism be established whereby residential densities may be increased based on a relationship of soil suitability, topography, and the provision of central sewer and water through the use of clustering, and as bonus for protecting environmentally sensitive features, and encouraging land development in close proximity to existing infrastructure. Town Law permits this type of “incentive zoning” in accordance with Section §261-b. A flexible approach to land development should be utilized, to encourage single family detached or attached enclaves rather than large, scattered single family lots. As a result, less emphasis would be placed on maintaining minimum bulk standards, but encouraging appropriate densities through clustering techniques. [emphasis added]

In addition, the Comprehensive Plan also recommends that a mechanism known as “transfer of development rights” (TDR) be devised whereby development potential may be transferred from the Mountain Greenbelt Area, as a sending area, to the Westbrookville, Phillipsport, Summitville hamlets, or the Bloomingsburg Village Center or Wurtsboro Town Center as receiving areas. Section §261 of Town Law defines TDRs as “the process by

which development rights are transferred from one lot, parcel, or area of land in a sending district to another lot, parcel or area of land in one or more receiving districts.”

The purpose of TDRs, as defined in Town Law, is to protect the natural, scenic or agricultural qualities of open lands, to enhance sites and areas of special character or special historical, cultural or aesthetic or economic interest or value and to enable and encourage flexibility of design and careful management of land in recognition of land as a basic and valuable resource.

TDR would enable the following:

- *encourage an appropriate density to support central utilities in the hamlets;*
- *provide a landowner in the Mountain Greenbelt additional revenue for land which otherwise would be cost prohibitive to develop;*
- *create a conservation easement on the Mountain Greenbelt from which development has been transferred - depending upon the environmental sensitivity of the property, a management plan would be devised to limit uses ranging from open space to limited recreational uses.*

An example is the following:

Landowner “MG” in the Mountain Greenbelt owns a 200-acre landlocked tract. To develop the property, he would have to purchase an easement and develop a road to access the property at a significant cost. The maximum number of lots that would be developed would be approximately 8 lots, which the Town would request be clustered to limit the amount of linear roadway constructed. Most of these building lots are extremely difficult to build, require extensive driveways for access, and are not marketable in comparison to property in other portions of the Town, e.g., Burlingham Road area. Landowner “MG” opts to transfer the rights to develop this property to a parcel owned by Landowner “S” who owns a 50-acre site in Summitville. The Town has established a minimum lot size of 40,000 square feet for lots within Summitville, enabling Mr. S to develop approximately 50 homes. However, as a result of the transfer, and the ability to support a central sewer and water supply, Mr. MG may transfer the rights to develop homes at a rate of 1 dwelling unit/10 acres, representing 20 homes (an incentive to transfer). The twenty homes may be added to the 50 acre parcel to develop 70 homes, at a density of 1.4 units per acre. In the hamlets, a maximum density of 4 units per acre (1/4-acre lots) will be permitted, provided the land in Summitville is capable of supporting this density. One-quarter acre lot sizes are consistent with lot sizes in Wurtsboro and Bloomingburg, and certainly adequate where water and sewer is provided.

The value of the rights to be transferred would be determined by the market place.

In summary, clustering, incentive zoning and TDRs are techniques that can be used to ensure that residential development occurs in a manner that is consistent with land capability, and in areas supported by appropriate infrastructure.

UPDATED CONSIDERATION

The following considerations are made:

- Where single-family homes have been built within this area, the Town has witnessed issues related to erosion and sedimentation associated with accessing flatter areas by steep private driveways;
- The Town has experienced issues related to the removal of mature tree canopy by individual homeowners resulting in scenic viewshed impacts;
- The Town has come to recognize the interrelatedness of the Basha Kill wetlands habitat ecology and the upstream watershed, especially along tributary stream corridors;
- Advances in mapping and Geographic Information System technology has allowed the Town to simulate buildout under existing implementing zoning and finds that the target of a gross density of 1 dwelling unit per 15 acres was not achieved through the soils-based density program. The actual gross density achieved is approximately 1 dwelling unit per 4.85 acres - triple the density prescribed by the 2001 plan;
- The zoning code promulgates only one density standards for "resorts and country inns," despite the Plan recommending different densities for these uses.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Mountain Greenbelt:

1. The changes to the soil-based density calculations as described in the Ridge and Valley Protection Area section should be implemented
2. The changes related to density of resorts and country inns should also be made.

3. BURLINGHAM RESIDENTIAL AREA

2001 PLAN RECOMMENDATION:

The Burlingham Residential Area is that area located east of the Shawangunk Ridge and north of Route 17. Here, soils are moderately conducive to building development. It is anticipated that the majority of residential expansion will occur in this location. Single family detached dwellings are recommended at a density of approximately 1 dwelling unit/2 acres, since it is anticipated that residences will be largely served by individual well and septic systems. This density also corresponds to the likely lot size. However, lots may be smaller, up to 1 dwelling unit per acre, provided central water and/or sewer is available.

Hobby farms will be permitted on a minimum lot size based on the size of the animal stock. Nurseries and greenhouses would also be permitted.

UPDATED CONSIDERATION

The following considerations are made:

- Despite being inconsistent with the Plan recommendations and the rural environment of this district, two-family dwellings are authorized in the Zoning code. Despite this inconsistency there has not been a prevalence of applications sought for this type of housing;

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Burlingham Residential Area:

1. The authorization of two-family residences in the BR district should be eliminated.

4. MOUNTAIN RESIDENTIAL/AGRICULTURAL AREA

2001 PLAN RECOMMENDATION:

The Mountain Residential/Agricultural Area encompasses lands located in the northwestern corner of Mamakating, and represents an extension of the Mountindale hamlet area. It is located north of and gains its primary access from County Road 55. An existing residential subdivision is located here. The gross residential density is recommended at one dwelling unit/3 acres.

UPDATED CONSIDERATION

The following considerations are made:

- Despite being inconsistent with the Plan recommendations and the rural environment of this district, two-family dwellings are authorized in the Zoning code. Despite this inconsistency there has not been a prevalence of applications sought for this type of housing;

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Mountain Residential/Agricultural Area:

1. The authorization of two-family residences in the MRA district should be eliminated.

5. WINTERTON RESIDENTIAL/AGRICULTURAL AREA

2001 PLAN RECOMMENDATION:

Perhaps one of the most scenic areas of the Town, the Winterton area is served by a rural rambling road which links the last remaining concentration of farms in the Town to the Village of Bloomingburg. To the greatest extent practicable, agricultural uses should be retained. Agricultural uses not only provide the community with its rural character, but demand very little in community services, and provide a tax benefit to the community. The gross residential density is recommended at one dwelling unit/3 acres; however, clustering will be permitted on lots as small as 1/4 dwelling unit per acre to retain existing viable agricultural land (e.g., actively farmed or land consisting of prime farmland soils) in open space, provided soil conditions can accommodate this density or central sewer and/or water are provided. Incentive zoning could be used to encourage the retention of agricultural properties, or development could be transferred to the New Vernon Neighborhood. Scenic Winterton Road should be retained in its existing configuration to the greatest extent possible. Hobby farms, and nurseries and greenhouses are also recommended as uses.

The Winterton hamlet is located within the Winterton Residential/Agricultural Area and was a stop on a former railway; the Comprehensive Plan recommends that the right-of-way be developed into a bridle and/or hiking trail. The Comprehensive Plan recommends tourist-related uses, including dude ranches, bed and breakfasts, art galleries, and antique and artisan shops, and restaurants (as a special permit use) adjacent to the trail. Buildings would be limited to a maximum size to retain the residential character of the area.

The New Vernon hamlet is identified under Neighborhoods below.

UPDATED CONSIDERATION

The following considerations are made:

- Despite being inconsistent with the Plan recommendations and the rural environment of this district, two-family dwellings are authorized in the Zoning code. Despite this inconsistency there has not been a prevalence of applications sought for this type of housing;

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Winterton Residential/Agricultural Area:

1. The authorization of two-family residences in the MRA district should be eliminated

6. RESIDENTIAL NEIGHBORHOODS

The 2001 Master Plan identified a number of established single-family neighborhoods including Mountain Lake Camps, Wurtsboro Hills, and High View; the lake communities adjoining Yankee Lake, Wolf Lake, Wanaksink Lake and Masten Lake; and, the Burlingham and New Vernon historic hamlets.

The 2001 Master Plan recommended maintaining a single-family character with density in the range of one dwelling unit per 1 acre without central water or sewer, and one dwelling unit per ¼-acre, depending upon soil conditions and the availability of central sewer and water supply. The 2001 Master Plan identified these neighborhoods as the location for accommodating the majority of the existing and future population and recommended giving priority to these areas for central water and sewer systems.

UPDATED CONSIDERATION

The following considerations are made:

- The recommendations of the 2001 Master Plan for Residential Neighborhoods were implemented with the one-size fits all approach of the Neighborhood Residential Zone. The zoning permits one family detached residences on one acre lots without central utilities, on 30k square feet with one central utility and on 20k square feet with both central water and sewer.

The Town did not specify that the utilities needed to be public in the 2001 Master Plan. In fact, the Town specifies a goal of developing "communal" sewage treatment and

water systems in existing Village, Hamlet and Neighborhood centers. However, over the last 13 years the Town has become aware of a number of issues surrounding small sanitary sewer systems. Namely:

- Developer-funded plants tend to utilize the least extensive equipment and processes with prioritization to construction cost over end-user cost and longevity;
- Most treatment plants have a limited operational lifespan and DEC is continuously refining permit standards. The ability for small enclaves of residences to afford on-going maintenance, compliance and end-of-life replacement/rehabilitation is extremely doubtful;
- The receiving waters of the Basha Kill and Wallkill River support a complex ecosystem of wetland and upland habitat. Small package plants are rarely designed to meet the DEC's highest standards for tertiary treatment and have the potential to impact these ecosystems to a great extent than lower-density development with subsurface disposal systems or larger municipal plants with tertiary treatment
- Despite being inconsistent with the Plan recommendations rural to suburban environment of this district, two-family dwellings are authorized in the Zoning code. Despite this inconsistency there has not been a prevalence of applications sought for this type of housing;
- Despite not being discussed in the 2001 Master Plan, there are two additional areas that were designated as "Neighborhoods" on the 2001 Land Use Map and thereafter designated for the NR district zoning that implements the Plan's recommendations for Residential Neighborhoods. The first is an area west of Bloomingburg on the easterly slopes of the Shawangunk Ridge. Surrounding areas of similar topography are designated for Mountain Greenbelt or Winterton Residential/Agriculture. The second area is an area along the southerly town boundary with Mount Hope.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan generally with regard to Residential Neighborhoods:

1. The higher densities allowed within the Neighborhood Residential Zoning District and all Town zoning districts for provision of central sewer should specify that sewer must be a Publically-owned treatment works (POTW). Private treatment facilities should still be permitted, however the density increase should not be granted for such facilities as their ongoing viability and effectiveness cannot be ensured. Because they cannot be ensured, they are not consistent with the existing goals and objectives of the Master Plan as regards aquifer protections, and ecological protection.
2. The authorization of two-family residences in the NR district should be eliminated
3. As there is no compelling reason provided in the 2001 Master Plan and as there is no other compelling consideration that has been brought to the attention of the Town as

to why the two areas identified above are appropriate for future residential neighborhood development, it is recommended that these areas be rezoned into the adjoining Winterton Residential/Agriculture.

With regard to the recommendations relevant to each specific neighborhood the 2001 Master Plan recommended the following:

Lake Neighborhoods

2001 PLAN RECOMMENDATION:

The lake communities provide a significant recreational and tourist amenity and a location for second home development. The Comprehensive Plan recommends that where land is available, development of water-dependent and water-enhanced uses along the lake shores, including boat docks, boat sales and rentals, overnight accommodations, restaurants, golf courses and country clubs, and conference centers be encouraged. In addition, the Comprehensive Plan recommends that planned residential and commercial development be allowed by special use permit adjoining Wanaksink, Yankee, and Masten Lake, which would permit a mix of single family detached, single family attached, and professional office uses with accessory retail uses, depending upon the size of the development, and the market demand to support a small commercial center.

Included in the residential and commercial planned development would be the provision of appropriate accessory recreational and open space uses, including boat launch, tennis courts, hiking and cycling trails, nature preserves, and other recreation features – the type of recreational facility permitted would depend upon the environmental sensitivity of the land. Development applications within the “border” lake communities, particularly Wanaksink and Wolf Lakes, should be coordinated with adjoining communities.

UPDATED CONSIDERATION

The following considerations are made:

- The recommendation to permit a mix of detached and attached single-family dwellings in addition to professional office uses and small commercial centers was implemented for all of the Neighborhood Residential Zoning District by allowing Planned Residential Development. The PRD provisions are actually well written, requiring clustering, a village-like scale and appearance. However, two particular provisions are out of character with existing lake neighborhoods. First, provisions that allow for retail and office do not provide any standards for when to allow these types of uses. Additionally there is no limitation on the extent of these uses. Second, the provisions allow for densities of up to 1/2acre per dwelling for the NR and BR zoning districts and 2 acres per dwelling for the PO district.

- The boundaries of the NR District around the lakes encompasses much more land than is appropriate. Generally, the existing neighborhoods around the lake are located in close proximity to the water body and are surrounded by undeveloped mountainous terrain. The amount of land that was zoned for NR surrounding the lakes could transform the lakes neighborhoods from the unique small residential enclaves appealing to vacationers and second homeowners to larger suburban character areas that are available throughout the region. Such a development pattern is non-sustainable and would attract residential density away from the existing infrastructure and mixed-use centers at Wurtsboro and Burlingham.
- The Wanaksink Lake Shoreline in the Town of Mamakating is completely encumbered by freshwater wetlands making lakefront uses ecologically and from a regulatory basis unfeasible.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Residential Neighborhoods in the vicinity of the Town's lakes:

1. Planned Residential Development density standards should be changed by amending 199-26(N)(7)(a) and (b) as follows (deletions struck through, additions underlined):

(a) The residential density for the development shall be calculated based on the total gross acreage of the parcel, excluding ~~those areas identified below in Subsection N(7)(b)~~ the lot areas of any proposed non-residential uses, areas of streets and complying with the provisions of 199-35 governing environmental constraints. After exclusion of such lot area, ~~the residential density shall not exceed 1/2 dwelling unit per one acre;~~ provided the density required for single-family detached dwellings in the zoning district in which the planned residential development is proposed; ~~however, that within the PO District the residential density shall not exceed~~ or one dwelling unit per two acres in the PO district.

~~(b) In computing residential density, environmental constraints, commercial uses and streets shall be excluded from the acreage of the parcel.~~

3. The Planned Residential Development provisions allowing for office and retail development at 199-26(N)(4)(b) be revised as follows:

At the request of the applicant, and with the approval of the Planning Board, the planned residential development may include professional office and accessory retail and personal service uses that are accessory to

the PRD, *except that such uses shall not comprise more than 15% of the lot area of the PRD.*

4. The Planned Residential Development provisions requiring public water and sewer at 199-26(N)(4)(b) should be deleted. Instead the district densities for areas with sewer and water should be maintained for PRDs. In the NR district those are 1 acre per unit for no sewer and water, 30k square feet per unit for publically-owned sewage treatment works or central water and 20k square feet per unit for publically-owned sewage treatment works and central water. In the HC and PRD districts, those densities should be underlying density
5. The boundaries of the NR zoning district around Yankee Lake and Masten Lake should be reduced to generally within one-quarter mile of the lakeshore. Where existing small-lot neighborhoods extend beyond this distance, zoning boundaries should be drawn to encompass the area. Areas outside of this new NR district boundary should be rezoned to Mountain Greenbelt.
6. NR District in the vicinity of Wanaksink Lake should be rezoned to Mountain Greenbelt.

Mountain Neighborhoods

2001 PLAN RECOMMENDATION:

Within the mountain communities, uses would be limited to single family residential uses. A dedicated bike/walk path should be provided along the shoulder of County Road 172, extending ultimately from Mountain Lake Camps to the Village of Wurtsboro. Due to the higher volumes of traffic and the road speed, the path would be better situated adjacent to the County Road.

Development or infill will have to provide adequate emergency access and drainage facilities, in addition to water and sewer requirements.

UPDATED CONSIDERATION

The following considerations are made:

- The district boundaries around these existing residential neighborhoods extended south of Wurtsboro Mountain Road, an area with no relationship to these existing enclaves.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Town's Mountain Residential Neighborhoods:

1. The area south of Wurtsboro Mountain Road should not be included within the boundaries of the NR district. Instead those lands should be rezoned to Mountain Greenbelt or PO depending on proximity to the exit from Route 17/future I-86.

Burlingham Neighborhood

2001 PLAN RECOMMENDATION:

The historic Burlingham hamlet exists at the intersection of County Highway No. 61 (Burlingham Road) and Hamilton Road. The Comprehensive Plan supports the retention of this hamlet area, and recommends that public parks and playgrounds, places of worship, schools, restaurants, art galleries, museums, and antique shops be permitted within a 1,500-foot radius of the intersection.

A dedicated bike/walk pathway should be provided along Burlingham Road - connecting this area with the Village Center of Bloomingburg. In all likelihood, the path would be a striped shoulder along Burlingham Road.

UPDATED CONSIDERATION

The following considerations are made:

- The district boundaries of the NR District encompass a wide swath of the Town along Burlingham Road that is neither in the vicinity of Bloomingburg nor Burlingham.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Town's Burlingham Residential Neighborhood:

1. The NR district boundaries in Burlingham should be limited to roughly 1,500 feet from the intersection of Burlingham Road and Hamilton Road as was recommended in the 2001 Master Plan. Some additional adjacent area would be appropriate for supporting residential.

7. HAMLET CENTERS

2001 PLAN RECOMMENDATION:

The Town has three historic Hamlet Centers which are proposed for expansion in order to accommodate a wider mix of housing types, neighborhood retail and service commercial uses, and community facilities which will serve the residential uses. The Comprehensive Plan proposes the expansion of the Westbrookville, Phillipsport, and Summitville hamlets.

The rationale for their selection as mixed use centers are the following:

- *the Hamlet Centers maintain an existing sense of place;*
- *they are well-served by U.S. Route 209, a major arterial which can accommodate additional amounts of traffic generated by residential growth;*
- *sand and gravel soils along the valley floor are conducive to building development;*
- *the valley has been documented as containing a very productive sand and gravel aquifer which can be developed as a municipal level water supply;*
- *the hamlets are historic D&H canal and rail communities and existing population centers serving the adjoining Mountain Greenbelt areas, with their places of worship, firehouses, post offices, and miscellaneous community facilities.*

The following housing types are recommended:

- *single family detached dwelling unit/one acre*
- *two-family dwelling unit/1.5 acres;*
- *upper floor apartments as part of mixed use development.*

Where central water and/or sewer is provided, and where transfer of development occurs, residential densities could be increased to one dwelling unit per 1/4-acre.

The following types of nonresidential uses are recommended:

- *neighborhood convenience store*
- *delis, restaurants and taverns*
- *art galleries, museums, antique and artisan shops*
- *bed and breakfasts, hotels*
- *retail, service commercial and office uses in detached buildings not exceeding 2,000 square feet.*

Community facilities would be permitted including parks and playgrounds, places of worship, firehouses, post offices, and community centers. Development within the hamlets will be in accordance with design guidelines that preserve the existing mixed use character of the communities. The hamlets are not intended to accommodate strip-type commercial

development. Rather, mixed uses and nonresidential uses are encouraged to be developed at a scale consistent with the existing historic structures in the community, and retain a “residential” or “rural” quality to the design. Nonresidential and mixed use development in the hamlets should be subject to architectural review - the intent of architectural review would not be to dictate a specific architectural style, but to review the proposed development in terms of its scale, location of parking, provision of street trees and other hamlet-recommended amenities, sidewalks, and attractive lighting and signage.

Within the hamlets, access to the Town’s canal and rail trail system is encouraged as a means of linking the hamlets with the Town Center of Wurtsboro.

Within the hamlets, Planning Board review should be required for the demolition of structures identified as Places of Distinction in the Comprehensive Plan. In addition, the conversion of historic community facilities, e.g., community centers of former churches, should be encouraged to be adaptively reused for nonresidential uses.

The Community Design guidelines will provide general design standards for the development of the hamlets.

Westbrookville

Mixed and non-residential uses within Westbrookville are to be encouraged on the frontage of Pine Kill Road and U.S. Route 209, within 1,500 feet of its intersection. To the rear of this frontage, village streets will be developed to provide access to residential uses. A community park should be established cooperatively on NYSDEC property; alternatively, a community park could be developed as part of the hamlet center along Pine Kill Road. Public access should be provided to the D&H Canal right-of-way.

Summitville

The mixed use center for Summitville should be established at the intersection of Mount Vernon Road and old U.S. Route 209. Nonresidential retail and office related uses are encouraged to front along these two roads, and within 1,500 feet of the intersection. A community park/hamlet commons should be developed at the junction of the former D&H Canal and former rail rights-of-way.

Phillipsport

The mixed use center for Summitville should be established at the intersection of Allen Road and old U.S. Route 209. Nonresidential retail and office related uses are encouraged to front along these two roads, and within 1,500 feet of the intersection. A hamlet commons should be encouraged along the D&H Canal or former rail rights-of-way.

UPDATED CONSIDERATION

The following considerations are made:

- The Hamlet Center zoning district implementing the 2001 Master Plan's recommendations for this area, include a much larger area than is contemplated by the Plan. The Plan recommends that mixed-use centers be established within 1,500 feet of particular intersections. However the proposed Hamlet Center extends to areas over three miles away from these intersections.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Town's Hamlet Centers:

1. The HC Zoning District Boundaries should be limited to roughly correspond with an area 1,500 feet from the intersection, with some opportunity for the development of supporting residential on immediately adjacent lots. In the case of the Summitville Hamlet Center, lots north of the intersection and immediately adjacent to the Basha Kill should be considered for RVP, especially where owned by the NY DEC or separated from the Hamlet by land owned by the NY DEC.

8. BLOOMINGBURG VILLAGE CENTER

2001 PLAN RECOMMENDATION:

Bloomington is identified as a Village Center intended to meet the day-to-day needs of the population residing on the east side of the Shawangunk Ridge. It encompasses the incorporated village and limited, adjoining unincorporated portions of the Town. It will serve the local needs of the Winterton, New Vernon, Burlingham, Roosa Gap and High View hamlets.

The Village Center would also serve the needs of the adjacent economic development area to be located immediately adjacent to the Village along Winterton and Burlingham Roads.

A mix of residential uses should be accommodated in the Village center, including:

- *single-family detached structures on a minimum 1/5-acre lot (with central water and sewer);*
- *single-family attached structures (townhomes). Townhomes will front on village streets, with adequate street tree and landscape buffers provided. The Comprehensive Plan discourages multi-family developments which isolate units on a site, surrounded by parking areas and informal open space; townhomes should be made an inherent*

- part of the Village fabric, with private, landscaped alleys providing access to carports or attached garages.*
- *Two-family units on 15,000 square foot lots. Side-by side two-family units are encouraged, and should be consistent with a single family detached character. Two family units will be designed as a “single unit” - facades will not be differentiated.*
 - *Alternative housing for seniors, both independent and assisted living, is encouraged.*

A maximum of 8 dwelling units per acre is recommended, particularly along Main Street, and North and South Roads. This denser residential population will help to revitalize the village.

Along Main Street, particularly east of North/South Streets, the following types of nonresidential uses are recommended:

- *grocery and convenience store*
- *delis, restaurants and taverns*
- *art galleries, museums, antique and artisan shops*
- *bed and breakfasts, hotels*
- *banks*
- *retail and office uses in detached buildings not exceeding 4,000 square feet to maintain the Village scale.*
- *indoor recreational uses, including a bowling alley or skating rinks*
- *entertainment uses, including movie theater and music halls*
- *community facilities*
- *daycare centers and nursery schools*
- *places of worship*
- *auto-related repair and gasoline filling stations (by special permit)*

New nonresidential uses should be built to a Village scale - large scale buildings, with their expansive parking requirements, are to be located in the economic development areas adjoining the village. Parking should be provided to the rear of structures to the maximum extent feasible; shared parking is also encouraged. Two story buildings are encouraged.

Over time, as the economy expands, the Village Center should be revitalized with street trees, curbing, sidewalks, and benches, and the integration of small public gathering places, particularly at its primary intersection. The Community Design guidelines provide general standards for these amenities.

UPDATED CONSIDERATION

The following considerations are made:

- The Village Center zoning district implementing the 2001 Master Plan's recommendations for this area, did not permit senior housing as recommended.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Town's Hamlet Centers:

1. Allow senior housing similar to Town Center.

9. WURTSBORO TOWN CENTER

2001 PLAN RECOMMENDATION:

Wurtsboro, due to its size and concentration of Townwide services is identified as the center of activities which serve the entire Town. It includes the incorporated Village, as well as adjoining areas within the unincorporated Town such as the U.S. Route 209 corridor south of the Village to Route 17. In addition, it also handles the day-to-day needs of residents located on the west side of the Shawangunk Ridge, and provides specialty shops catering to the tourist trade. It will serve the broader retail and service commercial needs of residents in Westbrookville, Summitville, Phillipsport, the Mountain Greenbelt and lake and mountainside neighborhoods. The Town Center will also serve the employee base to be generated by the two economic development areas proposed along U.S. Route 209 and Mountindale Road.

Sullivan Street is the commercial heart of the community, and should be retained in its existing village scale environment through a limitation on building size and maintaining the existing two-story character. New infill development should be sensitive to the existing scale of buildings and pedestrian orientation of this environment. Over time, as the economy expands, the Town Center should be revitalized with street trees, curbing, sidewalks, arcades, and benches, and the integration of small public gathering places.

Residential development is to be accommodated on either side of Sullivan Street. The following residential uses are recommended:

- *single-family detached structures on a minimum 1/5-acre lot;*
- *single-family attached structures (townhomes). Townhomes will front on village streets, maintaining the formal character and building-street relationship, with adequate street tree and landscape buffers provided. The Comprehensive Plan*

discourages multi-family developments which isolate units in the middle of a site surrounded by parking areas; townhomes should be made an inherent part of the Village fabric, with private, landscaped alleys providing access to carports or attached garages.

- *two-family units on 15,000 square foot lots. Side-by side two-family units are encouraged, and should be consistent with a single family detached character. Two family units will be designed as a “single unit” - facades will not be differentiated.*
- *alternative housing for seniors, both independent and assisted living, is encouraged.*

Residential densities at a maximum of 8 dwelling units/acre are recommended. Wurtsboro can accommodate higher densities since it utilizes central water; however, individual sites must take into consideration the soil characteristics to accommodate a septic system until a sewer system is developed. New residential development should be laid out in a grid pattern similar to the existing village, with appropriate street trees and sidewalk connections provided to Sullivan Street or other major roads.

Along Sullivan Street, the following types of nonresidential uses are recommended:

- *grocery and convenience store*
- *delis, restaurants, taverns and “fast-food” without drive-through eating establishments*
- *art galleries, museums, antique and artisan shops*
- *bed and breakfasts, hotels*
- *retail and office uses in detached buildings not exceeding 8,000 square feet*
- *miscellaneous repair establishments*
- *banks*
- *amusement and indoor recreational uses, including dance studios, schools of instruction and halls; bowling centers; physical fitness clubs*
- *entertainment uses, including movie theater and music halls*
- *health services, including doctor’s offices, and medical and dental laboratories*
- *schools*
- *community facilities*
- *daycare centers and nursery schools*
- *places of worship*

The Comprehensive Plan also recommends permitting gasoline stations along U.S. Route 209 by special use permit. In addition, the Route 209 corridor would also permit limited governmental, office uses and tourist-related uses, including overnight accommodations.

However, retail and service commercial uses are encouraged along Sullivan Street to retain this as the commercial core of the community. Auto-related services, particularly gasoline filling stations, or the expansion of existing filling stations, should be reviewed to determine whether these stations are located within aquifer recharge areas, and best

management practices should be required to protect the underlying aquifer, if necessary. Because Wurtsboro is the “gateway” to the Town, all uses along U.S. Route 209 should be required to install attractive landscaping and signage along this corridor, and a 50-100 foot landscaped buffer should be provided. This buffer could be reduced, where adequate screening is provided, and where topography or parcel size does not permit.

The Comprehensive Plan encourages the development of a grocery store along Sullivan Street, or an adjacent underutilized parcel. Any grocery store, and ancillary retail uses, should be designed to protect the Village environment. Any shopping center should be of limited scale and should include:

- *Significant street tree plantings and sidewalks to maintain Village scale environment;*
- *significant landscaping of interior parking lots;*
- *parking “pockets” – rather than a single large contiguous parking lot – is encouraged to reduce the visual impact of impervious surfaces;*
- *architecture should be consistent with the Village-scale of existing buildings.*

The Kaufman property is a large, existing farm on the outskirts of the Village Center – the Comprehensive Plan encourages the retention of this property in agricultural use. However, in the event the farm is converted to an alternative use, the Comprehensive Plan recommends the following:

- *Development of a loop road connecting Pennsylvania Road with U.S. Route 209; the loop road could parallel the D&H Canal creating a linear park corridor in this location. The road would be required to bridge the canal to provide a continuous trail system;*
- *Development of planned mixed-use community, with commercial and residential uses. Residential uses could include townhomes and single family detached units developed in accordance with a Village-scale; commercial uses would include retail and office uses, and could serve as an alternate location for a grocery store/shopping center. Office uses will be allowed at a greater ratio than retail uses to ensure that new retail development does not siphon off business from Sullivan Street.*

10. PLANNED ECONOMIC DEVELOPMENT AREAS

The 2001 Master Plan set aside six areas for potential large-scale nonresidential development known as Planned Economic Development Areas (EDAs). These areas are intended to benefit the local economy by providing additional nonresidential ratable, providing local employment opportunities, and creating an employee base which could utilize the local retail and personal service establishments within the Village and Town Center. The following specific EDAs were recommended:

Mountindale Road Economic Development Area

2001 PLAN RECOMMENDATION:

Due to the current nonresidential use of portions of this area, including a transfer station and extractive industry, it is recommended that large-scale nonresidential uses consistent with these operations be pursued in this location. Water quality protection measures should be pursued to protect South Brook which adjoins this economic development area. Adjacent land uses include limited residential development; however, buffers are recommended to protect existing residential uses from nonresidential uses. This area could accommodate heavy industrial uses since it has reasonably good regional road access. Residential uses should not be permitted within the Mountindale Road EDA.

Access to this area would be via Mountindale Road or Munn Road. Uses recommended for the Mountindale Road Economic Development Area include:

- *light industrial uses, including manufacturing, assembly, converting, packaging, altering, finishing, cleaning, or other processing of materials involving only the use of oil, gas, electricity, or equivalent fuel*
- *composting;*
- *recycling and recovery facilities;*
- *distribution facilities;*
- *trucking terminals;*
- *satellite receiving stations;*
- *research, experimental, and testing laboratories;*
- *wholesaling, storing and warehousing, including lumberyards, building contractor and building supply yards;*
- *office buildings;*
- *motor vehicle repair and franchise automotive sales;*
- *restaurants, except drive-through;*
- *sand and gravel quarrying subject to a reclamation plan*

Portions of the economic development area may be visible from the New York State Quickway. Development of this portion of the Town should encourage retention of mature trees to minimize impacts to the viewshed.

UPDATED CONSIDERATION

The following considerations are made:

- **Despite authorization of heavy industry over the last 13 years, the Town has not receive a single application for use of the lands surrounding the existing sand and gravel quarry and Town and County transfer stations.**

- Access to this area is via Wurtsboro Mountain Road, Munn Road and Masten Lake Road. All three of these roads are steep, rural two-lane roads.
- The entrance to the Mountindale Road would be approximately 3 miles from the nearest regional arterial.
- There are extensive lands available in Orange County along the Route 17, and Interstate 84 corridors that provide better access to the region for distribution and warehousing facilities. Additionally, the Town's LIO district along Route 209 also provides better transportation access and is located closer to the Village of Wurtsboro, which provides supporting retail and services for employees.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Mountindale Road EDA:

1. The boundaries of the IO district implementing the Mountindale Road EDA should be scaled back to include the parcels directly adjacent to the Town and County transfer stations and the parcels containing the existing quarry. Should those lands be developed for industrial purposes in the future, the Town could consider further expansion.
2. As part of Phase 2, consideration should be given to omitting the following uses from the IO zoning district due to the remoteness of the site, the rural nature of intervening lands, and the steepness of roads in the area:
 - Distribution Facilities;
 - Wholesale storage and warehouse;
 - Trucking terminals;
 - Restaurants;

Yankee Lake Economic Development Area

2001 PLAN RECOMMENDATION:

The Yankee Lake EDA is located on the south side of the Quickway, and access to the site is via Exit 111 in the Town of Thompson. Uses envisioned for this location would include a combination of low impact resort-related activities as well as limited non-residential uses as follows:

- *Single family attached residences*
- *Country club and gold course*
- *Conference center, resort development, hotel*
- *Planned resort community*
- *Restaurants*

- *Office and research business park*
- *Medical offices*
- *Planned residential development*
- *Commercial outdoor recreation (noise levels would be regulated to limit potential impacts)*
- *Agriculture*

The purpose of this EDA is to take advantage of the proximity of major parcels of vacant land in close proximity to the interchange. Portions of this area may be visible from Route 17; development should be designed in a manner which protects the visual environment. In addition, care needs to be applied in the site layout of any uses in this location, since the EDA encompasses a wetland area at the west end of Yankee Lake. A visual buffer should be provided between the lake and any proposed uses.

UPDATED CONSIDERATION

The following considerations are made:

- With the conversion of Route 17 to Interstate 86, exit 111 is scheduled to be closed. Access to this area will thereafter be via exit 112, which is two miles to the east. Further access will be via narrow two-lane Town roads, and no direct accessibility to Town roads exists.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Yankee Lake EDA:

1. Because access to this area is no longer available, it is recommended that the PRO Zoning District implementing the Yankee Lake EDA be rezoned to Mountain Greenbelt, except for that area within 1/4 mile of Yankee Lake, which should be rezoned to Neighborhood Residential.

Exit 112 Economic Development Area North and South

2001 PLAN RECOMMENDATION:

The Exit 112 EDA North is located on the north side of Exit 112, adjoining County Road 172. Land within this EDA is located between two higher density neighborhoods: Wurtsboro Hills and Mountain Lake Camps. Many of the former seasonal residences have been converted to year round use, and therefore any land uses within this EDA should be sensitive to, and protect the neighborhood character of these small communities. Unlike other planned EDA's in the Town, uses within this EDA are

proposed to be limited to those types of uses that would have an economic benefit for the Town, but would not have a significant impact on the residential character of adjoining neighborhoods and the Town's rural environment. It is envisioned that the Exit 112 EDA North area would accommodate low impact tourist-related uses and activities. The types of uses proposed for this EDA are actually consistent with the uses allowed in adjoining Mountain Greenbelt and Neighborhood Land Use areas, except at a higher density. Uses in this EDA would include but would not be limited to:

- *Single family attached residences*
- *Country club and gold course*
- *Conference center, resort development, hotel*
- *Planned resort community*
- *Restaurants*
- *Office and research business park*
- *Medical offices*
- *Planned residential development*
- *Commercial outdoor recreation (noise levels would be regulated to limit potential impacts)*
- *Agriculture*

UPDATED CONSIDERATION

The following considerations are made:

- Over the last 13 years there has been no interest for the development of a resort in this location.
- This EDA under the implementing PRO zoning would allow the construction of 244 year round residences and 2,382 transient guest rooms bringing a population between 6,000 and 8,000 people to the Town, which is far beyond the assimilative capacity of the Town of Mamakating (current population of under 12,000) and would completely transform the character of the town;
- While it states that the land in question is between two established neighborhoods, the majority of the property zoned for PRO in this area is well north of these neighborhoods
- The implementing PRO zoning allows a ten-fold increase in density for year-round residences constructed as part of a resort community, presumably due to the provision of central water and sewer in connection with a resort project. As stated, previously individual private sewer systems are not believed to be reliable long-term facilities as a basis for allowing individually-owned year round residences. While a resort that depends on a package sewer plant would simply close were it unable to maintain the sewer treatment infrastructure, individually-owned residences would not have that ability.
- Planned residential development is suggested but not authorized by zoning.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Route 112 North EDA:

1. It is recommended that the PRO Zoning District implementing the Exit 112 EDA North be limited to the approximately 200 acres west of the existing Mountain Lakes Camp neighborhood and that the 491 acres north of Mountain Lakes Camp be rezoned to Mountain Greenbelt. Minimum lot area for a Planned Resort Community (PRC) should be adjusted accordingly.
2. Year-round occupancy residences should not be permitted as an authorized use as part of a planned resort community. Year-round residences should be regulated by the overall PRO density of 1 unit per 10 acres, regardless of inclusion within a planned resort community.
3. Planned Residential Development should be authorized at underlying density of 1 unit per 10 acres but up to 1 unit per 2 acres (after deduction of environmental constraints) with provision of public water and sewer - this is twice the density permitted as part of a PRC and equivalent to PO Density on the south side of exit 112..

Exit 112 Economic Development Area South

2001 PLAN RECOMMENDATION:

The Exit 112 EDA South is located on the south side of Exit 112, adjoining County Road 166 (old Route 17). Uses envisioned for this location are as follows:

- *country club and golf course*
- *conference center, resort, hotel*
- *restaurants*
- *fully enclosed warehouse and distribution facilities*
- *office and research business park*
- *medical offices*
- *congregate care or adult community housing*
- *planned residential/commercial development*
- *day-care center accessory to office park or planned development*

The purpose of this EDA is to take advantage of the proximity of major parcels of vacant land in close proximity to the interchange. Like the Yankee Lake EDA, portions of this area are highly visible from Route 17; development should be designed in a manner which protects the visual environment.

UPDATED CONSIDERATION

The following considerations are made:

- *Over the last 13 years, there has been no interest for the development of nonresidential facilities in this area.*
- *The boundaries of the PO District implementing this land use recommendation go far beyond the vicinity of the Route 112 exit.*
- *The market for market-rate adult community housing throughout the region has waned significantly since the Plan was drafted. Numerous communities in the region have approved adult communities, often at higher densities than is permitted for non-age-limited housing, only to have the projects receive variances or other relief to be sold or rented to all ages.;*
- The following uses are permitted by the PO District, but aren't contemplated in the Plan for this site:
 - Agriculture
 - Hotel/Motel
 - Veterinary/Animal Hospital
 - Retail
 - Gasoline Filling Station/convenience store
 - Motor vehicle sales establishment
 - Boat vehicle sales (new or pre-owned)
 - Auto-related repair
 - Restaurant; tavern; bar
 - Contractor storage yard
- Planned residential development is authorized for this area and is recommended to be at higher densities than the MG and RVP districts.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Route 112 South EDA:

1. It is recommended that the boundaries of the PO District implementing the Route 112 South EDA be limited to the area within 1/4 mile of the interchange south of Interstate 86.
2. It is recommended that Senior and Adult Housing be eliminated as an authorized use in the PO District, instead permitting them only in TC and VC districts - which place senior housing within walking distance of established community centers providing needed goods and services and is therefore more consistent with the Town's Land Use goals and objectives. Additionally, the special use permit for Senior and Adult Housing should eliminate any authorization of density, beyond what is permitted for non-age-limited housing in the zoning district. Nursing and congregate care facilities should be a separately authorized use in the district and need not be part of the density

calculations for Senior Housing in any district. It should be clear that Senior and Adult Housing is also subject to 199-35 governing environmental constraints.

3. Generally, many of the uses listed above as not being contemplated in the Comprehensive Plan, may still be good fits for a zoning district surrounding key interchanges of Route 17/future Interstate-86. However, the following uses are recommended for removal from the list of permitted uses as they may result in adverse impacts, are not specifically contemplated in the Plan and the location of these types of uses would not support the sustainable development goals of locating commercial use around the Village and Hamlet Centers: Veterinary/Animal Hospital; Retail; Motor Vehicle and Boat Vehicle Sales; Auto-related repair; Tavern/Bar; Contractor storage yard. Restaurants, hotels and gasoline filling stations would directly serve the motoring public and should continue to be allowed.
4. Establish PRD density for this area of the Town to be one unit per two acres.

Wurtsboro Airport Economic Development Area

2001 PLAN RECOMMENDATION:

This area is located east of U.S. Route 209 and adjacent to and surrounding the Wurtsboro Airport. This corridor contains few residential uses that would be inconsistent to large-scale nonresidential uses, and has excellent frontage along a major state highway which in turn connects to a major link in the regional road system, the Route 17 Quickway. Development should be visually buffered from Route 209, with large front setbacks, to retain the open character of this thoroughfare. Uses should be planned as a unit, e.g., business park, with coordinated access points to minimize turning movements onto Route 209. The Town could establish an economic development group to cooperatively develop a business park and actively market the site. A mix of these uses is recommended to minimize heavy vehicle traffic traveling through Wurtsboro to access this economic development area.

Types of uses recommended for this area include:

- *airports;*
- *aviation sales and repair;*
- *commercial agricultural uses;*
- *trucking terminals;*
- *light industrial uses, including manufacturing, assembly, converting, packaging, altering, finishing, cleaning, or other processing of materials involving only the use of oil, gas, electricity, or equivalent fuel, except for chemical manufacturing;*
- *research, experimental, and testing laboratories;*
- *wholesaling, storing and warehousing, including lumberyards, building contractor and building supply and farm supply yards;*
- *office and research business park;*

- *vehicle repair and franchise automotive sales;*
- *restaurants, except drive-through;*
- *distribution facilities, including limited retail sale accessory thereto;*
- *sand and gravel quarrying subject to a reclamation plan;*

Any development within this district requires the use of best management practices to ensure that the aquifer recharge areas are protected from pollutants.

A landscape buffer between the Economic Development Area and the linear trail system will be provided. To create an attractive environment, a minimum landscape buffer of 50 to 100 feet is recommended along U.S. Route 209.

UPDATED CONSIDERATION

The following considerations are made:

- The boundaries of the LIO District implementing this land use recommendation include lands containing the D&H canal as well as steeper areas of the Shawangunk Ridge that are unsuitable for development. The boundaries seem to have been drawn following the rear lot lines of very deep lots fronting on Route 209.
- Subsequent to the 2001 Master Plan, the D&H Canal was made a linear park.
- The zoning allows drive-through restaurants, resorts, conference centers, composting and recycling even though these uses were not contemplated in the Plan and seem to be out of place in this remote area of the Town.

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Wurtsboro Airport EDA:

1. The boundaries of the LIO district implementing the Wurtsboro Airport EDA should be revised to exclude lands that are more than 2000 feet from Route 209. Additionally, lands west of the D&H Canal should be included to avoid impacts to the scenic and recreational resource.
2. Remove uses not authorized in Plan.

Winterton/Burlingham Road Economic Development Area

2001 PLAN RECOMMENDATION:

This economic development area is located on either side of the Bloomingburg Village Center. The economic development area would extend from Burlingham's intersection with Route 17 to the existing quarry on Winterton Road.

On Burlingham Road, expanded access should be provided from Route 17 to avoid traffic impacting the North/South Street and Main Street intersection.. Winterton Road cannot accommodate a significant amount of traffic due to the small setbacks of existing homes along this road.

For the Winterton Road area, a new circumferential road is recommended, commencing in the vicinity of the existing bridge over the Shawangunk Kill. The circumferential road will parallel the Shawangunk Kill, avoiding to the maximum extent possible the 100-year floodplain and the existing freshwater wetlands system. This ecosystem will be used as a buffer to protect the water quality of the Shawangunk Kill, and to create a linear passive recreation area which will serve as an amenity for a business or research park.

Agricultural uses will be permitted as-of-right with a minimum 5 acre parcel. Single family residential will be permitted by special permit at a density of 1 single-family dwelling per 25 acres. However, clustering will be required and residences will be situated on 1-2 acre lots. This is to allow existing agricultural uses to develop a limited number of residential uses as part of their large landholdings; however, the primary purpose of this area is to accommodate planned development. Piecemeal residential subdivision is discouraged through the large-lot zoning. Residential uses will be clustered in a location that will not impact the future location of the circumferential road, and will not constrain access to Winterton Road.

Types of uses that are recommended for this economic development area include:

- *country club and golf course*
- *conference center, resort, hotel*
- *fully enclosed warehouse and distribution facilities*
- *office and research business park*
- *medical offices*
- *congregate care housing or adult community housing*
- *quarrying operation with a reclamation plan*
- *planned residential/commercial development*
- *day-care center accessory to office park or planned development*

The Burlingham/Winterton Road area will permit planned residential development, provided it is part of a larger mixed use community which includes a significant portion of nonresidential development. Accessory to the planned development would be appropriate recreational facilities, including the development of a linear Shawangunk Kill Park.

Nonresidential uses will require a 50 to 100-foot setback from Winterton Road.

UPDATED CONSIDERATION

The following considerations are made:

- The circumferential road described is no longer viable subsequent to residential development south of Bloomingburg;
- Lands south of Bloomingburg have been annexed into the Village, making most of the recommendations for areas south of the Village moot;
- Single-Family residential densities of on dwelling per 25 acres were not enacted in the implementing PO district regulations. Instead, PO does not permit single-family detached residences;
- Planned residential developments are permitted as part of PO implementing legislation as is Senior Housing at much higher densities;
- The PO District implementing these land use recommendations south of Bloomingburg was eliminated subsequent to the annexation of additional lands into the Village;
- The PO District implementing these land use recommendations extends north of the Route 17/future Interstate-86 interchange despite the Plan stating that the interchange should be the northerly boundary;
- The following uses are permitted by the PO District, but aren't contemplated in the Plan for this site:
 - Agriculture
 - Hotel/Motel
 - Veterinary/Animal Hospital
 - Retail
 - Gasoline Filling Station/convenience store
 - Motor vehicle sales establishment
 - Boat vehicle sales (new or pre-owned)
 - Auto-related repair
 - Restaurant; tavern; bar
 - Contractor storage yard

RECOMMENDATIONS:

In light of updated considerations, the following recommendations are made to implement the Vision and intent of the 2001 Master Plan with regard to the Winterton/Burlingham Road EDA:

1. The boundaries of the PO district implementing the Winterton/Burlingham Road EDA should be revised to include only lands roughly within 1,500 feet of the interchange.
2. As recommended previously, Senior and Adult Housing should not be an authorized use in the PO district (only in TC and VC).
3. Generally, many of the uses listed above as not being contemplated in the Comprehensive Plan, may still be good fits for a zoning district surrounding key interchanges of Route 17/future Interstate-86. However, the following uses are

recommended for removal from the list of permitted uses as they may result in adverse impacts, are not specifically contemplated in the Plan, and the location of these types of uses would not support the sustainable development goals of locating commercial use around the Village and Hamlet Centers: Veterinary/Animal Hospital; Retail; Motor Vehicle and Boat Vehicle Sales; Auto-related repair; Tavern/Bar; Contractor storage yard. Restaurants, hotels and gasoline filling stations would directly serve the motoring public and should continue to be allowed.

4. The PRD regulations should permit residential development at 1 unit per 25 acre density as recommended in the plan limiting clustered density to 1 per 2 acres or 1 per 1 acre with the provision of public water and sewer.