

**Town of Pawling**  
**Comprehensive Plan Update**

Town of Pawling Town Board

Adopted: July 11, 2012

**TOWN OF PAWLING  
COMPREHENSIVE PLAN UPDATE (CPU)**

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**APPENDICES**

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- B. Zoning Tables, 2008
- C. Local Law, Amendments to the Code of the Town of Pawling
- D. Parkland and Facilities Master Plan, May 2009

**Documents Incorporated by Reference**

- SEQR Findings Statement \*
- Final Generic Environmental Impact Statement (DGEIS) and Appendices \*
- Draft Generic Environmental Impact Statement (DGEIS) and Appendices \*
- Code of the Town of Pawling \*
- Town of Pawling, Comprehensive Plan Draft, January 2010 \*
- Town of Pawling, Comprehensive Plan Draft 2010, Appendices A - G \*
- Draft October, 2005 Town Comprehensive Plan \*
- Community Master Plan, Approved by the Town of Pawling, September 3, 1991 \*
- Greenway Connections: Greenway Compact Program and Guides for Dutchess County (DC) Communities, DC Department of Planning & Development, approved March 2000 \*

\*Previous planning and environmental review documents are on file with the Town of Pawling and may be available on the Town’s website

## 1. INTRODUCTION

The Town of Pawling's setting, in the foothills of the Berkshires and within the historically rich Harlem Valley, provides a green matrix in which residents and visitors experience the community's abundance. Open spaces, scenic views, small town charm and rural character make it a beautiful place. Pawling's historical and cultural heritage is complemented by the continuing goodwill of its numerous, active volunteer organizations and its engaging community events. Excellent choices of private and public learning institutions, recreational facilities and programs, community theatre, music and other artistic venues and events add to the quality of life.

State and interstate highways and two Metro-North train stations make the Town accessible for citizens and guests coming to and leaving from this welcoming community. The Town of Pawling is a desirable place to live, work and play. It is the Town's intent that the guidance provided by this Comprehensive Plan Update (CPU) and the implementation of the strategies and actions recommended herein will make it an even better place.

The Town's beauty and quality of life, however, make it an attractive place for more people to live as noted in Pawling's Draft Comprehensive Plan of 2010:

"The Town of Pawling lies within the shadow of one of the most affluent, mobile and populous metropolitan areas in the world. Changing employment patterns, increases in telecommuting and working from home, improvements in transportation alternatives, and the cost of housing have all combined to increase the attractiveness of suburban and rural areas that were once thought to be too distant from the employment centers of the metropolitan area. A suburban ring located 45—75 miles from Manhattan, including Dutchess, Orange, Ulster and Suffolk Counties in New York, Sussex, Morris and Hunterdon Counties in New Jersey and Litchfield and New Haven Counties in Connecticut have been the focus of much of the regions recent growth." – Town of Pawling comprehensive Plan Draft January 2010 (Chapter 3)

Land development follows desirable places. The potential pressures of development on Pawling would include: a rising population; added roadway congestion; vulnerable natural resources; diminished groundwater supplies; and changing scenic characteristics. If not properly managed, these pressures would begin to erode and undermine the very character of the community valued by residents and visitors.

This Comprehensive Plan Update (CPU) lays down a path to meet the challenge of these pressures by establishing well conceived goals, objectives, strategies and actions for the near term and long range preservation, enhancement, growth and development of the community. The planning tools presented in this plan must be implemented carefully over time incorporating the efforts of Town officials and agencies in partnership with its many, worthy community groups.

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

A comprehensive plan provides an official statement of a community's planning policies, which becomes a long range guide for its orderly growth, development and preservation. The New York State enabling statute contained in the Town law, Article 16, section 272-a addresses the Town comprehensive plan, presenting the finding that:

“Among the most important powers and duties granted by the legislature to a town government 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.”

The NYS Town law, section 272-a includes a definition of a town comprehensive plan as follows:

“... the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the town located outside the limits of any incorporated village or city.”

A comprehensive plan provides guidance for the decisions and actions of municipal officials; county, regional, state agencies; organizations; businesses; residents as well as those seeking to develop land or undertake some action within the Town. As a planning tool, a comprehensive plan helps to ensure that the community's visions and needs are met, both now and in the future. Comprehensive plans are implemented through a variety of tools including land use policies, regulatory measures, zoning changes, and local laws.

The Town Law reinforces the role of the comprehensive plan by mandating that any new or amended land use regulations and all public capital improvements within the community must take into consideration the adopted comprehensive plan.

In the long run, fulfillment of the strategies and actions voiced in the comprehensive plan results in a community that closely resembles the “vision” identified through the planning process. As a result, a well developed comprehensive plan is regarded as a community's blue print for the future.

The proposed Comprehensive Plan Update, or CPU, builds on previous plans for the Town; provides updated information; and expresses revised actions and strategies.

## **1.2 The Planning Process**

The current, adopted Town plan is the *Community Master Plan* of 1991, from which a comprehensive series of zoning amendments were initiated. Between the adoption of the 1991 plan and now, a number of local laws were adopted establishing a usable framework for regulating land development and preserving the Town's natural features. These laws and regulations are contained in the Code of the Town of Pawling New York on file with the Town Clerk and available on the internet through the Town's website.

Pawling has embarked on comprehensive planning efforts in the last several years (2005 and 2008-2010), which provide updated information about the Town's existing conditions and draft statements about objectives and strategies to guide the future growth of the Town. However, the progress of the Town's planning and implementation should be measured from the *Community Master Plan* of 1991 as it is the only adopted plan. Therefore, this Comprehensive Plan Update is an update of the 1991 plan utilizing: current basic studies of existing conditions from the draft 2010 plan contained in Appendix A; vision statements from recent 2010 planning processes; and objectives, strategies and actions drawn from the 1991 adopted plan and the 2005 and 2010 draft plans.

The Town's most recent effort to update the Comprehensive Plan started in the spring of 2008. The Comprehensive Plan Steering Committee (CPSC), charged with overseeing the process, was composed of a very diverse group of local stake holders representing various interests within the community. In October of 2008, the Town Board adopted a limited development moratorium to temporarily suspend pending development pressures, and to allow the CPSC and Cleary Consulting adequate time to develop the Comprehensive Plan.

Several methods were used to explore and identify policy priorities and to reach consensus on complex problems facing the Town. After this part of the planning process, Pawling's community "vision" was generated along with numerous goals and objectives for the Town. The CPSC reviewed and amended these goals and objectives before they were included in the Draft Comprehensive Plan. Lastly, the CPSC devised strategies to ensure that the stated goals, objectives and policies would be implemented to achieve the community's vision.

The resulting Draft Town of Pawling Comprehensive Plan, dated January 2010, was compiled by Patrick Cleary, of Cleary Consulting, including a set of community vision statements; comprehensive information about the Town's existing conditions and resources. A public hearing was held on August 4, 2010. Excerpts of the Town of Pawling Comprehensive Plan Draft of January 2010 are incorporated as part of this Comprehensive Plan Update as Appendix A.

The adopted Town plan, the *Community Master Plan* of 1991, led to a comprehensive series of zoning amendments and a sophisticated set of local laws for regulating land development and preserving natural resources. Pawling has been guided by the 1991 plan, the resulting amended and new local laws and their stated purposes. The comprehensive planning efforts in the last several years (2005 and 2008-2010) have provided a wealth of updated information and explored new issues facing the Town. Therefore, this Comprehensive Plan Update (CPU) is an update of the 1991 plan utilizing current information and vision from recent planning processes. The CPU therefore consists of this document and its appendices as listed below:

- A. Excerpts of Town of Pawling Comprehensive Plan Draft, January 2010;
- B. Current Zoning Tables;
- C. Proposed Zoning Amendments; and
- D. Parkland and Facilities Master Plan, May 2009.

The Town Board discussed the Draft Comprehensive Plan Update (CPU) and a set of proposed zoning amendments, both dated July 5, 2011, at their regular meeting on July 13, 2011. The Town Board began review of the CPU and proposed zoning by the public, agencies and in accordance with procedures pursuant to 6 NYCRR Part 617 New York State Environmental Quality Review Act (SEQRA) at the July 13<sup>th</sup> meeting. The Town Board initiated the SEQRA review by declaring its status as the Lead Agency; making a Positive

Declaration (a Determination of Significance); and authorizing circulation of the Positive Declaration; the CPU; and the proposed zoning amendments to interested agencies. By making a Positive Declaration, the Board required the preparation of a SEQRA Draft Generic Environmental Impact Statement (DGEIS). The Town Board also made its official referral of the CPU and proposed zoning to the Town of Pawling Planning Board and the Dutchess County Planning Department.

The first of three public hearings on the CPU was held on July 27, 2011. At this meeting the Town Board informed the public of the future hearing to be held on September 7, 2011; and public comment opportunities related to the SEQRA, CPU and zoning review. On August 10, 2011, the Town Board Determined the DGEIS to be complete and adequate for public review. They set a combined public hearing on: the Comprehensive Plan Update (CPU); the proposed zoning amendments; and the DGEIS for September 7, 2011. This was to be the second hearing on the CPU. The purpose of the combined hearing was to receive comments from the public and agencies on the CPU, zoning and DGEIS.

At the July 27<sup>th</sup> hearing and prior to the September 7<sup>th</sup> hearing, comments from the public and the Planning Board expressed concern about the timeline for review. As a result, the Town Board opted to extend the public and agency review timeline for the CPU, the proposed zoning and the DGEIS. On September 7<sup>th</sup>, the public and agency comment period was extended to October 28, 2011. A second combined public hearing on the CPU, proposed zoning and DGEIS was held within the extended comment period on October 12<sup>th</sup>. The Board also extended the report and recommendation timeframe for Town Planning Board and Dutchess County Planning Department (DCPD) referrals on the CPU and zoning to October 28<sup>th</sup>. On October 28, 2011, the Town Board closed the comment period on the CPU, zoning and DGEIS.

In addition to the public hearings, an informal session was held at the Pawling Town Hall on September 28, 2011 to give the public an opportunity to better understand the CPU, proposed zoning and DGEIS. The September 28<sup>th</sup> session was conducted with an open question and answer format. Since it was neither a public hearing, nor a Town Board meeting, no written record was required. However, the question and answer session is documented in an audio recording (podcast), which was made available on the Town's website.

The CPU and proposed zoning were discussed at several Planning Board meetings including August 15 and August 29, 2011. The records of these meeting are available at Town Hall and are provided on the Town's website.

Numerous documents were made available at Town Hall and the Pawling Free Library. These included the CPU, the proposed zoning, the DGEIS and related appendices and other documents such as the SEQRA Positive Declaration. These documents were also posted on the Town's website. Records of the Town Board meetings in 2011, including minutes for the July 27<sup>th</sup> hearing and minutes and transcripts for the September 7<sup>th</sup> and October 12<sup>th</sup> combined hearings, can be found at Town Hall or on the website.

Extensive public commentary was recorded in the records of the three hearings in 2011 (July 27<sup>th</sup>; September 7<sup>th</sup> and October 12<sup>th</sup>). Approximately 4 dozen sets of individual comments were received from the public and agencies. These included letters and emails and responses to referrals from the Town Planning Board and DCPD. The comment period lasted for three months.

The CPU and the proposed zoning were extensively revised in response to the points raised during the public comment period. The description of the Town's existing conditions, as summarized in CPU Section 2 and contained in Appendix A (excerpts Draft Comprehensive Plan, 2010) is extensive and fairly current. However, since new information is available, updates have been prepared about Pawling's population, housing and economic resources.

The Revised CPU and Revised Zoning amendments were considered by the Town Board in the Spring of 2012 and were the subject of two additional hearings on April 11<sup>th</sup> and May 9<sup>th</sup>. The resulting versions of the Revised CPU and Zoning were made available to the public and agencies through circulation of the revised documents along with a Final Generic EIS (FGEIS). The public and agency comment period was closed on May 23<sup>rd</sup>. The Town Board then made refinements to the CPU and the Local Law containing amendments to the Zoning and Subdivision of Land regulations. A SEQR Findings Statement was adopted on July 11, 2012 thus concluding the environmental review of the CPU and Code Amendments. The CPU and Local Law were also adopted on July 11, 2012.

### **1.3 Implementing the Comprehensive Plan Update**

The adoption of a Comprehensive Plan Update points the Town in the direction of realizing the community's vision and putting the goals, objectives, strategies and actions to work. It also requires assessment of the legislative intent as stated in the Code of the Town of Pawling to determine what recommendations are necessary to facilitate or to implement the updated vision in this CPU.

After the adoption of the CPU, the recommended strategies and actions set forth in this CPU must be outlined in an implementation schedule starting from the generalized table provided at the end of this CPU. This schedule will describe the specific tasks involved and project the timeframes for initiation and completion of CPU strategies and actions. The Town should follow the priorities set by the implementation table at the end of the CPU. However, it may be necessary to amend the relative priorities when the implementation schedule is prepared to address the availability of funding, the level of volunteer effort involved and other factors.

To use this CPU as a blueprint for building Pawling's future, the Town must set in motion the strategies and actions herein, which may involve:

- A more detailed inventory and assessment of certain aspects of community resources;
- A plan for preservation, enhancement of such resources or creation of new programs and amenities to highlight existing programs and resources;
- The review and adoption of zoning amendments, revised local laws and the investment of public resources to achieve the desired outcome; or
- The encouragement of partnerships of agencies and community groups to create and fund improvements or programs.

It is recommended that immediately after the CPU is adopted, the Town Board should designate a CPU Implementation Committee to regularly review the progress of the plan's goals, strategies and actions.



## **2. BASIC STUDIES SUMMARY AND UPDATE**

### **2.1 Summary of Draft Comprehensive Plan 2010 Existing Conditions**

The Town of Pawling Draft Comprehensive Plan of 2010 was prepared through the efforts of the Town Board, the Comprehensive Plan Steering Committee, Town Staff, the Dutchess County Planning Department and the Town's Planning Consultant, Patrick Cleary, AICP. The Draft 2010 Plan provides updated information about the current conditions of the Town. This Comprehensive Plan Update (CPU) incorporates excerpts of the Draft 2010 Plan in Appendix A, making the existing conditions information contained therein part of the ongoing comprehensive planning process. The summaries below, based on revised versions of the "existing conditions" presented in the Draft 2010 Plan, give a snapshot of important facets of the Town. For more details, refer to CPU Appendix A.

#### **Demographics**

The Town's 2000 population of 5,288 is projected to continue growing, reaching approximately 6,396 residents by 2025. The Village will grow as well. This population is today primarily middle aged. As in most communities, the trend of residents aging in place will increase the community's demand for local health care and associated services. The Town's well educated and generally affluent work force is primarily employed in white collar professions. While the Town's current poverty rate of 1.7% is low, the provision of services to residents of need, including the provision of work force housing, will become increasingly important priorities in the years ahead.

#### **Land Use**

Pawling's existing land use pattern is predominantly single family residential accounting for 41.2% of the Town's land area. There are 7,444 acres of vacant land and additionally 4,208 acres of potentially subdividable land, which means that nearly 43.2% of the Town (11,652 acres) remaining potentially available for future development. A portion of this land is constrained environmentally or burdened by various development restrictions. This situation is an important land use issue facing the Town today.

Fortunately, 12.7 percent of the Town (3,430.7 acres) is permanently preserved and protected as public park or conservation lands. Agricultural land occupies another 11.7% (3,171 acres). Private recreation comprises 3% (830 acres) of Pawling. Together these uses cover 27.4% of the Town provide part of the open, scenic landscape of the community.

Commercial land uses occupy only 342.5 acres or 1.3% of the Town. Diversifying and strengthening the Town's commercial tax base within these limited geographic boundaries represents a significant challenge.

## **Zoning**

The Town's current Zoning Ordinance (Pawling Code Chapter 215) was adopted in 1978 and was significantly amended after the Town's Master Plan of 1991. Numerous amendments have been made through the current year to update the Town's zoning. Additional laws and regulations govern land use and development; natural resource protection; community services and facilities as is described below in the CPU section about "Strategies and Actions".

## **Housing**

Most of the Town's housing stock (86%) consists of single family detached homes. The rest of the housing consists of two family homes or accessory apartments. There are very few multi family residences in Town. As presented in the Housing section of the Draft 2010 Plan, about ¼ of households in the Town are cost burdened (paying more than 30% of their annual income on housing). The community does not provide a range of housing types and costs options to meet the needs of all residents, including single-parent households, senior citizens, young people entering the workforce, empty nesters and families with fixed or limited incomes. Expanding the range of housing options in Pawling is an important priority.

## **Natural Resources**

Pawling's natural resources in many ways, define the character of the community. The community is set within the characteristic ridge and valley land form of the Harlem Valley with the Great Swamp dominating the central valley. Between the hills and slopes, Pawling is a watery place underlain with fragile ground water resources; and interlaced with 166 miles of brooks, streams and rivers; 17 lakes and ponds draining to 4 separate watersheds; and 516 separate wetlands covering 3,559.8 acres. Forest, field and watery habitat areas provide a haven for diverse vegetation and abundant wildlife. Pawling is a place with an extraordinary natural heritage. If left unprotected development pressures have the potential to greatly diminish these resources thereby detracting from the quality of life of the community.

## **Open Space, Scenic & Agricultural Resources**

Large tracts of open space, agricultural lands and remarkable scenic beauty define an aspect of Pawling's "sense of place". Current and anticipated development pressures put at risk this distinctive character. Currently 3,430.7 acres (12.7%) of the Town's open spaces are permanently preserved and protected. Preserving the Town's working agricultural landscape is also a high priority. Today the Town supports 3,171.2 acres of agricultural land, including 109 parcels located within agricultural districts. The Nature Conservancy has a preserve in Town known as the Pawling Nature Reserve, which has trails for use by the community. The Oblong Trail Association also has trails that are available for use by members. Other organizations retain open land and facilities that give members and others from the community places where there is access to open, scenic and waterfront areas.

## **Transportation**

The Town's transportation network strongly influenced the growth and development of the community. While the Metro North railroad literally bisects the Town, it is the residents' reliance on the automobile that defines the community. Over 88 miles of roadways run throughout Town. Route 22 is the main arterial and commercial spine of the Town. Its physical limitations result in traffic congestion along the corridor which in turn inhibits north/south traffic flow, with obvious consequences. Traffic rates are projected to grow at 3–4% per year into the foreseeable future.

## **Municipal Service & Infrastructure**

The Town of Pawling provides a typical array of administrative services run by the Town Board including court, clerk, building, zoning and planning, tax assessor and receiver including other departments such as recreation. Public water supply provided by the Village serves limited areas of the Town. Otherwise privately-run community systems and individual wells supply water to the rest of the Town. In most of the Town, sewage is treated primarily by on-site individual subsurface sewage disposal systems with limited areas being served by a system run by the Pawling Joint Sewer Commission. Police protection is provided by the Dutchess County Sheriff's Office who coordinates additional services by the New York State and Metro-North Police. Fire protection and community services are run by volunteer organizations. The library is run by a community organization as well. The Pawling Central School District is run by the local school board and funded by tax revenues and state aid.

The provision of public safety services, fire protection services, health care, social services, education, library, water supply, sewage disposal, utilities and solid waste management are essential governmental responsibilities which must be carefully managed in the years ahead.

## **Economic Resources**

The Town of Pawling's economy draws from and enhances that of the Village. The Village's central business district provides the traditional economic core for the community, while the Route 22 corridor affords larger scale commercial opportunities. Holmes and Whaley Lake have limited commercial development potential. Together these distinctly different, yet wholly complementary areas form the foundation for creation of vibrant and sustainable economy, providing job opportunities and a stable and fair tax base.

By far, most of Pawling's workers (1,122) are employed in service businesses. Within this category, the largest group (20.8%) is employed in the "educational, health and social service" category. There are 333 businesses currently located within the Town and Village employing 2,924 workers and accounting for \$699,503,000 in annual sales. Wholesale trade accounts for the largest segment of sales \$252,436,000. The

majority of local retail workers (244 employees) work at eating and drinking establishments. The local traditional manufacturing sector employs only 40 workers in 8 establishments.

### **Recreation Resources**

Prior to 2003, Town-owned recreational resources were relatively modest, consisting primarily of the 73 acre Murrow Park. In March of 2003, the Town acquired the Holiday Hills Conference Center, a 292 acre property containing a 36 acre lake and 24 buildings, right next to Murrow Park. The Town used this property to create Lakeside Park, which more than quadrupled the Town's park land acreage. Today, the Town's inventory includes 8 parks in 405.5 acres of parkland.

There are no State or County parks in Pawling, however approximately 5.2 miles of the Appalachian Trail runs through the northern portion of the Town. In addition to public recreational facilities, a number of private recreational facilities are located in Pawling, including the Quaker Hill Country Club, Whaley Lake Marina and several private camps.

The Nature Conservancy's Pawling Nature Reserve has trails for use by the community. The Oblong Trail Association's trails are available for use by members. Other organizations retain open land and facilities that give members and others from the community places where there is access to open, scenic and waterfront areas for active and passive recreational activities.

### **Historic & Cultural Resources**

Pawling enjoys a rich and deep historic legacy including Mahikan Native American burial grounds; Baptist settlers; Quaker abolitionists; George Washington's temporary headquarters; and resorts in the late 1800's. Three sites are listed on the Federal Register of Historic Places, including the Akin Free Library, the Oblong Meeting House and the John Kane House.

## **2.2 Demographic Update**

The results of Census 2010 have been compiled by the Dutchess County Planning Department in reports on population change and housing.<sup>1</sup> The Town's 2010 population of 6,116 represents an increase of nearly 16% from 2000. This rate of increase exceeds Dutchess County's population growth of 6% from 2000 to 2010. Previous projections indicate that the growth will continue, reaching approximately 6,396 residents by 2025. Pawling continues to have a primarily middle-aged population with 45% of residents between the ages of 35 and 64. Children and youth, persons 17 years or younger, make up nearly 25% of the population. About 15% of residents are 65 years old and over. Given the number of people in their middle years and beyond, it is

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<sup>1</sup> Change in Population; and Housing Units, 2000-2010 U.S. Census by Municipality, Dutchess County Planning Department website (<http://www.co.dutchess.ny.us/CountyGov/Departments/Planning/PLIndex.htm>).

likely that residents aging in place will continue to increase the community's demand for local health care and associated services.

Pawling's increase in the number of housing units of 15.9% exceeds Dutchess County's increase of nearly 12% highlighting the desirability of the Town for people seeking homes. Of the 2,597 housing units in Pawling, 2,189 are occupied and 408 are considered vacant. The size of a household (number of persons per occupied housing unit) in the Town in 2010 was 2.73 persons, which is about 2% lower than the household size of 2.78 in 2000.

### **2.3 Housing Update**

The Dutchess County Department of Planning and Development compiled a draft report entitled *Analysis of Impediments to Fair Housing Choice* in October 2011. As stated in the Introduction, the purpose of the report is for Dutchess County and the City of Poughkeepsie to:

"... complete an Analysis of Impediments to Fair Housing (AI) with two main components:

1. Identification of impediments to fair housing choice;
2. Development and implementation of actions to eliminate or ameliorate the identified impediments."

The total number of housing units in the Town of Pawling is 2,577 according to this report. It confirms that most of the Town's housing stock (83%) consists of single family detached homes while the county-wide proportion of single-family homes is 64%. Attached single-family dwellings; and two-family homes in Pawling make up the next largest proportion of housing type at 14%. Homes that are part of 3- to 4-unit structures make up another 1% of dwellings in the Town. These types of dwellings, which are not single-family detached, are not considered by the County's report to be multi-family. They make up 15% of The Town's housing stock collectively, which is comparable to the County's proportion of those three housing types together at 18%.

The County's report counts dwellings in structures with 5 or more units as multi-family units. In Dutchess, the proportion of multi-family homes is 14% of all housing units. In Pawling, There are very few multi family residences in Town (28) making up 1% percent of the community's selection of available homes.

Consistent with the predominance of single-family homes, 86% of homes in Pawling are owner-occupied while 14% are rented. There is a low rate of poverty in the community (2%) and a relatively small minority population (16.1%) compared with the rest of Dutchess County (25.4%). However, the proportion of people in Pawling aged 65+ (13.5%) is notable given the County's ratio (12.5%).

Although single-family housing is the norm in Pawling, ½ (50%) of owner households in the Town are cost burdened (paying more than 30% of their monthly income on housing). Even though renters make up a smaller part of Pawling's residents, about 1/3 (34%) of renter households in the Town are cost burdened (paying more than 30% of their monthly income on housing).

In the Hudson Valley Region, transportation costs, particularly for travel to work, compounded housing costs in 2008 according to *Regional Well-Being*<sup>2</sup>:

“When income is matched with costs, exactly half of the income of our region’s households was needed to cover housing and transportation-to-work expenditures.”

In Dutchess County households 47% of income was devoted to housing and transportation expenses.

In the face of these economic challenges, the Town of Pawling does not provide a range of housing types and costs options to meet the needs of all residents, including single-parent households, senior citizens, young people entering the workforce, empty nesters and families with fixed or limited incomes. Expanding the range of housing options in Pawling is an important priority.

## 2.4 Economic Resources Update

The Dutchess County unemployment rate recently fell to 6.9 percent according to a Poughkeepsie Journal article citing the New York State Department of Labor’s jobless rates for November 2011<sup>3</sup>. The unemployment rate peaked at 7.9% in 2010 following 7.6% unemployment in 2009<sup>4</sup>.

Numerous sources identify key industries and sectors that provide jobs in Dutchess County including: government; health care and social assistance; retail trade; manufacturing; accommodation and food service; and construction. According to information presented in *Regional Well-Being*<sup>5</sup>, these industries provide 70% of Dutchess County’s jobs. Marist’s *Special Report Income and Employment in the Hudson Valley*<sup>6</sup> identifies the following sectors as key employers in Dutchess County: government; education and health; trade, transportation and utilities; and manufacturing. Amongst these larger areas of employment, three important subsectors include health care and social assistance; retail trade; and accommodation and food service. The Dutchess County Economic Development Corporation lists five general sectors that generated a little more than half of employment in 2008: health care and social assistance; wholesale and retail trade; manufacturing; accommodation and food service; and educational services (private).

Although these sources report about slightly different sectors and subsectors, it is clear that a few key types of work employ most of the citizens of Dutchess County. The top five employment sectors for the Town of Pawling in 2000, as listed in the Draft 2010 Plan Economic Resources section, were: educational, health care and social services; professional, scientific and management/administrative services; construction; retail trade; and manufacturing. The main differences between Pawling in 2000 and the key sectors recognized by current studies for Dutchess County are that construction now provides fewer jobs in the County; and accommodation and food service provide more jobs. Pawling’s arts, entertainment, recreation, accommodation and food service sector provided 3.8% of employment in 2000 as one of the three smallest sectors in the community.

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<sup>2</sup> Regional Well-Being, CRREO, SUNY New Paltz and Community Representatives, Spring 2010.

<sup>3</sup> Poughkeepsie Journal, December 21, 2011.

<sup>4</sup> Average Unemployment Rates, 1984-2010, Dutchess County Planning Department.

<sup>5</sup> Regional Well-Being, CRREO, SUNY New Paltz and Community Representatives, Spring 2010.

<sup>6</sup> Special Report Income and Employment in the Hudson Valley, Dr. Christy Huebner Caridi, Bureau of Economic Research, July 2011.

**Regional Well-Being** states that “Tourism is integral to our regional economy” bringing \$1.7 billion dollars to the Mid-Hudson Valley (4-county) region in 2008 and adding \$491 million to Dutchess County’s revenues. Of the tourism dollars spent, 26% were for lodging; 21% for food and beverages; and 19% was for retail and services.

Agriculture is a powerful economic driver in the Mid-Hudson Valley region generating \$226 million in sales of goods in 2007 according to **Regional Well-Being**. In 2008, 18% of Dutchess County’s total acreage is dedicated to farming.

### **3. COMMUNITY VISION**

Pawling's overall vision statement draws from the several vision statements generated by the Community Visioning Process described below (see "Town of Pawling Vision Statements"). The Comprehensive Plan drafted in 2010 included the numerous vision statements but did not assemble them into an overall vision. The Overall Community Vision Statement gives the community a cohesive outlook for this Comprehensive Plan Update.

#### **3.1 Overall Community Vision Statement**

To responsibly and sustainably advance into the future, the Town's planned land uses must complement each other functionally, aesthetically, socially and economically. Protecting the community's quality of life depends upon guiding growth while maintaining the rural residential character; preserving natural resources (groundwater, wildlife, and open spaces) and the distinct and beautiful landscape, all supported by adequate services. Diversifying the housing stock, in harmony with stewardship of the natural environment, is a necessary step in the path towards a vibrant community. Pawling's unique scenic quality and "sense of place" is derived from the interrelationship between areas of undeveloped open space, pastoral farmlands and rural residential districts as well as the region in which it is located.

The community's interrelationships will be energized and supported by a cultural and economic core reflective of its changing social fabric. The options provided for economic development should capitalize on yet not erode the Town's outstanding quality of life. Decision-makers should be open to influences from neighboring communities and the New York metropolitan region while providing opportunities for local ingenuity. The Town should pursue a diverse economic base incorporating office and appropriate industrial development, agriculture, tourism, retail development and innovative entrepreneurial and small business activity. These activities should be focused around the Village's Central Business District and in other appropriate locations in the Town. The creation of such uses is balanced in this CPU with the conservation policies expressed herein.

The Town shall encourage an interconnected network of public and private recreational facilities and resources as part of a livable community with diverse opportunities for improving health and wellness. Parks, trails, recreation services, and open space improve the community's attractiveness as a place to live and work. Preserving the Town's heritage, amidst responsibly guided growth, bolsters the livability and character of the Town. The Town's historic and cultural identity should be incorporated in all decisions about land use and related infrastructural improvements.

Travel to and throughout Town should allow options for rapid and unencumbered travel as well as a preserved network of rural roads. Careful attention to the adequacy, funding and improvement of community facilities and utilities is required to meet the current and future needs of the Town. Such



improvements should be accomplished while limiting increases in costs and negative effects on natural, historic or scenic resources.

The description of the community process and the vision statements below are the result of the visioning process conducted in 2008 as presented in the January 2010 draft plan.

### **3.2 Community Vision Process**

Visioning is the process by which a community decides the future it wants by planning how to achieve it under realistic expectations. During this process, stakeholders were invited to analyze the community's strengths & weaknesses, goals & opportunities and to define community wide goals and objectives. The strength of the visioning process is that it is a "bottom up" initiative, shaped and defined by the stakeholders. The main objectives of the visioning process are:

- To foster creativity by providing the opportunity to think collaboratively in innovative ways.
- To serve as an incentive to mobilize assets and resources in the community.
- To generate enthusiasm and to kindle excitement about the direction in which the community is heading.
- To provide focus, purpose and direction for the ongoing planning process and future investments.
- To create a context for consideration and adoption of long range goals and related policies.

Visioning is considered successful when it:

- Recognizes the uniqueness of the community.
- Takes into account the dynamics and history of the surrounding region.
- Conveys a wide and diverse public participation of community residents in the analysis and definition of strategies.
- Reflects the desires of the participants.
- Does not have predetermined outcomes or "recipes."
- Fosters community responsibility.
- Encourages local leadership.

By these measures, Pawling's visioning process proved to be very successful.

### **3.3 Town of Pawling Vision Statements**

Rather than developing a single vision statement for the community, the CPSC determined that it would be most useful to define individual vision statements for each section analyzed in the Comprehensive Plan. To that end, 11 individual vision statements were developed:

#### **Land Use**

Pawling's existing pattern of land use reflects the physical characteristics of the landscape, its limitations and opportunities. In order for the Town to responsibly and sustainably advance into the future,

comprehensively planned land uses must complement each other functionally, aesthetically, socially and economically. Protecting the quality of life of the Town of Pawling is dependent upon maintaining the rural residential character of the Town while fostering appropriately scaled and well designed development along the Route 22 corridor and recognizing the interdependence between the Town and the Village. This vision is dependent upon the implementation of strict zoning and land use controls that are necessary to protect and pre serve the community’s natural resources, groundwater quality and open spaces.

### **Zoning**

Provide a rationale and equitable series of regulatory controls to preserve and protect the character of Pawling, while simultaneously properly guiding future growth and development in a manner that protects the health, safety and welfare of the community.

### **Housing**

The Town has developed as a predominantly residential community in part due to the areas rural charm and distinct and beautiful landscape. Preserving these residential areas and the surrounding landscape is key to maintaining the quality of life of the community. However, diversifying the housing stock is also necessary to maintain the vibrancy of the community. New housing development should only be permitted if it is done responsibly and sustainably without damaging the Town’s vital natural resources, viewsheds and ground water quality, and is supported by adequate services.

### **Natural Resources**

The Town of Pawling is today, a direct reflection of the Harlem Valley’s extraordinary natural resources. The prudent and responsible maintenance and stewardship of these natural resources will assure that future generations will enjoy clean air, pure drinking water, abundant wildlife and a landscape that is appropriately developed in a harmonious and sustainable way.

### **Open Space & Scenic Resources**

Pawling’s unique scenic quality and “sense of place” is derived from the interrelationship between areas of undeveloped open space, pastoral farmlands and rural residential districts. This distinctive character, enhanced by significant natural and historic resources, is the quality that maintains Pawling’s vitality as a place to live, work and visit.

## **Transportation**

Create more choices for travel to and throughout Town, and create a transportation system that works in tandem with the existing land use pattern to preserve the network of rural roads while simultaneously facilitating rapid and unencumbered travel along the Town's major roadways.

## **Municipal Services & Infrastructure**

Pawling's community facilities protect the public safety and enhance the quality of life in the community. Careful attention to their adequacy, funding and improvement is required to meet the current and future needs of the Town. Every opportunity should be explored to do this, while also limiting increases in costs. Water, sewer, solid waste, electric, natural gas and telecommunications facilities are relied upon by residents and businesses for day to day activity and contribute to the Town's economic well being. Utilities should continue to be improved to meet Pawling's growing needs. At the same time, the Town should strive to limit any potential negative impacts from new infrastructure on the Town's natural environment, historic or scenic resources.

## **Economic Resources**

The Town should emphasize those types of economic development activities that capitalize upon but do not erode the Town's outstanding quality of life. Year round, as well as week end/second home resident and visitor sectors all combine to diversify the economic base of the community. Pawling should continue to pursue a diverse economic base by promoting office and industrial development, agriculture, tourism, retail development and entrepreneurial and small business activity focused around areas near the Village's Central Business District, as well as in appropriate locations in the Town. This will result in a robust tax base that will support the municipal services and provide the goods and services required for local residents. Economic development pursuits are balanced with the conservation policies expressed in the other sections of this plan, particularly with regard to historic, open space and natural resources.

## **Recreation Resources**

The Town shall foster an interconnected network of public and private recreational facilities and resources that helps to build a livable community that includes diverse opportunities for improving health and wellness. Pawling supports active lifestyles by providing safe, accessible parks, facilities, and programs that encourage physical activity, mental challenges, and social engagement. The Town recognizes the potential of parks, trails, recreation services, and open space to improve the community's attractiveness as a place to live and work.

## Historic & Cultural Resources

Preserving the Town's heritage, while simultaneously addressing current and future needs, represents one of the most significant challenges facing the Town today. Maintaining the Town's historic and cultural identity in all decisions must be accomplished.

\* \* \*

In order to achieve the vision for Pawling, there are a number of over arching principles that require consideration during the implementation of the Comprehensive Plan. These include:

- **Innovation.**—being open to new techniques and technologies for the provision of municipal goods and services.
- **Environmental Sustainability.**—Ensuring that decisions made by the Town are sensitive to the quality of the environment. Implementation of the recommendations in this plan should assure that Pawling's natural resources are preserved for future generations.
- **Respect for Historic Legacy.**—Pawling has a rich history that should be remembered, preserved and celebrated.
- **Economic Sustainability.**—Foster a broad economic base that will support the community.
- **Cooperation and Partnership.**—Efforts should be made wherever possible to form and maintain relationships with surrounding communities, regulatory agencies and regional organizations and continue an atmosphere of communication and cooperation.
- **Variety .**—Pawling is host to residents and visitors, seasonal and year round inhabitants. This grouping strengthens the Town and should be recognized in its planning.

#### 4. OVERALL GOALS AND OBJECTIVES

An updated statement of overall goals and objectives for the Town of Pawling Comprehensive Plan Update (CPU) should spring from the town's vision statements as these are the most recent expression of community's outlook for the future. The general statements provided below draw from and are consistent with the 2010 vision statements; the draft 2005 plan objectives; the 1991 Master Plan development goals; and the purposes of the Town's zoning ordinance. Accordingly, the goals and objectives of the CPU are to:

- A. Guide the future growth and development of the Town to maintain its rural, small town character and build on its assets. The community should start with a comprehensive view of land use and population density that will lead to the most beneficial and convenient relationships among the residential, commercial, industrial, public and natural areas within the Town. The suitability of each area for such uses should be guided by existing land use conditions, trends in population and mode of living, current building development and economic activity, considering these aspects within the Town and adjacent communities.
- B. Protect and promote the quality of life, public health, safety, convenience, morals and general welfare of the community. Encourage sustainable development to make Pawling a vibrant, interconnected place.
- C. Provide adequate light, air and privacy, to secure safety from fire, flood and other danger and to prevent overcrowding of the land and undue congestion of population.
- D. Protect and conserve the scenic, rural and historic character, the natural environment, the social and economic stability and value of all parts of the Town and to encourage the orderly and beneficial development of all parts of the Town. Preserve and maintain Pawling's parks, trails, wooded hills and ridges, valleys, historic sites, farmlands, scenic roads and viewsheds.
- E. Encourage sustainable commercial, technological and light industrial development to locate in environmentally appropriate areas to enhance economic diversity and vitality. Provide policy guidelines for: the effective provision of infrastructure, facilities and services; and for private enterprise in building development, investment and other economic activity relating to uses of land and buildings throughout the Town.
- F. Provide a variety of housing types and environments in order to maximize opportunities for people to find housing and living styles that suit their needs, means, stages of life and desires.
- G. Ensure that development takes place in an amount commensurate with availability and present and future capacity of public and private facilities and services.
- H. Provide adequately for transportation, water, sewerage, schools, parks, conservation and recreation areas and other public requirements.
- I. Promote the most beneficial circulation of traffic throughout the Town, having particular regard to the avoidance of congestion in the streets and the provision of safe and convenient traffic movements to and among the various uses of land and buildings throughout the Town.
- J. Protect streams, ponds, wetlands and watercourses from pollution and to avoid hazardous conditions and excessive damage from stormwater runoff and flooding, to safeguard the water table and to encourage the wise use and sound management of the natural resources throughout the Town in order to preserve the integrity, stability, beauty and good character of the community and the value of the land.

- K. Ensure preservation of existing and creation of additional open space and recreational lands, cultural and community facilities as an integral part of future development and to conserve and promote the natural, historical and social resources of the Town.
- L. Preserve the beautiful topography and environmental aspects of the Town and ensure appropriate design and development that will highlight and protect these natural features.

The recommendations, strategies and actions set forth in this Comprehensive Plan Update should be outlined in an implementation schedule, which should be reviewed on an annual basis to determine where progress has been made and what are the next steps in the ongoing planning process.

## **5. STRATEGIES AND ACTIONS**

### **5.1 Land Use**

Several land development laws, procedures, approvals and permitting processes are in place to both inspire and provide boundaries for responsible future growth and redevelopment. The next two pages provide a tabular summary of local laws enacted some before and most after the adoption of the Master Plan of 1991. Other levels of regulation addressing state, county and regional concerns add sufficient framework to the land use planning process. For example, the Town regulates specific uses, development density, yard setbacks and other design standards through the zoning ordinance (Code Chapter 215). The layout of parcels of land and new roads are regulated by the subdivision code (Chapter A230). Necessary stormwater controls are implemented by zoning, subdivision and stormwater law procedures and requirements. Protection of farmland, floodplains, wetlands and forests are governed by laws specifically adopted to address these resources. Please refer to the table on the following pages.

The existing Code of the Town of Pawling is incorporated by reference as part of this CPU. In other words, it is part of the materials studied as part of the planning process but is not actually attached to the CPU document. The Code can be viewed at the Town Hall or on the internet from the Town's website.

<b>Pawling's Existing Local Laws</b>		
<b>Code Chapter and Section(s)</b>	<b>Title (Year originally adopted)</b>	<b>Purpose</b>
<b>Housing and Economic Resources</b>		
Chapter 29 and related chapters	Greenway Connections (2000)	Adopts land use policies, principles and guidelines for Dutchess County Greenway Compact Program
Chapter 55 and related chapters	Affordable Housing (1992)	Provides for flexible design and density bonuses as incentives for creation of affordable units in proposed residential development in any district.
Chapter 215 and related chapters	Zoning (1978)	Guides future growth and development; regulates the use and development of land and buildings and related economic activities.
<b>Natural Resources</b>		
Chapter 29	Greenway Connections (2000)	Adopts policies, principles and guidelines (see above)
Chapter 107	Flood Damage Prevention (1987)	Regulates uses to prevent flood and related erosion damage; and control the alterations of floodplains, streams and natural barriers to flooding and erosion.
Chapter 111 and related chapters	Freshwater Wetlands and Watercourse Protection (1993)	Regulates the deposition or removal of materials or vegetation; the diversion or obstruction of water flow; and the development or use of, ponds, lakes, reservoirs, natural drainage systems, watercourses and wetlands; and provides for their protection and preservation.
Chapter 171 and related chapters	Stormwater, Soil Erosion and Sediment Control (2011); and Illicit Discharge Law added (2011)	Regulates land development with standards for stormwater management, erosion and sediment control and site design to mitigate the adverse effects of stormwater runoff on the natural environment. Updated to address East of Hudson heightened requirements for the New York City Water Supply Watershed.
Chapter 187 and related chapters	Timber Harvesting (1993)	Regulates timber harvesting practices to protect the natural environment and prevent erosion.
Chapter 215 and related chapters	Zoning (1978)	Regulates the use, management and conservation of natural resources; and protects such resources from the adverse effects of use and development of land and buildings. Provides for open space subdivisions.
Chapter A230	Subdivision of Land (1981)	Natural features may be preserved by design to avoid and incorporate and conservation easements. Includes consideration of trees, soils, topography, surface water and scenic resources including underground utilities.



<b>Pawling's Existing Local Laws (continued)</b>		
<b>Code Chapter and Section(s)</b>	<b>Title (Year originally adopted)</b>	<b>Purpose</b>
<b>Open Space, Recreation and Agriculture</b>		
Chapter 29	Greenway Connections (2000)	Adopts policies, principles and guidelines (see above)
Chapter 101 and related zoning	Farming (1992)	Reinforces the rural, traditional character of the Town; permits and protects agricultural practices; and encourages the expansion of farming operations.
Chapter 187	Timber Harvesting (1993)	Acknowledges the need to address the community's aesthetic and scenic character.
Chapter 215 and related chapters	Zoning (1978)	Provides for open space and recreation lands as part of future development; and preservation of the Town's natural beauty, scenic areas and agricultural lands. Provides for open space subdivisions.
Chapter A230 and related chapters	Subdivision of Land (1981)	Provides for land to be set aside for parks, playgrounds and recreation purposes. Natural features may be preserved by conservation easements. Includes consideration of scenic resources including underground utilities.
<b>Historic Resources</b>		
Chapter 29	Greenway Connections (2000)	Adopts policies, principles and guidelines (see above)
Chapter 215 and related chapters	Zoning (1978)	Provides for environmentally sensitive features such as historic places both man-made and natural.
Chapter A230 and related chapters	Subdivision of Land (1981)	Provides for recognition of historic features as part of review; and design that ensures preservation.
Chapter 107	Flood Damage Prevention (1987)	Includes consideration of reconstruction, rehabilitation and restoration of historic places through a variance.
<b>Municipal Services, Facilities and Infrastructure</b>		
Chapter 161 and related chapters	Sewer (1989)	Provides for proper disposal of sewage and wastewater; and maintenance of public facilities and infrastructure.
Chapter 207 and related chapters	Water (1989)	Provides for efficiency and effectiveness in construction and operation of community water systems; and maintenance of public facilities and infrastructure.

Regulations and procedures put in place by outside agencies add further considerations about environmental and regional aspects of development to the land use review process. Watershed regulations protecting New York City's water supply indirectly improve the quality of local streams and related wetlands and groundwater resources. Stormwater programs handed to New York State by the Federal government are

relayed for local control, which allows municipal boards, officials and their advisors to fit drainage and erosion requirements to the styles of land use consistent with local character. The New York State Greenway program, administered by the Dutchess County Planning Department provides guidelines and standards for growth that highlight agriculture, tourism, smarter economic development all in combination with preservation of green spaces in localities.

Between what's in place for the Town of Pawling to work with and what the community envisions in the road ahead are the objectives of this plan. The Land Use Vision Statement expresses the community's outlook:

### ***"Land Use***

*Pawling's existing pattern of land use reflects the physical characteristics of the landscape, its limitations and opportunities. In order for the Town to responsibly and sustainably advance into the future, comprehensively planned land uses must complement each other functionally, aesthetically, socially and economically. Protecting the quality of life of the Town of Pawling is dependent upon maintaining the rural residential character of the Town while fostering appropriately scaled and well designed development along the Route 22 corridor and recognizing the interdependence between the Town and the Village. This vision is dependent upon the implementation of strict zoning and land use controls that are necessary to protect and pre serve the community's natural resources, groundwater quality and open spaces. "*

Many of these existing laws, regulations and guidelines are tools that can be used to encourage better site design and more sustainable planning for flexible land use concepts. The Town should explore the "laws on the books" to see whether underutilized provisions would result in well-designed land development, which would add desirable uses to the community while preserving natural resources. For example, the Town became a Greenway Compact Community and adopted local law amendments (Chapter 29) in 2000. The materials provided by Dutchess County Planning assist communities in protecting rural landscapes and natural resources; strengthening existing villages, hamlets and other settled areas; and improving commercial and residential styles of development.

The Greenway Guides are consistent with sustainable or smart growth standards. Following existing Pawling zoning and the Greenway Guides would encourage higher density development in close proximity to the Village of Pawling. Greenway Connections, which describes the overall Dutchess County program, recognizes "settlement patterns", including a "major center" encompassing parts of the Village of Pawling and areas south of the Village in the Town.

The regulations for subdivision of land (Chapter A230) are equipped for responsible, sustainable land development including standards for design in respect to soils, slopes, trees, floodplains, surface water, historic and scenic resources. The related zoning ordinance provisions for open space subdivisions are intended to reserve significant areas of subdivision sites for continued use as woods, farms, open spaces and

cultural sites. Similarly, the regulations for site plan approval include requirements to show natural features. However, these regulations should be reviewed to see whether updates are needed to address more flexible and sustainable design standards.

A number of popular planning terms “smart growth”, “sustainable” and “neo-traditional” are used to properly turn citizens, decision-makers and land use professionals towards development that creates livable, enjoyable and workable places. Positive methods such as working and shopping closer to home and mass transportation hubs; and creating neighborhoods where residents are oriented towards shared spaces such as sidewalk-line streets and green spaces are some of the ideas promoted by sustainable development standards. Dutchess County has created a set of resources for Greenway Compact Communities, which the Town of Pawling is a part, that espouse “smart” approaches to land planning. The Greenway philosophy balances economic development and tourism with protection of the open space, agricultural and cultural resources that give Dutchess County it appeal within the larger region. The Greenway Connections webpage can be found on the internet<sup>7</sup> through the Dutchess County Planning Department.

Pawling’s existing land use pattern is predominantly residential with large areas of open space or low-intensity land uses. Although this makes for a lovely landscape, the Town must strike a balance so that adequate employment is available and tax revenues support the community’s public services. An examination of the land area of the Town reveals that it is significantly occupied by single family residential (41.2%); vacant land (27.6%); preserved land and public parks (12.7%); agriculture (11.7%); and private recreation (3.1%). Public and community service facilities occupy small areas in Pawling (1.3% and 0.7%, respectively). Therefore residential, vacant, open, low-intensity and service uses take up 98.3% of the Town of Pawling.

The remaining 1.7% of the Town’s land is used for commercial (1.3% of the Town) and industrial (0.4%). Diversifying and strengthening the Town’s commercial tax base and creating needed employment within these limited geographic boundaries represents a significant challenge.

The Town’s zoning and related land development regulations should be examined to consider whether adequate provisions are in place or whether future amendments are needed to:

- Establish new non-residential zoning districts and expand existing district boundaries;
- Create more flexible land use options including mixed uses in certain districts;
- Limit commercial development to areas of low environmental impact;
- Determine whether specific zoning provisions prevent the development or redevelopment of vacant properties;

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<sup>7</sup> Dutchess County Greenways webpage (<http://www.co.dutchess.ny.us/CountyGov/Departments/Planning/17334.htm> ), Dutchess County Planning Department website (<http://www.co.dutchess.ny.us/CountyGov/Departments/Planning/PLIndex.htm>)

- Identify potential sites for the development of health care facilities including emergency care and other desired uses and services;
- Ensure that commercial development is compatible with the setting, scale, architecture and character of the Town;
- Develop pedestrian connections between commercial sites and into adjacent residential neighborhoods; and
- Provide guidelines and resources to encourage sustainable development, smart growth principals and green building practices.

Pawling can initiate better development practices by promoting the use of "green" building techniques for Town funded projects. Well-designed projects resulting from careful consideration by the Planning Board, the Zoning Board of Appeals and collaboration with review partners such as the Conservation Advisory Board (CAB) and the Town Historian can serve as examples of sustainable development. Efforts at concerted collaboration with Dutchess County, adjoining communities, regional and state agencies would foster a cooperative "smart growth" approach to the regional land use pattern. Such consultation with groups within and beyond the Town's boundaries may add fresh ideas to site design and consistency with the character of the Town, nearby communities and the broader appeal of the region as an area desirable for life, work and play.

The Town should consider a land use coordination strategy between the Town and the Village to ensure connectedness and consistency in use and design. Such coordination can be as simple as referring land development applications between the Boards and committees of each municipality. The Town and Village may wish to hold periodic joint meetings to address larger-scale projects, shared services or municipal planning for distinct land areas, uses or improvements. For example, planning for improvements to create vehicular or pedestrian pathways between adjacent business areas would be well-suited to a joint meeting.

#### Route 22 Corridor and Junction with Route 55

Proper planning often involves examining what uses are in place and seem to be naturally located in certain parts of a community. Then this must be compared with the regulations in place; and how the community and surrounding region is changing. The Town's Route 22 corridor, located north and south of the Village, is a natural location for new commercial development, which could be emphasized to incorporate appropriate uses. Route 22's junction with Route 55 provides an optimum location with the potential for coordinated highway access necessary for economic development sites. The Town's existing non-residential zoning near this junction (I [Industry] and HB [Highway Business]) has been evaluated. The Proposed Zoning amendments recommended as part of this CPU will provide a more suitable complement of uses in each zoning district for this area. The Proposed Zoning is discussed in the next section, Zoning.

Extension of the existing central sewer system to serve the Route 22 corridor south of the Village to the intersection of Akindale Road serves the land use, economic resources, and natural resources goals of the Comprehensive Plan. It eliminates potential septic problems from harming nearby environmentally sensitive lands and stream corridors; and provides for regulated sanitary sewer service to lands commercially

developed and planned for such development. Extension of sewer service to this area requires the existing WWTP to be improved to reduce effects on receiving streams. The presence of sewer service allows more flexibility in site layout to optimize incorporation of quality design features.

### Holmes Hamlet

An examination of existing uses and natural uses in the Holmes Hamlet area reveals a settlement with a community facility, the Civic Center, and a scenic, recreational resource, Holmes Pond. A small mixed-use development should be encouraged to complement current uses in this hamlet. It may be necessary to review and amend zoning districts in this settlement to provide the opportunity for a workable mix of uses. The Town should assess the need for and consider constructing sidewalks and pathways along Route 292 to make Holmes more navigable for pedestrians. A walkway between the Civic Center and Holmes Pond should be considered.

The recommendations, strategies and actions set forth in this Comprehensive Plan Update should be outlined in an implementation schedule, which should be reviewed on an annual basis to determine where progress has been made and what are the next steps in the ongoing planning process.

## 5.2 Zoning

Since the adoption of the Community Master Plan in 1991, the Town of Pawling adopted significant amendments to the zoning law now embodied in Code Chapter 215. The most notable amendment was the establishments of new zoning districts as described in the 1991 plan and map. Numerous amendments have been made since then to address supplemental requirements for a number of land uses and development issues. The table of Pawling's Existing Laws above shows how various land development; environmental and infrastructural matters are controlled by local laws over time. Although Pawling is governed by a well-developed set of laws, review and amendment of the regulations, requirements and standards therein is needed over time to adapt them to a changing community, as well as to ensure preservation of its core character.

Between what's in place to manage land use and development in the Town of Pawling; and what the community envisions in the road ahead are the zoning objectives of this plan. The Zoning Vision Statement expresses the community's outlook:

### ***"Zoning***

*Provide a rationale and equitable series of regulatory controls to preserve and protect the character of Pawling, while simultaneously properly guiding future growth and development in a manner that protects the health, safety and welfare of the community. "*

Although the Town's code contains standards and requirements for specific types of land uses in zoning, for development near certain features such as wetlands and floodplains, and for construction of roads, there are few guideposts for flexible, quality design of land uses and their improvements. The Town of Pawling is a Greenway Compact Community as described above, for which the Town adopted Code Chapter 29 in 2000. In so doing the Town committed to the statement of policies, principles and guides contained in Dutchess County's Greenway Connections. Dutchess County Planning Department continuously updates materials provided to assist communities in protecting rural landscapes and natural resources; strengthening existing villages, hamlets and other settled areas; and improving commercial and residential styles of development.

Closer examination of the Greenway Compact philosophy and the Dutchess County Guides reveals land development methods that are consistent with sustainable or smart growth standards. The Greenway Guides address such issues as: walkable communities; commercial strip redevelopment; subdivision strip patterns; and sensitivity to the landscape, habitats, stream corridors and aquifers. There are also Guides for landscaping, trees, lighting and parking.

Although these design guidelines are available to Pawling as a Greenway Compact Community, the Town should review its zoning and other regulations in the future and incorporate design standards that would apply more broadly to land development throughout the Town. Pawling's zoning includes performance standards for all uses in Town that address lighting, noise, odor, smoke, vibration, waste, landscaping, fences,

storage and other concerns. It is recommended that the site plan regulations and other aspects of zoning be refined to include updated site design standards or reference to a set of standards deemed acceptable to the Town.

As part of attention to higher-quality design and community character, the Town should consider creating an Architectural Review Board (ARB), which would serve in an advisory capacity. A brief set of regulations could be incorporated into the Town's code to govern their role in review of certain types of land development. The regulations would direct and ARB to review only non-residential uses (commercial, institutional, office, government) or they would advise on a broader scope of development such as everything but single-family homes and agricultural operations. An ARB should compile illustrations of desirable architectural and site design elements in the Town and surrounding communities. These would serve as examples of preferred design elements, which would guide land development applicants and ARB decision-making.

### Mixed Business-Industry Zoning

The current Industrial (I) zoning district permits a typical and somewhat limited array of uses, which may be outdated and may be preventing the location of desirable employers in Pawling. The Schedule of Permitted Uses contained in the Zoning (Chapter 215, Attachment 1) is included herein as Appendix B as it provides the list of permitted uses in each zoning district and therefore a snapshot of the Town's zoning. A review of the I district table of uses and comparison with updated industrial and mixed commercial use districts has been conducted as part of the preparation of this CPU.

It is noted that portions of the two I districts located south of the Village of Pawling on the west side of Route 22 are significantly constrained by wet areas, wetlands, Brady Brook and floodplains. These constraints within the I districts south of the Village may be affecting the viability of these parcels for development even though each has usable unconstrained areas. However, the Town can partially remedy this situation by incorporating more flexible development standards for campus-style design that would highlight natural features. The existing Schedule of Bulk Regulations contained in the Zoning (Chapter 215, Attachment 2) is included herein as Appendix B as it provides the lot area, coverage and yard setback requirements in each zoning district and therefore the development parameters of the Town's zoning. For example, the one-hundred-foot (100') front and rear yard setbacks present challenges in locating buildings and parking on sites with wet areas and other constraints.

A recommended re-naming and revision of the I district is attached to this CPU as Appendix C, Proposed Zoning Amendments. The proposed zoning district is located within the current boundaries of the I district so there is no expansion of the land area for this set of uses. The intent of the proposed mixed use zoning is to move the Town away from heavier industrial operations toward the possibility of complementary office, retail, lodging, service and light manufacturing businesses. The proposed re-naming of the zone to the MBI (Mixed Business Industry) district includes the addition of several business uses as principal uses. The proposed set of uses would provide entrepreneurs with a broader array of options for development of sites

within the current I district boundaries and a greater likelihood of filling the spaces created. Concurrently, a variety of businesses will offer residents a greater selection of employment opportunities.

The industrial aspect of the district is de-emphasized by requiring special permit review for manufacturing and other heavy commercial uses. Mixed business centers are also regulated by special permits. All principal and special uses in the proposed MBI district will be subject to supplemental requirements with requirements for design, open space, landscaping, shared parking, minimized access points and architectural review. Flexible setbacks may be allowed where land development includes high-quality design; preservation of natural or historical features and viewsheds; and low-impact development methods.

### Route 22 Corridor

Following from the discussion of the Route 22 corridor in “Land Use”, above, The Town has examined what uses are naturally located in certain parts of the community; and compared these uses with the current Highway Business (HB) zoning district and changes in the surrounding region. Since the Route 22 corridor is a natural location for commercial uses, the character of this area could be enhanced by incorporating an appropriately expanded variety of uses. Therefore, the CPU recommends the zoning amendments attached hereto as Appendix C that would allow a broader range of uses in the existing HB zone. No change is proposed to the boundaries of the existing HB districts.

The Proposed Zoning Amendment presented for public review included reduced yard setbacks for the HB zones with the intention of allowing flexible design. However, the proposed zoning has been revised to address agency and public commentary to revert to the existing yard setback requirements. In order to provide for flexibility of design, the proposed amendments to the HB supplementary regulations have been revised to allow the Planning Board to vary the setbacks for development meeting certain criteria. To be considered for varied setbacks HB development proposals would have to provide:

- High-quality design, architecture, landscaping and preservation of natural and historic features;
- Shared access, parking and coordinated pedestrian improvements; and
- Site design and construction using low-impact methods.

In accordance with the revised Proposed Zoning Amendments, a special use permit would be required in the HB zone for parcels of 2 or more acres. The existing HB supplemental requirements for lots of 5 acres and shopping centers will apply to lots above 2 acres, and mixed business centers. The revised supplementary regulations require attention to the development design and character of numerous smaller parcels lining Route 22.

It is recommended that future review of the zoning should be done for parcels near the above described nodes that are in residential zoning districts. The Town would assess the most suitable use for residentially zoned parcels that border Route 22 to determine whether mixed use or non-residential use should be permitted for sites meeting certain requirements related to proximity to these intersections and feasibility of



shared or direct access to 22. Mixed uses or non-residential uses would be permitted as special uses within the existing residential district. Alternatively, it may be appropriate to rezone specific parcels near nodes.

### Holmes Hamlet

The Holmes Hamlet is a settled residential area with a community facility, the Civic Center, and a scenic, recreational resource, Holmes Pond. Holmes' core area is in the Hamlet Area (HA) zoning district running along Route 292 and the future rail trail (abandoned rail bed) and Herd and Tanner Road. In order to encourage the creation of local-scale mixed-use development, the complement of permitted uses in the HA zoning district should be examined to see whether this aspect of the town's regulations may be a limiting factor. It may be necessary to amend the HA zoning district in this settlement to provide the opportunity for a workable mix of uses and more feasible design standards. The Town should utilize Greenway Guides in review of proposed development to ensure the creation of sidewalks and pathways along Route 292 to make Holmes more navigable for pedestrians.

The Town is proposing amendments to the HA district as part of this CPU to add the uses: bed-and-breakfast; and accessory apartment, until a more thorough review of the HA zone uses can be done. The revised Proposed Zoning Amendments include supplementary regulations for accessory apartments on one-family residential lots and above commercial establishments. The inclusion of accessory apartments by special use in the HA district creates the opportunity for additional housing one of the Town's hamlet areas and along one of its main transportation routes (Route 292). Accessory apartments in this area would be particularly suitable as rental dwellings. The supplementary requirements for accessory apartments on one-family lots limit the area of an apartment relative to the principal dwelling and ensure that the property owner occupies a dwelling on such a lot. Bulk requirements and the exterior of buildings on properties with accessory apartments must be consistent with the character of a one-family lot.

The supplementary requirements for accessory apartments also limit the number of dwellings above commercial establishments to 2 units limited in size, which would not exceed the commercial floor area. These regulations ensure a balance in the mix of uses permitted in the HA zone. The overall site development on any parcel must address the existing coverage requirement for the HA district including access and all required parking for business space and apartments.

Additionally, the lot area and bulk requirements have been reviewed and amendments are proposed as part of this CPU. These bulk changes will not alter building coverage requirements, yet will provide flexibility in the layout of proposed uses. Although the Proposed Zoning Amendment includes changes to the uses and bulk requirements in the HA zone, the district boundary will remain as it is currently configured. The recommended zoning amendments are included herein as Appendix C.

As part of the Town's future review of the HA zoning district, the need for augmentation of the district boundary should be studied. A volunteer group should be formed including local residents and business

owners working with members of the Town Board and Planning Board. The Holmes hamlet area has the potential to become a more mixed-use settlement area with the proper zoning configuration, which would allow the limited growth of services and businesses at a scale that would serve local residents and visitors. Given the potential for rail trail expansion to Holmes from the north and south and existing amenities, it could be a place where bikers or walkers stop for a bite to eat. Recreational and outing activities might support a sporting goods business. Telecommuting residents might need printing or shipping services. Expanding the HA boundary to fill in a gap would create a more complete hamlet configuration. The Town should consider including a defined area west of Holmes Road running from Herd and Tanner Road north to Denton Lake Road to the HA zone. This broadened district configuration, which would add land to the zone but retain the hamlet's core area, should be carefully laid out and studied before implementation.

### General Review of Zoning and Regulations

The Town should review its existing land use pattern, described above in the Land use section, in which residential, vacant, open, low-intensity and service uses take up 98.3% of Pawling's land area. Given that the remaining 1.7% of Pawling's land is used for commercial (1.3% of the Town) and industrial (0.4%), there is an imbalance that limits the local economy. The revised Proposed Zoning Amendments recommended above will provide a better variety of uses within existing zoning districts with the intent of making the properties in these zones more attractive for development.

In order to diversify and strengthen the Town's commercial tax base and create needed employment, the Town's zoning and related land development regulations should be examined further for obstacles to balanced economic growth. The Town should consider whether adequate provisions are in place or whether future amendments are needed to:

- Establish new non-residential zoning districts and expand existing district boundaries;
- Create more flexible land use options including mixed uses in certain districts;
- Limit commercial development to areas of low environmental impact;
- Identify potential sites for the development of health care facilities including emergency care, senior care, assisted living and other desired uses and services;
- Ensure that commercial development is compatible with the setting, scale, architecture and character of the Town;
- Develop pedestrian connections between commercial sites and into adjacent residential neighborhoods; and
- Provide guidelines and resources to encourage sustainable development, smart growth principals and green building practices.

Coming from a standpoint of experience and ongoing use of Pawling's zoning law and other local laws and regulations; the Town Building Department, the Planning Board and the Zoning Board of Appeals have

recommended review and consideration of amendments for the aspects of the Town Code as summarized below:

- Addition of resource analysis and concept plan review to the site plan regulations;
- Addition of language governing compliance with approved site plans and expiration of approvals and permits;
- A change in the Whaley Lake area zoning to permit suitable businesses near the lake;
- Changes and clarifications in zoning law definitions so they are based on updated language and standards;
- A flexible standard for increased building height where smaller building footprints, increased setbacks and underground parking are proposed;
- Adjustments to lot area and bulk regulations in hamlet districts and in other settlement areas recognizing the dilemma of undersized existing lots in areas where lower density zoning was enacted;
- Establishment of hamlet type zoning in the Whaley Lake and Woodinville areas;
- Creation of more realistic requirements for accessory buildings;
- Provisions should be created to address: conforming and non-conforming lots, uses and buildings; drainage onto neighboring properties; tents and campers; temporary signs and non-complying sign removal;
- Update performance and maintenance bond provisions in the regulations for subdivision of land;
- Consider adopting operating permit regulations for hazardous activities; and
- The Fee Schedule should be updated particularly for engineering fees.

The Town of Pawling Planning Board's experience with the application of Zoning section 215-21, Open space subdivisions, indicates that historic and scenic resources must be identified in these supplementary regulations. An addendum to CPU Appendix C illustrates the minor changes that would be required to properly emphasize that scenic and historic resources must be considered for protection in open space subdivisions. This addendum should be considered for immediate implementation with adoption of the CPU and the Proposed Zoning Amendments. Alternatively, the recommended amendments to the open space subdivision regulations should be considered as a priority after the adoption of the CPU.

While the draft zoning amendments for the non-residential (I and HB) districts are the higher priority items for implementation, the Town should conduct a later review of the Schedule of Permitted Uses for the remaining zoning districts. The rest of the districts are residential zones of varying density:

- Conservation Density (CD [5 acre]);
- Agriculture Conservation Density (R-4 [4 acre]);
- Very Low Density (R-3 [3 acre]);
- Low Conservation Density (R-2 [2 acre]);
- Low Density (R-1 [1 acre]); and
- Variable Residential Density (VRD [1 acre]).

Certain uses may be considered as possible additions during the review of the permitted uses in the residential and hamlet zoning districts such as: farm stands; bed and breakfast establishments; retreat centers; and rural restaurants. Such uses would be permitted with sensitivity to the character of the surrounding area. Each use would have to comply with specific requirements related to their location near residential properties. It may be necessary to regulate retreat centers and rural restaurants through a special permit process.

During this examination of uses, the Town should assess the adequacy, flexibility and usefulness of the existing lot areas and bulk regulations. In completing this review, Pawling will determine whether revisions will be needed to permit desired uses; eliminate outdated use categories; and adjust bulk regulations for better design. The Greenway Guides created by Dutchess County for Greenway Compact Communities such as Pawling should be used in review of land development to ensure smarter design that addresses retention of green spaces and walkable places.

Existing zoning should be evaluated to consider whether there are adequate and effective provisions for preservation of and land development design that is sensitive to topographic and environmental features such as steep slopes; waterbodies, watercourses and wetlands; forests and other wooded areas; natural and cultivated fields and meadows; and other open, natural areas. For example, ridgeline development regulations may be considered for protection of the visual integrity of the Hudson Highlands.

The town should utilize existing laws to their fullest and consider whether such regulations should be amended to incorporate more sustainable methods. The Town should review current methods for density calculations and evaluate whether "performance zoning" would effectively address development intensity and density for protection of natural resources and provision of open space.

Land subdivision regulations and zoning provisions for open space subdivisions should be fully utilized to maximize conservation on subdivision sites with natural, historic and scenic resources that should be protected. The Town should consider amendments to fully accommodate open space subdivision design to curtail land disturbance effects that are typically more extensive in conventional subdivision layouts. Such amendments should address a conceptual or sketch review step for consideration of the management of open space during the initial stages of subdivision review. Discussion of the fate and administration of land to be preserved should involve the participation of any land trust or preservation group. Provisions should be examined and revised as necessary to provide the opportunity for alternative residential designs such as flag lots.

The Town should conduct a general review of its zoning and other regulations consulting with officials, boards, committees and other agencies involved in administering the Town's Code Chapters. Pawling's enforcement provisions should be examined regarding processing of applications when there are problems or violations on properties. Any amendments proposed should include provisions for expediting remedies on

such properties. This general review should be done on an annual basis. Recommendations and suggestions for amendments should be properly prioritized and coordinated with CPU implementation actions.

### 5.3 Housing

Soon after the adoption of the Community Master Plan in 1991, the Town of Pawling adopted regulations governing affordable housing now embodied in Code Chapter 55. The Affordable Housing Units law provides for flexible design and density bonuses as incentives for creation of affordable units in proposed residential development in any district utilizing a special permit procedure. A special permit is considered by the Town Board upon recommendation of the Planning Board. The Planning Board conducts a thorough review including SEQRA procedures and necessary referrals. The density bonuses may not exceed an increase of fifty percent (50%) over the maximum density permitted in the zoning district in which the housing is located as per a 2003 amendment. The intention of the law is to encourage affordable housing in different areas of the Town balanced with the expressed concerns about protection of the natural environment.

The Town established an Affordable Housing Board as part of enactment of Chapter 55, which administers these housing units according to income and household size guidelines in the law. The law also provides for the establishment of an Affordable Housing Trust Fund and Land Bank.

Additionally, the zoning ordinance includes provisions for open space subdivisions, which coupled with standards in the subdivision regulations and natural resource regulations create opportunity for more diverse housing development. Proper use of these existing regulations and careful review under NY SEQRA can result in sensitively designed residential development.

Although Pawling is governed by a well-developed affordable housing law and recent amendments, a review of the requirements and standards therein is needed as soon as possible to adapt it to changing housing needs, market trends and design concepts in the community, as well as the region.

Starting with the law and related zoning and subdivision regulations in place to manage reasonably priced housing in the Town of Pawling; and heading towards what the community envisions in the road ahead, are the housing objectives of this plan. The Housing Vision Statement expresses the community's outlook:

#### ***"Housing***

*The Town has developed as a predominantly residential community in part due to the area's rural charm and distinct and beautiful landscape. Preserving these residential areas and the surrounding landscape is key to maintaining the quality of life of the community. However, diversifying the housing stock is also necessary to maintain the vibrancy of the community. New housing development should only be permitted if it is done responsibly and sustainably without damaging the Town's vital natural resources, viewsheds and ground water quality, and is supported by adequate services. "*

The Town's economic development and quality of life depends on the availability of housing to address the myriad needs of a variety of lifestyles. A comprehensive housing strategy may be needed yet would require

significant time and effort. However, a town-appointed housing committee may be able to work with the Dutchess County Planning Department on a housing strategy that would provide a truer picture of the community's housing needs and desires. Alternatively, Pawling should examine existing regional assessments of housing need and related planning strategies to assist the Town in determining specific affordable housing targets for a period of ten or more years. The town's progress would then be reviewed periodically (for example, on an annual basis).

Dutchess County was part of "A Three County Housing Needs Regional Assessment" prepared in cooperation with the three planning departments in Dutchess, Orange and Ulster counties.<sup>8</sup> According to this study, Pawling's housing supply in 2006 represented about 4% of the gap in needed affordable housing. This assessment included a forecast of housing need for future periods including the year 2020 and calculated the affordable housing deficit. The deficit, or affordability gap was then allocated within each county represented to the constituent towns and cities, however, available data did not allow the study to allocate to villages within towns. Therefore, in the Town of Pawling, which includes the Village of Pawling for this study, the projected deficit in affordable housing for ownership would be 1,165 units as part of a total demand of 2,667 homes. Similarly, for the Town of Pawling, including the Village, the projected deficit in affordable housing for rent would be 202 units as part of a total demand of 921 rental homes.

Another report entitled "Balanced Housing for a Smart Region"<sup>9</sup> by the Regional Plan Association addresses policies for the New York Metropolitan area drawing on statewide strategies and recommending local initiatives such as:

- Promote and properly regulate the creation of two-family homes and accessory apartments;
- Prevent sprawl and focus on existing settled areas including redevelopment and rehabilitation of existing housing stock;
- Balance and link housing development with open space preservation; and
- Incorporate inclusionary zoning, mixed uses and transit-oriented development.

Both reports acknowledge the difficulty presented by resistance to higher-density and affordable housing. However, many of these issues can be addressed by collaboration with a wide range of stakeholders. Also, design concepts for a variety of types of housing have been updated so that moderately-priced, workforce, senior and affordable homes have been successfully incorporated into neighborhoods and mixed use developments adding depth and diversity to communities. Balancing residential development with public, social and recreational amenities can enliven existing settled areas and enhance local economies.

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<sup>8</sup> A Three County Regional Housing Needs Assessment: Dutchess, Orange and Ulster Counties from 2006 to 2020, February 2009, prepared by the Planning Departments of Dutchess, Orange and Ulster Counties of New York with project consultation from Economic and Policy Resources, Inc.

<sup>9</sup> Balanced Housing for a Smart Region: Policies for Addressing the Housing Problems of the New York Metropolitan Region, July 2006, prepared by the Citizen's Housing and Planning Council (CHPC) and the Regional Plan Association (RPA).

The Town's existing regulations contained in Chapter 55, Affordable Housing Regulations were adopted in 1992 and provide for comprehensive review procedures. This chapter should be reviewed and updated to facilitate construction of needed housing. A few key aspects of this chapter that may be impeding applications for such development are as follows:

- Multiple review procedures are required including Town Board special permit and open space subdivision procedures based on underlying density;
- The open space subdivision regulations impose gross acreage deletions before density is determined; and
- The highest possible density that might be achieved through the process without a density bonus would be a dwelling unit per ½ acre of land.

The Town should tap into the experience of the Affordable Housing Board (AHB) to review housing applications and projects pursued in the last ten or more years and identify successful and problematic aspects of housing development in Pawling. Observations from the AHB's experience would assist the Town in developing housing strategies, which should address the following identified housing needs:

- Senior citizen rental units and rehabilitation of owner-occupied homes;
- Creation of workforce, moderately-priced and affordable housing for employees of the Town's businesses and services and volunteers for the Town's services; and
- Dwellings for farm-related family members or farm workers.

Several different approaches are needed to build on what is in place for and what must be initiated to move toward development of needed housing. The zoning amendments proposed as part of this CPU will allow development of accessory apartments in the HA zoning district. The creation and implementation of a water and sewer service plan specifying expansion areas would facilitate the development of higher density and affordable housing in existing zoning districts that permit higher-density housing such as the R-1 and VRD districts. The Town must consider zoning amendments to facilitate the construction of housing as part of its economic strategy to attract young individuals, couples and families. For example, the need for increased residential density should be considered in limited areas where existing neighborhood roads intersect with Route 55. Potential neighborhood densities may be feasible in areas adjacent to R-1 and VRD districts.

The Town should facilitate the construction of accessory apartments attached to or in detached structures associated with single-family residences in many districts through review of and amendments to zoning. This approach integrates new dwellings throughout the community; and enhances home ownership opportunities as the accessory unit provides revenue. Another zoning approach would be to explore opportunities to expand the Variable Residential Development (VRD) District. Specific zoning amendments could facilitate needed construction of additional dwellings for farm-related family members or farm workers. This approach would be supported by the presence of agricultural district lands and farms throughout the community.

Although provisions already exist for open space design subdivisions, compact design development should be strongly encouraged even when conventional subdivisions are presented to the Planning Board. A more pro-



active approach could be used to build on the tendency for single-family lot development. The town should consider an amendment to the subdivision regulations and the zoning provisions governing multi family development to require a certain percentage of large-scale development to be affordable housing. For example, subdivisions of 10 or more lots would be required to provide 1 moderately-priced or affordable unit for every 10 homes. A certain number of the affordable dwellings might consist of accessory dwellings. Or conversely, an affordable single-family dwelling would be allowed to have an accessory apartment providing the income needed for the owners to afford the primary residence.

The Town's initial efforts should be educating the public and continuing to gather information about local desires and needs for housing. The second strategy should be to provide a number of realistic, flexible options attractive enough for land owners and developers to construct the housing that the community needs. In a more pro-active stance, the Town may seek the support of outside entities interested in creating an appropriate blend of market-rate, moderately-priced and more affordable housing. Depending on available funding for design and project formulation, a pre-approved concept plan for the development of workforce housing on municipally-owned land would be an incentive for a land developer to create a mix of housing types needed in Town.

The development of market rate housing will continue as Pawling remains a desirable place to live within the region. The Town's decision-makers should continue to conduct careful planning, zoning and environmental reviews mindful of the protection of its natural resources and the opportunity for preservation of open space. The encouragement of development that is coordinated with existing neighborhoods should include attention to potential vehicular connections and linkages for pedestrian, equestrian and biking pathways within the community. The promotion of open space design will cultivate lower-impact development that protects the Town's scenic, rural character and should retain agricultural operations in properly crafted easements. In areas where residential subdivision proposals include acreage that is or was farmland, where there is no access to a public or community water supply, soil testing must be conducted and shown to meet safe soil and groundwater residue standards.

## 5.4 Economic Resources

Pawling's economic future depends on where current and future citizens work, shop, eat; take care of necessary business; play; and of course, where they live. The citizens referred to here should be thought of as people who are or will become members of the Pawling community; and part of Dutchess County or the Hudson Valley Region. Thinking more expansively, local citizens potentially partaking of the Pawling economy are part of the Northeast Mega region (New York City; Boston, MA; Baltimore, MD; etc). Pawling's economy should also be considered from a national context. Ideally, an employer in Pawling could attract an employee from any place. It is potentially a very desirable place to work, live and play.

Soon after the adoption of the Community Master Plan in 1991, the Town of Pawling adopted extensive zoning amendments including the establishment of the non-residential districts currently in place:

- Hamlet (HA);
- Highway Business (HB);
- Industry (I); and
- Planned Development (PDD);

The HA district is located in the hamlet of Holmes. The remaining HB, I and PDD districts are primarily situated south of the Village of Pawling and to the south of the intersection of Routes 55 and 22. Together these create the potential for an "emerging center" to the south of the Village buffered from the Village by a variety of residential zoning districts.

Taken together, these districts permit a broad range of business, retail, service, manufacturing, office, wholesale, institutional, community and health-related uses. Refer to the Table of Permitted Uses in Appendix B. It should be noted that the residential zoning districts listed elsewhere herein (CD; R-4; and R-1; etc.) also permit limited non-residential uses including certain business, service, institutional, community and health-related uses as shown in the use table (Appendix B). Most of the non-residential and residential zoning districts permit farm; farm-related; forest nursery; and forestry service uses.

Pawling's zoning includes performance standards for all uses in Town that address lighting, noise, odor, smoke, vibration, waste, landscaping, fences, storage and other concerns. It is recommended that the site plan regulations and other aspects of zoning be refined to include updated site design standards or reference to a set of standards deemed acceptable to the Town. Additionally, the zoning ordinance includes provisions for protection of natural resources (wetlands, stormwater and soil erosion, open space, etc.), as described above.

In 2000, the Town became a Greenway Compact Community and adopted local law amendments (Chapter 29). As discussed above, the State Greenway program, administered by the Dutchess County Planning Department provides guidelines and standards for growth that highlight agriculture, tourism, smarter economic development all in combination with preservation of green spaces in localities. Many of these

guidelines should be used to foster better site design and more sustainable planning for flexible land use concepts. These were prepared to assist communities in protecting rural landscapes and natural resources; strengthening existing villages, hamlets and other settled areas; and improving commercial and residential styles of development. They are consistent with sustainable or smart growth standards.

Pawling's Code Chapter 55, Affordable Housing Units, and Chapter 215, Zoning includes provisions for affordable housing, which as discussed above is an important element of balanced economic development.

The lack of sanitary sewer service to areas long designated by the Town as sites for commercial and industrial development has made it difficult to plan for reasonable site development and quality design due to the need for on-site systems with extensive area for subsurface discharge. The time needed to obtain permit approvals; the "soft costs" involved in design and the long-term financial risk associated with the operation and maintenance of private wastewater treatment and disposal systems are further deterrents to economic development in Pawling's existing business districts.

The Mid-Hudson Region Economic Development Council (MHR EDC) presented their 5-Year Strategic Plan<sup>10</sup> in 2011 setting forth 15 goals for future economic development of the region. The MHR EDC was one of 10 regions in New York State charged with creating an economic development plan through a participatory process with government and non-government agencies; business and community leaders; stakeholders from other sectors and the public. Highlights of these goals that pertain to the Town of Pawling are presented below (paraphrased and quoted as appropriate):

- Job-creation programs should highlight "technology-based industries such as biotechnology, high-tech manufacturing, and information technology ..."; and continuation of "mature industries such as distribution, financial and professional services, food and beverage, and health care".
- A "natural infrastructure" approach values the Mid-Hudson region's "outstanding natural resources", environment and agriculture as key parts of the economy, particularly the tourism industry. These resources are part of the region's quality of life, which is "critical to attracting and retaining high-quality jobs for all key industry sectors."
- "Improvements in infrastructure and investment in housing are needed to 'attract jobs to the region, create construction jobs ...' and support a beneficial housing market."
- Voluntary programs should be initiated to "encourage, educate, and foster green development projects" as a way to develop a more sustainable economy in the Hudson Valley.
- Encourage partnerships among inter-regional groups and efforts to shape the use and preservation of cross-region resources.
- Make the Mid-Hudson Valley more attractive to skilled and educated young people to stop "youth flight" and "brain drain" in the area.

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<sup>10</sup> Mid-Hudson Region Economic Development Council Strategic Plan, adopted November 2011.

Starting with a diverse business community; the zoning and related laws and regulations in place in the Town of Pawling; and heading towards what the community envisions in the road ahead, are the economic development objectives of this plan. The Economic Resources Vision Statement expresses the community's outlook:

***“Economic Resources***

*The Town should emphasize those types of economic development activities that capitalize upon but do not erode the Town's outstanding quality of life. Year round, as well as week end/second home resident and visitor sectors all combine to diversify the economic base of the community. Pawling should continue to pursue a diverse economic base by promoting office and industrial development, agriculture, tourism, retail development and entrepreneurial and small business activity focused around areas near the Village's Central Business District, as well as in appropriate locations in the Town. This will result in a robust tax base that will support the municipal services and provide the goods and services required for local residents. Economic development pursuits are balanced with the conservation policies expressed in the other sections of this plan, particularly with regard to historic, open space and natural resources.”*

The Town must take advantage of its character and quality of life; its place in the region; access to markets and transit; and the attractiveness of its landscape, to persist in creating the types of businesses, services, and jobs it desires. Non-residential development consistent with its character that would complement but not detract from its cultural and natural features would be suitable. Working with existing Pawling zoning, regulations and the Greenway Guides, the Town should promote appropriate growing industries, services and mixed use development along the Route 22 corridor; near the crossroads of Routes 55 and 22; and in proximity to the Village of Pawling. Alternative energy, high-technology and biotechnology business operations are locating in the larger region. Health-related, senior care and lodging/conference services are also good candidates for rural/suburban locations with access to mass-transit and highways.

Such uses are amenable to planned, campus-style site designs incorporating compact design and green spaces. To increase the likelihood that such uses would consider Pawling's sites in existing business zoning districts, the Town should consider the amendments contained in Appendix C, which add clarity to permitted uses and flexibility to lot coverage and setback standards.

The current Industrial (I) zoning district permits a typical and somewhat limited array of uses, which may be outdated and may be preventing the location of desirable employers in Pawling. As discussed above, a review of the I zoning district Schedule of Permitted Uses, included herein as Appendix B, and comparison with updated industrial and mixed commercial use districts has been conducted as part of the preparation of this CPU.

A primary strategy of this CPU is to enhance development potential within the limited areas in the developed core which permit commercial use, while prohibiting intensive non-residential development in the outlying

rural areas of the Town. This strategy will contribute to the preservation of Pawling's rural character while protecting sensitive environmental resources, including the Great Swamp, which are located near this core commercial area.

As described above in the Zoning section, portions of the two I districts located south of the Village of Pawling on the west side of Route 22 are significantly constrained by wet areas, wetlands, Brady Brook and floodplains. These constraints within the I districts south of the Village may be affecting the viability of these parcels for development even though each has usable unconstrained areas. However, the Town can partially remedy this situation by incorporating more flexible development standards for campus-style design that would highlight natural features. The existing Schedule of Bulk Regulations contained in the Zoning (Chapter 215, Attachment 2) is included herein as Appendix B as it provides the lot area, coverage and yard setback requirements in each zoning district and therefore the development parameters of the Town's zoning. For example, the one-hundred-foot (100') front and rear yard setbacks present challenges in locating buildings and parking on sites with wet areas and other constraints.

A recommended re-naming and revision of the I district is attached to this CPU as Appendix C, Proposed Zoning Amendments. The proposed zoning district is located within the current boundaries of the I district so there is no expansion of the land area for this set of uses. The intent of the proposed mixed use zoning is to move the Town away from heavier industrial operations toward the possibility of complementary office, retail, lodging, service and light manufacturing businesses. The proposed re-naming of the zone to the MBI (Mixed Business Industry) district includes the addition of several business uses as principal uses. The proposed set of uses would provide entrepreneurs with a broader array of options for development or redevelopment of sites within the current I district boundaries and a greater likelihood of filling the spaces created. Concurrently, a variety of businesses will offer residents a greater selection of employment opportunities.

Implementing the CPU's economic development recommendations while respecting the environmental protection strategies will require both zoning changes and infrastructure improvements. The proposed MBI zoning provides for higher levels of regulatory review for proposed industrial uses presently permitted in the existing I district. It also introduces supplemental requirements for principal and special uses in the MBI district with requirements for design, open space, landscaping, shared parking, minimized access points and architectural review. Flexible setbacks may be allowed where land development includes high-quality design; preservation of natural or historical features and viewsheds; and low-impact development methods.

To increase the opportunity for well-designed compact economic development in the Town's existing non-residential zones, the expansion of sewer services must be expedited. The planning and phased extension of the existing central sewer system must be implemented immediately to serve the areas targeted for economic development. Providing sanitary sewer service to the existing PDD and proposed MBI districts along Route 22 south of the Village to Akindale Road will not only support economic development, but will also protect sensitive lands in proximity to such districts. Extension of sewer services and the concurrent

upgrades to the PJSC wastewater treatment plant will provide needed infrastructure to this area and provide enhanced sewage treatment for the existing and extended district.

In addition to adopting the specific zoning amendments proposed in this CPU, the Town should review its existing land use pattern, described above in the Land use section, in which a very limited area (1.7% of the Town) is in commercial and industrial use. A remedy to this imbalance should bolster the Town's tax base and create needed employment. The Town's zoning and related land development regulations should be examined to consider whether adequate provisions are in place or whether future amendments are needed to:

- Establish new non-residential zoning districts and expand existing district boundaries;
- Create more flexible land use options including mixed uses in certain districts;
- Identify potential sites for the development of health care facilities including emergency care and other desired uses and services; and
- Develop pedestrian connections between commercial sites and into adjacent residential neighborhoods.

Although Pawling is governed by well-developed zoning, regulations and laws, a review of the requirements and standards therein is needed in the long run to adapt them to changing needs, market trends and design concepts in the community, as well as the region. The Town should explore the "laws on the books" and decide whether provisions should be updated to promote better design standards for business development, which would add desirable uses to the community while preserving natural resources.

The public participation feedback obtained as part of the previous comprehensive planning process (2009-2010) identified other desirable uses, businesses or amenities that should be encouraged in Pawling including: "agri-tourism", heritage and environmental (eco-) tourism; and expanded educational and cultural resource facilities. These desired uses are consistent with preserving Pawling's unique character, heritage and identity for visitors and for the benefit of future generations by protecting agricultural lands, historic resources and open spaces. Support of agriculture may take many forms including promoting local farm markets and retailers and restaurateurs who feature locally-grown, raised and improved farm products.

Pawling should consider enacting guidelines and resources to encourage lower impact (sustainable, green, smart growth, etc.) land development and building design practices. The Town should explore the advantages and implementation requirements and costs of instituting LEED or "green" building rating and certification systems. Infill development (use of vacant lots within developed areas) and redevelopment of existing buildings are low-impact methods for community growth. The Town's character should be improved by considering regulations for vacant buildings to prevent them from becoming visually disruptive or blighted properties.

Promotional efforts focused on transportation will support the economy and the quality of life in the community by attracting visitors, new residents and new employers. The availability of Metro-North train service and access to major highway routes are important assets and marketing tools. Funding should be obtained for preparation of streetscape design standards along the Route 22 and Route 292 corridors, including directory signs to historic, scenic and cultural resources and the Village business district. The Town and its community groups should support the delineation of pedestrian and bicycle trail network connections to existing pathways such as the Dutchess and Harlem Valley Rail Trails and other trails and recreational resources in the community. Volunteer efforts to delineate and create a Town-wide network of bicycle routes should be encouraged.

Transit, bicycle and pedestrian amenities are key building blocks for attracting tourists to Pawling and encouraging longer stays and repeat visits. The Town should seek funds for proper design, location and installation of commuter, pedestrian and biking amenities at bus stops and at the train station such as bike racks, shelters, kiosks, benches, route maps and trash receptacles.

Local officials, decision-makers, business and community groups should create a partnership to find public and private funding sources for design efforts and improvements that will enhance the economic climate and quality of life for all aspects of the community. Financial incentives for appropriate, desired land development should be considered. The NYS consolidated fund application is now being used to allocate economic development funds for affordable housing, business assistance, community revitalization, parks and historic preservation and workforce development.

Economic growth should build on the community's "core" consisting of: central business activities and locations; quality of life; and existing site and transit opportunities. The Town of Pawling should create a detailed "centers and greenspaces" map based on the format of the countywide map created by the Dutchess County Department of Planning. The County's GIS resources would be used to highlight emerging centers, hamlets and settlement areas. This effort should be coordinated with the Green Infrastructure mapping recommendation in CPU Section 5.5, Natural Resources. Sustainable growth should introduce new businesses and industries that complement the character of the community; the talent in the labor pool; and existing related businesses and services. Focusing on central areas prevents growth in the rural, scenic "hinterlands"; and brings visitors, new residents and customers and added local-scale businesses to the current commercial areas. The core is enlivened and the more pristine outer areas remain green.

## 5.5 Natural Resources

Pawling's ridges and valleys frame the community. Set within the Harlem Valley, with the Great Swamp dominating the central valley, Pawling is a watery place with a far-reaching network of brooks, streams and rivers; and lakes and ponds. These waterways and waterbodies drain into 4 separate watersheds: the Ten-Mile River; the Croton River; the Fishkill Creek; and the Housatonic River.

Some of the Town's wetlands and floodplains flank this network of waterbodies and waterways. Many wetlands are separate and distinct. Waterbodies, waterways and wetlands are well-distributed over Pawling's mostly rolling terrain. The central valley area lies over significant ground water resources identified by the Dutchess County Planning Department as the Valley Bottom Aquifer System.<sup>11</sup> Forest, field and watery areas provide multifarious habitats for vegetation and wildlife. Several long-established and recently updated laws are in place to protect these resources thereby ensuring the quality of life of the community and the economic value of a healthy environment.

In Chapter 7 of the Draft Comprehensive Plan of 2010, excerpts of which are part of this CPU (see Appendix A), provide descriptions of the Town's natural resources including its geology, topography, soils, surface waters, wetlands and groundwater resources. Consistent with the communities regard for its natural resources, there are four Critical Environmental Areas (CEAs) designated in the Town, which "posses exceptional or unique environmental characteristics". The four CEAs include:

- Quaker Lake and Deuel Hollow;
- Hurds Corner;
- Little Whaley Lake and Watershed; and
- Great Swamp.

The effects of land development and disturbance on Pawling's natural resources are addressed comprehensively in the Town's existing regulations. For example, the regulations for subdivision of land (Chapter A230) include design standards in respect to soils, slopes, trees, wooded areas, floodplains, surface water and wetlands. Standards for location of sewage treatment and water supply facilities serve to generally protect ground and surface water resources. The related zoning ordinance (Chapter 215) provisions for open space subdivisions are intended to reserve significant areas of subdivision sites for continued use as woods, farms, open spaces and other natural amenities. Similarly, the regulations for site plan approval contained in the zoning ordinance include requirements to show natural features. However, these regulations should be reviewed to see whether updates are needed to address more flexible and sustainable design standards.

Pawling's zoning contains numerous other provisions addressing environmental aspects of land use including provisions for Environmentally Sensitive Areas (ESA). Activities in designated ESA's are automatically Type 1 Actions for review under NY SEQRA. Land disturbance or proposed structures or land uses in ESA's are

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<sup>11</sup> Harlem Valley Watershed Investigation, prepared for the Dutchess County Department of Planning by the Chazen Companies, January 1999.



subject to more intensive development standards related to: stream flow, water recharge area, water table levels and water pollution; aquatic animal and plant life; temperature change; drainage, flooding, runoff and erosion; hilltops, ridgelines and steep slopes.

Stormwater controls are fully integrated in the procedures and requirements for land use and disturbance in Pawling's zoning, subdivision regulations and the recently amended stormwater laws (Chapter 171). Disturbance and development on steep slopes are addressed in several of Pawling's laws regarding stormwater; timber harvesting (Chapter 187); zoning; and subdivision. Protection of farmland, floodplains, wetlands and forests are governed by laws specifically adopted to address these resources. Please refer to the table below which summarizes these laws.

The Town's Conservation Advisory Board (CAB) is involved in the review of subdivisions, site plans, special permits and other land development and permitting applications. The role of the CAB in the environmental aspects of these reviews is addressed in specific provisions of Pawling's zoning, wetland and timber harvesting laws.

State, regional and county agencies administer regulations and procedures, discussed above in "Land Use", that expand the land use review process with additional environmental considerations. Pawling's environmental conditions fall under the purview of the regulations for the New York City Water Supply Watershed which affects 40% of the Town's land area. State and local stormwater regulations and Dutchess County Greenway Guides apply to the entirety of the Town. Land development review and other local decision-making is subject to review under the SEQRA, which provides a comprehensive framework for balancing consideration of all aspects of the natural environment with community character and social/economic concerns.

The concepts of "smart growth" and "sustainable development" encourage development targeted to existing settled areas, thus preventing sprawl, balanced with retention and preservation of open space. The Dutchess County Planning Department (DCPD) has created a set of resources for Greenway Compact Communities, which the Town of Pawling is a part, that espouse "smart" approaches to land planning. The Greenway philosophy balances economic development and tourism with protection of the open space, agricultural and cultural resources that give the County its appeal within the larger region. The Greenway Connections webpage is on the internet<sup>12</sup>. Greenway Guides illustrate recommended development approaches, including working with the existing landscape; connecting habitat areas; stream corridor and aquifer protection, as part of site design.

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<sup>12</sup> Dutchess County Greenways webpage (<http://www.co.dutchess.ny.us/CountyGov/Departments/Planning/17334.htm>), Dutchess County Planning Department website (<http://www.co.dutchess.ny.us/CountyGov/Departments/Planning/PLIndex.htm>)

<b>Pawling's Existing Local Laws Regarding Natural Resources</b>		
Code Chapter and Section(s)	Title (Year originally adopted)	Purpose
Chapter 29	Greenway Connections (2000)	Adopts policies, principles and guidelines (see above)
Chapter 107	Flood Damage Prevention (1987)	Regulates uses to prevent flood and related erosion damage; and control the alterations of floodplains, streams and natural barriers to flooding and erosion.
Chapter 111 and related chapters	Freshwater Wetlands and Watercourse Protection (1993)	Regulates the deposition or removal of materials or vegetation; the diversion or obstruction of water flow; and the development or use of, ponds, lakes, reservoirs, natural drainage systems, watercourses and wetlands; and provides for their protection and preservation.
Chapter 171 and related chapters	Stormwater, Soil Erosion and Sediment Control (2011); and Illicit Discharge Law added (2011)	Regulates land development with standards for stormwater management, erosion and sediment control and site design to mitigate the adverse effects of stormwater runoff on the natural environment. Updated to address East of Hudson heightened requirements for the New York City Water Supply Watershed.
Chapter 187 and related chapters	Timber Harvesting (1993)	Regulates timber harvesting practices to protect the natural environment and prevent erosion.
Chapter 215 and related chapters	Zoning (1978)	Regulates the use, management and conservation of natural resources; and protects such resources from the adverse effects of use and development of land and buildings. Provides for open space subdivisions.
Chapter A230	Subdivision of Land (1981)	Natural features may be preserved by design to avoid and incorporate and conservation easements. Includes consideration of trees, soils, topography, surface water and scenic resources including underground utilities.

Between what's in place for the Town of Pawling to work with and what the community envisions in the road ahead are the objectives of this plan. The Natural Resources Vision Statement expresses the community's outlook:

***"Natural Resources***

*The Town of Pawling is today, a direct reflection of the Harlem Valley's extraordinary natural resources. The prudent and responsible maintenance and stewardship of these natural resources will assure that future generations will enjoy clean air, pure drinking water, abundant wildlife and a landscape that is appropriately developed in a harmonious and sustainable way."*

The Town should begin a cycle of periodic review of the Code Chapters listed above starting with a superficial look to determine which of the Chapters has had the fewest amendments in the last 10 years. For example, the stormwater and flood prevention laws were very recently revised and amended in 2011 and 2012,

respectively, so there is no priority for review of these laws. Code Chapter 187 regarding Timber Harvesting was adopted nearly 20 years ago and has had only a few amendments 8 years ago. Given up-to-date NYSDEC regulations and the Cooperating Forester Program, the local law governing timbering should be reviewed in the next two years. Amendments should be prepared as necessary for Town Board consideration. Each law regulating the Town's natural resources should be looked at to prioritize the need for periodic review.

When the priority for review is decided, the Town should create a timeline and a set of issues to guide their review. For example, the Town may be concerned about the effectiveness of local laws compared to their intent; and whether the laws encourage or discourage compliance. Laws that are intended to address natural resources should be balanced so that attention to one aspect of the environment does not result in detriment to another aspect.

For example, stormwater improvements that increase overall site disturbance are protective of surface waters but may result in increases in land clearing for improvements. The Green Infrastructure approach to stormwater management, addressed in the NYS Stormwater Management Design Manual (August 2010), includes practices focused on natural resource preservation. Avoiding and minimizing land disturbance included in this approach involves conservation design and the reduction of impervious surfaces (shorter, narrower roads and driveways; minimized parking areas, etc.). Conservation design can reduce construction costs and make housing development more affordable. In a sensible approach to preservation of natural resources, environmental protection should be balanced with the social, economic and security needs of the community.

A 10-year timeline is recommended for review of laws or subsections of laws (zoning, subdivision, etc.) related to natural resources as they should be coordinated with review of any other related aspects of the code spelled out in this plan. A long-term review period also allows the Town to budget the professional, volunteer and legal assistance that will be needed to accomplish these tasks.

During review of local laws, the following suggestions and concerns should be considered and addressed as needed:

- Disturbance, clearing; tree and natural vegetation removal and protection; disturbance and development on steep slopes; and landscaping standards should be reviewed and updated;
- Research existing mapping resources for identification and approximate location of natural resources such as local wetlands, steep slopes, soils, etc., and add links to the Town website. Provide clarification in local laws that these resources are not substitutes for on-site survey or delineation;
- Consider amending the wetland regulations to include updated development standards; criteria for approval; and recommended mitigation techniques; and
- Evaluate the need for more intensive limitations or wider wetland buffers in locations of unique natural resources (for example, near vernal pools).

The Town recognizes the need to re-examine existing zoning provisions, land development and environmental regulations to see how effectively they address groundwater protection if fully utilized. Local decision-makers should consider current sources of standards and regulations for development over or near groundwater resources. Then a determination should be made about whether amendments to local laws are recommended for the protection of water quality. One method to consider would be an aquifer overlay district, which regulations would be in addition to the underlying zoning district but would not affect density, lot area, coverage and setback requirements. Alternatively, the Town may consider changing the regulations in an aquifer overlay area to prohibit certain land uses and density, coverage, etc., to maximize recharge and preserve groundwater resources.

In order to try to regulate development densities based on maintaining adequate water supply, a costly analysis of the potential for a future water shortage would be needed. However, enacting water saving standards and methods to reduce impervious surfaces could be justified based on the need to preserve groundwater quality and quantity. The regulation of development densities to limit concentration of sewage disposal systems may be appropriate in order to maintain groundwater quality. This aspect of development is addressed in Dutchess County Department of Health review of subdivisions and individual subsurface sewage disposal system (SSDS) permits. The concept of development density based on soil type is explored in Dutchess County Aquifer Recharge Rates and Sustainable Septic System Density Recommendations<sup>13</sup>, which is a resource the Town should consult in considering their approach to enhanced groundwater resource protection.

Additional strategies must be implemented to address threats to groundwater quality. Compact development with reduced lengths of roads and driveways would increase the groundwater recharge area resulting from new development. A special report entitled "Road Salt, Moving Toward the Solution"<sup>14</sup> recommends a road salt management plan aimed at reducing salt applied on local roads. The Town should begin discussions with adjoining communities about possible coordinated intermunicipal efforts focused on the protection of groundwater resources in the Harlem Valley. Such efforts would also protect the health of the Great Swamp and Swamp River, which are part of the Harlem Valley groundwater system.

The existing Pawling Joint Sewer Commission Sewage Treatment Plant was created as a joint project of the Village and the Town in the early 1980's. The possibilities of enhancing the service area of this treatment plant have been considered for a number of years. Such extension has great promise to aid in the protection of natural resources, including groundwater. The Town's 1991 Comprehensive Plan acknowledged that further study was necessary to determine whether central sewers were feasible in the business and industrial zones along Route 22.

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<sup>13</sup> Dutchess County Aquifer Recharge Rates and Sustainable Septic System Density Recommendations, Dutchess County Water & Wastewater Authority, April 2006, prepared by The Chazen Companies.

<sup>14</sup> Cary Institute of Ecosystem Studies, Road Salt, Moving Toward the Solution, Special Report, December 2010.

An enhancement and upgrade of the existing treatment plant would deliver service to this targeted area of the Route 22 corridor, without the necessity of constructing a new facility. The upgrades necessary to accommodate enhanced flows to the existing PJSC facility could also benefit existing users of the system by spreading operation and maintenance costs over a larger customer base and could also reduce effect on receiving streams. The upgrades to the plant will require cooperation with the Village and the Pawling Joint Sewer Commission, entities which have worked together since the formation under the original agreement in 1983. It is possible that the upgrades to serve areas between Akindale and the southern Village boundary could be accomplished entirely within the existing grounds of the plant's facility.

The route of the sewer main extension to serve the targeted area could be located within the NYS Route 22 right-of-way in areas that are already generally disturbed and or improved. The Town will evaluate the most appropriate design for the sewer pipe extension on Route 22 so as to provide flexibility in accommodating a variety of flows as the area is developed.

Numerous development and environmental stakeholders and the public have commented on the benefits of supporting development of the PDD, MBI, and other key sites from Akindale Road to the southern Village border on Route 22 by the provision of central sewer. The implementation table in the CPU has been modified to insert a new item about completing the necessary plans and reports regarding: expansion of existing PJSC sewer plant; and extension of the sewer district to serve the Route 22 corridor south of the Village to Akindale Road.

Pawling's subdivision regulations include provisions to encourage construction of roads that conform to a site's topography and natural limitations; efficiently provide for drainage, utilities and access; and to minimize the length or number of new roads necessary to serve the lots proposed. The town should review the subdivision regulations, prepare and adopt a rural road standard for low-density subdivisions. Lower-impact street specifications would be created to reduce the width of right-of-way clearing; travel lanes and shoulders and incorporate pedestrian amenities. Any consideration of lesser road standards should involve input from the Highway superintendent, fire, police and ambulance departments.

However, the Town must reconcile existing provisions in Code Chapter A229, section A229-9 Criteria for Determining Street Classification, subsection D., which addresses "Privately maintained development streets". Under existing Town road standards, this type of street is permitted only for rural or low-density residential developments where the road would be privately owned and maintained. There are no specifications for this type of road and subdividers would have to propose specific standards for approval on a case-by-case basis. Streets constructed to a lesser standard than suburban or rural-type street construction would not be considered for dedication to the Town of Pawling. Prospective homeowners would be notified about private ownership and maintenance requirements. Such a road would have to be upgraded at the owners' expense for the Town to consider accepting it for future dedication to the Town. Incorporating rural road standards would necessitate considerations of safety of vehicles and pedestrians; and emergency and service vehicle access to the homes served by such roads.

A volunteer group should be appointed to evaluate the established CEA's and ESA's in the Town and how they are regulated and monitored. This group should explore participation in the NYSDEC Biodiversity Program and other biodiversity and habitat corridor programs. The Town should examine the boundaries of the existing CEAs in the Quaker Hill area: Quaker Hill/Deuel Hollow; and Hurds Corner. Additional areas of the 7,000-acre Quaker Hill area should be considered for CEA designation in accordance with a report by Larson Fisher Associates (March 2008). Alternatively, expansion of the boundaries of the existing CEAs should be explored.

Another responsibility of this volunteer group would be to aid in monitoring conservation areas under the jurisdiction of the Town and to serve as a liaison to private groups monitoring private conservation areas. One of the objectives of a partnership between public and private conservation groups should be to map the community's "green infrastructure", which would include parks, farms, conservation and trail facilities; wooded areas, waterbodies and waterways; and linkages between these natural resources. Another function of such a partnership would be to promote, enhance and plan for future natural resource conservation efforts including funding and leverage for seeking funds.

Although lifestyle choices must be respected by Town agencies, the MS4 stormwater program introduced the idea of educating the public and encouraging better environmental practices on the part of residents. The Town and independent community groups could provide links on their respective websites to resources about integrated pest management and less harmful methods for lawn and garden care. Integrated pest management involves methods for care of gardens, lawns, meadows and other grounds that are less harmful to the environment than the use of fertilizer, pesticides or herbicides. These methods are particularly effective in aquifer recharge areas and would also protect watersheds for surface water bodies. In that regard, promotion of such practices would be consistent with the responsibilities of an MS4 community to improve stormwater quality.

The Town's various departments should also implement integrated pest management practices for Town-owned properties and encourage such practices in the school district. In general, it is appropriate for Pawling to utilize the Town's website; related community websites and newsletters; and make written materials available to promote conservation best practices; and energy efficiency for Town households

## 5.6 Open Space, Recreation, Agricultural and Scenic Resources

Pawling's wooded hillsides, grassy meadows and marshy lowlands provide the natural matrix in which homes, businesses, historic sites and settled areas are found. Its swamps, brooks, lakes and ponds define and run between neighborhoods and hamlets and even provide a boundary between the roads and rails. Traversing from the east side of Town in the scenic, historic Quaker Hill area; across the Harlem Valley in the center and towards Whaley Lake and surrounding hills on the west side of Pawling, a citizen or guest enjoys a profile of the land. The Town abounds with sloping lawns, brushy meadows and rolling farm fields; evergreen forests; wooded wetlands and lakes encircled by woods and dwellings both cozy and grand. Paved and dirt rural roads afford scenic walking and biking or cruising opportunities for residents and visitors.

Lakeside and Murrow parks; the Dutcher Golf Course; and other public facilities give Pawling residents 405 acres of parkland in which they can walk, swim, bike, golf, play games and participate in activities for all ages. These park facilities are listed below:

<b>Town of Pawling Park Facility</b>	<b>Size in Acres</b>
Lakeside Park	292
Murrow Park	73
Lakeside Ballfields	10.5
Town Hall	0.6
Recreation Building	1.9
HWLCA Building	2
Holmes Pond Park	3.5
Dutcher Golf Course	32.5
<b>Total</b>	<b>405.5</b>

These parks also offer residents green spaces and lakes near which they can simply sit, rest and enjoy fresh air or a picnic. Details about the Town's parkland inventory and programs for the community's youth, teens, adults and seniors are found in Chapter 12 of the Comprehensive Plan Draft of 2010, excerpts of which are included as Appendix A. Pawling's public parkland area exceeds the National Recreation and Parks Association standard, which indicates that the Town's 2000 population of 5,299 would need 33 to 55 acres of parkland.

The Parkland and Facilities Master Plan (hereinafter Parkland Plan) adopted in May 2009 provides a separate inventory, vision and goals, recommendations and plan implementation for the Town's parklands. The Parkland Plan (see Appendix D) addresses Lakeside and Murrow Parks; and other municipal facilities such as Holmes Pond and the Holmes/Whaley Lake Civic Association building. The Parkland and Facilities Master Plan Committee presents a very comprehensive set of general recommendations in the plan and also specific objectives and actions for each park and for certain areas of the Lakeside/Murrow parklands. It also details objectives for expansion of recreational facilities in the hamlet of Holmes. Implementation of this Master

Plan is the responsibility of the Parkland and Facilities Master Plan Committee and the Town Board. Further details can be found on the Town's website.

Private recreational resources in the Town include the Quaker Hill Country Club for golf enthusiasts; the Whaley Lake Marina for boating; and several private camps. There are no New York State or Dutchess County parks in the Town. The Appalachian Trail is a US National Park Service trail that runs through Pawling on its way from Georgia to Maine.

A series of greenways interconnect through the Town preserving uninterrupted corridors of significant natural resources and regional bio-diversity as a result of the Oblong Conservancy's ongoing efforts. A portion of the Hudson Highlands, recognized by the US Forest Service as a "Landscape of National Significance" is protected by the following five greenway areas identified by the Oblong Conservancy: Eastern Quaker Hill; Purgatory Hill & Tracy Road; Great Swamp; West Mountain; and Little Whaley Greenway. The Great Swamp is identified by the NYSDEC in the 2009 Open Space Conservation Plan<sup>15</sup> as one of the State's Regional Priority Conservation Projects. It is the "largest and highest quality red maple hardwood swamp in southern New York." The Great Swamp spans four municipalities in Dutchess and Putnam Counties and is located within the Croton Watershed of the New York City Water Supply Watershed. Chapter 8 of the Plan Draft of 2010, included as Appendix A, fully describes the resources preserved by Oblong including lands with and without public access.

Pawling's agricultural scenery is painted with pastures, horse farms, cultivated fields and orchards. Over 3,000 acres of land in the Town are in agricultural use including 109 parcels in designated agricultural districts established by the New York State Agricultural Protection Act of 1992. Under Article 25-AA of the Agriculture and Markets Law, the continuation of farming is supported by real property assessments based in the value of land as farmland and related agricultural exemptions.

The Town's "green infrastructure" is well established and protected; however, it should not be taken for granted.

Several long-established and recently updated laws are in place to protect the natural and agricultural resources that define open spaces, recreational facilities and farms. Pawling's quality of life consists substantially in living amongst open lands. The appeal of life and work in such a scenic, rural community and in such a healthy environment adds economic value to the Town's properties.

The effects of land development and disturbance on Pawling's natural resources are addressed comprehensively in the Town's existing regulations. These laws and standards are discussed in the Natural Resources section, above. Some aspects of these laws specifically relate to the recognition that open space,

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<sup>15</sup> New York State Open Space Conservation Plan, NYSDEC, 2009 ([http://www.dec.ny.gov/docs/lands\\_forests\\_pdf/osp09chapter8.pdf](http://www.dec.ny.gov/docs/lands_forests_pdf/osp09chapter8.pdf))



recreation and agriculture are necessarily the fabric on which Pawling's homes, businesses, services and roads are embroidered.

For example, Pawling's Code includes Chapter 101 providing for the reinforcement and expansion of agricultural operations and protection of farm practices within the community. While providing a scenic backdrop for residential areas, farms can be at odds with neighbors. The law ensures the rights of farm operations to continue and grow. The presence of Agricultural District number 23, consisting of numerous parcels and farms, established as one among many such districts in Dutchess County further bolsters the rights of farmers supported by New York's agriculture and markets laws. Pawling's citizens can do their part to keep agriculture thriving by learning to appreciate the role farming plays in the region and by frequenting the Pawling Farmers Market.

Timber harvesting is properly regulated by Chapter 187 to provide for the health of forest, the economic benefits of timbering while preventing degradation of woodlands by careless logging practices. Selectively logged forests using responsible erosion, sedimentation and stabilization methods can enhance watersheds and woodlands. Animal husbandry and farms are permitted in nearly all of the Town's zoning districts including all of the residential zones and the two business zones (HB and I).

The natural resources section herein summarizes how the regulations for subdivision of land (Chapter A230) and zoning ordinance (Chapter 215) include design standards in respect to natural resources; and provisions for open space subdivisions. By the nature of their design, open space subdivisions reserve significant portions of sites for continued use as woods, farms, open spaces and other natural amenities. However, these regulations should be reviewed to see whether updates are needed to address more flexible and sustainable design standards that would allow design to work more fluidly with the landscape.

As noted in the natural resources and other sections above, the Dutchess County Planning Department (DCPD) resources for Greenway Compact Communities foster a philosophy that balances economic development and tourism with linkages to open spaces, wildlife corridors, agricultural and recreational resources. The Greenway Connections emphasizes a network of green infrastructure, which is present in Pawling and worthy of expansion and enhancement. The Greenway Connection webpage is on the internet. Greenway Guides illustrate recommended development approaches, including increasing the availability of and access to parks and open lands; preserving farmland as part of development; connecting habitat areas; stream corridor and aquifer protection, as part of site design. The Town has opted to be part of the Greenway Compact Communities through adoption of Code Chapter 29. Please refer to the table below which summarizes this and the other laws discussed above.

Open Space, Recreation and Agriculture		
Chapter 29	Greenway Connections (2000)	Adopts policies, principles and guidelines (see above)
Chapter 101 and related zoning	Farming (1992)	Reinforces the rural, traditional character of the Town; permits and protects agricultural practices; and encourages the expansion of farming operations.
Chapter 187	Timber Harvesting (1993)	Acknowledges the need to address the community's aesthetic and scenic character.
Chapter 215 and related chapters	Zoning (1978)	Provides for open space and recreation lands as part of future development; and preservation of the Town's natural beauty, scenic areas and agricultural lands. Provides for open space subdivisions.
Chapter A230 and related chapters	Subdivision of Land (1981)	Provides for land to be set aside for parks, playgrounds and recreation purposes. Natural features may be preserved by conservation easements. Includes consideration of scenic resources including underground utilities.

Between the laws and resources in place for the Town of Pawling to work with and what the community envisions in the road ahead are the objectives of this plan. The Open Space and Scenic Resources and Recreation Resources Vision Statements express the community's outlook:

***“Open Space & Scenic Resources***

*Pawling’s unique scenic quality and “sense of place” is derived from the interrelationship between areas of undeveloped open space, pastoral farmlands and rural residential districts. This distinctive character, enhanced by significant natural and historic resources, is the quality that maintains Pawling’s vitality as a place to live, work and visit.”*

***“Recreation Resources***

*The Town shall foster an interconnected network of public and private recreational facilities and resources that helps to build a livable community that includes diverse opportunities for improving health and wellness. Pawling supports active lifestyles by providing safe, accessible parks, facilities, and programs that encourage physical activity, mental challenges, and social engagement. The Town recognizes the potential of parks, trails, recreation services, and open space to improve the community’s attractiveness as a place to live and work.”*

The Town will establish a committee to focus on open space and properly define the scope of their work. This committee will make an inventory of existing open spaces also described in current terminology as “green infrastructure”, which would include preserved and undeveloped open lands; farms and forests; wetlands, waterbodies and waterways and their related corridors; public and private recreational lands and aspects of

certain land uses. Depending on the scope of the group's work, the adequacy of recreational facilities and open lands would be compared with the community's needs based on the characteristics of the Town's population and types of development. The committee would then identify any gaps in the green infrastructure network and prioritize areas needing open space or parks and possible parcels for acquisition, preservation or improvement.

During the CPU review process, agency and public commenters identified numerous geographical features that contribute to Pawling's scenic "viewshed". These consist of waterbodies, waterways, wooded or rural landscapes, parks, preserved open spaces and historic areas. Many are located in the Town; however, scenic places outside Pawling's boundaries are part of its rural character. These places, landscapes and areas can be viewed from Pawling's roads, neighborhoods and trails and create an important aspect of the Town's character and quality of life. Documentation prepared in 1993 provides supportive information about the Town's scenic roads. Therefore, the scenic aspects of the Town of Pawling are set forth below as features that must be protected from the effects of land development.

The site plan approval provisions in Pawling's zoning refer to the comprehensive plan as a factor to be considered (see section 215-47, G.). In the Planning Board's general considerations for special permits (section 215-46, E), the zoning law makes reference to "harmony with the appropriate and orderly development of districts" in which a site is located; and "environmental characteristics" and the "total interests of the Town". These provisions are not specific to visual impacts. However, the listing of scenic resources in the CPU, prefaced by considerations of the Town's character and quality of life that "must be protected from the effects of land development", provides a basis for preservation of these scenic resources.

Initially, the Town should use the NY SEQRA Visual Impact Assessment Form (Visual EAF Addendum) during the environmental review of land development including subdivisions, special permits and site plans. For certain land development review processes, an in depth visual impact analyses may be performed. Depending on the results of review of visual assessment or analyses, it may be necessary to incorporate specific practices in the design of land development. Such changes in design should mitigate the effects of development on scenic features, or views of these scenic places, landscapes and areas.

The scenic places, landscapes, roads and areas identified below provide a preliminary yet not an exhaustive list, which will be expanded to include details and additional scenic features (Areas marked with an asterisk [\*] are formally designated CEAs):

- Appalachian National Scenic Trail (National Park Service)
- Ballard Pond
- Ballard Lake
- Birch Hill
- Branch Hill
- Brady Brook
- Brady Falls
- Brady Pond

- Byrd's Hill Falls
- Cat Rocks
- Corbin Hill
- Corbin Road
- Denton Lake
- Depot Hill
- Deuel Hollow\* and Brook
- East Branch of the Croton River
- Edward R. Murrow Park
- French Lake
- Great Swamp\*
- Green Mountain Lake
- Hammersley Hill
- Harlem Valley
- Harmony Lake
- Hiller Brook
- Hudson Hills
- Hudson Highlands (northern extent)
- Hurds Corner\*
- Lake Dutchess
- Little Whaley Lake\*
- Mill Pond
- Mizzen Top
- Mount Tom
- NYS Route 22 (sections)
- NYS Route 55 (sections)
- NYS Route 292 (sections)
- Nuclear Lake
- Oblong Trail Association Trails
- Observatory Hill
- Parce Pond
- Pawling Mountain
- Pawling Nature Preserve
- Pawling Reservoir
- Purgatory Hill
- Quaker Brook
- Quaker Hill
- Quaker Lake\*
- Ray Lake
- Sealy Hill
- Swamp River
- Sunset Lake
- The Great Swamp
- Tracy Pond
- Waldo Hill
- West Mountain

- Whaley Lake and Stream
- Willow Lake

Given the extensive visual resources listed above, the Town of Pawling should create a map that would be the basis for creation of a scenic overlay district. As part of this process, the town should review examples of scenic overlay legislation and examine existing town land development review regulations. To be effective, scenic overlay provisions will be coordinated with other aspects of the Town's site plan or subdivision review.

Scenic overlay provisions will add supplemental design standards to underlying zoning districts, which would serve to mitigate the effects of land disturbance and development on surrounding viewsheds. Recommended approaches to protection of viewsheds during the review of land development may include:

- Limiting site disturbance and clearing;
- Incorporating landscaped buffers along the edge of cleared areas;
- Avoiding placement of structures and other improvements on hilltops, ridgelines and steep slopes;
- Using siding, roofing, fencing and other building materials with textures or colors that reduce their visibility in the landscape.

The Town should improve the effectiveness of partnerships with existing land trust and preservation groups by collaborating when appropriate on the following efforts: updating and digitizing the inventory of natural resources; creating a scenic resource inventory; and assessment of the community's open land/recreation needs. Volunteer and financial resources should be properly shared between the open space committee and land trust and preservation groups to enhance the efforts of each group. This may result in more sustainable decisions about which lands are more appropriately designated for recreation and open space uses; and for active versus passive recreation activities. The committee should work with the Town Planning Board; local, County and regional recreation and conservation groups; and farmers, Dutchess County Soil and Water Conservation District, Cornell Cooperative Extension and other agricultural interests to obtain a full perspective of the larger community's desires and needs before reporting back to the Town Board.

State, regional and County open space and recreation studies and plans should be reviewed so that Pawling's directions in this regard link to larger networks. Such connections provide advantages to local residents and to those partaking of Pawling's resources. The intermingling of residents with visitors expands everyone's social, cultural, geographic and economic horizons. For example, a through-hiker dropping off of the Appalachian Trail to get provisions at a local store; enjoy lunch at one of Pawling's restaurants; and eat a pint of ice cream before returning to the woods can be cajoled into telling stories of the trail. Young people listening may become interested in hiking as a result. Bikers from more northern parts of the County may become enchanted enough to visit again or even relocate in Pawling closer to transit or employment to the south. A mapped walking route near the core of town or around Holmes may add a number of visits to stores or eatery or interest in a historic building, church or community activity.

The New York State Hudson River Valley Greenway Trail Vision Plan (June 2004) identifies three potential elements of a Greenway Trail System in the Town of Pawling as shown on the Dutchess County Greenway Trail Map:

- A “Potential Trail Section” along the old railbed running from Hopewell Junction, which would be connected to the Dutchess Rail Trail. This trail would be located along the east side of Whaley Lake and continue south to the boundary of Putnam County.
- The Appalachian Trail is identified as an “Undesignated Existing Trail”.
- A “Potential Road Connection” is noted from the railbed heading west on Route 292, winding through Bundy Hill, Harmony and Dutcher Roads to the Village and then north to west Dover Road. A spur off of this road pathway heads south off of Harmony Road to the Putnam County line.

Dutchess County’s Natural Resources Inventory and GIS mapping resources will provide environmental and land use information for the context of the Town’s open space and trail planning efforts. The “Centers and Greenspaces” map compiled by the county illustrates potential links between settled centers and surrounding open lands. Greenway Connections includes a chapter covering ideas for regional access to pedestrian and biking routes; access to water and other recreational and natural amenities. Greenway Compact communities are urged to use Connections as guideposts for local planning. The Town of Pawling should use the format of Dutchess County’s “Centers and Greenspaces” map to guide its “green infrastructure” mapping efforts. This should be coordinated with the preparation of a detailed Town of Pawling “centers and greenspaces” map discussed above in the Economic Resources section.

Regional groups such as Hudson Valley Rail Trail<sup>16</sup>, Scenic Hudson<sup>17</sup> and Clearwater pool citizen interest, effort and financial resources to promote trail development, land preservation, water access and use by the regional community. These groups often work in tandem with local, county and regional agencies. For example, the possible continuation of the Dutchess Rail Trail to the east of Hopewell Junction would create a connection and thus an influx of local citizens and visitors to Holmes. Consideration of an extended rail trail is more likely when the expressed desire and pursuit of such an extension begins at the local level. Proponents of the Putnam County Railway may become partners in plans for a connection and ideas for funding. These connections add options for all users; may bring visitors to these areas; and justify the expenditure of funds as each length of trail becomes accessible to a larger number of visitors.

During consideration of land development, such as in subdivision review procedures, the Planning Board should refer applications to and consult with the Town Board and any appointed recreation committee and require parkland set asides for future acquisition. The Town Code provisions regarding site plans and special permits should be reviewed and amended as appropriate so that on-site natural areas and recreation facilities can be required with all development proposals. Where necessary, the designation of conservation easements must be encouraged, particularly on lands with development constraints to protect natural features. The Town Board and Planning Board should confer with legal and planning professionals about the

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<sup>16</sup> Hudson Valley Rail Trail website (<http://hudsonvalleyrailtrail.net/>)

<sup>17</sup> Scenic Hudson website (<http://www.scenichudson.org/>)

Town's options and recommended measures for negotiating with owners of lands determined to have important open space value. These consideration and options must be properly guided by local and regional plans for recreation and open space.

Pawling has made an assessment of and plans for parks and recreational facilities as per its Parkland and Facilities Master Plan of 2009. It may be necessary to renew this study and plan over time to reflect changes in demographic trends, recreational interests or facility use patterns. However, since it is a fairly recent plan, the community should focus on evaluating progress and determining the feasibility of implementing the activities and improvements recommended therein. The Town's review of progress on the Parkland Plan should include:

- Encouragement of future development of Town lands for both passive and active recreational uses; and
- Seeking grants and other funding sources for design studies and construction of improvements.

Thinking more expansively, the Town and its community groups should promote linkages and the creation of additional public walking and hiking trails, bike routes and bridle paths. Pawling's officials and decision-makers should convene a series of Town meetings with a broad array of recreational, athletic, environmental, social, cultural, service, business, conservation, religious and other community groups to contemplate the types of interconnections needed in Pawling. A volunteer task force should be appointed to maintain contact with the participating groups and coordinate the delineation and completion of improvements for a Town-wide network of pedestrian and bicycle routes.

The Town should sponsor a workshop by the NYS Department of Agriculture and Markets to encourage the participation of farmland owners in the Agricultural District Program. The Town should initiate a partnership with farmers, Dutchess County Soil and Water Conservation District, Cornell Cooperative Extension and other agricultural and historical interests to consider the merits of an event touring farm operations and related historical sites and including activities based at the Lakeside/Murrow park complex. Such an event would foster a greater understanding by residents of neighboring farms; attract visitors to the Town's scenic areas and may spark associated ecotourism events and business opportunities in Pawling.

Where lands with agricultural operations are proposed for development, the Planning Board should promote continued farm usage by requesting open space design subdivisions with agricultural easements. In considering the importance of agriculture in Pawling, decision-makers and officials must address horse farms the same as other agricultural operations in accordance with NYS laws.

Especially when residential growth is proposed on lands formerly used for agricultural purposes containing "prime" farmland soils, it is imperative that open space subdivision or sensitive site design methods are used, which would retain agricultural land in easements to mitigate the loss of this vital resource. A more direct approach to farmland protection would be to establish a Transfer of Development Rights (TDR) program moving density from farmland with the potential for development to a receiving parcel less-well-suited to

agriculture. The success of a TDR project can be seen north of the Village where the Deerfields Pond neighborhood on the west side of Colman Boulevard (DC Route 20) is complemented by rolling farm fields on the east side of the road. Early in review of projects on farm land, the Planning Board should assess the need for adequate buffering and screening between residential developments and adjacent agricultural operations

Owners of historic barns bear a special burden and must be persuaded to take advantage of New York State's investment tax credits or other assistance for their rehabilitation.

In order to further highlight Pawling's rural, open character, the Town should explore the potential effectiveness of setting up a scenic roads program.



## 5.7 Historical, Cultural and Community Resources

The Town's history gives it depth and texture. The integrity and simplicity of the Quakers is evident today in the Oblong Meeting House and nearby properties. The railroad extending into Pawling and a station springing up soon after set in motion the later growth of accommodations at the Mizzentop Hotel and the Dutcher House in the late 1800's making the Town a resort area. Pawling was a peaceful place where people had summer homes, many of which are still second homes providing an escape from urban places. Industries such as Sheffield Farms pasteurization plant and the Troco Nut Butter Company clustered around the railroad in the early 1900's. Although the pasteurization plant is gone, there are many active agriculture operations. Even the Pawling Fire Department, which was formed in 1895, is a strong thread from the past that continues to be a vital part of the community.

Author Norman Vincent Peale, television journalist Edward R. Murrow and New York's 47<sup>th</sup> governor made Pawling their home. Perhaps the community and landscape enjoyed in Pawling inspired their work and gave them a retreat from their worldly efforts. There are three State and Federal Register Historic Places in the Town: the Akin Free Library; and the Oblong Meeting House, all located in the Quaker Hill area. The John Kane House, located in the Village, is a museum and the home of the Historical Society of Quaker Hill and Pawling. An automobile tour created by the Historical Society of Quaker Hill and Pawling includes fifteen sites:

1. The John Kane House;
2. Revolutionary War Historical Marker;
3. Purgatory Hill;
4. Oblong Marker and Early Cemetery;
5. Mizzentop Hotel Marker;
6. Akin Free Library;
7. Original Site of Akin Hall;
8. Graves of Revolutionary War Soldiers;
9. The Oblong Meeting House;
10. Quaker Cemetery;
11. Home of Governor Thomas E. Dewey;
12. Hurd 's Corner;
13. Trinity Pawling School;
14. Pawling Rural Cemetery; and
15. The Dutcher House

The Town Historian's webpage includes links to Pawling historical census and graveyards. More details about the Town's history and archaeologically significant areas are found in Chapter 13 of the Comprehensive Plan Draft of 2010, excerpts of which are included as part of this CPU in Appendix A. A perusal of the Dutchess County Historic Resource Survey (via the internet at Dutchess County's Geoaccess) shows approximately 100 clusters of historic points in the Town of Pawling.

Pawling's culture is a blend of its social aspects and the past or current activities of its residents and visitors. People living in and passing through the Town engage in a broad array of recreational, artistic, community, educational, agricultural, service, intellectual and spiritual or religious pursuits. Frequently residents are as likely to see each other at a child's soccer practice or at the Pawling Fire Department's meetings or spaghetti dinners as they are at a local diner or church. Unfortunately, rural living means residents spend time in transit so people passing each other on the old Mahikan hunting trail running from the Housatonic to the Hudson River (route 55) wouldn't know they share the same community through their car windows.

Fortunately, the town's people have created reasons to connect and support each other's pursuits. For example, the Pawling Free Library runs programs as diverse as French conversation, Triathlon 101, reading groups, preschool story activities, a video game night and meditation along with an annual book sale. The Pawling Fire Department, a volunteer corps that was established over 100 years ago, holds its annual Carnival in August. The several civic associations, clubs, land conservancies, schools and other groups hold social, educational, cultural and fundraising events. A perusal of local calendars reveals an antique car show, a garden show, educational programs, and health and exercise classes. A number of programs and events are held for teenagers, senior and citizens of all ages at the Holmes/Whaley Lake Civic Association and the Town Recreation Center at Lakeside Park.

The annual Pawling Triathlon, which benefits the Teen Center, is held in June. Pawling also hosts the Pawling Mountain Road Race, a biking event, and the NYS cross-country running championships. Residents and visitors have access to the numerous events and groups' activities woven into Pawling's fabric from announcements at local businesses, the Pawling Free Library, the Town Hall and Recreation Center. More events and activities are posted on internet websites for the Town, The Chamber of commerce, Pawling Public Radio and many other groups, clubs and associations.

Pawling fine and performing arts offerings include the Pawling Concert Series that takes place at Trinity-Pawling School; and the Pawling Theatre Company's theatrical productions. ACEkids (Arts, Culture and Environment) is an after school program run via a partnership between the Pawling Central School District and Pawling Community Services, Inc., which holds theatrical productions involving children from the community as performers. A year round program, Fine Films of Pawling, is run at the Pawling Recreation Center each Monday evening. The community holds an annual arts and crafts festival. Exhibits of works of art are found in a variety of places such as Gallery on the Green; the Book Cove; and an annual show at Lankler Hall on Quaker Hill.

The Town Crier is a well-known restaurant and performing arts venue featuring live music styles as diverse as jazz, zydeco, bluegrass, folk, blues and celtic. Music by the Lake is held every other week in the summer time at Murrow Park.

The Community Resources & Service Center, Inc. is a nonprofit, tax-exempt organization created through the collaboration of local churches so they can work together as a social service agency to aid Pawling's citizens who are in need. It serves as a clearing house and referral service to the resources of both government and

private social service agencies. The Center, which benefits hundreds of families and individuals in crisis situations, is located in the Carriage House on the historic John Kane property on Route 22. The group does not charge fees for its services and runs on charitable gifts to fund its programs and services.

Certainly, the Oblong Conservancy, the Friends of the Great Swamp and other nature and agricultural preservation groups are protectors of Pawling's rural, working landscape and ecological beauty.

The Town expresses its history and culture through the activities of multiple public and private organizations and the presence of many historic places. The scenic, natural environment reflects Pawling's collective concern for what is worthy of preservation. The location of recreational, cultural and civic facilities in hamlet areas assures continued socially-oriented programs that are accessible to many. Given the number of residents involved in running and participating in these activities, it seems the Town's culture is properly cultivated.

A few key existing and recently updated local law provisions are in place to protect Pawling's historical and cultural resources from the effects of land development and disturbance. For example, the Flood Damage Prevention law includes a specific provision for a variance from the law's requirements where reconstruction, rehabilitation and restoration is necessary at historic places on the National or State Registers. The regulations for subdivision of land (Chapter A230) include a requirement to identify historic features early in the review process. Specific subdivision design standards require preservation of existing site features such as historic sites and structures so that they will be an amenity to the neighborhood.

The Town's zoning ordinance (Chapter 215) provisions for open space subdivisions are intended to reserve significant areas of subdivision sites such as historic sites and structures. Similarly, the supplemental requirements for telecommunications towers and facilities and planned development districts (PDDs) require that the layout and design of such developments address the presence of historic features particularly regarding possible visual impacts. However, these regulations should be reviewed to see whether updates are needed to address more flexible and sustainable design standards.

As noted in the natural resources and other sections above, the Dutchess County Planning Department (DCPD) resources for Greenway Compact Communities foster a philosophy that balances economic development and tourism with recognition of historic settlement patterns, the role of agricultural in the creation of smaller hamlets "in the working rural landscape". The Greenway Connection webpage is on the internet. Greenway Guides illustrate recommended development approaches, including recognition of architecture as an expression of local history, which should be addressed as part of site design. The Town has opted to be part of the Greenway Compact Communities through adoption of Code Chapter 29. Please refer to the table below which summarizes this and the other laws discussed above.

<b>Pawling's Existing Local Laws Regarding Historic Resources</b>		
Historic Resources		
Chapter 29	Greenway Connections (2000)	Adopts policies, principles and guidelines (see above)
Chapter 107	Flood Damage Prevention (1987)	Includes consideration of reconstruction, rehabilitation and restoration of historic places through a variance.
Chapter 215 and related chapters	Zoning (1978)	Provides for environmentally sensitive features such as historic places both man-made and natural.
Chapter A230 and related chapters	Subdivision of Land (1981)	Provides for recognition of historic features as part of review; and design that ensures preservation.

Pawling's community activities and resources and the laws in place for the Town of Pawling provide a strong basis for what the residents envision in the road ahead. This foundation and vision set in motion the objectives of this plan. The Historical and Cultural Resources Vision Statement express the community's outlook:

***"Historic & Cultural Resources***

*Preserving the Town's heritage, while simultaneously addressing current and future needs, represents one of the most significant challenges facing the Town today. Maintaining the Town's historic and cultural identity in all decisions must be accomplished."*

The Town should commit to enhancing, promoting and preserving the unique character, heritage and identity of Pawling for the benefit of future generations by protecting historic and cultural resources. An important first step for determining the type and extent of resources in Pawling is to identify, inventory and assemble a complete map of sites, structures and locations of groups interested in these resources. Creating partnerships with the Town Historian, the Historical Society of Quaker Hill and Pawling and other historical and related community groups to would be an effective way to ensure a comprehensive collection of existing reports, studies and information for the inventory.

The results of such an inventory should be presented to local decision-makers and interested parties. The inventory and map should be available for viewing and perusal at the Pawling Free Library or other community places to increase public awareness and appreciation of Pawling's history, its historical figures and its historic sites. Any portion of the inventory and map that can be made accessible on the internet will encourage the curiosity of residents and visitors. It's availability on a website will promote linkage to other local and regional historical collections such as the Dutchess County Historic Resource Survey (via the County's Geoaccess, the Historic Survey 1986).

Depending on how broadly the idea of "culture" is viewed by the Town's decision-makers, it could include any aspect of the local society or type of social activity that expresses the community's knowledge, attitudes, values, ethics and goals. Therefore, Pawling's cultural resources would potentially be related to educational,

artistic, recreational, historical, agricultural, religious or spiritual pursuits. Our modern culture is also defined by entertainment, news and information and the numerous forms of media that shape our everyday lives. Pawling's local government may choose to define what makes up its culture and initiate the creation of a cultural catalog, which would be perused as a hard copy manual or as an online guide. Alternatively, the concept of what makes up the community's culture may be determined by the varied opinions of the Town's residents. The strong community aspect of Pawling's culture is crucial part of the quality of life. So how the residents define their culture should be taken into account.

Community mapping should be employed as an effective tool for engaging the public in gathering materials and information for a comprehensive historical, cultural and community inventory. Citizens would explore and identifying resources in a graphic, multi-media way that can generate enthusiasm amongst volunteer groups assigned such inventories. It is a process that can be made accessible children, youth and people of all ages. The internet is a source of free advice and information for implementing this kind of public participation. Community mapping can occur in a number of on-line and non-internet activities and can incorporate contributions from many types of media from hand-drawn pictures, and written pieces to videos, images and audio recordings. Participants can ultimately present materials in graphic, iconic or artistic form, which would become part of an on-line or physical map of the Town.

Online mapping is desirable as it can incorporate existing mapped resources, links to contributed written, artistically rendered or electronic records about historic or cultural resources. For example, a short film of an interview about a historic figure would be accessible by clicking on an internet icon at the location of a historic site. Access to a community map means that persons who might not attend public meeting may feel comfortable contributing information and ideas. Being involved in adding to the map generates interest in the Town's culture, especially when it involves young people.

The community map may be adapted after an initial inventory phase to contain ideas or recommendations for historic preservation or cultural programs thus adding an interactive planning element to citizen participation. Such activity may build the potential for citizens that will sustain the related policies established in this year's CPU and future versions of the Town's plans.

Public participation can enhance citizen enthusiasm during the inventory process, which would be conducted by volunteers to save the Town money. Participants are more likely to "buy in" to the policies considered as a result of such citizen engagement. Strategies suggested during the process may become volunteer efforts or locally run services. Also, economic development can be bolstered by citizen participation through repeated recognition of the community's facilities, organizations, needs and desires. An online mapping project can be adapted to provide updates about ongoing efforts and the status of projects thereby reinforcing citizen interest and involvement.

After completion of a comprehensive historical/cultural inventory, the Town recognizes the need to examine existing zoning, land development and environmental regulations to see how effectively they address historic

preservation and cultural resources if fully utilized. Similarly, land development regulations should be amended to incorporate standards for the enhancement or creation of community amenities such as meeting or event rooms or other public spaces. Local decision-makers should consider current sources of standards and regulations for development on or near historic sites and for redevelopment of cultural or historic structures, improvements and building or site remains. Then a determination should be made about whether amendments to local laws are recommended for enhanced protection of cultural and historic resources and promotion of community activities.

With regard to how existing laws regulate land development proposals, the Town of Pawling Planning Board and Town Board should continue to confer with the Town Historian for actions near historic structures and sites. In order to further emphasize Pawling's scenic, historic character, the Town should create scenic and historic overlay districts or a combined overlay district. The regulations for an overlay district would be in addition to the underlying zoning district but would not affect density, lot area, coverage and setback requirements. The Town of Pawling should create a map that would be the basis for creation of a historic overlay district. As part of this process, the town should review examples of historic overlay legislation and examine existing town land development review regulations. To be effective, historic overlay provisions will be coordinated with other aspects of the Town's site plan or subdivision review.

Historic overlay provisions will add supplemental design standards to underlying zoning districts, which would serve to mitigate the effects of land disturbance and development on historic features located on a site or on adjacent properties. Recommended approaches to protection of historic features during the review of land development may include:

- Architectural review regarding the design and layout of proposed structures and related improvements (roads, driveways, lighting, etc);
- Incorporating appropriate landscaped buffers and retention of existing vegetation;
- Preserving historic structures, sites and landscapes as part of the character of the site and surrounding community; and
- Using siding, roofing, fencing and other building materials with textures or colors that are compatible with historical features.

## **5.8 Municipal Services, Facilities and Infrastructure**

The services and infrastructure for the Town of Pawling's residents operate like parts of a human circulatory system. Town agencies and other local agencies provide necessary regulatory and administrative services based on the community's laws and facilities. Established in 1788, the Town government has a legislature, the Town Board and well-refined local laws. There are responsible reviewing, administrative and enforcement agencies such as the Planning Board, Town Clerk and Building and Zoning Administrator, doing their best to keep Pawling running properly. The Town and Village of Pawling have one Assessor as a shared service. Pawling's roads and utilities make up the Town's infrastructure. More details about the Town's municipal service agencies, water supply, sewerage system and other utilities and services can be found in Chapter 10 of the Comprehensive Plan Draft of 2010, excerpts of which are included as Appendix A.

Police services in Pawling are primarily provided by the Dutchess County Sheriff's office and coordination with the New York State Police and Metro-North Police. The Pawling Volunteer Fire Department provides fire protection. Although there are nearby medical services, none are located in the community. A contract with TransCare provides ambulance service. The Pawling Central School District serves approximately 1,400 enrolled students in the community and is run by the Board of Education.

As described above, the Community Resources & Service Center, Inc. is a nonprofit, tax-exempt organization created through the collaboration of local churches in which they work together as a social service agency. Pawling's residents have access to two libraries: the Pawling Free Library and the Akin Free Library. The Akin Free Library also houses the Historical Society Museum.

The Town Highway Department is responsible for construction and maintenance of Town roads, and bridges within the Town and Village. The Highway Department also collaborates with the Planning Department in activities for compliance with New York State MS4 stormwater requirements. In addition to tending to Pawling's most recognizable circulatory system, the Highway Department also takes care of Town-owned properties and facilities, including the Transfer Station.

A number of utility companies provide electric, telephone and television services. Pawling residents have two primary options for solid waste management services. They can contract with a private carting company to take away their recyclable and solid waste materials. Alternatively residents can obtain a transfer station sticker and bring their own materials to the Town of Pawling Transfer Station.

Two laws that were enacted before the adoption of the 1991 Master Plan regulate sewer and water systems. The sewer law was amended in 1992. Please refer to the table below. Additional Town laws governing land development, discussed in the sections above, guide the Planning Board and Town Board in determining the need for and location of roads, recreation, open space and utilities.

<b>Pawling's Existing Local Laws Regarding Municipal Services, Facilities and Infrastructure</b>		
Chapter 161 and related chapters	Sewer (1989)	Provides for proper disposal of sewage and wastewater; and maintenance of public facilities and infrastructure.
Chapter 207 and related chapters	Water (1989)	Provides for efficiency and effectiveness in construction and operation of community water systems; and maintenance of public facilities and infrastructure.

Most of the community relies on private individual wells or community water supply systems drawing from private wells. The Village of Pawling's water supply systems serve limited adjoining areas of the Town.

Most of the Town's citizens depend on individual subsurface sewage disposal systems (SSDS's) or septic systems for disposal and treatment of sewage, which are located on their private residential or commercial lots. Pawling adopted a "septic system" law in 2011 regulating the inspection and maintenance of Individual Subsurface Sewage Disposal Systems (SSDSs).

The Pawling Joint Sewer Commission (PJSC) oversees an inter-municipal sewage disposal and treatment system that serves the Village of Pawling and two areas of the Town. The Village and Town have been working together to seek funding for an upgrade and expansion of the Pawling Wastewater Treatment Plant.

The 1991 Master Plan noted that studies would be necessary to determine the viability of extending central sewer service to the Route 22 corridor. As stated in this CPU, the lack of central sewer to service the Town's commercial development node south of the Village of Pawling continuing toward Akindale Road (including the Castagna and Elm Street properties) is a significant stumbling block to economic development. The presence of sewer service in this area will improve conditions for optimum site design, which will protect nearby sensitive resources. Efforts to remove this obstacle have been ongoing; the PJSC took the following actions on the dates noted below:

- 5/14/09: Reviewed the consultant's New York State Pollution Discharge Elimination System (SPDES) Capacity Increase Application report considering potential plant expansion strategies; Authorized the consultant to prepare an RFP for an Inflow/Infiltration (I/I) investigative report, as requested by NYSDEC; and Declared Intent to become Lead Agency for the coordinated SEQRA review of the upgrade of Wastewater Treatment Plan (WWTP) permitted SPDES capacity.
- 6/11/09: Declared itself Lead Agency for the SPDES modification application; and made a Determination of Non-Significance (Negative Declaration) on the modification of the SPDES permit.
- 7/9/09: Consented to the Town of Pawling being Lead Agency for the Route 22 sewer line extension; and Declared itself Lead Agency for the WWTP expansion and main trunk line along the Metro North tracks.
- 10/8/09: Discussed the plant expansion options and directed its engineers toward a traditional plant expansion system.
- 11/12/09: Amended a Sewer Tenancy and Capacity Reservation agreement with the Castagna Company for the sewer lines it would install and dedicate to the respective municipalities within which they would run.
- 1/14/10: Received the consultant's I/I report.
- 3/11/10: Reviewed the consultant's I/I report.



- 4/8/10: Authorized the consultants to work on an application for Environmental Facilities Corporation (EFC) funding for WWTP improvements; and Reviewed the NYSDEC comments on the WWTP expansion application.
- 5/13/10: Reviewed the required repair work based on the I/I report and NYSDEC comments.

As part of the PJSC process, the NYSDEC took the following actions on 7/7/10: Published a notice in Environmental Notices Bulletin (ENB) of completion of “full technical review” and a determination to upgrade the PJSC WWTP and modify its SPDES permit capacity from 0.28 million gallons per day (mgd) to 0.32 mgd. Technical aspects of the review included the following: Water quality review was conducted for the increased design flow; Permitted mass loads (lbs/day) were revised per the modified design flow; Most permit discharge limits were maintained, as was temperature monitoring requirement; and Phosphorus monitoring was added.

The Town of Pawling Town Board also had a role in the PJSC’s process and took its own actions on 8/5/09: Authorized filing of funding applications “concerning the construction of a municipal sanitary sewer main extension along NYS Route 22 for the purpose of providing sewer service to areas south of the Village, tying into the existing municipal facilities of the PJSC, subject to the Commission’s approval”; Acknowledged itself as Lead Agency for the proposed action; and Adopted a Negative Declaration for the proposed action. In so doing, the Town Board noted that while “the Town is lead agency on the six inch pipe, the PJSC is lead agency with respect to the improvements of the plant itself and trunk line with the Village. The Town can only make commitments with respect to the pipe itself and can’t make any commitments with respect to the sewer treatment plant.”

Based on the available municipal services and infrastructure and other services and utilities provided in the community, and efforts underway to improve them, the Town’s people have expressed their vision of what is needed for future growth of the Town:

#### ***“Municipal Services & Infrastructure***

*Pawling’s community facilities protect the public safety and enhance the quality of life in the community. Careful attention to their adequacy, funding and improvement is required to meet the current and future needs of the Town. Every opportunity should be explored to do this, while also limiting increases in costs. Water, sewer, solid waste, electric, natural gas and telecommunications facilities are relied upon by residents and businesses for day to day activity and contribute to the Town’s economic well being. Utilities should continue to be improved to meet Pawling’s growing needs. At the same time, the Town should strive to limit any potential negative impacts from new infrastructure on the Town’s natural environment, historic or scenic resources.”*

The objectives of this plan spring from this vision and recognition of the services and infrastructure needed to spur sustainable development in Pawling. Careful consideration of the need for, location and extent of utilities is important so that development is balanced with the community’s stewardship of its rural character and natural resources.

The housing and economic objectives discussed elsewhere in this CPU point to the need for expanded sewer services. The presence of many individual septic systems and in particular the fact that many of them are in close proximity to each other and to water supply wells poses a serious threat to groundwater resources of the Town and surrounding areas. Sustainable or “green” development concepts reinforce the idea that compact development should be located near existing developed areas. The availability of central sewers and other infrastructure and amenities make compact development feasible and can prevent sprawl development that fragments the rural landscape. It makes sense to create or expand services in and near existing settled areas and areas with potential for more concentrated development.

Therefore, the CPU endorses the extension of the existing central sewer system to serve the areas targeted for economic development under existing and proposed zoning, including the properties in the southern HB and MBI zoning districts. Central sewer service will enhance the development potential of these areas for the various uses permitted under the proposed zoning. The centralized wastewater treatment system that will be upgraded as part of PJSC’s proceedings will provide protection of the sensitive resources that lie close to the Route 22 development corridor from the potential of discharges from commercial septic systems.

The existing PJSC Sewage Treatment Plant was created as a joint project of the Village and the Town in the early 1980’s. The possibilities of enhancing the service area of this treatment plant have been considered for a number of years. The Town 1991 Comprehensive Plan acknowledged that further study would need to be done to determine if central sewers were feasible in the business and industrial zones along Route 22. The development potential of key sites between the southern Village border and Akindale Road has increased since that time. The Castagna PDD development was approved by the Town Board and Planning Board in 1998. The Elm Street Partners site, located in the MBI district, offers the development potential of a large site close to the Village. Such development would help realize the vision of this CPU which calls for the Town to encourage economic development “fostering appropriately scaled and well designed development along the Route 22 corridor.”

An enhancement and upgrade of the existing treatment plant would deliver service to this targeted area of the Route 22 corridor, without the necessity of building a new facility. The upgrades necessary to accommodate enhanced flows to the existing PJSC facility would also benefit existing users of the system by spreading operation and maintenance costs over a larger customer base. The upgrade would also reduce effects on receiving streams. Completion of these plant upgrades will require continued cooperation between the Town and the Village as part of the Pawling Joint Sewer Commission, entities which have worked together since the formation under the original agreement in 1983.

It appears that the upgrades to serve areas between the southern Village boundary and Akindale Road could be accomplished entirely within the existing grounds of the plant’s facility. The route of the sewer main extension to serve the targeted area could be located entirely within the NYS Route 22 right-of-way, in areas that are already generally disturbed. The Town will evaluate the most appropriate pipe design to provide flexibility in accommodating a variety of flows as the area is developed.

Numerous stakeholders and the public have commented on the benefits of supporting growth in the area of the HB, MBI and PDD zoning districts along Route 22 by providing central sewer. Comments raised during the extended agency and public review process for the CPU and Proposed Zoning affirmed the desirability of development of central sewer, concurrent with the implementation of the proposed zoning and actual

development of the properties in these zones. The implementation table in the CPU has been modified to insert a new item about completing the necessary plans and reports regarding: expansion of existing PJSC sewer plant; and extension of the sewer district to serve the Route 22 corridor south of the Village to Akindale Road.

Pawling should conduct a feasibility study about the need for development of central sewerage to serve a number of remote neighborhoods located on the west side of Town. These settled areas include groups of homes located on or near: West Dover Road; Denton Lake Road; Whaley Lake; and the west end of Route 292 and Route 55. Depending on the funding available, the Town will have to prioritize the need for and consider phasing in sewer services to each of these areas. The options of decentralized and alternative community sewage treatment systems should be explored. An additional aspect to consider will be whether a larger number of users, that is all of the neighborhood areas together, even though in out-of-the-way locations would make the provision of central sewer services more viable.

The Town should support continued efforts to fund an upgrade and expansion of the Pawling Waste Water Treatment Plant. The potential for connection of users in these outer areas should be evaluated. In some cases, the more remote neighborhood areas may be closer to other neighborhoods or sewer services in adjoining communities. For example, there are a number of settled or hamlet areas near Stormville in the adjoining Town of East Fishkill. Neighborhoods in the West Dover Road and Whaley Lake areas are close to residential areas in the adjoining Town of Beekman.

An example of Pawling's economical approach to providing services to its residents is its participation in the PJSC and other ventures for shared services with nearby municipalities. The Town should continue to study the feasibility and efficiency of sharing specific municipal operations and implement shared services where possible.

On aspect of evaluating the adequacy of and potential need for expansion of municipal services and infrastructure would be a review of the Town's Official Map. Depending on what is available and how current the information, Pawling should compile an updated Official Map showing existing and planned streets, drainage systems, parks, etc. Once an updated map is compiled, the Town Board may consider conceptual changes to proposed road, drainage and utility pathways. In examining, the layout of these systems, conceptual changes and expansion should address energy conservation and efficient use of utility infrastructure and services.

## 5.9 Transportation

The highways and roads running through and transit systems serving the Town of Pawling provide options for residents to go to work, school, shopping areas; to visit people close and far away; and to come home again. Pawling's transportation network is most likely to carry cars, trucks and buses. However, bikers, pedestrians and equestrian riders also travel the community's streets for recreation. People on foot or on bicycles also board Metro North trains at the Village station or work locally.

Pawling's highways and roads are regulated and maintained by New York State; Dutchess County; and the Town of Pawling as follows:

- State roads include NYS Routes 22; 55 and 292;
- County roads (CR) include Dutchess County Routes 20 (West Dover Road); 30 (Holmes Road); 66 (Old Quaker Hill Road/South Mizzentop Road); 67 (Quaker Hill Road); 68 (North Quaker Hill Road); and 69 (Harmony Road); and
- The remaining roadways are Town of Pawling or private roads.

NYS Route 22 (the major north/south route) and Route 55 (the primary east/west route) are arterial roadways. NYS Route 292 and the County roads may be considered as collectors as they provide connections between arterials, and residential or local roadways, which allow for through traffic on a more local basis. The Town roads serve as local roads and some provide connections between neighborhoods; and between arterials and connectors as well.

Previous planning studies have identified areas where improvements to the existing roadway network are necessary. The Route 22 Corridor Study: Corridor Management Plan, prepared by the Poughkeepsie Dutchess County Transportation Council (PDCTC) in 2002, made recommendations about roads and intersections in the Town of Pawling. *Moving Dutchess* is the latest in a series of long-range metropolitan transportation plans of the PDCTC, which was adopted on November 18, 2011. *Moving Dutchess* recommends the following to address the transportation needs of Pawling and the metropolitan area of which it is a part:

- Provide a secondary (rear) access, service or feeder road along Route 22, south of Route 55. Parking behind commercial buildings would be coordinated.
- Road Capacity Improvements are needed on Akindale Road and on Coulter Avenue/Pine Street.
- A Long Term Capacity Improvement for deficiencies in the capacity of the intersection of CR 67 (Quaker Hill Road) and East Main Street would be the provision of a through/left turn lane and a separate right turn lane for the eastbound movement. Signal head modifications and better alignment of the eastbound and westbound approaches would also improve capacity and safety.
- Explore possible safety improvements at the Akindale Road/Route 22 and Dutcher Avenue/Route 55 intersections.
- The vertical profile of Route 22; the resulting short sight distances and opposing turning movements at the CR 67 (Quaker Hill Road) and East Main Street intersection create additional safety concerns.

Changing the profile of Route 22 and realigning the intersection would be expensive, but would be an effective long term capital improvement. Less costly solutions include restricting right turns on red and tree removal within the highway ROW near the intersection.

- Modify the intersection at Lakeside Park and County Route 20 (West Dover Road) to create a “T” intersection.
- Explore the widening of Route 22 to two lanes in either direction from Pawling south to I-684.

The Route 22 Corridor Study makes other recommendations about planning, zoning and subdivision regulations to implement the policies contained in the study. One aspect involving defining a “growth area” limits the recommended area to the Pawling Village Center.

The Poughkeepsie Dutchess County Transportation Council also compiles the Transportation Improvement Program (TIP), which is the regional capital improvement plan for transportation facilities. The current 2008-2012 TIP specifies 1 project in the Town of Pawling. The Corbin Road/Metro North grade crossing improvement (NYSDOT 893235) will upgrade rail road circuitry at the crossing; install long range auxiliary flashers.

Although most of Pawling’s residents come and go in private automobiles, public transit options are available. The Metro North Commuter Railroad serves Pawling along its Harlem Line ending at Grand Central Terminal. The two stations available to citizens include: the Pawling Station in the heart of the Village; and the unique Appalachian Trail Station located on Route 22, north of Hurds Corners.

The Dutchess County Division of Mass Transit, the Dutchess County LOOP, provides public transit bus service through two modes: fixed route service and demand response services such as Dial a Ride and Paratransit. Loop E serves Pawling, originating from and with stops in Poughkeepsie; along NYS Routes 22 and 55 including stops at a supermarket, at apartment houses and near the Pawling train station. Loop E also provides connections to Loop D which runs through Dover Plains, Wassaic and Millbrook. Loop E connects with Loop C to provide transit to Dutchess Community College and Poughkeepsie.

In addition to the Loop bus system, residents of the Town frequently access several private bus lines and private taxi companies, particularly to and from the train station. Volunteers at the Community Resources and Service Center provide rides for senior citizens to medical appointments.

Pawling does not have any designated bike lanes. However the NYSDOT has designated Route 22 and Route 55 as Bicycle Routes on which it maintains wide shoulders as bike lanes. There are very few pedestrian connections along paved sidewalks in the Town. Yet informal pedestrian routes paralleling roadways and on numerous trails traverse the Town. Local nature preserves and the Appalachian Trail (AT), described in the natural resource and recreation/open space sections above, provide walking trails for recreation and the enjoyment of nature. Rural and neighborhood roads provide additional options for residents travelling on foot, on a bicycle or on a horse.

A pedestrian and bicycle connection is recommended in *Moving Dutchess* from Route 22 at Quaker Hill Road to the train station via Main Street. Another recommendation is that a sidewalk be installed on Lakeside Drive to connect the Village's center with the Town Parks. The metropolitan transportation plan promotes completion of a Greenway Trail along the unused railbed from Hopewell Junction through Pawling and then south to the Putnam County line. According to the plan, an additional parking lot would be needed at Route 292 to accommodate Greenway Trail visitors.

There are no public airports in Pawling; however five public airports are located throughout Dutchess County. The closest municipal airport is the Westchester County airport in White Plains. Stewart International Airport, located in Newburgh in Orange County is a regional airport providing regularly scheduled commercial passenger flights. Several private helipads are located on private land in the Town.

More details about the Town's roads, public transportation and other methods for getting around within; venturing outside of and returning to Pawling can be found in Chapter 9 of the Comprehensive Plan Draft of 2010, excerpts of which are included as Appendix A.

Proposals for land development sometimes include the creation of new streets, driveways and on-site vehicular pathways and parking areas. The layout of parcels of land and new roads serving them are regulated by the subdivision code (Chapter A230). The layout of internal private roads, driveways and parking areas for business or residential site development is regulated by the site plan provisions contained in the Town's zoning law (Chapter 215). New development must account for local and regional plans for improvements to existing road networks and concepts for new vehicular, pedestrian and bicycle pathways.

Given Pawling's local and regional web of transportation opportunities and plans for improvement, the Town's people have expressed their vision of what is needed for future growth of the Town:

### ***"Transportation***

*Create more choices for travel to and throughout Town, and create a transportation system that works in tandem with the existing land use pattern to preserve the network of rural roads while simultaneously facilitating rapid and unencumbered travel along the Town's major roadways."*

The objectives of this aspect of the plan stem from this vision and recognition of the transportation services and improvements needed to spur sustainable development in Pawling. Proper evaluation of the location, extent and improvement of roadways, pathways and public transportation facilities is important so that development is balanced with the community's stewardship of its rural character and natural resources.

The Town should refer to the Route 22 Corridor Study recommendations about planning, zoning and subdivision regulations to determine which policies if implemented would be beneficial to the community. One aspect worthy of reevaluation would be to re-define a compact growth area along the Route 22 corridor to the south, and possibly to the north, of Village of Pawling. This approach would be consistent with building

on existing settlement areas while allowing the Town to utilize the appeal of Route 22 frontage flanked by non-residential zoning and nearby neighborhoods. The Town should consider the implications of plans for a feeder road on the south section of NY State 22 with all development and redevelopment applications in this area. A feeder road should be delineated on an official map for the Town.

Building near the Town's existing core adds potential new businesses and residences near the train station as well as along major transportation routes with bus stops. The Town should explore ways to promote the use of public transportation including partnering with local business, service and civic organizations and the MTA to assess the impediments to the use of bus and train transportation.

A survey should be conducted of the membership of these community groups, MTA commuters and the general public who might use public transportation at Pawling's stations and stops. The survey could be conducted by volunteers from the community groups as part of the overall assessment of public transportation use. Any other available studies by the PDCTC or Metropolitan Transportation Agency (MTA) or other regional transportation reports should be examined for additional strategies related to commuter needs. Depending on the results of the assessment, the groups may continue their partnership and seek funding for local improvements or facilities that would make use of public transit more feasible and appealing.

While regional transportation reports and studies do not include specific concerns and recommendations about NYS Route 292, it is identified as a smaller state road in the Lower Taconic aspect of Dutchess County. Drivers may use it as a connection between Route 55 via Route 312 to I-84 since there is a park-and-ride lot at I-84 exit number 19 (Rte 312). Although it provides connections between state highways, it is considered to be a collector road based on traffic volume and multiple access points for residential roads and driveways. Route 292 has a relatively high rate of accidents. Therefore, the configuration of key local intersections with Rte 292 should be examined including the following roads:

- South Road;
- Brandy Hill Road; and
- Holmes Road.

The Planning Board should conduct their reviews of proposed land development with the objectives of preventing traffic conflicts; reducing the number of driveways and access points; and encouraging shared access between adjacent properties. Individual land development sponsors, including those proposing subdivisions and site plans, should be encouraged to design and build connections between adjacent sites especially along arterial or connector-type roadways. Coordinated access between properties and along roads is good planning whether for residential or non-residential (business, institutional, etc.) land use. This approach is consistent with sustainable development and "smart growth" concepts; the Dutchess County Greenway Guides; and the Route 22 Corridor Study recommendations.

The Town Board and the Planning Board should review the related zoning language contained in Section 215-25 Feeder Roads to determine whether it should be updated in accordance with current regional and local plans and regulations. Pawling's official map should be updated to illustrate a conceptual feeder road location.

The review of land development should continue to consider vehicular and pedestrian safety and emergency access for all development projects. Specifically, the Planning Board should continue to consult with the Pawling Fire Department about the location and design of driveways and roads to optimize safety and emergency access. The potential effect of development on the nearby road network must also be evaluated. Roads and pedestrian pathways should incorporate traffic calming techniques where warranted. The Town's zoning and subdivision regulations should be examined and amendments recommended, if necessary, to update provisions related to vehicular and pedestrian safety and emergency access.

In reviewing land development provisions, the Town should consider amendments to incorporate rural road standards for projects meeting certain criteria. Changes to such regulations must address the effect of lesser road standards on emergency access, pedestrian safety and stormwater runoff quality. The Pawling Fire Department and Town Highway Department should be involved in the review of any proposed rural road standards.



## 6. IMPLEMENTATION

The adoption of a Comprehensive Plan Update (CPU) gives the Town direction for realizing the community's vision and putting the goals, objectives, strategies and actions to work. The zoning amendments proposed as part of this CPU, contained in Appendix C, are an immediate implementation task that will be adopted when the CPU is adopted.

The recommended strategies and actions set forth in this CPU will be implemented over many years. These must be outlined in an implementation schedule starting from the Implementation Outline table on the following pages. This schedule will generally describe the tasks involved and project the timeframes for initiation and completion of CPU strategies and actions. The Town should follow the priorities set by the Implementation Outline below. However, it may be necessary to amend the relative priorities and implementation schedule to address the availability of funding, the level of volunteer effort involved and other factors.

To use this CPU as a blueprint for building Pawling's future, the Town must set in motion the strategies and actions herein, which may involve:

- A compilation of existing resources, studies, reports made more accessible to the community at the library or other community place or on the internet; and a more detailed inventory and assessment of certain aspects of the community's resources;
- A plan for preservation, enhancement of such resources or creation of new programs and amenities to highlight existing programs and resources;
- The review and adoption of zoning amendments, revised local laws and the investment of public resources to achieve the desired outcome; or
- The encouragement of partnerships of agencies and community groups to create and fund improvements or programs.

It is recommended that after the CPU is adopted, the Town Board should designate a CPU Implementation Committee to regularly review the progress of the plan's goals, strategies and actions. The Implementation Committee would meet with the Town's Boards, agencies, committees and community groups involved in the implementation of specific aspects of the CPU. Summaries of the progress of each implementation task would be prepared for the Town Board to be periodically reviewed at Board meetings. This Committee should conduct annual reviews of the Town's progress and make recommendations about re-prioritizing actions and strategies, as needed; when to use volunteer assistance; funding sources; and when review is needed by the Town Board or Planning Board on certain items.

The Town should commit to conducting a general review of its zoning and other regulations consulting with officials, boards, committees and other agencies involved in administering the Town's Code Chapters. This general review should be done on an annual basis. Recommendations and suggestions for amendments should be properly prioritized and coordinated with CPU implementation actions.

Finally, the Comprehensive Plan Update (CPU) is a current policy statement based on the recent planning processes of the Town. It should not be viewed as a "static" text. The CPU should be used to guide the

Town's decision making processes whether for the review of a specific land development project or to guide the progress of the numerous goals, objectives, strategies and actions contained herein.

The CPU is designed to be a "living" document that should be regularly reviewed and updated. Although comprehensive and detailed, it is improbable that the CPU as adopted anticipates every possible matter and opportunity that may present itself in the years ahead. Annual reviews of the CPU will be the responsibility of the Implementation Committee, as described above. More extensive reviews and updates should be done at five year intervals. This will assure that the CPU stays current, and continued to meet the needs of the community.

<b>Town of Pawling Comprehensive Plan Update (CPU) Implementation Outline for 2012 through 2020</b>			
Beginning Year	Finishing Year	Task Title and Description	CPU Strategy/Action Section(s) Addressed
2012	2013	Zoning/Regulations Review: Examination of zoning and land development regulations regarding balanced economic growth. Consider the need for amendments/rezoning.	Land Use; Zoning; Economic Resources
2012	2013	Zoning Amendments, Specific: Review and consider zoning amendments regarding specific provisions identified by the Building Inspector	Land Use; Zoning
2012	2013	Complete plans and reports regarding: expansion of existing PJSC sewer plant; and extension of the sewer district to serve the Route 22 corridor south of the Village to Akindale Road	Land Use; Zoning; Economic Resources; Municipal Services and Infrastructure
2012	2013	Local Centers and Greenspaces mapping; Review DC GIS information; mapping of existing hamlet and settlement areas; coordinate with Green Infrastructure Mapping	Land Use; Housing; Economic Resources; Natural Resources
2012	2015	Green Infrastructure Mapping: Inventory and review by a volunteer group of open space, recreation and agricultural lands and resources, related activities and plans. Collaborate with stakeholders and regional/county "green infrastructure" plans. Identify gaps and needed linkages; and make recommendations and prioritize needs.	Natural Resources; Open Space, Recreation and Agricultural
2012	2014	CEA/ESA Inventory and Evaluation: Review and inventory by a volunteer group of established Critical Environmental Areas (CEAs) and Environmentally Sensitive areas (ESAs), related regulations and monitoring. Collaborate with stakeholders and "green infrastructure" mapping group.	Natural Resources; Open Space, Recreation and Agricultural
2013	2014	Historical Inventory and Access: Collaboration of historical groups to identify, inventory and map historical and archaeological resources. Consultation with stakeholders, community mapping group and recommend ways to make inventory/mapping accessible to the community.	Historical, Cultural and Community Resources
2013	2014	Prepare, review and adopt Scenic Overlay District	Natural; Open Space, Recreation and Agricultural; Historical, Cultural and Community Resources
2013	2014	Housing Needs Assessment: Review of housing development and applications, and related Code provisions. Collaboration with stakeholders. Recommend actions to facilitate the creation of needed and desired housing.	Housing

<b>Town of Pawling Comprehensive Plan Update (CPU) Implementation Outline for 2012 through 2020 (continued)</b>			
Beginning Year	Finishing Year	Task Title and Description	CPU Strategy/Action Section(s) Addressed
2013	2015	Streetscape and Trail Amenities: Assessment, recommendations, and plan for commuter amenities and trail network by volunteers. Consultation with stakeholders would result in recommendations for amenities and funding.	Economic Resources; Transportation
2013	2026	Periodic Review of Environmental Regulations: Staged review depending on age (year adopted) of regulations. Recommend amendments if needed.	Natural Resources
2014	2017	Community Mapping: Collaboration of community, cultural, educational and historical groups to identify, inventory and map community and cultural resources. Incorporate public participation. Consultation with stakeholders, historical inventory group and recommend ways to make inventory/mapping accessible to the community.	Historical, Cultural and Community Resources
2014	2015	Historical, Cultural and Community Resource Protection Assessment: Town Board and Planning Board review of Historical Inventory and Community Map regarding effectiveness of Town Code provisions to protect resources	Historical, Cultural and Community Resources
2014	2015	Central Sewage Treatment Assessment: Study of sewage treatment concerns in remote residential areas and consider feasibility of establishing community central sewage treatment systems.	Municipal Services, Facilities and Infrastructure
2014	2016	Zoning Overview: General review of zoning regarding provisions for mixed use, flexibility, community character, walkability, sensitivity to natural resources and sustainability. Consider the need for amendments.	Land Use; Zoning; Economic Resources
2014	2016	Residential Zoning Overview: General review of residential and hamlet zoning regarding array of uses, bulk, limited non-residential uses, affordability and sustainability. Consider the need for amendments.	Zoning; Economic Resources
2014	2016	Hamlet Area Zoning: Study possible boundary change in Holmes; and consider establishing other HA zones.	Zoning; Economic Resources
2014	2016	Code Review for Groundwater Protection: Evaluation of standards in subdivision and environmental regulations regarding provisions for groundwater resource protection. Consideration of regional/county regulations. Consider the need for amendments.	Natural Resources
2014	2015	Prepare, review and adopt Historic Overlay District	Historical, Cultural and Community Resources

<b>Town of Pawling Comprehensive Plan Update (CPU) Implementation Outline for 2012 through 2020 (continued)</b>			
<b>Beginning Year</b>	<b>Finishing Year</b>	<b>Task Title and Description</b>	<b>CPU Strategy/Action Section(s) Addressed</b>
2015	2016	Review of land development regulations: Evaluation of standards in subdivision and environmental regulations regarding provisions for flexibility, community character, walkability, natural resource protection and sustainability. Consider the need for amendments.	Zoning; Natural Resources
2015	2018	Transportation Corridor and Transit Review: Collaboration with and review of plans/reports from state, regional and county transportation planning groups and Green Infrastructure Mapping group. Conduct community survey. Make recommendations for land use and transit linkages.	