

CHAPTER 4:

TOWN LEVEL ASSESSMENTS

INTRODUCTION

As discussed in Chapter 3, Town Level Assessments were conducted for towns that met either of two criteria:

- Those in which LAP is projected to acquire 20 percent or more of the town's 2009 supply of developable land; and
- Those in which 10 percent or more of the town's 2009 supply of developable land is projected to be consumed by residential development and LAP is projected to acquire more than 5 percent of the town's 2009 supply of developable land.

Seventeen towns meet these criteria:

- In Delaware County – Andes, Bovina, Hamden, and Stamford;
- In Greene County – Ashland, Halcott, Jewett, Lexington, Prattsville and Windham;
- In Schoharie County – Conesville;
- In Sullivan County – Neversink; and
- In Ulster County – Denning, Hardenburgh, Olive, Shandaken and Woodstock.

To provide a better geographic balance across the region, individual town-level assessments are also included for three other towns – Delhi, Middletown and Hunter – in addition to the 17 towns listed above.

Extending the term of the WSP from 10 to 15 years and increasing the land projected to be acquired in the West-of-Hudson region by 10 percent has only a marginal impact on which towns meet the two screening criteria. Only one of the 17 towns cited above – Woodstock – met the criteria for detailed town level analysis under the 15 Year Greater Impact Scenario as compared to the 10 Year Projection Scenario.

For all towns but Woodstock, the town level assessments provided in this Chapter are based on the 10 Year Projection Scenario. However, based on a review of the longer time period and the larger number of acres to be acquired under the 15 Year Greater Impact Scenario within the 20 towns, the Extended LAP would not result in any significant impacts.

Among the 20 towns for which individual profiles are presented below, Shandaken appears to be the only case where a very limited supply of developable land could potentially lead to a conflict between the projected level of acquisitions under the Extended LAP and the need for land to accommodate new development. As also noted in Chapter 3, however, NYCDEP and the Town have agreed upon (and the draft WSP incorporates) a change in the way LAP operates in Shandaken that is likely to substantially reduce the potential for conflict. Under this agreement, LAP would no longer actively solicit individual landowners in Shandaken, but would instead only pursue properties of interest whose owners initiate negotiations with NYCDEP.

Among the other towns listed above, there may also be some potential for conflict in Windham. In the case of Windham, this conflict arises less as a result of the supply of land being limited,

than because the demand for land for development has been strong during the past decade, and could be in the future. In this case, however, any potential conflict between the Extended LAP and the need for land to accommodate future development could be alleviated by the proposed near-quadrupling of the Town's designated hamlet areas, to a total of 3,942 acres. The expanded hamlet areas would cover 14 percent of the Town's land area, and would help ensure that a substantial amount of land remains available for new development through 2027 and beyond, especially since the proposed expansion areas are located in those parts of Windham where much of the Town's development is occurring.

Moreover – as was noted in Chapter 3 – both the projected levels of LAP acquisitions and the projected levels of residential development used in all of the town-level assessments represent a “reasonable worst case” scenario. Therefore, on the basis of the analyses described in Chapters 2, 3, and 4, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in the 20 towns assessed in this chapter under both the 10 Year Projection Scenario and the 15 Year Greater Impact Scenario.

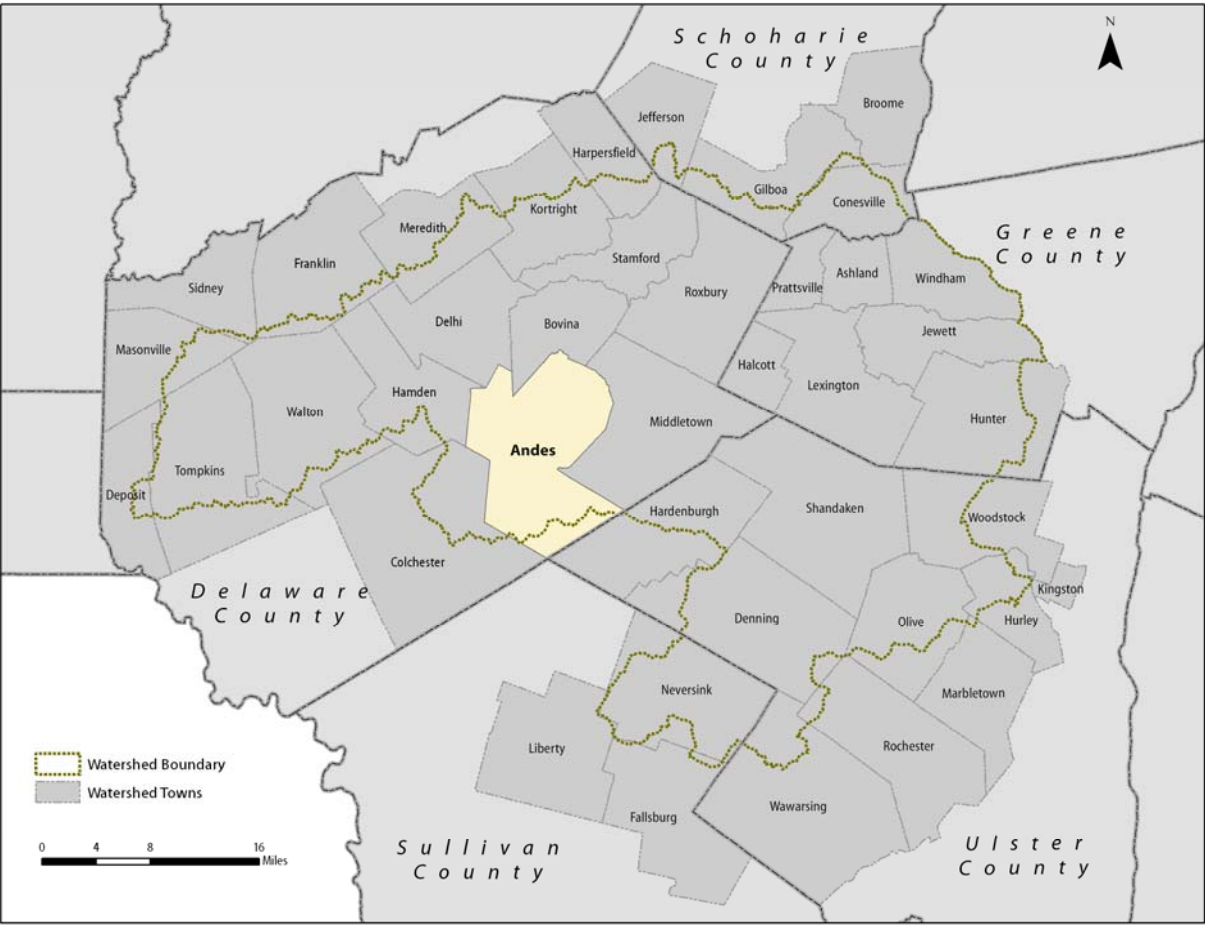
DELAWARE COUNTY

TOWN OF ANDES

EXISTING CONDITIONS

The Town of Andes, located in southeastern Delaware County, is a primarily rural, low-density community. The Town’s resident population grew by about 5 percent in the 1990s, but has been roughly stable since 2000; in 2008, it was estimated at 1,336.

Figure 4-1: Map of Andes in relation to the watershed



Town of Andes – Quick Facts

Land area:	72,003 acres
Percent of town land area within the watershed:	91%
Percent of land protected	25%
Population (estimated), 2008:	1,336
Median age (estimated), 2008	48.8
Median household income (estimated), 2008	\$44,093

As shown in Table 4-1 and Figure 4-2, more than one-third of the Town's total area consists of low-density residential land. Protected areas (including buffer lands around the Pepacton Reservoir) and privately-owned vacant land each account for about one-quarter of the total.

Development since 1990 (as shown by the parcels highlighted in black in Figure 4-2), has occurred throughout the Town. Based on data from the Office of Real Property Services, it is estimated that between 2000 and 2009, 58 new residential units were developed in Andes.

Andes has a substantial second-home population. About 49 percent of all housing units in 2000 were for seasonal or recreational use. This sector appears to have grown somewhat since 2000, with a 4 percent increase in the number of housing units in the town, despite the fact that the resident population has not grown.

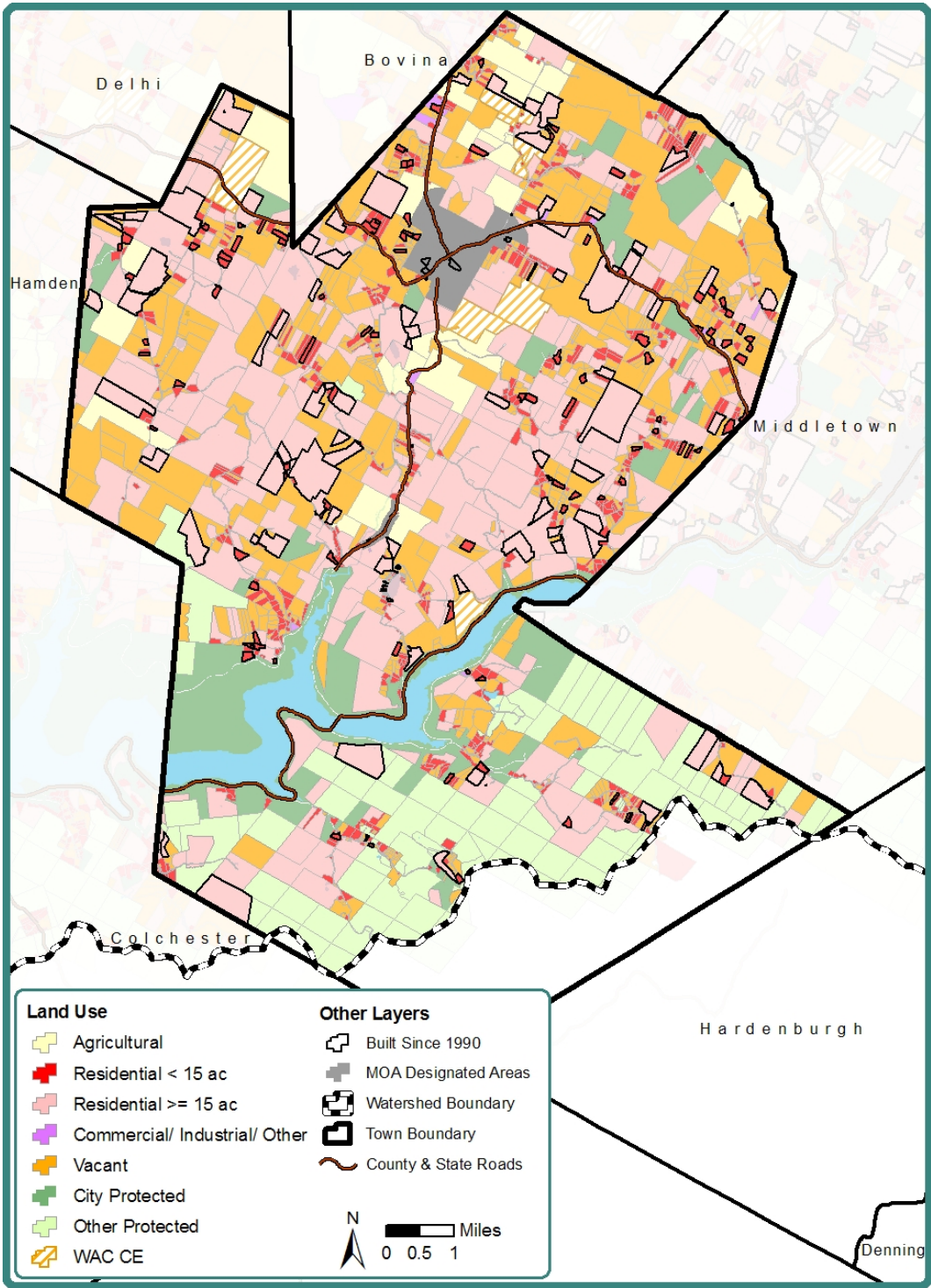
Commercial activity is concentrated in the hamlet of Andes – formerly an incorporated village, which several years ago chose to “unincorporate.” Relative to its size, the hamlet of Andes has seen substantial new business development since 2000, with a hotel, new restaurants and galleries.

Table 4-1: Land uses by type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>
Agricultural ¹	4,789	7%	0	0%	4,789	7%
High-Density Residential	3,939	6%	181	3%	4,121	6%
Low-Density Residential	23,205	35%	1,423	23%	24,627	34%
Commercial/Other	180	0%	0	0%	180	0%
State/Other Protected	8,937	14%	3,489	56%	12,426	17%
City Protected	8,018	9%	N/A	N/A	5,922	8%
Vacant	15,592	24%	1,359	22%	16,951	24%
Total	65,748		6,255		72,003	

¹ The agricultural category includes WAC conservation easements.

Figure 4-2: Map of Andes showing land use and protected land within the Watershed



The Andes Chamber of Commerce characterizes the Town as offering:

....quiet charm and a peaceful haven for a day, a season or a lifetime. Historic sites, quaint shops, fine restaurants and abundant outdoor recreational opportunities are here to help our visitors and residents unwind and experience authentic small town American life.

We are as proud of our history as we are of our present, with a great public school, wonderful restaurants, wireless access throughout Main Street, family-run farms, small service businesses and great community spirit.

The Chamber also notes other strengths that are attracting visitors and residents:

Telecommuting, quality of life, strong second home markets and tourism, along with plenty of cultural and recreational activities...

A local website, Andes.com, notes that the Town still retains strong ties to its agricultural roots.

Though the number of dairy farms in Andes has shrunk to only a few, you can still see Holstein cows grazing on our picturesque hills, surrounded by rolling corn and hay fields, with horses, beef cattle, goats, sheep, alpaca and llamas....The sustainable local agriculture movement featuring organic vegetables, meadow raised meats and farmers' markets is drawing enthusiastic young people to this new incarnation of agriculture.

"Small is beautiful" could be the motto for so much of Andes: no industrial farms, no chain stores, no clogged roads; in many ways, life as it used to be.

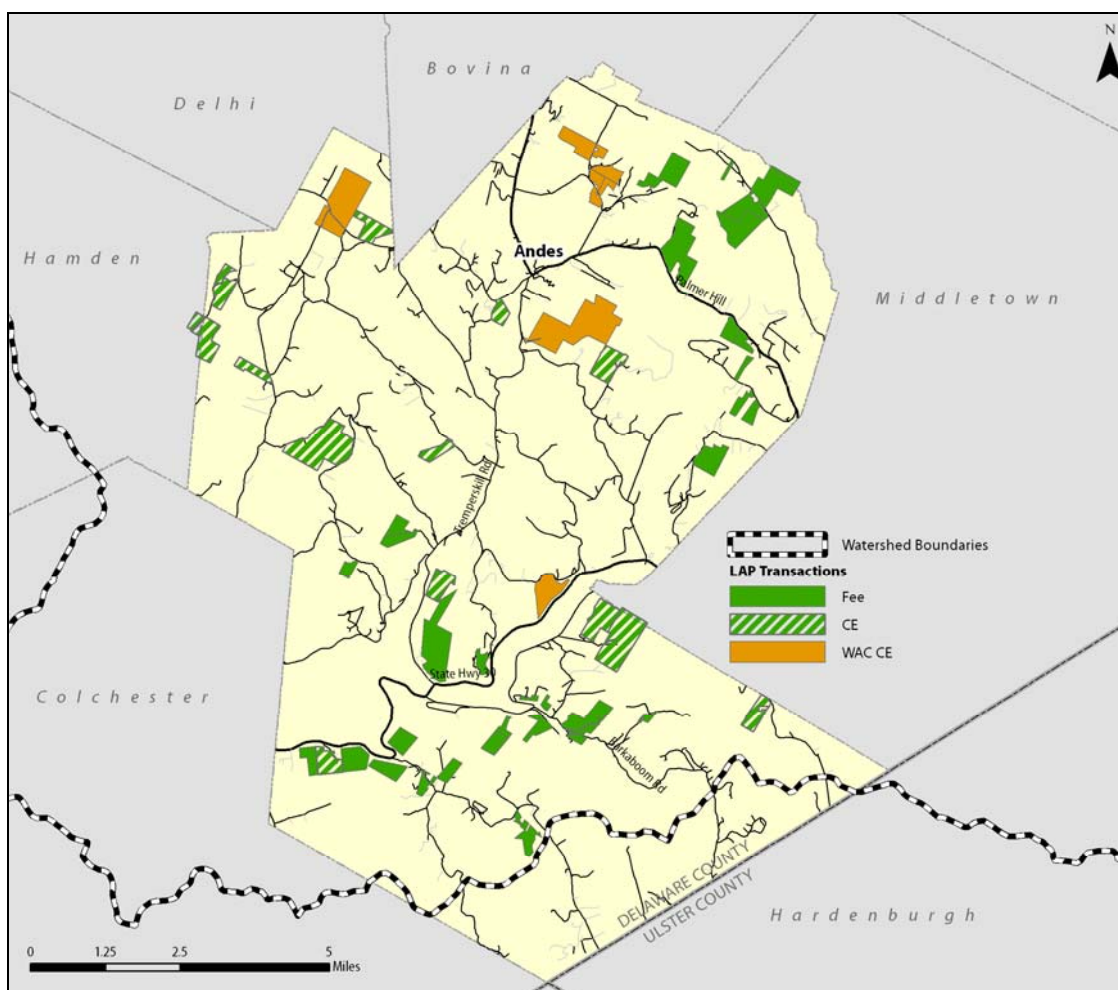
Previous LAP Activity

Through June 2009, 5,346 acres had been acquired in Andes under the Land Acquisition Program – about 7.4 percent of the Town's total land area. Figure 4-3 shows the location of LAP properties in Andes, by type of acquisition.

Table 4-2: Acquisitions in the Town of Andes through July 2009

Type of acquisition	Acres
Fee simple	2,434
Conservation easements	1,701
WAC agricultural easements	1,212
Total acquired	5,346

Figure 4-3: Map of LAP properties in Andes, by type of acquisition



As of July 2009, approximately 1,212 acres of agricultural land in Andes were covered by WAC easements. As of October 2009, NYCDEP's purchases of land in fee simple in Andes did not include any land that had been actively used for agricultural purposes immediately prior to acquisition; nor had any permits for agricultural use of NYCDEP land been requested.

As of the fall of 2009, NYCDEP had opened a total of 1,864 acres of land acquired under LAP in Andes for a variety of recreational uses – about 77 percent of the land that LAP has acquired in fee simple in Andes. Opening NYCDEP-owned land for public use expands the resources for outdoor recreation that are available in the Town – a factor in its attractiveness for both residents and visitors.

Pursuant to the 1997 MOA, Andes designated a hamlet area totaling 1,052 acres, covering the Town's commercial center and the area that had previously fallen within the Village of Andes, within which NYCDEP cannot acquire land in fee simple. This has helped ensure the availability of space for development of new businesses within the hamlet.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022 as discussed in Chapter 3, the resident population of Delaware County is expected decline slightly. At the same time, the demand for second homes in the County may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development has nevertheless been estimated based on the rate of development during the past two decades. If the pace of new development in Andes (as measured by new residential units) remains the same as it was between 1990 and 2008 (about 12 new units per year), it can be estimated that the land required to support new development through 2022 would total approximately 1,707 acres. This would include 486 acres of land characterized as developable² – about 7 percent of the Town’s supply of developable land.

Between 2010 and 2022, Andes is also likely to see a continued decline in land used for agricultural purposes, although there is some potential for growth of smaller-scale, specialized agricultural enterprises. As shown during the past decade – although to some extent interrupted by the recession – there may be some potential for further commercial revitalization in the hamlet of Andes.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

NYCDEP’s Long-term Land Acquisition Plan identifies the sub-basins north of the Pepacton Reservoir, including the Town of Andes, as an “area of high focus.” In part as a result of its focus on this area, NYCDEP projects that through 2022, the Extended LAP could acquire 6,904 additional acres in Andes either in fee simple or through conservation easements – the largest number of acres projected to be acquired in any of the watershed towns. Based on the percentage of the Town’s low-density residential and vacant land that is developable as of 2009, it is estimated that these acquisitions are projected to include approximately 1,472 acres of developable land – 20 percent of the Town’s supply of developable vacant and low-density residential land in 2009. NYCDEP further estimates that WAC could during the same period purchase easements on 786 acres of agricultural land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Andes would still be left with approximately 73 percent of the Town’s current stock of developable non-agricultural land.

² For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS hydrological Group D).

Table 4-3: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		7,221 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	6,904 acres	
Developable vacant or low-density residential land acquired		1,472 acres
Residential Development, 2010-2022		
Projected housing units built	143 units	
Land needed for housing	1,707 acres	
Developable portion of land needed for housing		486 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		5,262 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		73 percent

As noted in Chapter 3, this estimate of LAP's impact on the Town's supply of developable land needs also to take into account that as of 2009, Andes' supply of such land is relatively limited. As defined here, developable land represented about 10.3 percent of the Town's total land area in 2009; and by 2022 this percentage is projected to decline to 7.5 percent. It is important to note, however, that the estimates of developable land cited in Table 4-3 are in several respects conservative – especially in that the definition of developable land used here includes no agricultural land. Moreover, basing projected residential development on the rate of development in Andes between 1990 and 2008 may overstate the amount of land that would be required to support residential development. Overall, the Town's supply of developable land appears to be sufficient to accommodate both additional LAP acquisitions and the projected level of new development through 2022.

Additional acquisitions through 2022 can also be assessed in terms of their potential impact on the character of the community. Overall, the Land Acquisition Program could help to reinforce many of the Town's key assets, by protecting the environment and preserving farmland. Moreover, assuming that the percentage of newly-acquired land opened to public recreational use is similar to what it has been through 2009, it is estimated that through 2022 more than 3,100 acres of land acquired in fee simple could be made available by NYCDEP for public recreational use. These lands could provide a significant amenity for both full-time and part-time residents, and a resource for further development of visitor-based activity.

WAC's acquisition of additional easements could also help preserve the Town's remaining agricultural uses, and could also encourage the continued development of new agricultural uses.

Moreover, because of the Town has already designated a 1,052-acre hamlet area, further acquisitions by NYCDEP are unlikely to have any adverse impact on the ongoing revitalization of the hamlet of Andes. (The Town did not seek to expand its designated hamlet area.)

CONCLUSIONS

Although the number of acres that could be acquired under the Extended LAP is projected to be higher in Andes than in any other West-of-Hudson watershed town, the amount of developable land remaining in the Town would be more than adequate to support the projected level of new residential development. Acquisition of WAC easements on 786 acres of agricultural land could help preserve the Town's working farmland. The Extended LAP would also help preserve the Town's natural environment; and opening lands acquired by NYCDEP for public recreational use could provide a significant amenity for both residents and visitors. As noted above, pursuant to the 1997 MOA, the Town had designated a 1,052-acre hamlet area, within which NYCDEP cannot acquire land in fee simple, which will help maintain the current character of this area.

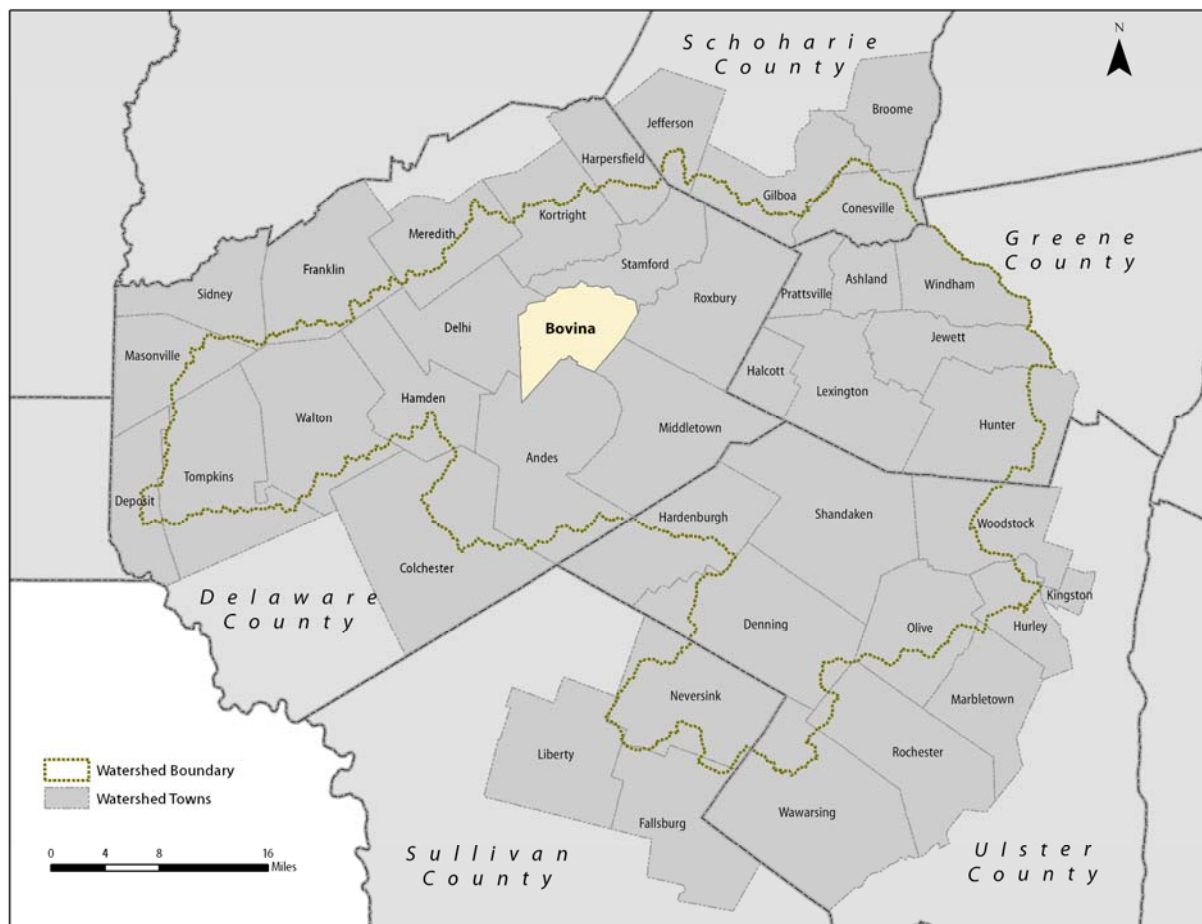
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Andes.

TOWN OF BOVINA

EXISTING CONDITIONS

The Town of Bovina is located at the center of the eastern portion of Delaware County. The Town's resident population in 2008 was estimated to be 633 – a decrease of 4.7 percent since 2000. With a population density of only 14.1 persons per square mile, Bovina is primarily rural in character, with some limited commercial activity concentrated in the hamlet of Bovina Center.

Figure 4-4: Map of Bovina in relation to the watershed



Town of Bovina – Quick Facts

Land area:	28,427 acres
Percent of town land area within the watershed:	100%
Percent of land protected:	13%
Population (estimated), 2008:	633
Median age (estimated), 2008	47
Median household income (estimated), 2008	\$50,943

As shown in Table 4-4 and Figure 4-5, one-third of the Town's total area is agricultural land; and another 30 percent is low-density residential. Economic activity in the town includes a mix of agriculture, small businesses that serve the local population, and businesses – such as several small inns and bed-and-breakfasts – that serve tourists. As the seat of Delaware County government and the site of SUNY Delhi, the nearby Village of Delhi serves as a center of commerce, services and employment for many residents of Bovina.

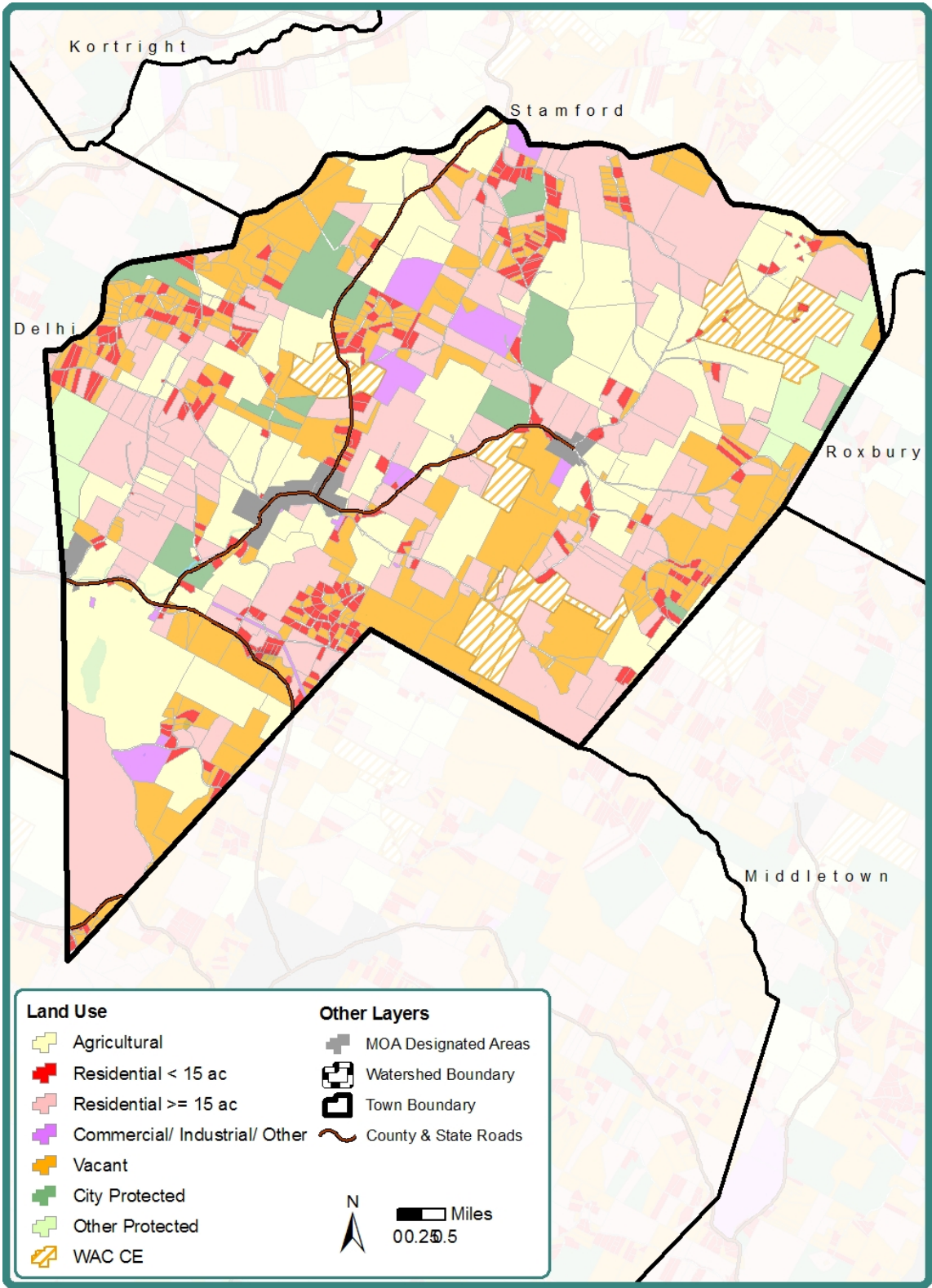
Second homes made up 40 percent of Bovina's housing stock in 2000, down from 49.8 percent in 1990. The Town's population grew between 1990 and 2000; some of this growth appears to have been related to conversions of second homes to permanent residences.³ Based on U.S. Census data and estimates by DemographicsNow, it is estimated that between 2000 and 2008, 5 new housing units were built in Bovina.

Table 4-4: Land uses by type

Land Use	In Watershed/Total	
	<i>Acres</i>	<i>% of Total</i>
Agricultural	9,257	33%
High-Density Residential	1,704	6%
Low-Density Residential	8,352	29%
Commercial/Other	718	3%
State/Other Protected	875	3%
City Protected	1,105	4%
Vacant	6,100	21%
Total	28,427	

³ Town of Bovina Delaware County, NY Comprehensive Plan (2002), p. 2-10.

Figure 4-5: Map of Bovina showing land use and protected land within the Watershed



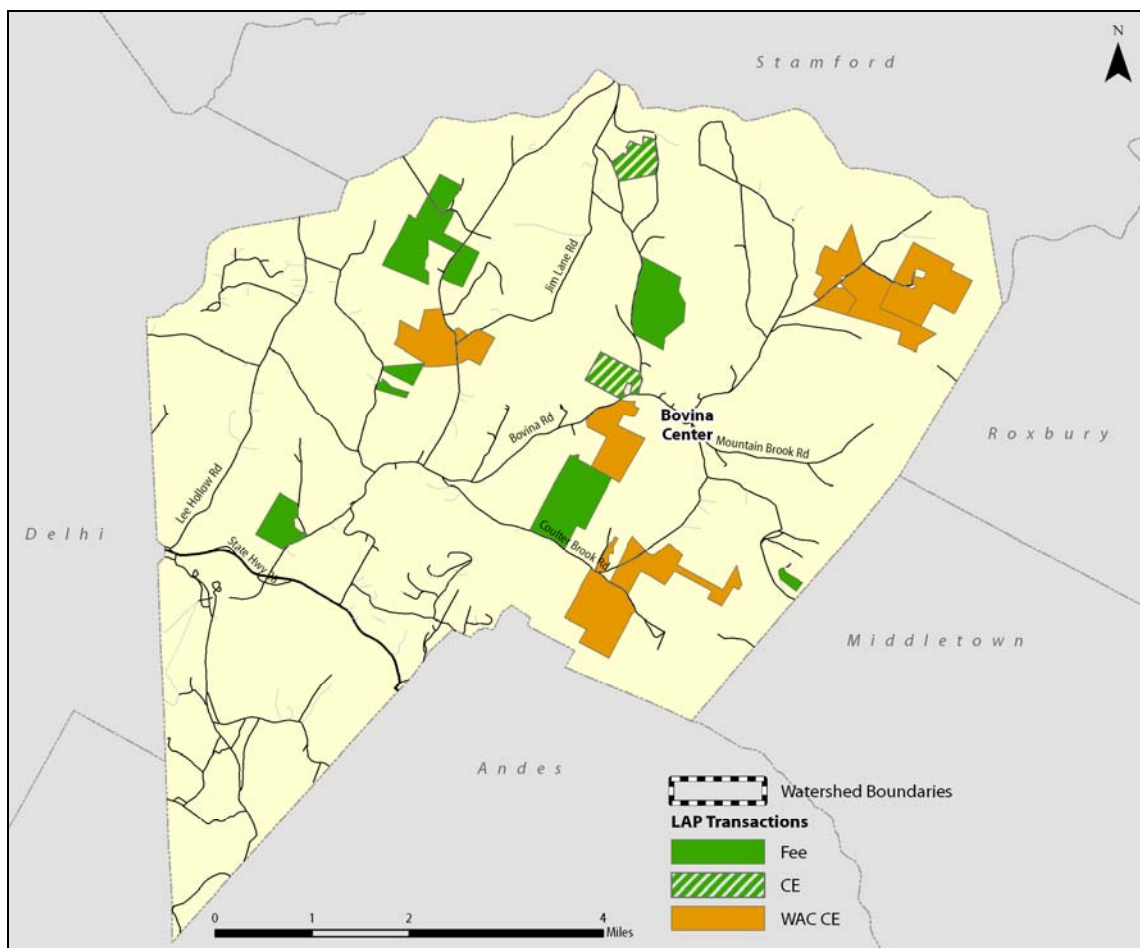
Previous LAP Activity

Through June 2009, NYCDEP had acquired a total of 2,685 acres in Bovina pursuant to the 1997 MOA. As shown in Table 4-5 below, purchases of land in fee simple account for 37 percent of the total acreage acquired under LAP. Figure 4-6 shows the location of LAP properties in Bovina, by type of acquisition.

Table 4-5: Acquisitions in the Town of Bovina through July 2009

Type of acquisition	Acres
Fee simple	1,009
Conservation easements	240
WAC agricultural easements	1,436
Total acquired	2,685

Figure 4-6: Map of LAP properties in Bovina, by type of acquisition



As of July 2009, WAC had acquired agricultural easements covering 1,436 acres in Bovina – about 16 percent of all land in the Town that is coded as agricultural.

As of October 2009, a total of 330 acres acquired by NYCDEP in fee simple in Bovina had been opened by NYCDEP for recreational use – about 33 percent of the land that NYCDEP has acquired in fee simple in the Town since the beginning of the Land Acquisition Program. This figure can be expected to grow as additional properties are closed and reviewed for public access.

Pursuant to the 1997 MOA, the Town designated 392 acres of hamlet areas, within which NYCDEP cannot acquire land in fee simple. These designations ensure that acquisitions by NYCDEP will not conflict with commercial and community uses within the designated areas.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Delaware County is expected to decline slightly. At the same time, the demand for second homes may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development was estimated based on the rate of development during the past two decades. If it is assumed that the pace of new development in Bovina (as measured by new residential units) remains the same as it was between 1990 and 2008, it can be estimated that the land required to support new development through 2022 would total approximately 187 acres – including 68 acres of land characterized as developable⁴ – about 2 percent of the Town’s supply of developable land.

There is currently one major project planned in Bovina that could result in further development beyond the level cited above – the Aman Resort at Broadlands. The resort is to be developed by Aman, a major international resort operator, on a 2,000-acre property (parts of which are in Andes and Delhi) that was formerly the Gerry estate. It would include a 50-room hotel and luxury spa, along with a 50-lot subdivision that would accommodate the construction of 50 individually-owned “villas.” The project was announced in 2007, but has reportedly been delayed due to economic conditions.

Between 2010 and 2022, the long-term decline in land used for agricultural production is likely to continue. Other commercial activity in the Town is likely to remain stable.

In its 2002 Comprehensive Plan, the Town of Bovina listed several goals:

- 1. Use positive incentive-based programs to guide development.*

⁴ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic is considered undevelopable.

2. *Provide for the orderly future growth and development of the Town of Bovina.*
3. *Provide adequate light, air and privacy; secure safety from fire, flood and other danger; and prevent overcrowding.*
4. *Preserve the character of existing rural highways and promote safe, efficient and uncongested circulation of traffic.*
5. *Protect surface and groundwater supplies from pollution, maintain high quality physical environments and preserve wildlife habitats.*
6. *Promote the economic development of the Town of Bovina so as to improve incomes, create new business and employment opportunities and raise the standard of living within the community.*
7. *Encourage the retention and further development of the Town of Bovina's vital agricultural sector so as to improve farm incomes and maintain the working landscapes that define the Town's character.*

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP's experience in Bovina to date, NYCDEP estimates that through 2022, it could acquire a total of 2,273 acres either in fee simple or through conservation easements. It is estimated that this total could include approximately 711 acres of developable land. NYCDEP further estimates that WAC could during the same period purchase easements on 512 acres of agricultural land.

As shown in the following table, after taking into account both LAP acquisitions and the land required to support new development, Bovina would still be left with approximately 79 percent of the Town's current stock of developable vacant and low-density residential land.

Table 4-6: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		3,726 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	2,273 acres	
Developable vacant or low-density residential land acquired		711 acres
Residential Development, 2010-2022		
Projected housing units built	24 units	
Land needed for housing	187 acres	
Developable portion of land needed for housing		68 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		2,948 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		79 percent

It should be noted that the 2009 and 2022 estimates of developable land presented in Table 4-6 are in several respects conservative. The definition of developable land cited above does not include agricultural land; nor does it include undeveloped portions of residential parcels of less than 15 acres. Overall, NYCDEP's acquisitions through 2022 are thus unlikely to have any adverse impact on the availability of land for development in Bovina – through 2022 and beyond.

Extension of LAP can also be assessed in terms of its potential impact on the character of the community.

While LAP has little or no direct impact on several of the Town's goals, it is clearly consistent with those relating to the protection of water quality and a high-quality physical environment. WAC's acquisition of easements on 512 additional acres of farmland is also consistent with the goal of maintaining Bovina's agricultural economy and working landscapes.

Assuming that the proportion of newly-acquired land opened by NYCDEP for public recreational use will be similar to the proportion made available in Bovina as of October 2009, additional acquisitions by NYCDEP are likely to result in more than 675 acres of additional land being opened for public recreation in Bovina by 2022.

CONCLUSIONS

While the amount of land that could be acquired in Bovina under the Extended LAP is substantial, the remaining supply of developable land would be more than adequate to support the relatively low level of new development expected to occur between 2010 and 2022. Acquisition of WAC easements on 512 acres would also help preserve farmland in Bovina; and acquisitions by NYCDEP will help preserve the Town's high-quality natural environment. As noted above, pursuant to the 1997 MOA, the Town had designated 392 acres of hamlet areas, within which NYCDEP cannot acquire land in fee simple, which will help maintain the current character of this area.

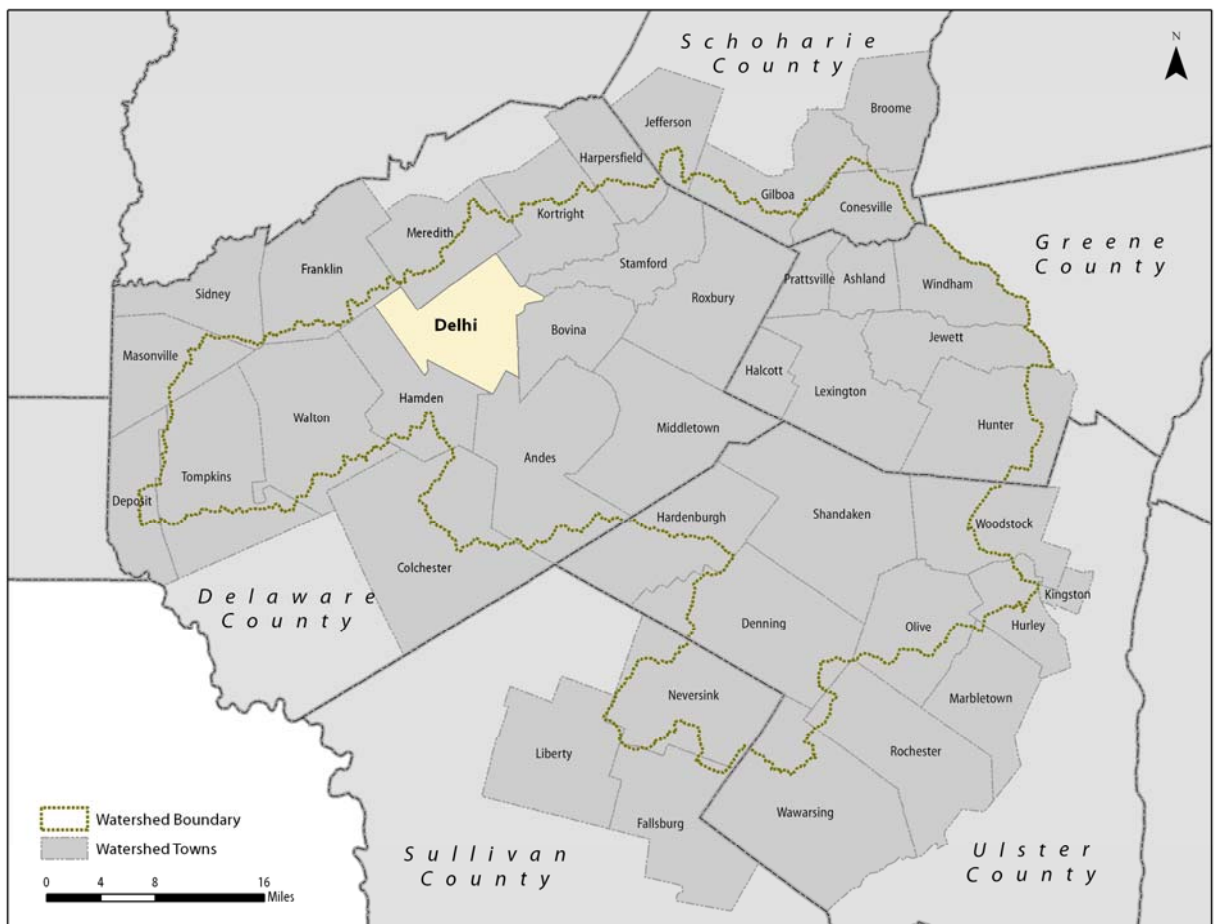
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Bovina.

TOWN OF DELHI

EXISTING CONDITIONS

The Town of Delhi, located in central Delaware County, is a low-density, primarily rural town. The Village of Delhi, located entirely within the Town, is the County seat and serves as a commercial center for much of Delaware County. The Town's resident population declined by about 8 percent in the 1990s, and is estimated to have declined an additional 2 percent since 2000. In 2008, its population was estimated at 4,547.

Figure 4-7: Map of Town of Delhi in relation to the watershed



Town of Delhi – Quick Facts	
Land area:	41,343 acres
Percent of town land area within the watershed:	100%
Percent of land protected	10%
Population (estimated), 2008:	4,547
Median age (estimated), 2008	31
Median household income (estimated), 2008	\$44,018

As shown in Table 4-7 and Figure 4-8, more than one-third of the Town’s total area consists of low-density residential land. Privately-owned vacant and agricultural land each account for slightly less than one-quarter of the total. More than half the Town’s population and much of its commercial activity are concentrated in the Village of Delhi. (According to the 2000 Census, the Village accounted for 56 percent of the Town’s population). In addition to employment related to county government, the Village also contains SUNY Delhi – the Town’s largest enterprise, with about 3,100 students and 300 employees. Other notable institutions and businesses in Delhi include O’Connor Hospital, the Countryview nursing home, Delhi Bank, Delhi Telephone Company and a variety of farm-related businesses.

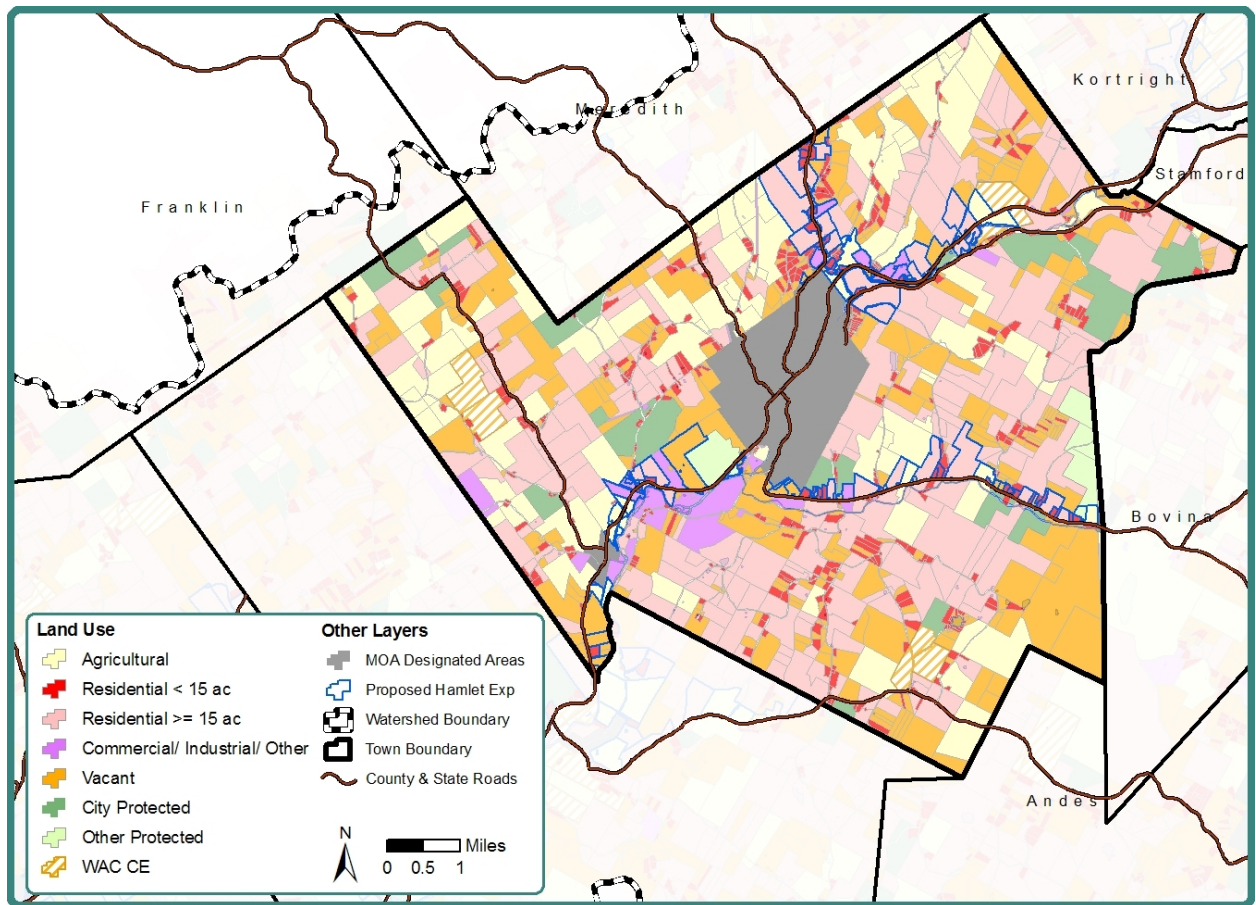
While the number of housing units in Delhi grew by a net average of about 10 new units per year between 1990 and 2008, most of this growth appears to have occurred in the 1990’s. Based on U.S. Census data and estimates by DemographicsNow, it is estimated that between 2000 and 2009, a net of 4 new residential units were developed in Delhi.

Table 4-7: Land uses by type

Land Use	In Watershed/Total	
	<i>Acres</i>	<i>% of Total</i>
Agricultural ⁵	9,105	22%
High-Density Residential	2,576	6%
Low-Density Residential	14,442	35%
Commercial/Other	1,768	4%
State/Other Protected	734	2%
City Protected	2,228	5%
Vacant	9,610	23%
Total	41,343	

⁵ The agricultural category includes WAC conservation easements.

Figure 4-8: Map of Delhi showing land use and protected land within the Watershed



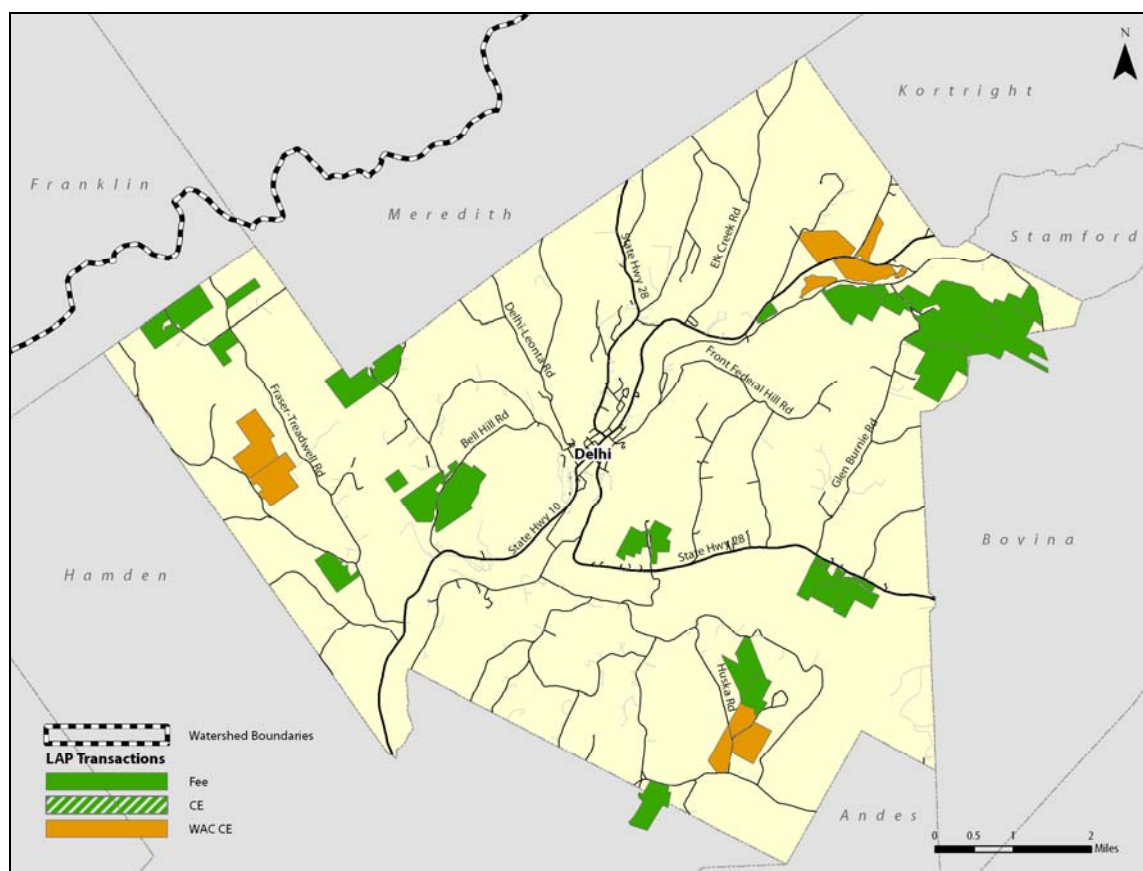
Previous LAP Activity

Through July 2009, 3,594 acres had been acquired in Delhi under the Land Acquisition Program – about 8.7 percent of the Town’s total land area. Figure 4-9 shows the location of LAP properties in Delhi, by type of acquisition.

Table 4-8: Acquisitions in the Town of Delhi through July 2009

Type of acquisition	Acres
Fee simple	2,731
Conservation easements	0
WAC agricultural easements	862
Total acquired	3,594

Figure 4-9: Map of LAP properties in Delhi, by type of acquisition



As of October 2009, NYCDEP's purchases of land in fee simple in Delhi included 136 acres that had been actively used for agricultural production prior to acquisition. The Department had issued one permit for agricultural use of 50 acres of land it had acquired in fee simple in Delhi. As of July 2009, approximately 862 acres of agricultural land in Delhi was covered by WAC easements.

As of the fall of 2009, NYCDEP had opened a total of 2,634 acres of land acquired under LAP in Delhi for a variety of recreational uses – more than 96 percent of the land that LAP has acquired in fee simple in Delhi.

Pursuant to the 1997 MOA, Delhi designated hamlet areas totaling 2,346 acres, within which NYCDEP cannot acquire land. The area covers the Village of Delhi and the hamlet of Fraser and is the second-largest area designated by any of the watershed towns. This has helped ensure that LAP does not conflict with commercial, civic and community uses within the designated areas.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Delaware County is expected to decline slightly. For purposes of constructing a “reasonable worst-case scenario,” it is estimated that future residential development based on the rate of development during the past two decades. Assuming that the pace of new development in Delhi (as measured by new residential units) remains the same as it was between 1990 and 2008 (about 10 new units per year), it is estimated that the land required to support new development through 2022 will total approximately 743 acres. This would include 264 acres of land characterized as developable⁶ – about 5 percent of the Town’s supply of developable land.

Between 2010 and 2022, the amount of land used in agricultural production in Delhi will probably continue to decline; there is, however, some potential for the growth of smaller-scale, specialty agriculture. SUNY Delhi could also be a source of new development, potentially including the construction of new off-campus housing for students.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

NYCDEP estimates that through 2022 it is projected to acquire 3,432 additional acres in Delhi either in fee simple or through conservation easements. Based on the percentage of the Town’s low-density residential and vacant land that is developable as of 2009, these acquisitions are projected to include approximately 990 acres of developable land – 17 percent of the Town’s supply of developable vacant and low-density residential land in 2009. NYCDEP further estimates that WAC could during the same period purchase easements on 519 acres of agricultural land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Delhi would still be left with approximately 79 percent of the Town’s current stock of developable land.

⁶ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic in considered undevelopable.

Table 4-9: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		5,851 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	3,432 acres	
Developable vacant or low-density residential land acquired		990 acres
Residential Development, 2010-2022		
Projected housing units built	120 units	
Land needed for housing	743 acres	
Developable portion of land needed for housing		264 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		4,596 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		79 percent

The 2009 and 2022 estimates of developable land presented in Table 4-9 are conservative in several respects. The definition of developable land cited above does not include agricultural or commercial/industrial land; nor does it include undeveloped portions of residential parcels of less than 15 acres. Table 4-9 may thus understate the amount of developable land likely to remain in 2022. Overall, NYCDEP's acquisitions through 2022 are unlikely to have an adverse impact on the availability of land for new development in Delhi – through 2022 and beyond.

Future acquisitions under LAP can also be assessed in terms of their impact on the character of the community. In several areas, this impact is likely to be positive. The purchase of WAC easements on 519 acres of farmland (in addition to the WAC easements already in place) can help preserve agricultural activity in Delhi; and NYCDEP's purchases of land and conservation easements can help to protect the Town's natural environment.

Assuming that the percentage of newly-acquired land opened to public recreational use is similar to what it has been through 2009, it can be estimated that through 2022 more than 3,000 additional acres of land acquired in fee simple could be made available by NYCDEP for public recreational use. In some cases, land acquired by NYCDEP could provide a significant amenity for both full-time and part-time residents, and a resource for further development of visitor-based businesses.

Finally, under a proposed agreement among NYCDEP, the Town, the regulatory agencies and other stakeholders, Delhi's designated hamlet areas would be expanded from 2,346 to 4,902 acres.

Overall, it appears that the extension of the LAP program through 2022 is unlikely to have any significant adverse impact on the character of the community.

CONCLUSIONS

Although the number of acres projected to be acquired in Delhi under the Extended LAP is substantial, the Town's supply of developable land would still be more than adequate to accommodate the projected level of new development through 2022 and beyond. The Extended LAP would help protect the Town's natural environment and would result in additional City-owned land being opened for public recreational use. WAC's projected acquisition of farm

easements on 519 acres would help preserve some of the Town's agricultural land; and the proposed addition of 2,759 acres to the Town's designated hamlet area would help ensure that land is available to accommodate future development not only in the Village of Delhi, but also along major roads throughout the Town.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Delhi.

TOWN OF HAMDEN
EXISTING CONDITIONS

The Town of Hamden is a low-density rural community located at the geographic center of Delaware County. The Town’s resident population was estimated in 2008 at 1,237. Hamden’s population grew by 12 percent during the 1990s, but is estimated to have declined by 4 percent since 2000.

Figure 4-10: Map of watershed towns



Town of Hamden – Quick Facts

Land area:	38,310 acres
Percent of town land area within the watershed:	87%
Percent of land protected	9%
Population (estimated), 2008:	1,237
Median age (estimated), 2008	44.4
Median household income (estimated), 2008	\$43,357

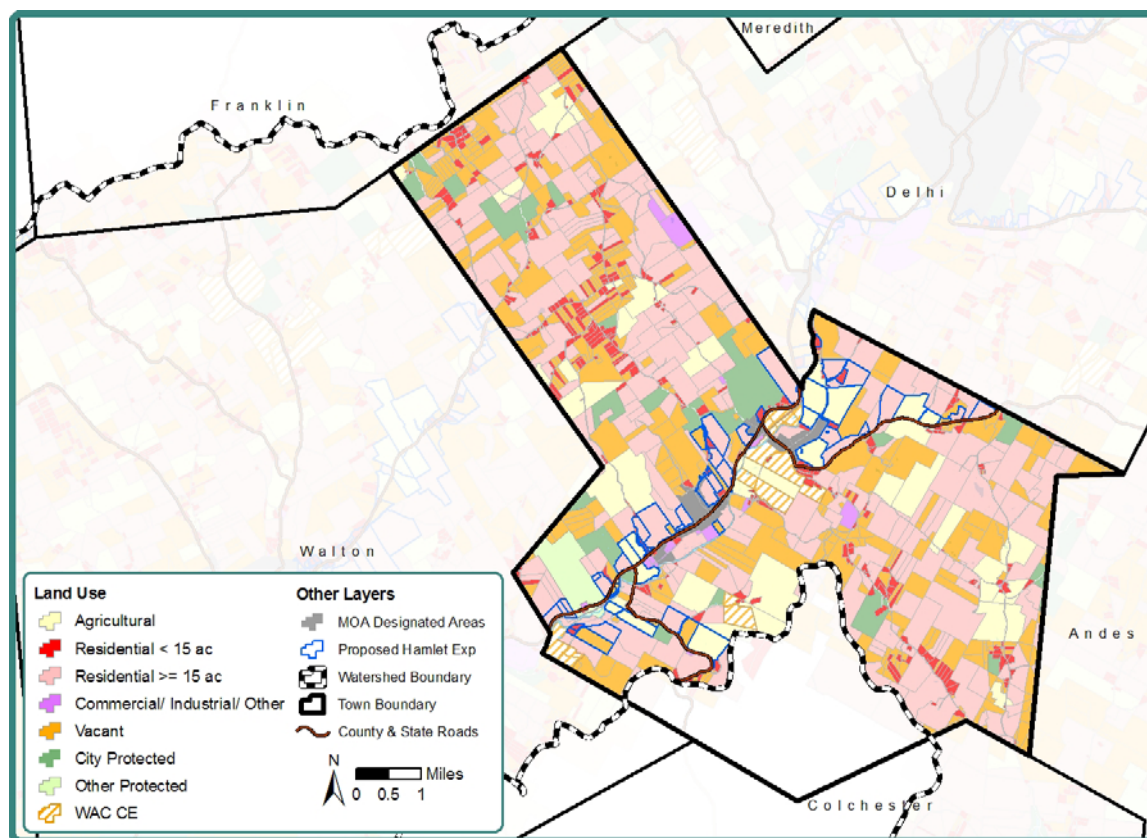
As Table 4-10 and Figure 4-11 show, about 72 percent of Hamden's total area consists of either low-density residential land (45 percent of the Town's total acreage) or privately-owned vacant land (27 percent). The Town also has a substantial supply of agricultural land – 14 percent of its total land area – which is particularly concentrated in the eastern portion of the Town. Hamden has a substantial second-home sector as well; in 2000, 33 percent of the Town's housing units were for seasonal or recreational use. Hamden also has a small commercial base, located primarily along Route 10 in the hamlets of Hamden and Delancey, consisting primarily of small businesses that serve the local population, as well as some tourist-oriented businesses.

Using data on building permits, it is estimated that between 2000 and 2009, about 20 new housing units were built in Hamden.

Table 4-10: Land uses by type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acre</i> s	<i>% of Total</i>	<i>Acre</i> s	<i>% of Total</i>	<i>Acre</i> s	<i>% of Total</i>
Agricultural	5,106	15%	121	3%	5,227	14%
High-Density Residential	1,904	6%	243	5%	2,147	6%
Low-Density Residential	14,609	44%	2,538	53%	17,146	45%
Commercial/Other	359	1%	104	2%	463	1%
State/Other Protected	459	1%	0	0%	459	1%
City Protected	1,765	5%	N/A	N/A	1,765	5%
Vacant	8,402	25%	2,007	42%	10,410	27%
Total	33,517		4,793		38,310	

Figure 4-11: Map of Hamden showing land use and protected land within the Watershed



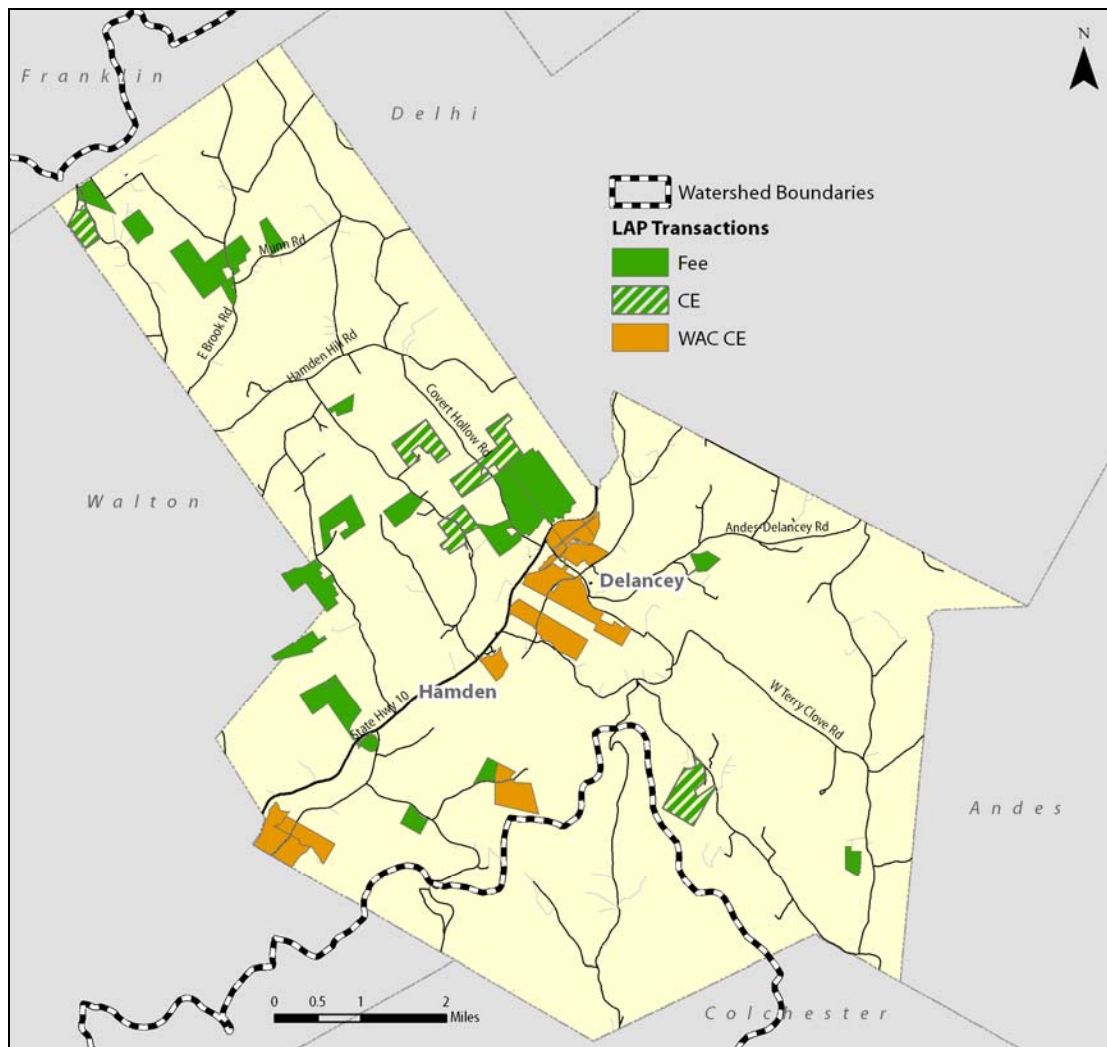
Previous LAP Activity

Through June 2009, NYCDEP had acquired a total of 2,942 acres in Hamden pursuant to the 1997 MOA. As shown in Table 4-11 below, purchases of land in fee simple account for about 49 percent of all acquisitions in the Town. Figure 4-12 shows the location of LAP properties in Hamden, by type of acquisition.

Table 4-11: Acquisitions in the Town of Hamden through July 2009

Type of acquisition	Acres
Fee simple	1,429
Conservation easements	612
WAC agricultural easements	901
Total acquired	2,942

Figure 4-12: Map of LAP properties in Hamden, by type of acquisition



As of October 2009, NYCDEP had acquired 118 acres that had been in agricultural use prior to acquisition. In 2006, NYCDEP issued a five-year permit for agricultural use of 15 acres of land that had been acquired under LAP; the property is currently being used for the production of corn and hay. WAC has also purchased easements covering 901 acres of farmland in Hamden – about 17 percent of all agricultural land in the Town.

Of the 1,429 acres that NYCDEP acquired in fee simple in Hamden through June 2009, 842 acres – 59 percent of the total – had been opened for public recreational use as of October 2009. This figure, which will grow as additional properties are closed and reviewed for public access, represents a significant resource in a Town with relatively little State-owned land, and no pre-MOA City-owned land.

Pursuant to the 1997 MOA, the Town designated parcels in the hamlets of Delancey and Hamden totaling 420 acres. However, the Town did not elect to preclude fee simple acquisitions in these areas. As shown in Figure 4-12, WAC easements have been acquired on one property in

the hamlet of Hamden and several in the hamlet of Delancey. While these easements are intended to support the continuation of agricultural use of those lands, they removed land from potential development in and around these hamlets. In recognition of the growth concerns raised by local officials, as part of the land acquisition negotiations with regulators and local officials, NYCDEP supports the exclusion of WAC easement in hamlets in the Extended LAP.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Delaware County is expected to decline slightly. If it is assumed that the pace of new development in Hamden (as measured by new residential units) remains the same as it was between 1990 and 2008, it can be estimated that about 156 additional units will be built by 2022;⁷ and that the land required to support this new development through 2022 will total approximately 1,682 acres, including 701 acres of land characterized as developable⁸ – about 11 percent of the Town’s supply of such land as of 2009.⁹

Between 2010 and 2022, Hamden is also likely to see a continued decline in land used for agricultural purposes; and the scale of commercial activity in other sectors is likely to remain small.

Hamden’s Comprehensive Plan, completed in 2010, defines several major goals for the town’s future;

- Provide for the orderly future growth and development of the town of Hamden.
- Provide adequate light, air and privacy; secure safety from fire, flood and other danger; and prevent overcrowding.

⁷ In his comments on the Draft EIS, Hamden Town Supervisor Wayne Marshfield noted that the pace of new residential development in the town has been slower in recent years, and that the estimate of 156 additional units overstates the number of new units likely to be built in Hamden between 2010 and 2022. This may well be correct. It is important to remember that our estimate of 156 additional units through 2022 is not a forecast of the likely rate of new development. It is instead a projection that is being used to define a “reasonable worst-case scenario” in terms of the potential for conflict between future development trends and possible future acquisitions by NYCDEP under an extended Land Acquisition Program. In Hamden (and in other towns as well) the result is that both the estimate of acreage needed to support new development, and the estimate of acres to be acquired by NYCDEP, are probably overstated.

⁸ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic is considered undevelopable.

⁹ Using a somewhat different definition of “buildable” land, the Town’s comprehensive plan, completed in 2010, estimated that 22 percent of Hamden’s total land area – 8,499 acres – is buildable, as compared with our estimate of 6,146 acres of developable land in 2009. The town’s estimate of buildable land, however, includes land that has already been developed.

- Preserve the character of existing rural highways and promote safe, efficient and uncongested circulation of traffic.
- Protect surface and groundwater supplies from pollution, maintain quality physical environments and preserve wildlife habitats.
- Encourage uses of land and building designs that create harmonious appearances.
- Encourage flexibility in the development of land to facilitate economical provision of streets and utilities and provide varied housing choices.
- Promote the development of an economically viable agriculture sector and the preservation of working farms.¹⁰

These goals, which are elaborated in more detail in the plan, provide a sense of how Hamden would like to develop, and what it would like to preserve, during the years ahead.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based in part on LAP's experience in Hamden to date, NYCDEP estimates that through 2022, it could acquire 2,696 additional acres either in fee simple or through conservation easements. Based on the percentage of the Town's low-density residential and vacant land that is developable as of 2009, it is estimated that these acquisitions could include approximately 724 acres of developable land – about 12 percent of the Town's supply of developable vacant and low-density residential land as of 2009. During the same period, it is estimated that WAC could acquire agricultural easements covering 944 acres of farmland.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support residential new development, Hamden would still be left with 4,721 acres of developable vacant and low-density residential land in 2022 – approximately 77 percent of the Town's current stock of such land.

Table 4-12: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		6,146 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	2,696 acres	
Developable vacant or low-density residential land acquired		724 acres
Residential Development, 2010-2022		
Projected housing units built	156 units	
Land needed for housing	1,682 acres	
Developable portion of land needed for housing		701 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		4,721 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		77 percent

¹⁰ Town of Hamden, New York, Comprehensive Plan, 2010, pp. 2-1 to 2-4.

The estimate of the amount of developable land remaining in 2022 may be conservative in several respects. The pace of residential development in Hamden has been slower since 2000 than it was in the 1990s. By using the period 1990-2008 as the basis for our estimate of the land required for new development between 2010 and 2012, we may be overstating the likely rate of new development in the Town through 2022.

Moreover, the definition of developable vacant and low-density residential land cited above excludes agricultural land. Given trends in agriculture in Delaware County, some of this land is likely in the future to be available for development.

The potential impact of additional acquisitions can also be assessed in terms of how they affect the character of the community. Acquisitions of land in fee simple and through conservation easements at the scale projected by NYCDEP through 2022 could reinforce the low-density, predominantly rural character of the Town – but are unlikely to affect development in the Route 10 corridor during this period. Under a proposed agreement among NYCDEP, the Town, the regulatory agencies and other stakeholders, Hamden's designated hamlet areas would be expanded from 420 to 2,854 acres. If the Town elects to preclude LAP acquisition, this agreement could help ensure that land remains available to accommodate future development in the Route 10 corridor.

Finally, the projected purchase of WAC agricultural easements could contribute to preservation of farm land in Hamden – a town in which a substantial portion of the Town's total area is still devoted to agricultural uses.

CONCLUSIONS

Under the Extended LAP, the projected acquisition of nearly 2,700 acres of land in Hamden in fee simple and through conservation easements would help protect the Town's low-density rural character and the quality of its environment, and expand opportunities for outdoor recreation in a town with relatively little publicly accessible open space. WAC's projected acquisition of farm easements would also protect a portion of the Town's agricultural land.

If further acquisitions by NYCDEP or LAP are not precluded within the designated (or proposed expanded) hamlet areas, such acquisitions could to some extent limit opportunities for development within the designated areas. Nevertheless, even with the substantial acquisitions projected in this analysis, Hamden would have more than enough developable land within the Town to support the projected level of new residential development through 2022 and beyond.

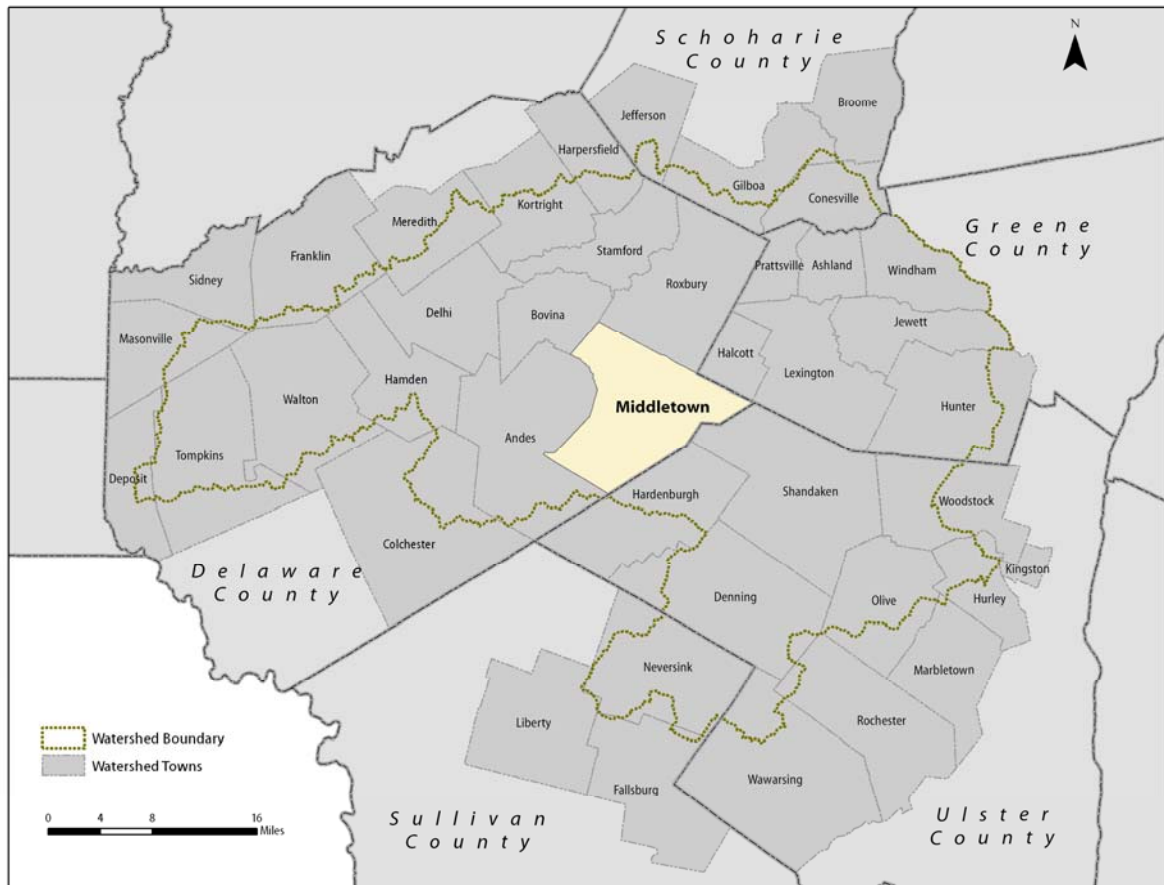
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Hamden.

TOWN OF MIDDLETOWN

EXISTING CONDITIONS

The Town of Middletown is a primarily rural town located in southeastern Delaware County, with an estimated resident population of 3,881 in 2008. The Town includes the Village of Margaretville, a regional commercial center for the Central Catskills. The Town's population grew by nearly 19 percent in the 1990s – but since 2000 is estimated to have declined by 4 percent.

Figure 4-13: Map of Middletown in relation to west-of-Hudson watershed



Town of Middletown – Quick Facts

Land area:	62,244 acres
Percent of town land area within the watershed:	100%
Percent of land protected	23%
Population (estimated), 2008:	3,881
Median age (estimated), 2008	48
Median household income (estimated), 2008	\$38,598

As Table 4-13 and Figure 4-14 show, low-density residential land and privately-owned vacant land are the predominant land uses in Middletown, accounting for 28 percent and 30 percent respectively of the Town's total area. Middletown has a mixed economy. Commercial activity is located primarily in the villages of Margaretville and Fleischmanns, the hamlet of Arkville and elsewhere along Route 28. The Town also has a substantial agricultural sector, and a substantial second-home sector as well – about 36 percent of all housing units in Middletown in 2000 were for seasonal or recreational use.

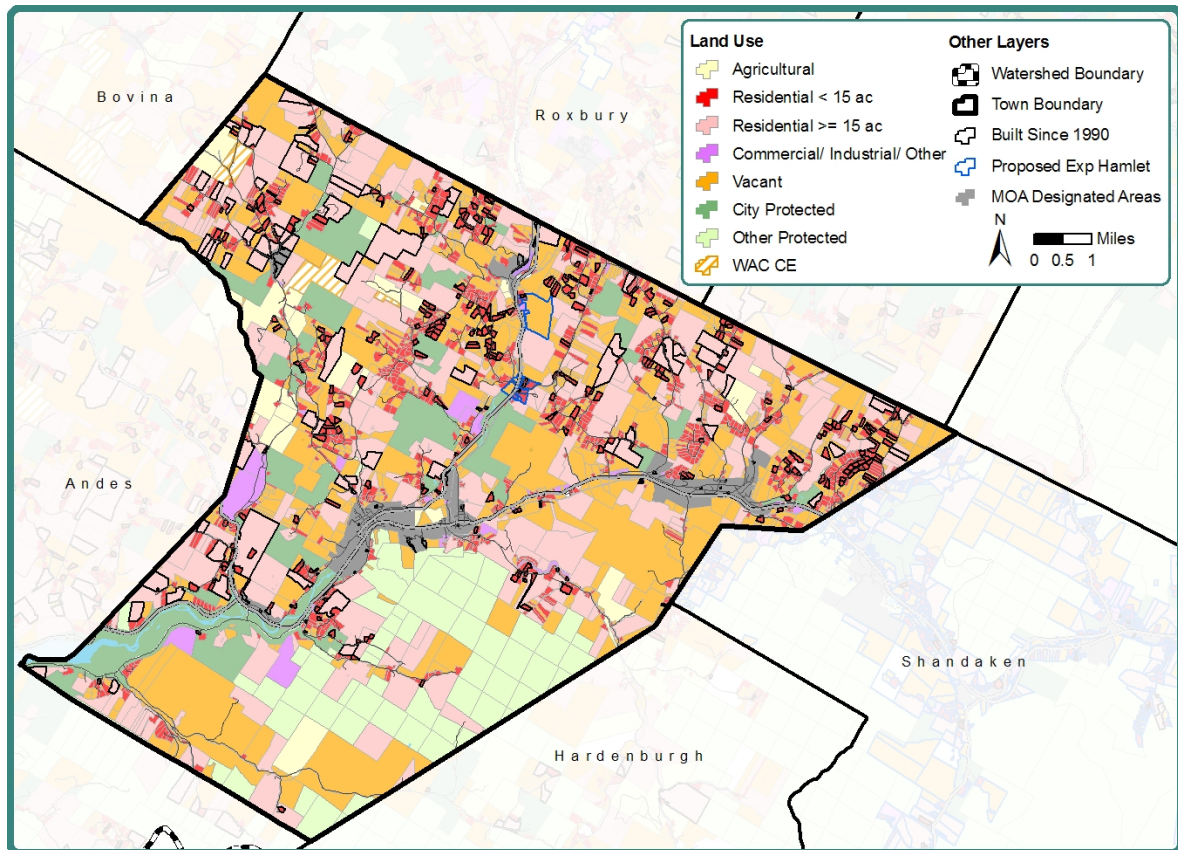
Development activity since 1990 (as shown by parcels outlined in black in Figure 4-14) has occurred throughout the area north and west of Route 28. As noted above, most of the Town's growth in the past two decades occurred in the 1990s. Between 2000 and 2008, the number of housing units in Middletown increased by 18.

Table 4-13: Land uses by type

Land Use	<i>Acres</i>	<i>% of Total</i>
Agricultural ¹¹	2,659	4%
High-Density Residential	7,733	12%
Low-Density Residential	17,399	28%
Commercial/Other	1,512	2%
State/Other Protected	6,942	11%
City Protected	5,764	9%
Vacant	18,727	30%
Total Town Acres	62,244	

¹¹ The agricultural category includes WAC conservation easements.

Figure 4-14: Map of the Town of Middletown, showing land use, protected land and proposed hamlet expansion areas



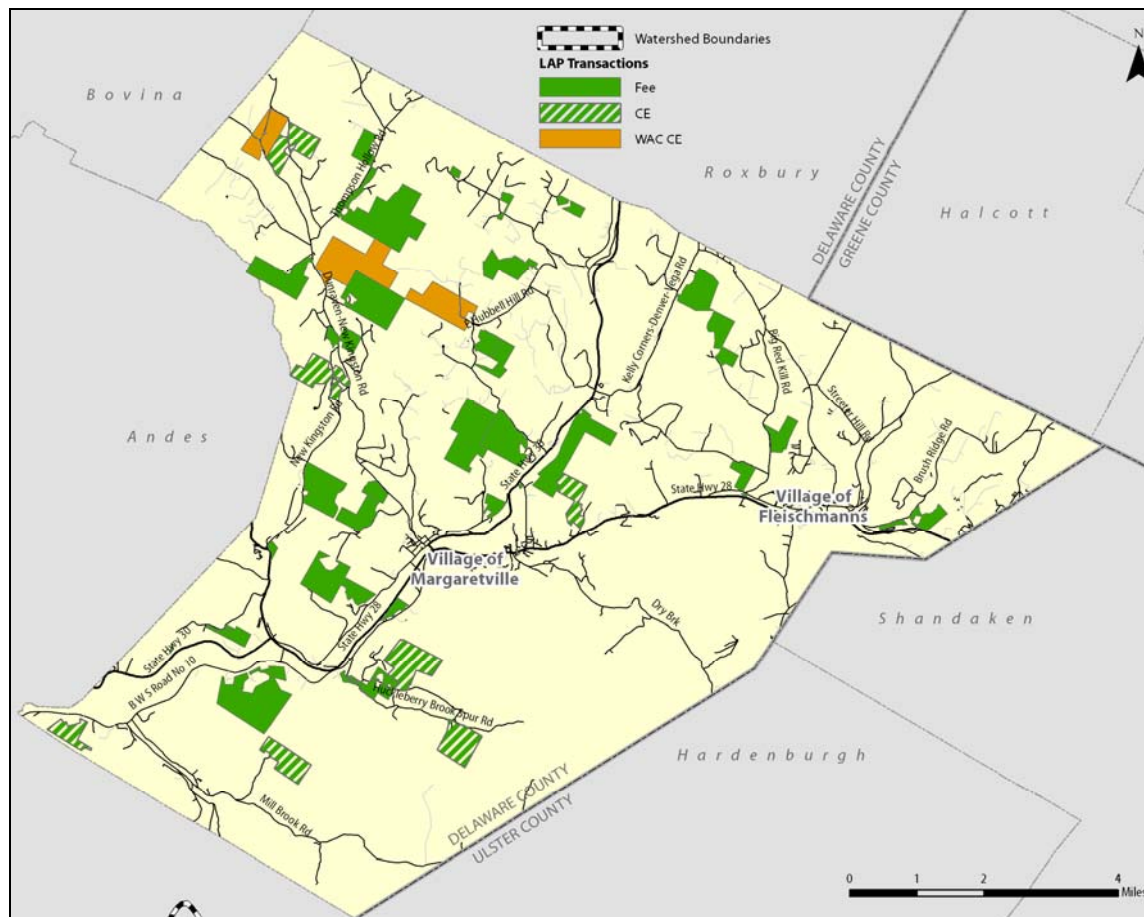
Previous LAP Activity

Through June 2009, 5,689 acres had been acquired in Middletown pursuant to the 1997 MOA. As shown in Table 4-14 below, about 68 percent of this total was acquired in fee simple; NYCDEP acquired conservation easements on 19 percent; and WAC acquired agricultural easements on 13 percent. Figure 4-15 shows the location of LAP properties in Middletown, by type of acquisition.

Table 4-14: Acquisitions in the Town of Middletown through July 2009

Type of acquisition	Acres
Fee simple	3,892
Conservation easements	1,063
WAC agricultural easements	733
Total acquired	5,689

Figure 4-15: Map of LAP properties in Middletown, by type of acquisition



Through 2009, WAC has acquired agricultural easements on 733 acres of farmland in Middletown – about 25 percent of the Town’s agricultural land. In addition to land covered by WAC easements in Middletown, NYCDEP has acquired in fee simple 23 acres that had been in active agricultural use prior to NYCDEP’s acquisition of the property. Since 2007, however, NYCDEP has issued permits to three farm operators for use of 36 acres of LAP-acquired land – primarily for production of corn and hay.

As of October 2009, a total of 2,059 acres acquired by NYCDEP in fee simple in Middletown had been opened by NYCDEP for public recreational use – about 53 percent of the land that NYCDEP has acquired in fee simple in the Town since the beginning of the Land Acquisition Program. This represents a significant addition to the total amount of land open for public recreation in a town that prior to the Land Acquisition Program had relatively little publicly available open space.

Pursuant to the 1997 MOA, Middletown established five designated hamlets (Arkville, Dunraven, Halcottsville, Clovesville and New Kingston). In addition, the Town contains the Villages of Margaretville and Fleischmanns. These designated areas total 1,734 acres. The Town elected to preclude LAP purchases in fee simple in the Village of Margaretville, but not in the other designated hamlets.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Delaware County is expected to decline slightly. At the same time, the demand for second homes may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development has nevertheless been estimated based on the rate of development during the past two decades. If we assume that the pace of new development in Middletown (as measured by new residential units) remains the same as it was between 1990 and 2008, we can estimate that the land required to support new development through 2022 would total approximately 1,446 acres – including 513 acres of land characterized as developable.¹²

The planned Belleayre Resort straddles the boundary between Shandaken and Middletown. Under an agreement negotiated in 2007 among the developer, local officials, NYCDEP, and NYSDEC, the project would include two hotels with a total of 370 rooms, an 18-hole golf course, and 259 lodging units and other facilities.

The Comprehensive Plan for Fleischmanns presents a vision for the future in which the village seeks to:

manage development and redevelopment to protect the integrity of our village, its historic districts, Main Street business district, cultural & civic institutions, public parks, and our natural resources; preserve historic buildings, open space and the integrity of our historic residential neighborhoods; enhance the convenience of pedestrian access to services and facilities within our walkable community and employment opportunities for our residents; provide sustainable public infrastructure and services to meet growing community needs in a cost-effective manner; recreational opportunities for all age groups; and set quality design standards to ensure that new growth and redevelopment enriches our community aesthetics and is in harmony with the existing fabric of the Village.

The goals outlined in Margaretville’s Comprehensive Plan are similar. They include:

I. Revitalizing commercial activity

- *Maintaining an economically viable and vibrant Main Street that caters to a broad variety of consumer markets.*
- *Developing Margaretville’s reputation as a year-round destination.*

II. Driving the innovative and creative economy.

¹² For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic in considered undevelopable.

- *Encouraging environmentally friendly businesses that help build sustainable wealth*
- *Developing economically sustainable businesses that incorporate green construction guidelines and sustainable business practices, and generate jobs at community scale.*
- *Promoting and expanding opportunities to experience arts, culture, healthy lifestyles and generate a community of well-being in Margaretville.*

III. Generating jobs

- *Creating 50-100 locally available full-time jobs.*
- *Attracting and retaining health practitioners.*

IV. Enhancing community housing

- *To ensure a healthy, well-balanced mix of affordable housing that serves all income and age groups.*

V. Benchmarking cultural resources

- *To preserve, protect and restore culturally and historically significant structures in the community.*

VI. Promoting recreation

- *Integrating the region's recreational amenities into Margaretville's quality of life.*
- *Capitalizing upon recreational assets and integrating them into the Margaretville economy*

Several other sources highlight the characteristics that residents of Middletown value. For example, the Central Catskills Collaborative – an alliance of municipalities along the Route 28 corridor that includes Middletown, Margaretville and Fleischmanns – notes that this area has “retained the beauty and charm that have attracted visitors and residents to the region for generations.” Qualities cited by the Collaborative include:

....the closely knit hamlets with their mixed uses, sidewalks and historic architecture; the surrounding forests and clean waterways with their recreational opportunities; and the open, rolling farmland.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP's experience in Middletown to date, NYCDEP estimates that through 2022, it is projected to acquire 4,507 additional acres either in fee simple or through conservation easements. Based on the percentage of the Town's low-density residential and vacant land that is developable as of 2009, it is estimated that these acquisitions would include approximately 1,191 acres of developable land.

NYCDEP further estimates that WAC could during the same period purchase easements on 476 acres of agricultural land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Middletown would still be left with 5,751 acres of developable vacant and low-density residential land – approximately 77 percent of the Town’s current stock of such land.

Table 4-15: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		7,455 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	4,507 acres	
Developable vacant or low-density residential land acquired		1,191 acres
Residential Development, 2010-2022		
Projected housing units built	249 units	
Land needed for housing	1,446 acres	
Developable portion of land needed for housing		513 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		5,751 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		77 percent

As noted in Chapter 3, this estimate of LAP’s impact on the Town’s supply of developable land needs also to take into account that as of 2009, Middletown’s supply of such land is relatively limited. As defined here, developable land represented about 12 percent of the Town’s total land area in 2009; and by 2022 this percentage is projected to decline to 9.3 percent.

It is important to note, however, that the estimates of developable land cited in Table 4-15 are in several respects conservative. The definition of developable land cited above in effect assumes that no currently-agricultural land will become available for development during the next 12 years; given the long-term decline in Delaware County in the use of land for agriculture, this is probably an unrealistic assumption. Moreover, projecting future residential development on the basis of “year-built” data for 1990 through 2008 may overstate the amount of land likely to be required for new development through 2022.

Based on this analysis, we conclude that the projected level of acquisitions by NYCDEP is not likely to adversely affect the availability of land for new development in Middletown.

LAP’s impact in Middletown can also be assessed in terms of its impact on the character of the community. While additional acquisitions by NYCDEP through 2022 may have little or no direct impact on some of the values and goals defined in the Fleischmanns and Margaretville plans – such as goals regarding job creation and affordable housing – the Extended LAP is likely to be broadly consistent with the plans’ emphasis on encouraging development within the villages and promoting recreation.

Assuming that the proportion of newly-acquired land opened by NYCDEP for public recreational use will be similar to the proportion made available in Middletown as of October 2009, additional acquisitions by NYCDEP could result in more than 1,800 acres of additional land being made opened for public recreation in Middletown by 2022 – reinforcing what is already one of the Town’s strengths.

WAC's acquisition of easements on 476 additional acres of farmland is also consistent with the goal of preserving farmland in Middletown, as expressed by the Central Catskills Collaborative and others.

Finally, the Town is proposing to add 298 acres to Middletown's designated hamlet areas, which NYCDEP agrees is reasonable. If the Town elects to preclude LAP acquisition on this expansion area of the MOA hamlets, this could help ensure that further acquisitions are compatible with the goal of continued revitalizations of the Town's population centers.

CONCLUSIONS

Under the Extended LAP, the acquisition of land in Middletown in fee simple and through conservation easements (which could total more than 4,500 acres by 2022) would help protect the quality of the Town's natural environment, and could add more than 1,800 acres to the land available for public recreation. Additional WAC easements would also help preserve farmland in the Town. Even with these acquisitions, Middletown's supply of developable land would be more than adequate to support the projected level of development through 2022 and beyond. If the Town and Village of Fleischmanns elect to preclude LAP acquisitions within the expanded MOA hamlets, this could help ensure that further acquisitions are compatible with the goal of continued revitalization of the Town's population centers.

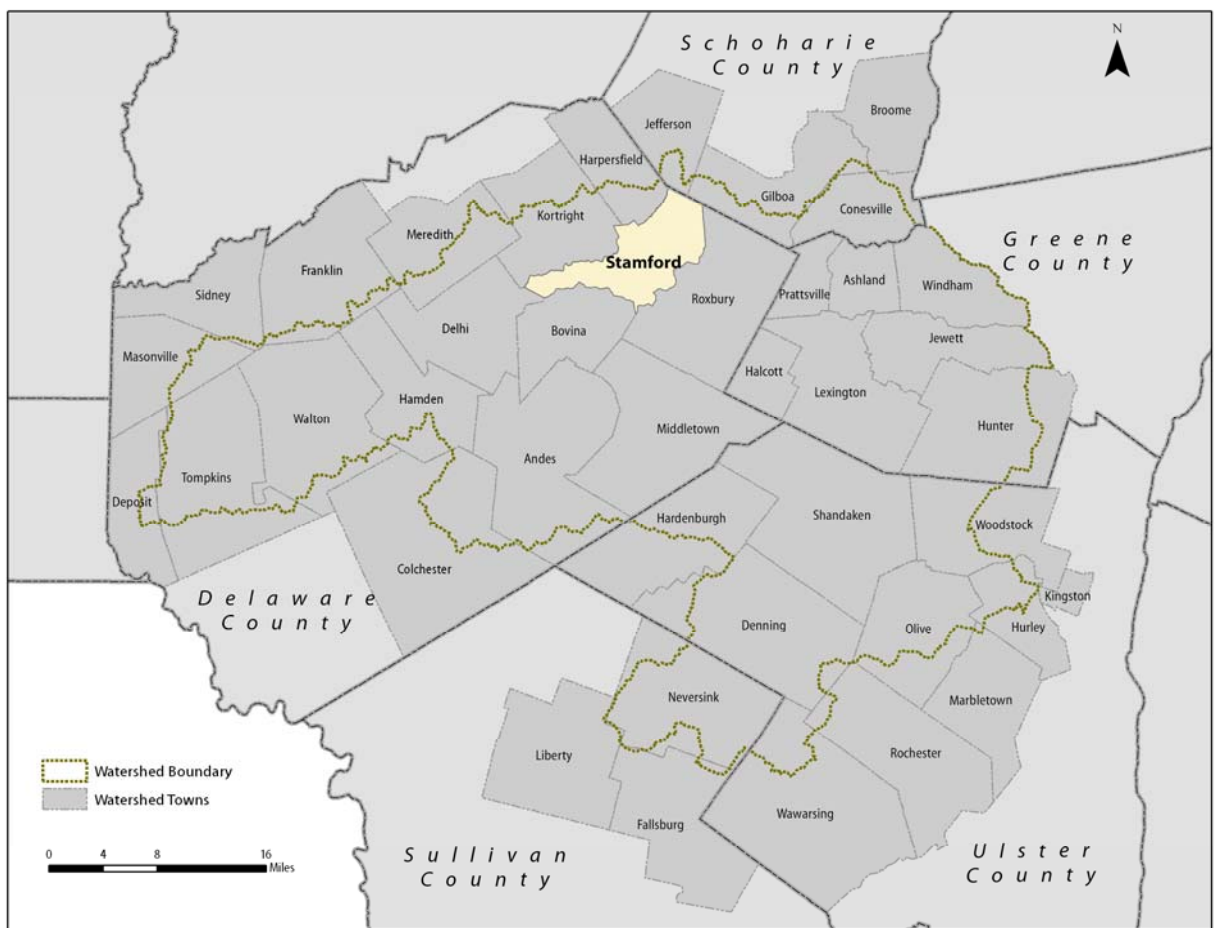
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Middletown.

TOWN OF STAMFORD

EXISTING CONDITIONS

The Town of Stamford is located in northeastern Delaware County. Stamford's resident population in 2008 was estimated to be 1,954 – a slight increase from 2000, but still 4.5 percent below the Town's population in 1990. Stamford, one of the region's leading agricultural centers, is primarily rural in character, with a majority of its residents concentrated in and around the villages of Stamford (part of which is located in the Town of Harpersfield) and Hobart (which is located close to the borders of both Harpersfield and Kortright).

Figure 4-16: Map of Stamford in relation to the watershed



Town of Stamford – Quick Facts	
Land area:	31,120 acres
Percent of town land area within the watershed:	100%
Percent of town protected as of 7/31/09:	27%
Population (estimated), 2008:	1,954
Median age (estimated), 2008:	42
Median household income (estimated), 2008:	\$42,881

Stamford is among the region's more economically diverse towns. It has a large agricultural sector – one of the region's largest manufacturing enterprises (Covidien, with 700 employees, located in the village of Hobart), and a unique cluster of booksellers, also in Hobart. The Village of Stamford has a concentration of businesses serving local residents, and several arts organizations, as well as housing for the elderly, an adult home and a 122-bed nursing home. The Town also has a substantial second-home population – as of 2000, 24 percent of all housing units were for seasonal or recreational use.

Much of the Town's population and commercial activity is concentrated along its northern boundary – in the villages of Stamford and Hobart (and to a lesser extent in the hamlet of South Kortright), paralleling the West Branch of the Delaware River as well as Routes 23 and 10. As noted above, the Village of Stamford – the largest population center in northeastern Delaware County, with a population of more than 1,200 – is partly within the Town of Stamford, and partly in the neighboring Town of Harpersfield. Hobart and South Kortright similarly border on the towns of Harpersfield and Kortright.

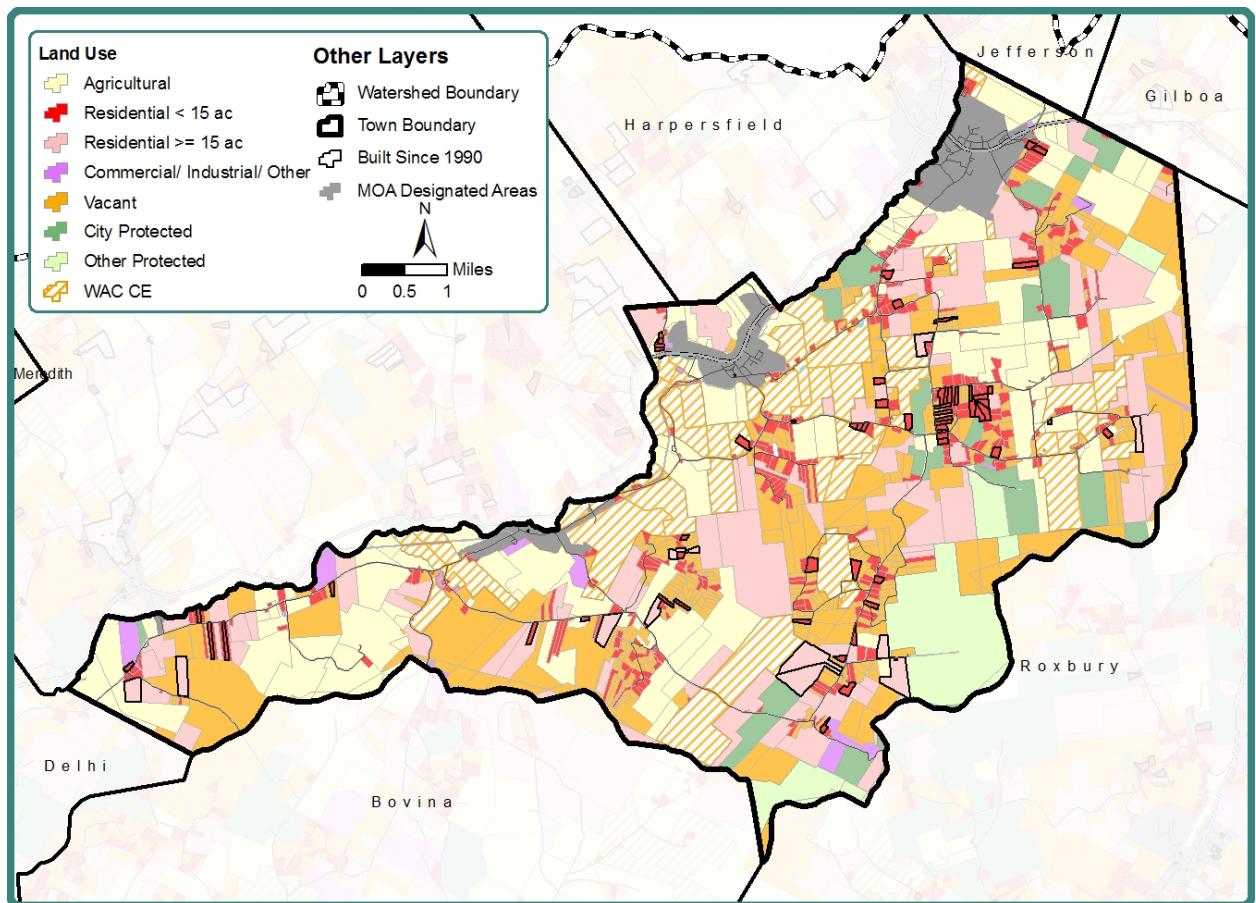
As Table 4-16 and Figure 4-17 show, agricultural land (including land covered by WAC easements) accounts for the largest part of the Town's total area – about 38 percent. Low-density residential land accounts for 17 percent of the total and privately-owned vacant land for 23 percent. In contrast to many watershed towns in Greene and Ulster counties, Stamford has historically had relatively little publicly-protected land. Other than land acquired under LAP, State-owned and other protected land totals only 1,742 acres – less than 6 percent of the Town's total area.

There are several clusters of residential development since 1990, including some more compact developments in the eastern part of the town and low-density residential developments in the southern and western parts of the town (see parcels outlined in black in Figure 4-17). Between 2000 and 2008, the number of housing units in the Town increased by 72; and the same period saw some business growth in the villages.

Table 4-16: Land uses by type

Land Use	Acres	% of Total
Agricultural ¹³	11,718	38%
High-Density Residential	2,389	8%
Low-Density Residential	5,406	17%
Commercial/Other	643	2%
State/Other Protected	1,742	6%
City Protected	1,418	5%
Vacant	7,082	23%
Total Town Acres	31,120	

Figure 4-17: Map of the Town of Stamford, showing land uses, development since 1990



¹³ The agricultural category includes WAC conservation easements.

Previous LAP Activity

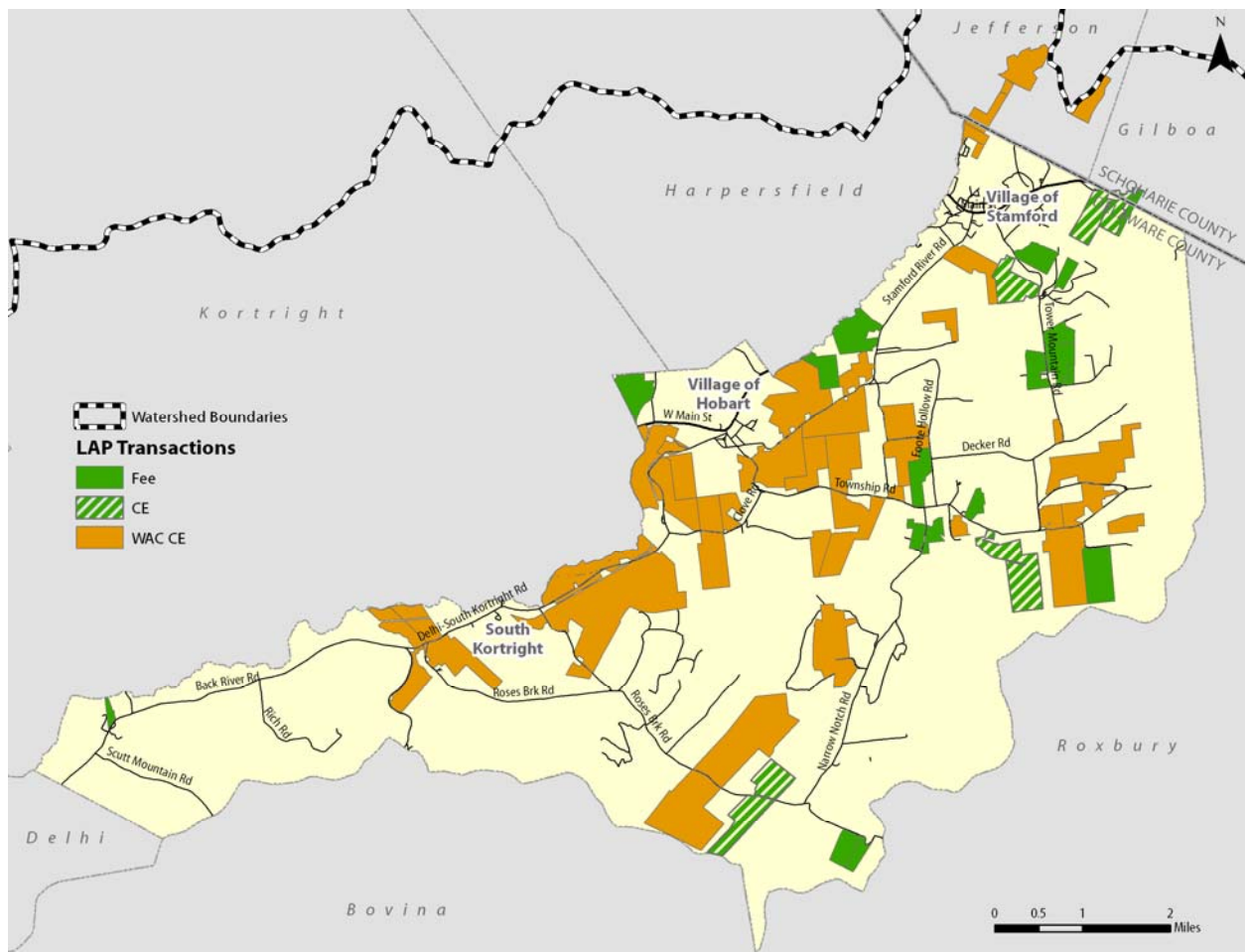
Through July 2009, NYCDEP and WAC had acquired interests in a total of 6,535 acres in Stamford. As shown in Table 4-17 below, WAC agricultural easements account for nearly 75 percent of all land acquired under LAP.

Table 4-17: Acquisitions in the Town of Stamford through July 2009

Type of acquisition	Acres
Fee simple	1,034
Conservation easements	652
WAC agricultural easements	4,849
Total acquired	6,535

Figure 4-18 shows the location of NYCDEP- and WAC-acquired properties in Stamford, by type of acquisition. As shown, a substantial part of the acquired acreage is located in areas immediately adjacent to the Villages of Stamford and Hobart, mostly in the form of WAC easements. Land acquired in fee simple or in the form of City conservation easements is mostly located in the eastern portion of the Town.

Figure 4-18: Map of LAP properties in Stamford, by type of acquisition



Through June 2009, WAC had acquired agricultural easements covering 4,849 acres in Stamford – far more than in any other West-of-Hudson watershed town. These easements cover about 16 percent of the Town’s total area, and about 41 percent of its agricultural land. While WAC easements have helped to preserve farmland, the concentration of these easements in areas just outside the villages of Stamford and Hobart and the hamlet of South Kortright has removed the properties under easement from the pool of land potentially available for development on the outskirts of the two villages and the hamlet of South Kortright.

As of October 2009, NYCDEP had acquired in fee simple a total of 156 acres of land in Stamford previously used for agricultural production. However, NYCDEP had also issued permits to three farm operators for use of a total of 143 acres of this City-owned land for agricultural production. These properties are used primarily for the production of hay.

As of October 2009, NYCDEP has opened 522 acres of land in Stamford that has been acquired under LAP for public recreational use – including 302 acres on which hunting is allowed. This represents slightly more than half of the 1,034 acres that NYCDEP has acquired in fee simple within Stamford since the beginning of the land acquisition program – and a major addition to the Town’s overall supply of land available for public recreational use.

Pursuant to the MOA, the Town designated hamlet areas totaling 1,331 acres. The Town did not elect to preclude LAP fee simple purchases in the hamlet of South Kortright, or in the Village Extension Areas around Stamford and Hobart, but the Villages of Stamford and Hobart did elect to preclude fee simple acquisitions within their borders. This helps ensure that LAP fee purchases do not conflict with future development potential and plans within the villages. However, as shown in Figure 3, the land on which WAC has acquired easements includes substantial tracts of land in areas immediately adjacent to the Villages of Hobart and Stamford, and the hamlet of South Kortright. To the extent that these areas are potentially more attractive for development – for example, because of proximity to commercial areas and major roads – WAC conservation easements will limit development in areas within the Town of Stamford adjacent to these communities. However, there does not appear to be significant development pressure in these areas. Although there has been some commercial business development within the Village of Stamford over the past decade, the Village’s comprehensive plan notes that there are 85 vacant parcels, many of which could be developable, including a site identified for potential affordable housing, and there are further opportunities for redevelopment. There could be redevelopment opportunities in the Village of Hobart and hamlet of South Kortright as well. Furthermore, the preclusion of LAP purchases within the villages ensures that the villages can support future opportunities for commercial development. In recognition of the growth concerns raised by local officials, as part of the land acquisition negotiations with regulators and local officials, NYCDEP supports extending the opportunity to local governments to exclude WAC and NYCDEP easements (in addition to excluding NYCDEP fee simple acquisitions) within designated areas in the Extended LAP.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Delaware County is expected to decline slightly. At the same time, the demand for second homes in the area may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” estimated future residential development is based on the rate of development during the past two decades. Assuming that the pace of new development in Stamford (as measured by new residential units) remains the same as it was between 1990 and 2008, it is estimate that 84 new units would be developed in the Town between 2010 and 2022, and that the land required to support this new development would total approximately 459 acres.

Between 2010 and 2022, Stamford is also likely to see a continued decline in land used for agricultural purposes, coupled with slow growth in a number of other sectors. Stamford’s ability to retain (and if possible build on) its existing manufacturing base could be critical to the health of the Town’s economy during this period.

The vision of the community set forth in the Village of Stamford’s comprehensive plan cites several factors as contributing to the qualities that “make Stamford special.”

Physical beauty and a mountain setting are assets that draw residents and visitors to the Village. The small size of the community, coupled with the quiet, rural setting, creates a safe, family-oriented atmosphere. Also because of this setting, residents of Stamford have endless opportunities to participate in outdoor recreation such as camping, hiking, hunting, fishing, cycling, snowmobiling, cross-country and downhill skiing. Given these

excellent recreational opportunities and beautiful setting, it is no coincidence that the Village has a number of second homes.

Residents of the Village are fortunate in enjoying a rural setting while having access to an array of community services such as water and sewer, fire protection, snow removal, basic health care, assisted care facilities, education and a library. Beyond basic services, it is remarkable how many arts and cultural opportunities are found in and around Stamford. This unique aspect of the community provides a major building block for the Village's development strategy. Another distinguishing characteristic of the Village is its rich history as a resort community, reflected in its architecturally interesting building stock. These unique buildings invite tourism-based development strategies. Rehabilitation and street beautification are two obvious components of such strategies.

The plan notes that the Village has seen the development of an array of new businesses since 1995 – mostly retail and service businesses serving the local population. The plan also notes that (as of 2007) there were sites available within the village center for both new commercial development and affordable housing.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

NYCDEP estimates that through 2022, it could acquire an additional 3,035 acres either in fee simple or through NYCDEP conservation easements within the Town of Stamford. Based on the developable percentage of land acquired in fee simple or as conservation easements as of June 2009, it is estimated that these acquisitions could include approximately 502 acres of developable land.¹⁴

NYCDEP further estimates that WAC could acquire an additional 1,504 acres in easements during the same period. It is estimated that this total would include about 685 acres of developable land. If the Town and Villages elect to preclude LAP and WAC acquisitions under the proposed settlement some of these projected easements would likely be precluded.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Stamford would still be left with approximately 72 percent of the town's current stock of developable land.

¹⁴ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic is considered undevelopable.

Table 4-18: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant, low-density residential or agricultural land in 2009		4,939 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	3,035 acres	
Projected WAC acquisitions	1,504 acres	
Developable vacant, low-density residential or agricultural land acquired		1,187 acres
Residential Development, 2010-2022		
Projected housing units built	84 units	
Land needed for housing	459 acres	
Developable portion of land needed for housing		199 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		3,554 acres
Percent of 2009 developable vacant, low-density residential or agricultural land remaining in 2022		72 percent

The potential impact of additional acquisitions can also be assessed in terms of their impact on the character of the community. Aside from its limited impact on the supply of developable land, the Extended LAP's impact on socioeconomic conditions and community character in Stamford is likely to be at least neutral for the reasons discussed below.

Further acquisitions in fee simple, and NYCDEP's continuing review of policies governing recreational uses of watershed land, could result in an increase in the City-owned acreage in Stamford available for public recreational use. Assuming that the percentage of newly-acquired land opened to public recreational use is similar to what it has been through 2009, more than 900 acres of land acquired in fee simple through 2022 could be made available by NYCDEP for public recreational use. NYCDEP's policies on active management of forest land will also likely result in greater use of NYCDEP-owned land for productive activities such as timber harvesting. Preservation of the town's natural environment will support local efforts to develop visitor-oriented businesses, building on such assets as the Catskill Scenic Trail and the Mt. Utsayantha Trail.

Since the adoption of the MOA, economic development efforts in the region have emphasized growth within hamlets and village centers.¹⁵ And while the Town has not sought to expand the hamlet areas designated pursuant to the MOA, the Town and Village boards may elect to preclude easement acquisitions within the existing hamlet designated areas in the future, which would help to reduce future conflicts between NYCDEP acquisitions and village revitalization efforts.

CONCLUSIONS

Between 2010 and 2022, it is projected that NYCDEP could acquire more than 3,000 acres in fee simple or conservation easements in Stamford. These acquisitions could help preserve the quality of the Town's natural environment, and could result in the opening of more than 900 acres of City-owned land for public recreational use. In addition, it is projected that during the same period WAC could acquire farm easements on more than 1,500 acres of agricultural land. Despite these acquisitions, the remaining supply of developable land would be adequate to support the projected level of new development through 2022 and beyond.

As noted above, local officials have raised concerns about the impact of past WAC acquisitions on the availability of land for development in and around the Villages of Stamford and Hobart

¹⁵ Village of Stamford Comprehensive Plan, April 2007.

and the hamlet of South Kortright. In recognition of these concerns, NYCDEP – in its negotiations with regulators and local officials – supports the exclusion of WAC easements from designated hamlet areas as part of the Extended LAP. If agreed upon by all parties to the negotiations, this would leave remaining land potentially available for growth within the designated areas, while allowing WAC’s projected acquisition of farm easements elsewhere in the Town.

Furthermore, there does not appear to be significant development pressure in these areas. Commercial development has been focused within the two villages, and it is expected that opportunities for redevelopment and new commercial development will continue to be available in the Villages of Hobart and Stamford. The preclusion of LAP purchases within the villages ensures that they can support future opportunities for commercial development. New residential development can be expected to continue to be accommodated in the outlying portions of the Town.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions, or community character in the Town of Stamford.

GREENE COUNTY

TOWN OF ASHLAND

EXISTING CONDITIONS

The Town of Ashland is one of Greene County's "mountaintop towns." Ashland's resident population in 2008 was estimated to be 827 – a 10 percent increase since 2000, making the Town one of the fastest-growing in the West-of-Hudson watershed.

Figure 4-19: Map of Town of Ashland in relation to west-of-Hudson watershed



Town of Ashland – Quick Facts

Land area:	15,987 acres
Percent of town land area within the watershed:	100%
Percent of land protected	19%
Population (estimated), 2008:	827
Median age (estimated), 2008	42.4
Median household income (estimated), 2008	\$43,457

Ashland is a largely rural, primarily residential community. As shown in Table 4-19 and Figure 4-20, more than 60 percent of the Town's land area consists of low-density residential or vacant land, with higher-density development taking place primarily along the State Route 23 and other main roads.

Like other mountaintop towns, Ashland has a strong second home sector: about 42 percent of all housing units in 2000 were for seasonal or recreational use. Between 2000 and 2008, the Town's housing stock grew by 12 percent. Much of the Town's recent development (as shown in the black highlighted parcels on Figure 4-20) has occurred along Route 23, Sutton Hollow Road and Route 10, or on the eastern side of the Town (bordering Windham). Using data on building permits, it is estimated that between 2000 and 2009, about 81 new housing units were built in Ashland.

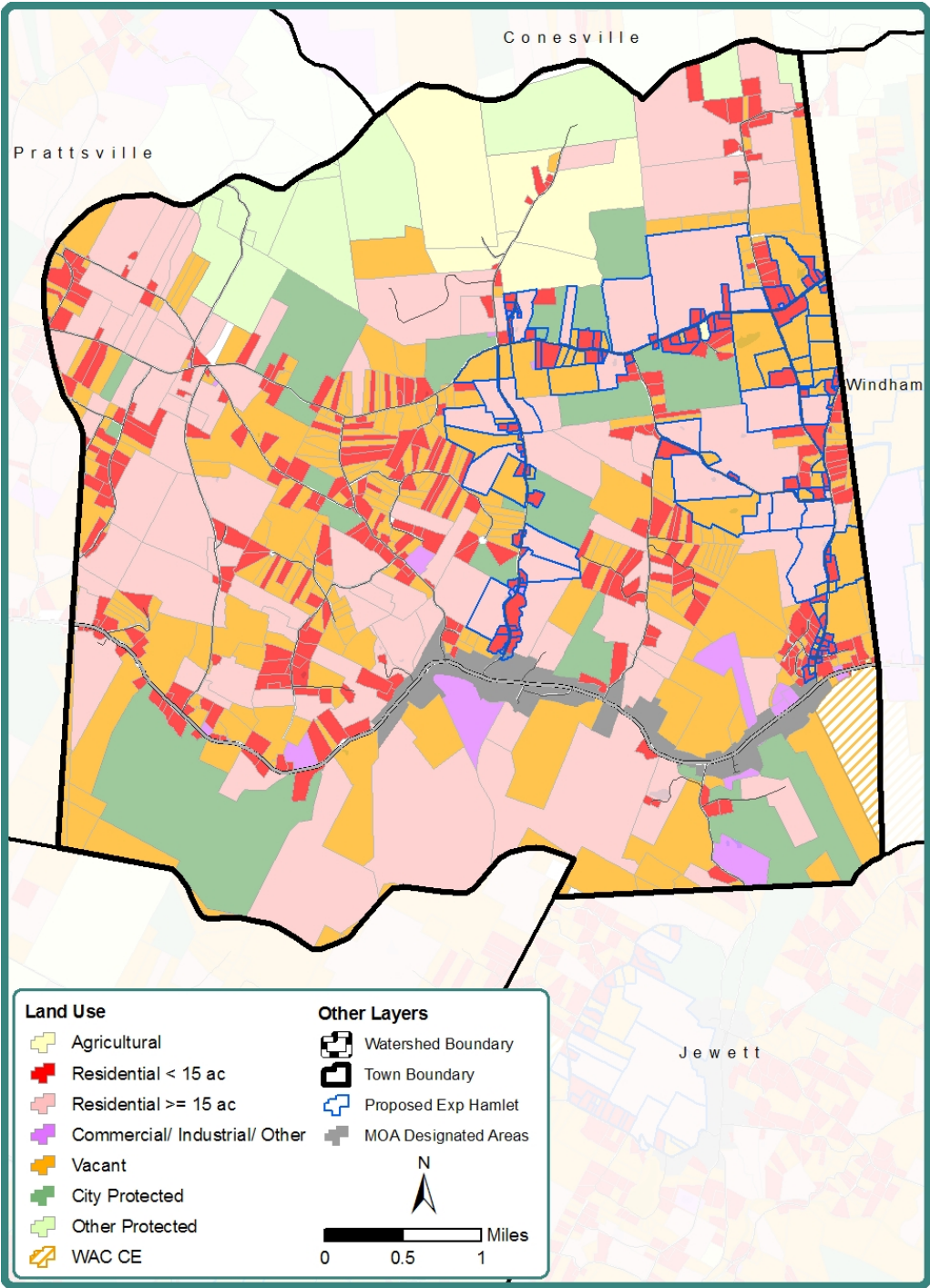
Commercial activity in Ashland is limited, consisting largely of small businesses serving the local population. It also includes a winery and the mountaintop area's only active bluestone mine. Commercial and community activity in Ashland is concentrated primarily along Route 23. As Figure 4-20 shows, Ashland currently has a limited amount of land in agricultural use – in the northern part of the Town (near Conesville) and in its southeastern corner (bordering Windham).

Table 4-19: Land uses by type

Land Use	<i>Acres</i>	<i>% of Total</i>
Agricultural ¹⁶	963	6%
High-Density Residential	1,868	12%
Low-Density Residential	5,611	35%
Commercial/Other	301	2%
State/Other Protected	1,035	6%
City Protected	1,811	11%
Vacant	4,058	25%
Total Town Acres	15,987	

¹⁶ The agricultural category includes WAC conservation easements.

Figure 4-20: Map of Ashland showing land use and protected land within the Watershed



Previous LAP Activity

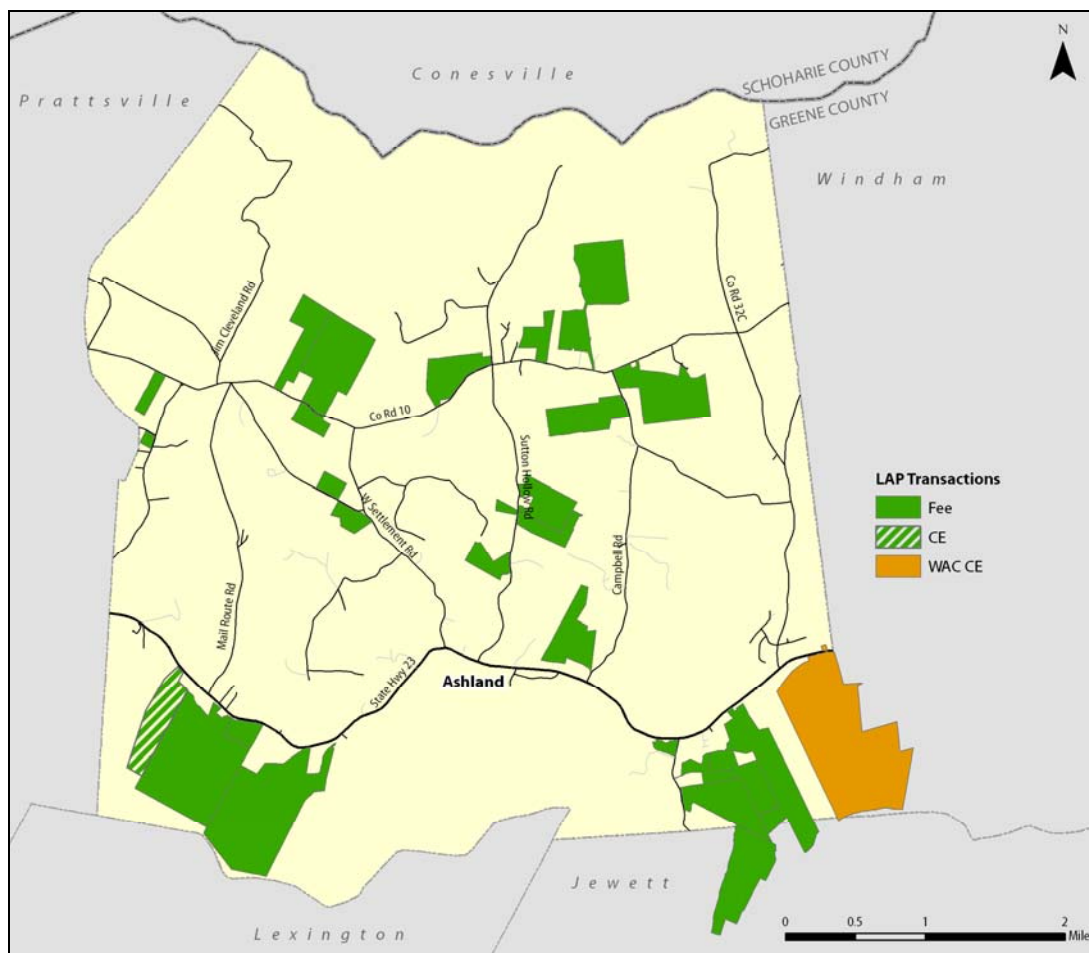
Through June 2009, NYCDEP had acquired a total of 2,068 acres in Ashland pursuant to the 1997 MOA. As shown in

Table 4-20 below, purchases of land in fee simple account for about 88 percent of all LAP acquisitions in the Town. Figure 4-21 shows the location of LAP properties in Ashland, by type of acquisition.

Table 4-20: Acquisitions in the Town of Ashland through July 2009

Type of acquisition	Acres
Fee simple	1,812
Conservation easements	77
WAC agricultural easements	178
Total acquired	2,068

Figure 4-21: Map of LAP properties in Ashland, by type of acquisition



As of October 2009, NYCDEP had acquired 18 acres in fee simple that prior to acquisition had been in active agricultural use. In 2008, NYCDEP issued a five-year permit for agricultural use of 28 acres of land it had acquired in fee simple; the property is currently being used as pasture and for the production of hay. WAC has also purchased an easement covering 77 acres of farmland in the southeastern portion of the town.

Of the 1,812 acres that NYCDEP acquired in fee simple as of July 2009, 986 acres – 53 percent of the total – had been opened for public recreational use as of October 2009. This represents a significant addition to recreational resources in a Town with a relatively small amount of protected, publicly-owned land. State-owned land in Ashland totals only 1,035 acres, or about 6 percent of the Town's total area.

Pursuant to the watershed MOA, the Town designated parcels with a total of 362 acres as the hamlets of Ashland and East Ashland. These parcels are along Route 23, and cannot be acquired by the City in fee simple, helping to ensure that such acquisitions do not conflict with commercial and residential development in these hamlet areas.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Greene County is expected to grow by about 3 percent – significantly slower than the rate of growth in Ashland during the past decade. At the same time, the demand for second homes in the mountaintop towns may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” we have nevertheless estimated future residential development based on the rate of development during the past two decades. Assuming that the pace of new development in Ashland (as measured by new residential units) remains the same as it was between 1990 and 2008, it can be estimated that about 84 additional units would be built by 2022; and that the land required to support this new development through 2022 would total approximately 449 acres, including 260 acres of land characterized as developable¹⁷ – about 8 percent of the Town's supply of such land as of 2009.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based in part on LAP's experience in Ashland to date, NYCDEP estimates that through 2022, it is projected to acquire an additional 1,778 acres either in fee simple or through conservation easements. Based on the percentage of the Town's low-density residential and vacant land that is developable as of 2009, it is estimated that this total would include approximately 698 acres of

¹⁷ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Group D).

developable land – about 21 percent of the Town’s supply of developable vacant and low-density residential land as of 2009.

In additional to the land and easements acquired by NYCDEP, between 2010 and 2022 WAC is expected to acquire easements on 170 acres of agricultural land in Ashland.

As shown in the following table, it is thus estimated that after taking into account both LAP acquisitions and the land required to support new development, Ashland would have 2,393 acres of developable vacant and low-density residential land remaining in 2022 – approximately 71 percent of the Town’s current stock of such land.

Table 4-21: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		3,351 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	1,778 acres	
Developable vacant or low-density residential land acquired		698 acres
Residential Development, 2010-2022		
Projected housing units built	84 units	
Land needed for housing	449 acres	
Developable portion of land needed for housing		260 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		2,393 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		71 percent

NYCDEP’s projected acquisitions in Ashland through 2022 are unlikely to adversely affect the predominantly rural, low-density character of the Town. Moreover, additional WAC easements are likely to help preserve some of the Town’s remaining agricultural activity.

Under a proposed agreement among the Town, NYCDEP, the regulatory agencies and other stakeholders, Ashland’s designated hamlet areas would be expanded from 362 to 1,676 acres. This agreement would help ensure that land remains available to accommodate further development in areas along Sutton Hollow Road and Route 10, and on the Town’s eastern edge, bordering Windham – areas that appear to have significant potential for further growth.

CONCLUSIONS

While the number of acres that could be acquired in Ashland under the Extended LAP is substantial, there is likely to be sufficient developable land available to accommodate projected growth through 2022. Moreover, the significant proposed increase in the size of the Town’s designated hamlet areas would help alleviate any potential conflict between acquisitions under Extended LAP and the need for land for development. Acquisitions in outlying areas would help preserve Ashland’s natural environment; and additional WAC easements could help preserve its remaining farmland.

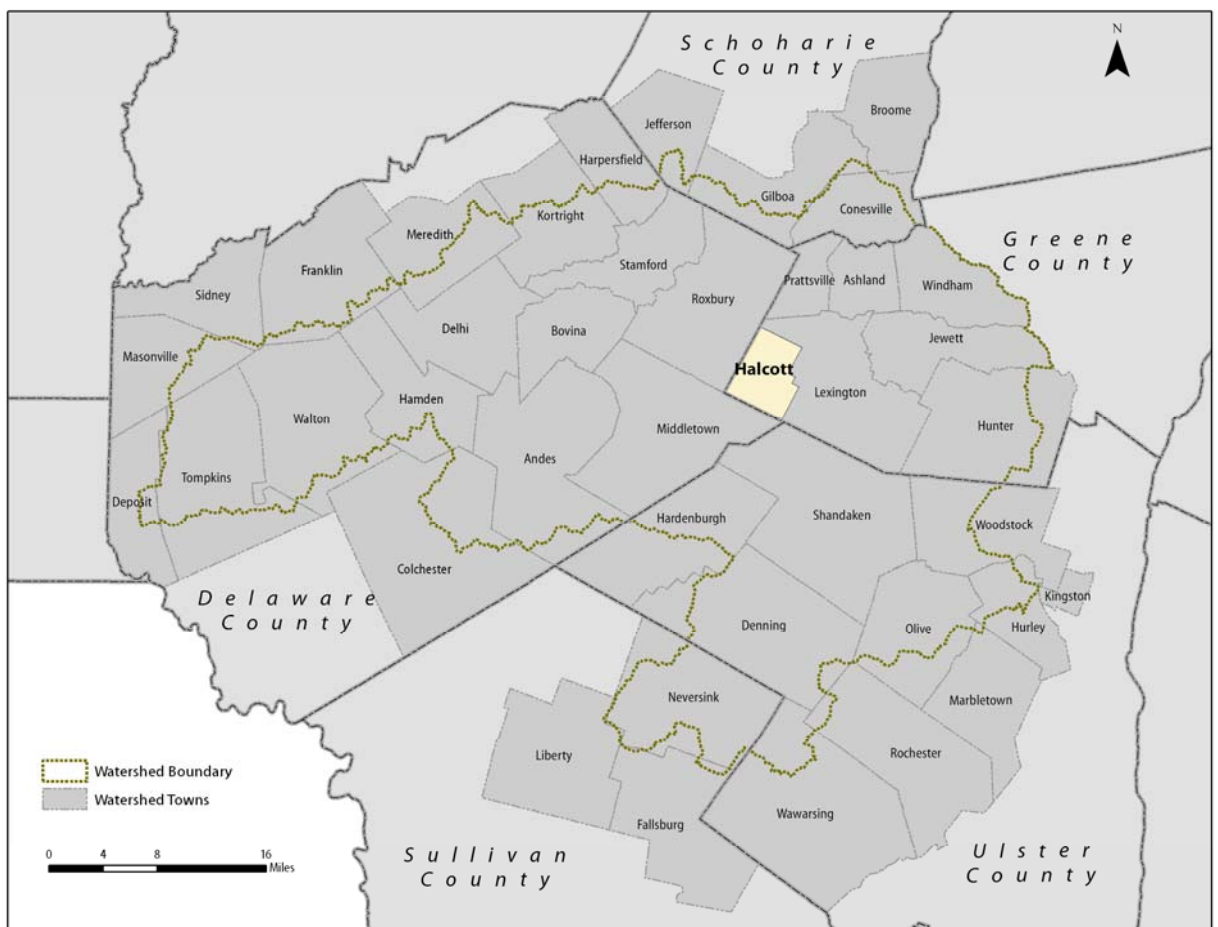
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Ashland.

TOWN OF HALCOTT

EXISTING CONDITIONS

With an estimated 203 residents in 2008, Halcott – the westernmost of Greene County’s “mountaintop towns” – is the least-populated of the West-of-Hudson watershed towns. The Town’s population is estimated to have grown by about 5.2 percent since 1990, with all of the increase coming after 2000. The town is almost entirely rural in character, with a population density of 9.0 per square mile.

Figure 4-22: Map of Town of Halcott in relation to west-of-Hudson watershed



Town of Halcott – Quick Facts

Land area:	14,375 acres
Percent of town land area within the watershed:	100%
Percent of land protected	35%
Population (estimated), 2008:	203
Median age (estimated), 2008	48
Median household income (estimated), 2008	\$36,654

Halcott's location contributes to its small population and rural character. The northern reaches of the Town are dominated by the Bear Pen and Vly Mountains, which effectively limit access to and from Halcott to roads coming from the south. The Town's limited developed land is concentrated in the hamlet of Halcott and along several Town roads which parallel Vly Creek and its tributaries.

As shown in Table 4-22 and Figure 4-23 land use in Halcott is primarily low-density residential, with clusters of higher-density residential development along Silas Lake Road, County Road 3 and Elk Creek Road. Halcott also has a substantial second-home population. In 2000, 54 percent of the town's 209 housing units were for seasonal or part-time use. About 31 percent of Halcott is privately-owned vacant land, and there is very little (about 4 acres) commercial, industrial or community land use in the Town. Halcott's 2003 comprehensive plan states that the Town has only a few commercial enterprises, most of which are home-based. Agriculture has long been a feature of life in Halcott. The Town's 2003 comprehensive plan states that as of 2003 there were only two commercial farms operating in the Town; but that many land-owners engage in a variety of smaller-scale, less-formal agricultural activities.

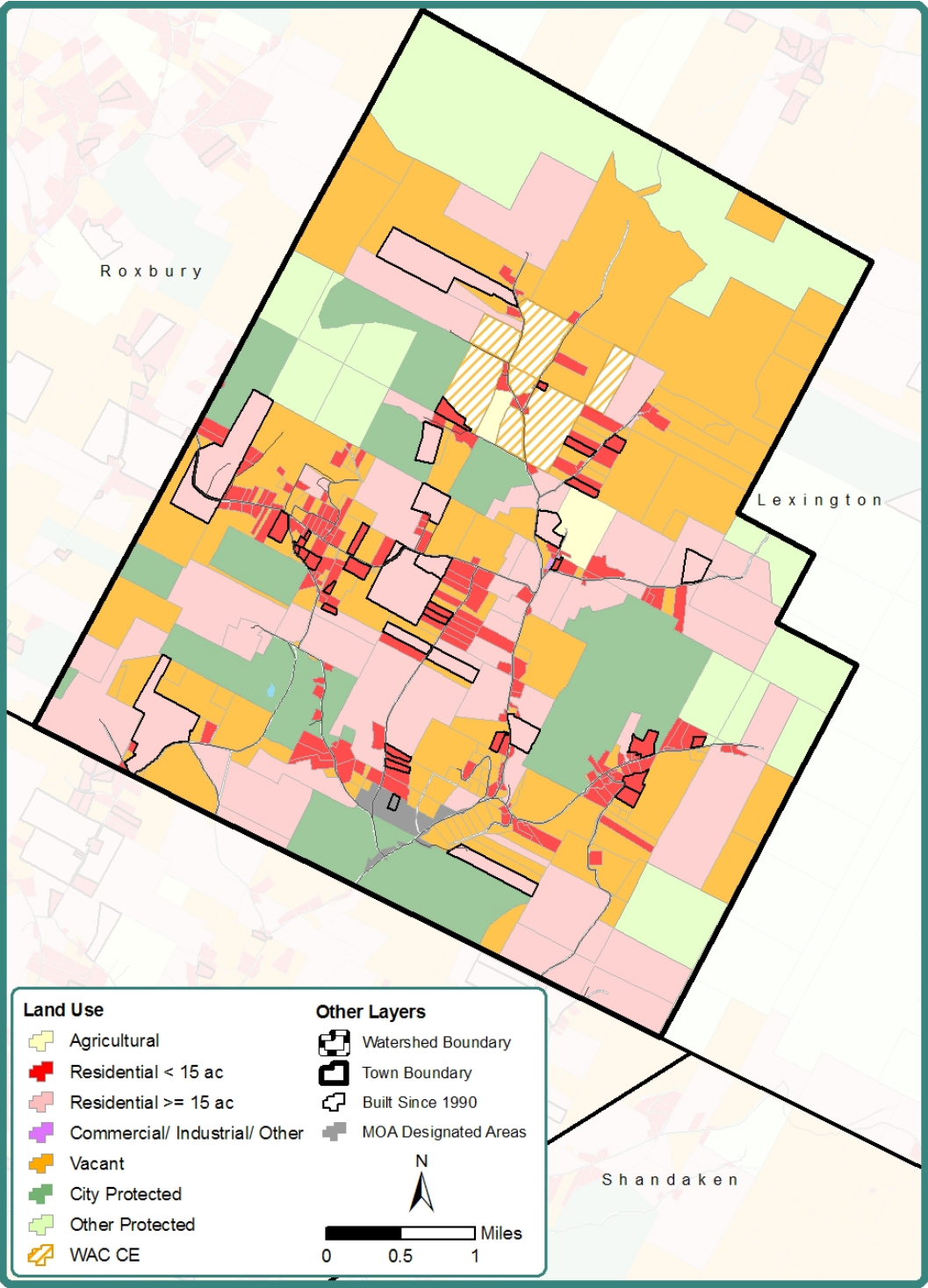
Most development since 1990 (as shown by the parcels outlined in black in Figure 4-23), occurred in or near Silas Lake Road, County Road 3 and Elk Creek Road. Based on building permit data, it is estimated that between 2000 and 2009, 18 new housing units were built in Halcott.

Table 4-22: Land uses by type

Land Use	Acres	% of Total
Agricultural ¹⁸	523	4%
High-Density Residential	936	7%
Low-Density Residential	3,930	27%
Commercial/Other	4	0%
State/Other Protected	2,488	17%
City Protected	2,028	14%
Vacant	4,421	31%
Total Town Acres	14,375	

¹⁸ The agricultural category includes WAC conservation easements.

Figure 4-23: Map of the Town of Halcott, showing land use, protected land and proposed hamlet expansion areas



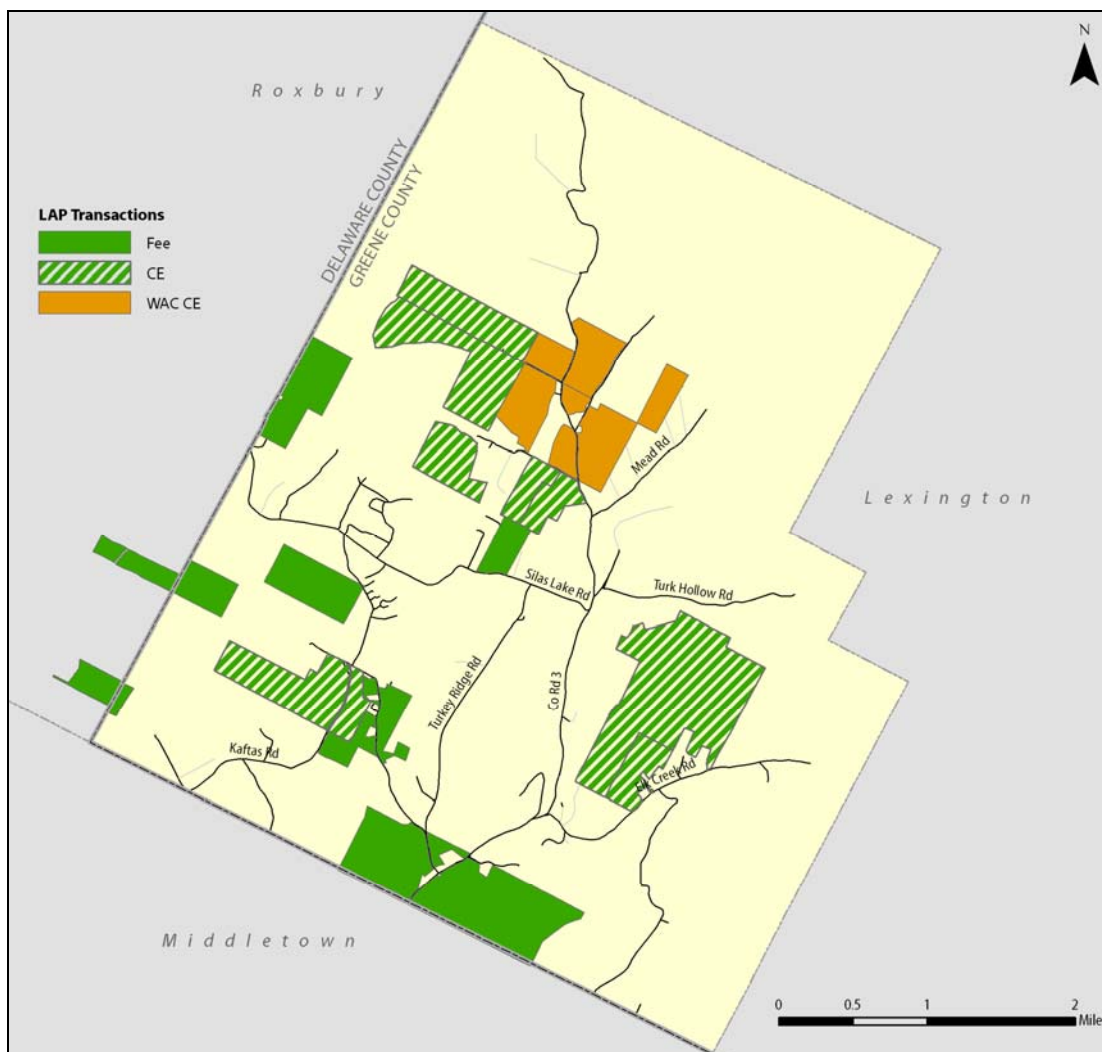
Previous LAP Activity

Through July 2009, NYCDEP had acquired a total of 2,611 acres in Halcott pursuant to the 1997 MOA – 18.2 percent of the town’s land area. As shown in Table 4-23 below, conservation easements acquired by the City account for nearly half of the total acreage acquired under LAP. Figure 4-24 shows the location of LAP properties in Halcott, by type of acquisition.

Table 4-23: Acquisitions in the Town of Halcott through July 2009

Type of acquisition	Acres
Fee simple	919
Conservation easements	1303
WAC agricultural easements	389
Total acquired	2,611

Figure 4-24: Map of LAP properties in Halcott, by type of acquisition



Through 2009, WAC has acquired agricultural easements on 389 acres of farmland – about 75 percent of the Town’s agricultural land. As of October 2009, NYCDEP had acquired in fee simple 47 acres of land previously used for agricultural production. To date, the Department has not issued permits for agricultural use of any of this land.

As of October 2009, a total of 394 acres acquired by NYCDEP in fee simple in Halcott had been opened by NYCDEP for recreational use – more than 42 percent of the land that NYCDEP has acquired in fee simple in the Town since the beginning of the Land Acquisition Program.

Pursuant to the 1997 MOA, Halcott designated a hamlet area totaling 69 acres. However, the Town did not elect to preclude fee simple acquisitions in these areas.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Greene County is expected to grow by about 3 percent – somewhat slower than the rate of growth in Halcott during the past decade. At the same time, the demand for second homes in the mountaintop towns may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development has nevertheless been estimated based on the rate of development during the past two decades. If the pace of new development in Halcott (as measured by new residential units) remains the same as it was between 1990 and 2008, it is estimated that the land required to support new development through 2022 would total approximately 206 acres – including 79 acres of land characterized as developable.¹⁹

Beyond the projected rate of new residential development, conditions in Halcott are likely to remain stable – a very low-density rural community, with limited commercial activity geared primarily to serving the local population.

In a survey of residents and second-home owners conducted as part of the planning process, the three issues identified as being most critical to Halcott’s future were preserving the community’s rural character, maintaining the quality of the environment, and open space preservation. (All three rated ahead of keeping taxes low and keeping roads in good repair.)

A community workshop held in conjunction with the planning process similarly found nearly-unanimous opposition to any type of larger-scale commercial or industrial development, or

¹⁹ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic in considered undevelopable.

development of any type of multi-family housing. The plan notes that “people highly value the small family farms and working landscapes remaining in Halcott.”

Addressing the future, the vision statement included in Halcott’s 2003 comprehensive plan says that:

In the future, our natural beauty and secluded rural character remain the most prominent features of Halcott. The landscape is a mix of undeveloped open and forested land, thriving farms and low-density rural residences that are consistent with Halcott’s traditional character. Clean air and clean water, unobstructed views of the mountains and an abundant wildlife community exist throughout the town. Agriculture is actively encouraged and sustained locally in a non-polluting manner...

The plan describes the Town’s goals as follows:

- 1) *Land Use: Halcott will utilize land use laws appropriate to a small town to maintain its rural character. The Town will continue to operate with an understanding of the New York City watershed regulations and will consider the impact of Town policy on state-owned lands and Catskill Forest Preserve lands located within the Town boundaries.*
- 2) *Visual Resources: Policies will guide development to conserve the rural views valued by the community.*
- 3) *Community Character: The continuation of Halcott’s rural atmosphere will be maintained by preserving open space, establishing the Town’s center, and promoting historical resources.*
- 4) *Transportation: Existing roads will be maintained in a safe and cost-effective manner. New development will not create negative impacts on the rural quality of existing roads.*
- 5) *Community Services and Community Building: Communication will be encouraged among all residents. The Town will seek solutions for providing adequate garbage removal and emergency services through Greene County or through reciprocal arrangements with adjacent counties. Townspeople will be educated about existing community resources. The Town will improve recreational opportunities for residents.*
- 6) *Job Opportunities: Home-based and small businesses that are consistent with the rural character and quality environment of the Town will be encouraged.*

The comprehensive plan also calls for promoting “home-based and small businesses that are consistent with the rural character and quality environment of the Town.”

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP’s experience in Halcott to date, NYCDEP estimates that through 2022, it could acquire an additional 1,571 acres either in fee simple or through conservation easements. Based on the developable percentage of land acquired in fee simple or as conservation easements as of June 2009, it is estimated that this total will include approximately 389 acres of developable land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Halcott would still be left with approximately 72 percent of the Town's current stock of developable vacant, low-density residential and agricultural land.

Table 4-24: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant, low-density residential or agricultural land in 2009		1,668 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	1,571 acres	
Projected WAC acquisitions	0 acres	
Developable vacant, low-density residential or agricultural land acquired		389 acres
Residential Development, 2010-2022		
Projected housing units built	24 units	
Land needed for housing	206 acres	
Developable portion of land needed for housing		79 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		1,199 acres
Percent of 2009 developable vacant, low-density residential or agricultural land remaining in 2022		72 percent

As noted in Chapter 3, this estimate of LAP's impact on the Town's supply of developable land needs also to take into account that as of 2009, Halcott's supply of such land is relatively limited. As defined here, developable land represents about 11.6 percent of the Town's total land area; by 2022 it would decline to 8.3 percent. Nevertheless, given its very low density and the modest level of new development projected through 2022, the supply of land in Halcott should be adequate to accommodate both the projected level of LAP acquisitions and the projected rate of growth. Moreover, the Town's plan shows a clear preference for allowing most of Halcott to remain undeveloped.

The impact of additional acquisitions through 2022 can also be assessed in terms of their impact on the character of the community. NYCDEP's acquisition of land and easements in Halcott appears to be broadly consistent with values and vision presented in the Town's 2003 comprehensive plan.

Additional acquisitions under LAP are likely to contribute to the achievement of the Town's goals regarding its rural character, open space and visual resources and are also likely to expand the range of recreational resources available to local residents. Moreover, while LAP may not contribute directly to achievement of the plan's transportation and job creation goals, and does not directly address the Town's objectives in areas such as ensuring the availability of affordable housing and sustainable economic development, it does not appear to be in conflict with these goals.

Despite the relatively high level of program activity projected for Halcott, there appears to be no conflict between additional acquisitions by NYCDEP and the Town's vision for its future. Acquisitions by NYCDEP appear to be consistent with the overall character of the community. And to the extent that they help preserve the Town's remaining farmland, WAC easements also help to maintain the character of the community.

CONCLUSIONS

The acquisition of additional land in Halcott under Extended LAP would help preserve the Town's very-low-density, rural character, and would leave sufficient developable land to accommodate the limited future development projected for Halcott. Moreover, the Extended LAP would generally not conflict with the small-scale commercial activity that is typical in Halcott.

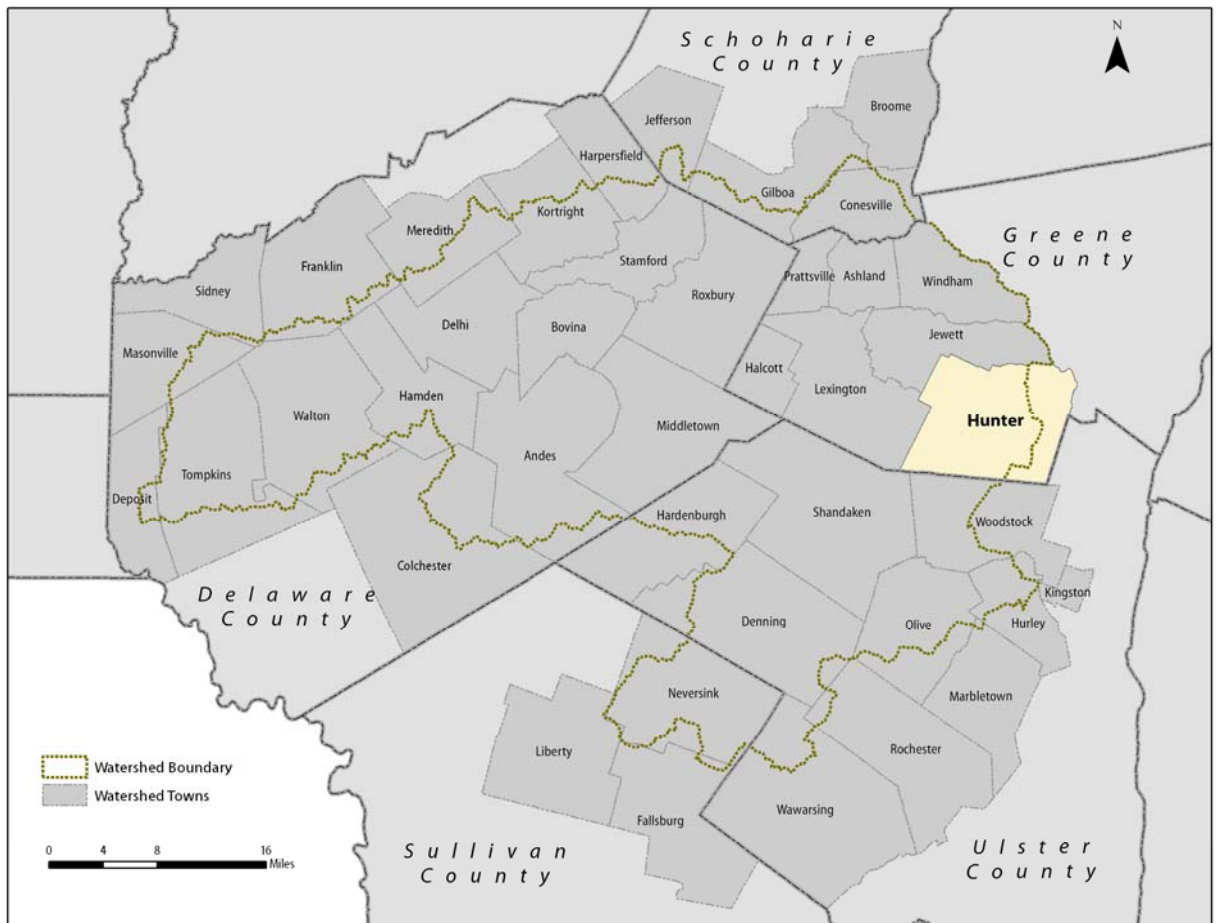
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Halcott.

TOWN OF HUNTER

EXISTING CONDITIONS

The Town of Hunter, located in southern Greene County, is one of the county's "mountaintop towns." Hunter's resident population in 2008 was estimated to be 2,759. The Town's population grew by 29 percent in the 1990s; but has grown only slightly since 2000. Population centers include the Villages of Hunter and Tannersville and several hamlets, including Maplecrest, Haines Falls and Onteora Park.

Figure 4-25: Map of Town of Hunter in relation to west-of-Hudson watershed



Town of Hunter – Quick Facts

Land area:	57,702 acres
Percent of town land area within the watershed:	75%
Percent of land protected	58%
Population (estimated), 2008:	2,759
Median age (estimated), 2008	42
Median household income (estimated), 2008	\$41,249

Hunter's economy is centered on skiing and other recreational activities at Hunter Mountain, and other leisure activities elsewhere in the Town. Like many similar towns, Hunter has a strong second-home sector; in 2000, 48 percent of all housing units were for seasonal or recreational use. Much of the Town's commercial activity is concentrated in the two villages. Hunter currently has no land in agricultural use.

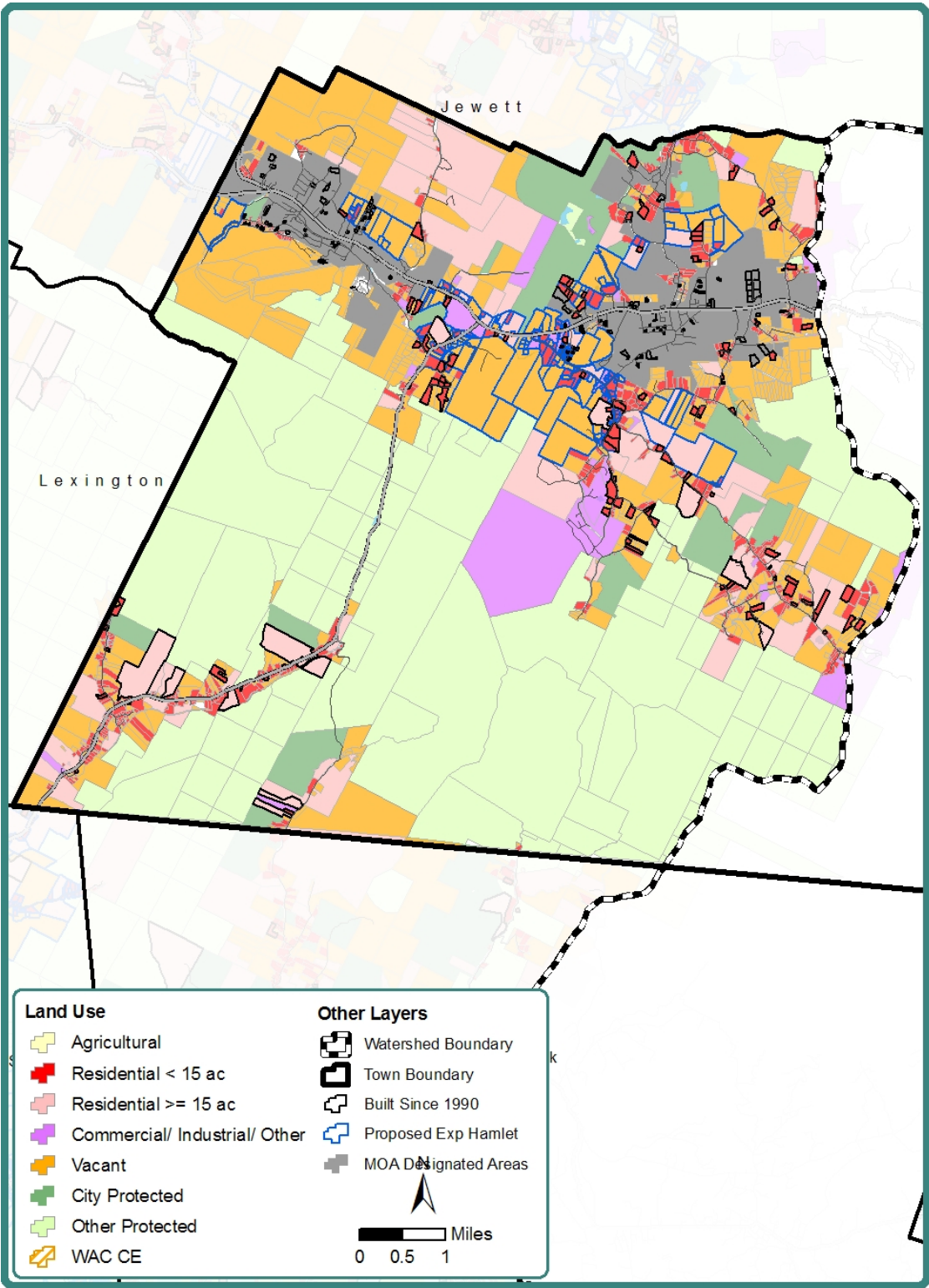
As shown in Table 4-25 and Figure 4-26, state-owned land accounts for more than half the Town's total area, and privately-owned vacant land for 22 percent. A relatively high percentage (5 percent) of Hunter's total area is devoted to commercial, industrial or community uses.

Much of the recent development that has occurred in the watershed portion of Hunter since 1990 (as shown in the black highlighted parcels on Figure 4-26), has been clustered in and near Route 23 and the Villages of Hunter and Tannersville. Using data on building permits, it was estimated that between 2000 and 2009, approximately 120 new housing units were built in Hunter.

Table 4-25: Land uses by type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>
Agricultural	0	0%	0	0%	0	0%
High-Density Residential	2,919	7%	434	3%	3,353	6%
Low-Density Residential	4,217	10%	630	4%	4,847	8%
Commercial/Other	2,168	5%	755	5%	2,923	5%
State/Other Protected	19,870	46%	11,091	76%	30,961	54%
City Protected	2,598	6%	N/A	N/A	2,598	5%
Vacant	10,646	25%	2,164	15%	12,810	22%
Total	43,174		14,529		57,703	

Figure 4-26: Map of the Town of Hunter showing land use, protected land and proposed hamlet expansion areas



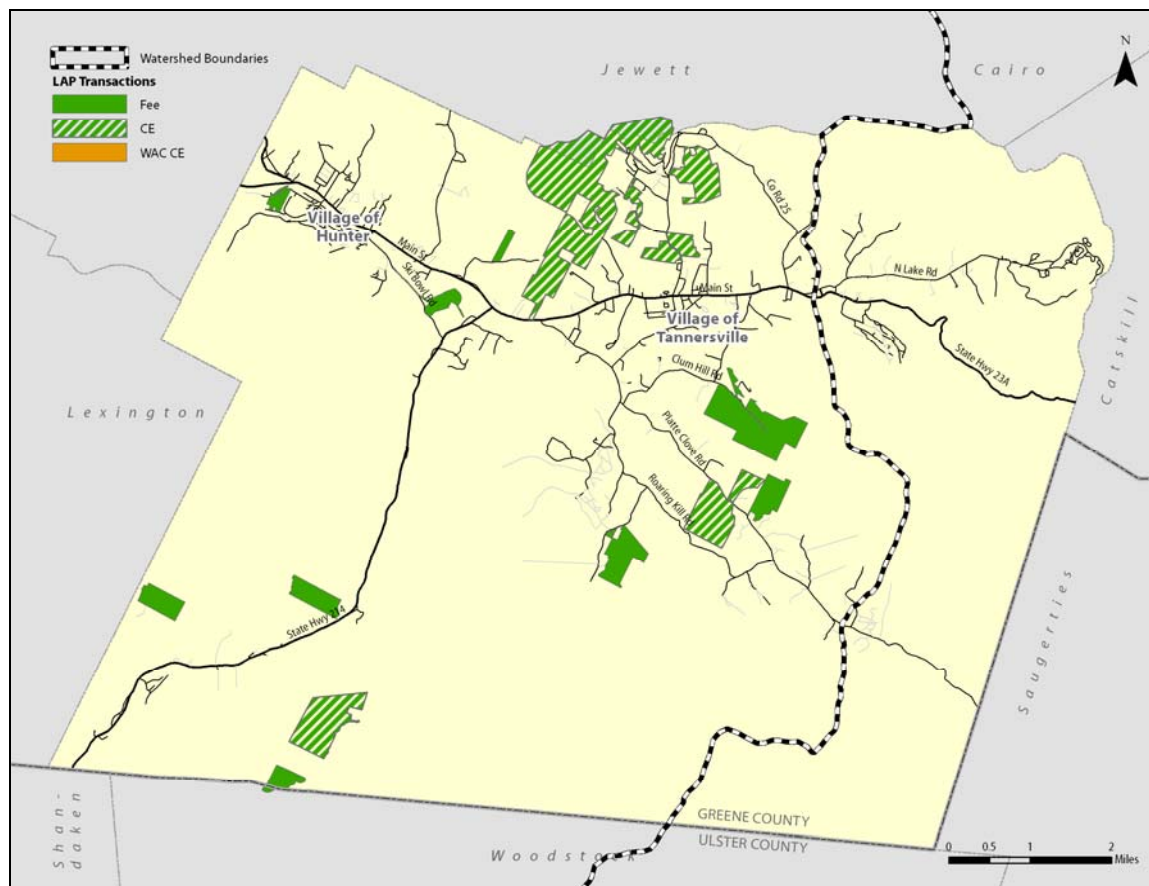
Previous LAP Activity

Through June 2009, NYCDEP had acquired a total of 2,490 acres in Hunter pursuant to the 1997 MOA. As shown in Table 4-26 below, conservation easements account for about 63 percent of all acquisitions in the Town. Figure 4-27 shows the location of LAP properties in Hunter, by type of acquisition.

Table 4-26: Acquisitions in the Town of Hunter through July 2009

Type of acquisition	Acres
Fee simple	933
Conservation easements	1,557
WAC agricultural easements	0
Total acquired	2,490

Figure 4-27: Map of LAP properties in Hunter, by type of acquisition



Of the 933 acres that NYCDEP acquired in fee simple as of July 2009, 666 acres – 71 percent of the total – had been opened for public recreational use as of October 2009. Opening City-owned land for public recreational use reinforces what is already one of the Town’s leading strengths.

As noted above, much of the Town's commercial activity is concentrated in the villages of Hunter and Tannersville. Pursuant to the 1997 MOA, the Town designated hamlet areas in Haines Falls and Onteora Park, and in 2006 the Town elected to preclude further fee simple purchases in these hamlet areas. The Villages of Hunter and Tannersville are also designated areas, although the Village did not elect to preclude fee simple purchases by LAP. These designated areas (totaling 3,251 acres, the largest such area for any watershed town) provide the Town and Village with an opportunity to ensure that acquisition of real property interests by NYCDEP does not conflict with commercial activity in the villages and hamlet areas.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Greene County is expected to grow by about 3 percent – significantly slower than the rate of growth in the County during the past decade. At the same time, the demand for second homes in the mountaintop towns may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development has nevertheless been estimated based on the rate of development during the past two decades. Assuming the pace of new development in Hunter (as measured by new residential units) remains the same as it was between 1990 and 2008, it can be estimated that the land required to support new development through 2022 would total approximately 609 acres, including 348 acres of land characterized as developable²⁰ – about 5 percent of the Town's supply of such land as of 2009.

Several new development projects are currently in various stages of planning in Hunter, including Cortina Mountain Estates, a 94-lot subdivision, Twin Mountain Estates, consisting of 8 duplex residences, and Catskill Camp and Cottages, a 99-lot subdivision in Tannersville. Depending on market conditions and regulatory approvals, construction could begin on those projects within the next several years.

Hunter's most recent comprehensive plan was completed in 2000. This plan cites a series of “primary land use policies” defined in a 1991 Town plan as still being relevant in 2000.

- *Protect the Rural Character and Social, Environmental and Economic Stability of Hunter. Support efforts to concentrate any future development in and near areas where development already exists.*

²⁰ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). land with any one or more of these characteristic in considered undevelopable.

- *Guide Future Growth to Minimize Conflicts among Uses of Land. Future development should complement existing public facility service areas, road network and development patterns.*
- *Balance Municipal Facilities and Services with Population Requirements. As land develops and demographics change, requirements for public services will change as well.*
- *Protect the Outstanding Visual Qualities of Hunter's Landscape. Any new development must be sensitive to this quality.*
- *Encourage Public Input in All Planning and Land Use Decisions. Public participation in and appreciation of the Town's planning and land use efforts is highly desirable.*
- *Provide for a Variety of Housing Types, Living Choices, and Affordable Locations in recognition of the critical need of all families and individuals to have adequate housing, as well as the opportunity for every citizen to live in decent housing within their ability to pay.²¹*

The Town of Hunter has recognized the beauty of the Catskill environment as one of its most important assets. A plan for designation of the "Mountain Cloves Scenic Byway," developed by the Town in collaboration with the Villages of Hunter and Tannersville, the Catskill Center for Conservation and Development and several other organizations, calls both for preservation of the Town's scenic assets and for a more coherent approach to marketing them.

The Hunter Chamber of Commerce similarly characterizes the Town as "famous for its waterfalls, views and vistas," and notes the importance of outdoor recreation – including "hiking trails, mountain biking, fishing streams, camping, swimming, cross-country and downhill skiing" – as one of the Town's most important assets.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP's experience in Hunter to date, NYCDEP projects that through 2022, it will acquire 2,726 additional acres either in fee simple or through conservation easements. Based on the developable percentage of land acquired in fee simple or as conservation easements as of June 2009, it is estimated that these acquisitions would include approximately 1,166 acres of developable land – about 17 percent of the Town's supply of developable vacant and low-density residential land as of 2009.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Hunter would still be left with 5,207 acres of developable vacant and low-density residential land in 2022 – approximately 77 percent of the Town's current stock of such land.

²¹ Town of Hunter, Comprehensive Plan, 2000, p. 17.

Table 4-27: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		6,722 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	2,726 acres	
Developable vacant or low-density residential land acquired		1,166 acres
Residential Development, 2010-2022		
Projected housing units built	305 units	
Land needed for housing	609 acres	
Developable portion of land needed for housing		348 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		5,207 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		77 percent

As noted in Chapter 3, this estimate of LAP's impact on the Town's supply of developable land needs also to take into account that as of 2009, Hunter's supply of such land is relatively limited. As defined here, developable land represents about 11.6 percent of the Town's total land area, and would by 2022 fall to 9 percent. Nevertheless, Hunter's supply of developable land appears to be sufficient to accommodate both additional LAP acquisitions and the projected level of new development.

Moreover, the estimate of remaining developable land in 2022 cited in Table 4-27 could well prove to be conservative. As noted above, the pace of development in Hunter has been considerably slower since 2000 than it was in the 1990s; the assumption that new development will average 25 new units per year could prove to be overstated. The estimate in Table 4-27 of the land required to support new development also assumes an average of 2.0 acres per unit; median parcel size for new units has in fact been smaller during the past decade.

The impact of future acquisitions by NYCDEP can also be assessed in terms of their impact on the character of the community.

The Land Acquisition Program is broadly consistent with the Town's stated policies regarding the preservation of Hunter's rural character, its natural environment and its outstanding visual quality. And by opening more land for public recreational use, the Land Acquisition Program is also helping to reinforce one of the Town's greatest strengths. Future acquisitions are likely have a positive impact in areas such as preserving the Town's visual quality, and are likely to be consistent with the Town's desire to encourage development in already-developed areas. Under a proposed agreement among the Town, NYCDEP, the regulatory agencies and other stakeholders, the Town hamlet areas would be expanded to cover a total of 6,142 acres. The proposed expansion could help ensure that land remains available to accommodate further development in and around the villages of Hunter and Tannersville.

Except to the extent that they support the concentration of new development in areas already served by public infrastructure, additional acquisitions would not directly contribute to maintaining a balance between public facilities and a growing, changing population. It is worth noting however, that other NYCDEP watershed programs have directly assisted the Town in its efforts to maintain this balance. And while LAP would not directly contribute to achieving the Town's affordable housing goals, it is unlikely to have any adverse impact on the Town's efforts in that area.

CONCLUSIONS

Hunter's supply of developable land should be sufficient to accommodate both the projected level of acquisitions under the Extended LAP and substantial new development. Moreover, the proposed expansion of the Town's designated hamlet areas would give Hunter the largest hamlet areas – totaling 6,142 acres – of any of the West-of-Hudson watershed towns. This expansion would help ensure that new acquisitions under the extended LAP are focused primarily in outlying areas, where they would help to protect the natural environment that is so critical to the Town's economy; and that land remains available for development near the Town's village centers.

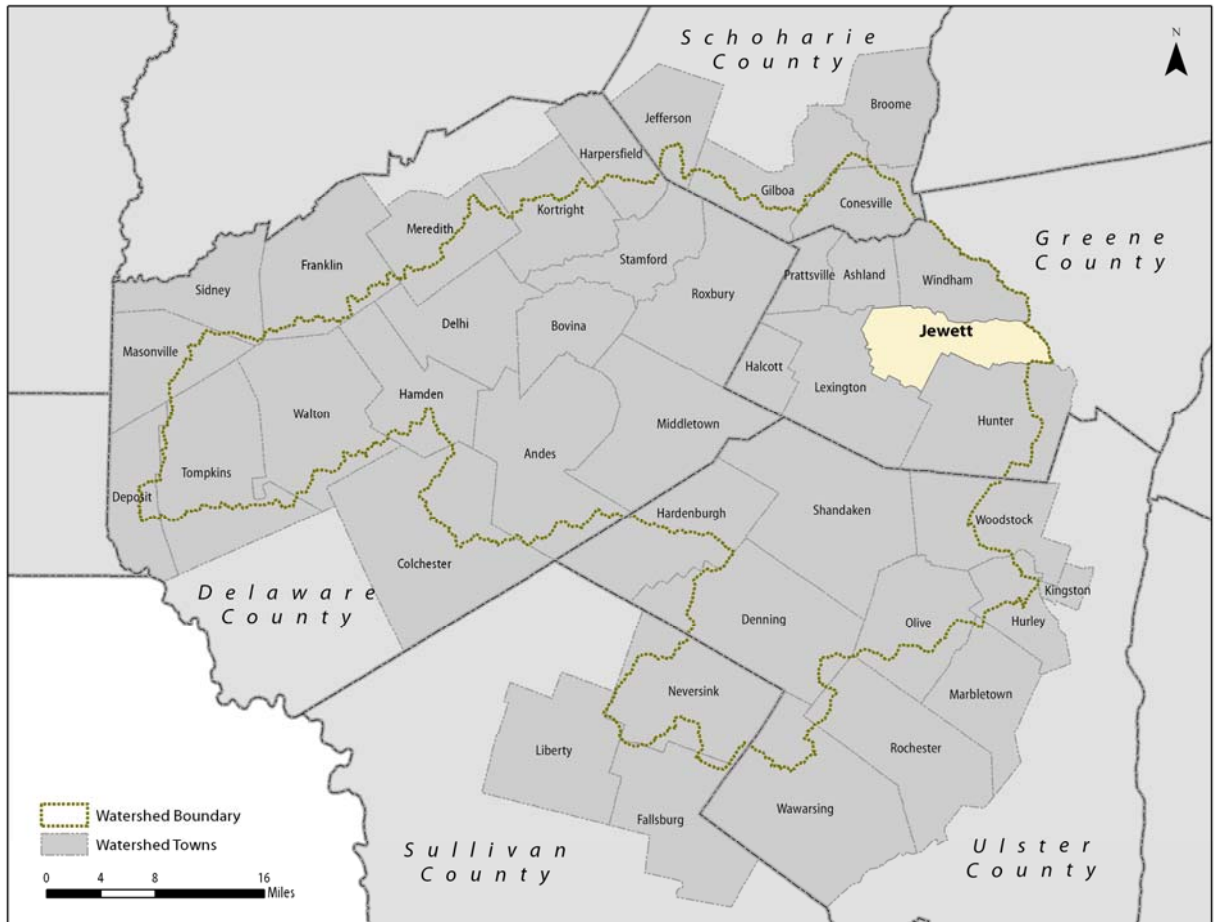
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Hunter.

TOWN OF JEWETT

EXISTING CONDITIONS

The Town of Jewett, one of Greene County's "mountaintop towns," is a low-density, primarily rural town situated between Hunter and Windham. The resident population in 2008 was estimated to be 1,015. The Town's population grew by 4 percent in the 1990s and an additional 5 percent since 2000. Population centers include the hamlets of Jewett and East Jewett.

Figure 4-28: Map of Town of Jewett in relation to west-of-Hudson watershed



Town of Jewett – Quick Facts

Land area:	32,095 acres
Percent of town land area within the watershed:	100%
Percent of land protected	33%
Population (estimated), 2008:	1,015
Median age (estimated), 2008	46
Median household income (estimated), 2008	\$50,097

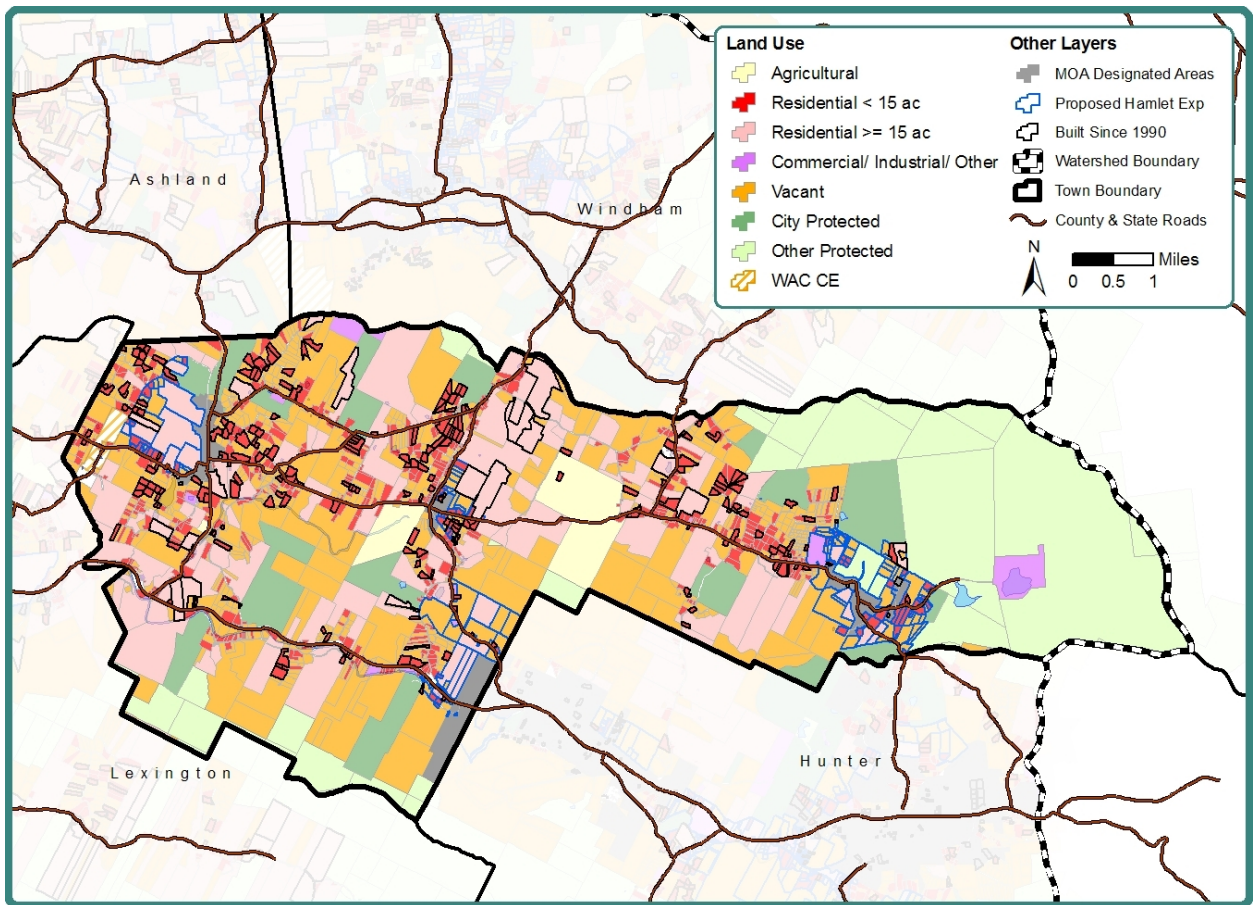
As shown in Table 4-28 and Figure 4-29, about 30 percent of the Town’s total area is privately-owned vacant land; and another 23 percent is protected by the State or other entities. Like most of the mountaintop towns, Jewett has a strong second-home sector; in 2000, 52 percent of all housing units were for seasonal or recreational use. Only 1 percent of Jewett’s total area is devoted to commercial, industrial or community uses. There is limited commercial activity in the Town, consisting mostly of small businesses serving the local population, as well as visitors to the area. Harriman Lodge – a summer camp serving developmentally disabled adults, operated by AHRC New York City – is located near the hamlet of East Jewett.

Using data on building permits, it is estimated that between 2000 and 2009, approximately 68 new housing units were built in Jewett. As shown by the parcels outlined in black in Figure 4-29, most of this recent development is concentrated around the hamlets of Jewett and East Jewett, and in the area north of the Village of Hunter.

Table 4-28: Land uses by type

Land Use	In Watershed/Total	
	<i>Acres</i>	<i>% of Total</i>
Agricultural	1,048	3%
High-Density Residential	3,261	10%
Low-Density Residential	6,747	21%
Commercial/Other	425	1%
State/Other Protected	7,414	23%
City Protected	2,852	9%
Vacant	9,783	30%
Total	32,095	

Figure 4-29: Map of the Town of Jewett showing land use, protected land and proposed hamlet expansion areas



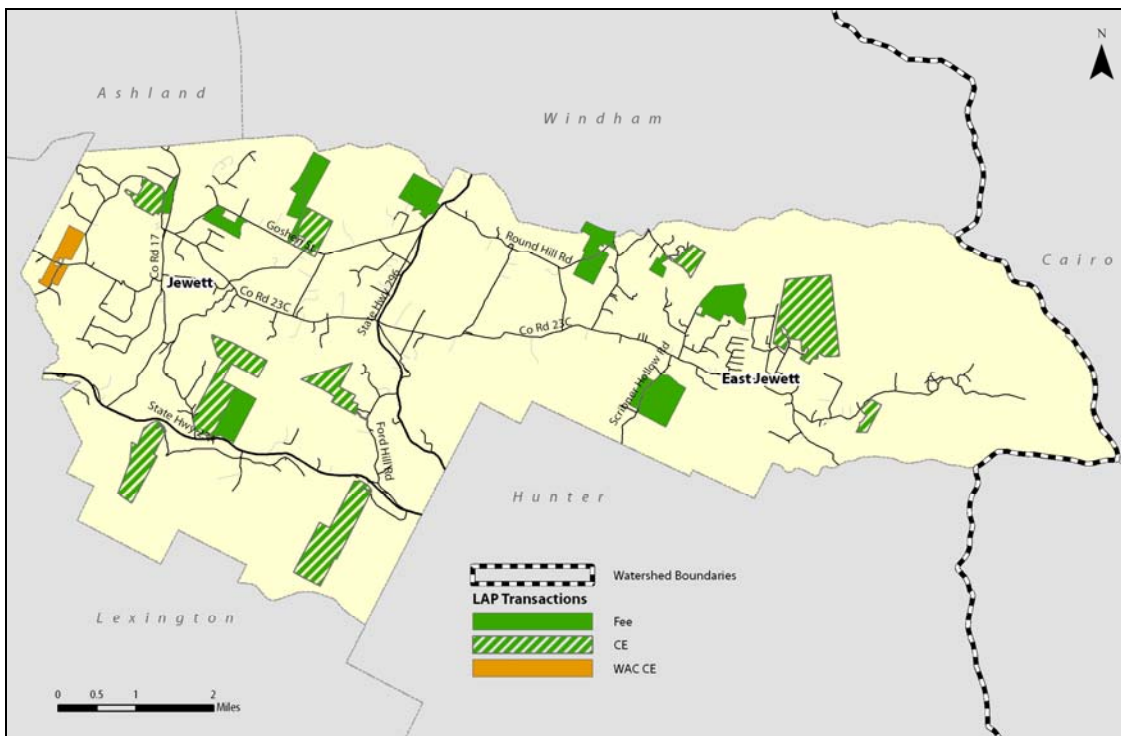
Previous LAP Activity

Through June 2009, NYCDEP had acquired a total of 3,037 acres in Jewett pursuant to the 1997 MOA. As shown in Table 4-29, conservation easements account for about 62 percent of all acquisitions in the Town. Figure 4-30 shows the location of LAP properties in Jewett, by type of acquisition.

Table 4-29: Acquisitions in the Town of Jewett through July 2009

Type of acquisition	Acres
Fee simple	1,062
Conservation easements	1,870
WAC agricultural easements	105
Total acquired	3,037

Figure 4-30: Map of LAP properties in Jewett, by type of acquisition



As of October 2009, NYCDEP's purchases of land in fee simple in Jewett included 21 acres that had been actively used for agricultural production prior to acquisition. As of that date, no for agricultural use of NYCDEP-owned property in Jewett had been submitted. As of July 2009, approximately 105 acres of agricultural land in Jewett was covered by WAC easements.

Of the 1,062 acres that NYCDEP acquired in fee simple as of July 2009, 672 acres – 63 percent of the total – had been opened for public recreational use as of October 2009. Opening City-owned land for public recreational use reinforces what is already one of the Town's leading strengths.

Pursuant to the 1997 MOA, Jewett designated hamlet areas totaling 652 acres, covering parts of the hamlets of Jewett and East Jewett, and an area bordering the Village of Hunter. Designation of these areas, within which LAP cannot acquire land in fee simple, has helped ensure that LAP does not conflict with existing uses within the designated areas.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Greene County is expected to grow by about 3 percent – somewhat slower than the rate of growth in Jewett during the past decade. At the same time, the demand for second homes in the mountaintop towns may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development was estimated based on the rate of development during the past two decades. Assuming that the pace of new development in Jewett (as measured by new residential units) remains the same as it was between 1990 and 2008, it is estimated that the land required to support new development through 2022 will total approximately 818 acres, including 511 acres of land characterized as developable²² – about 8 percent of the Town’s supply of such land as of 2009.

Between 2010 and 2022, the long-term decline in agricultural uses that has occurred in recent decades is expected to continue, although there is some potential for the development of small-scale, specialized agriculture. Some growth in commercial activity is also likely, reflecting the projected increase in population.

In its comprehensive plan, completed in 2007, the Town of Jewett set out a vision for its future, and identified twelve goals to guide the Town toward long-term prosperity. *Goal 1: Rural and small town character is maintained.*

Goal 2: Jewett maintains a clean and healthy natural environment.

Goal 3: Agricultural activities and farmlands are maintained and encouraged.

Goal 3: Roads are safe, free of traffic congestion, and remain an important part of the rural aesthetic character of Jewett.

Goal 4: Telecommunication services and facilities are available for personal and business uses.

Goal 5: Town government is responsive, open, and stable to provide efficient and effective local public services and amenities.

Goal 6: Businesses operate in an unobtrusive manner consistent with the character and needs of Jewett.

Goal 7: Housing opportunities are diverse and available to many income levels and ages.

Goal 8: Outdoor recreational facilities and opportunities are available.

Goal 9: Jewett is a friendly, neighborly community with high community involvement and spirit.

Goal 10: Accommodate our aging population.

Goal 11: Create opportunities for a younger population.

Goal 12: There is an increased convergence of interests between primary and secondary homeowners in Jewett.

²² For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic in considered undevelopable.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP's experience in Jewett to date, NYCDEP estimates that through 2022, it could acquire 2,591 additional acres either in fee simple or through conservation easements. Based on the developable percentage of land acquired in fee simple or as conservation easements as of June 2009, it is estimated that these acquisitions will include approximately 1,052 acres of developable land – about 17 percent of the Town's supply of developable vacant and low-density residential land as of 2009. NYCDEP further estimates that WAC could during the same period purchase easements on 203 acres of agricultural land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Jewett would still be left with 4,729 acres of developable vacant and low-density residential land in 2022 – approximately 75 percent of the Town's current stock of such land.

Table 4-30: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		6,292 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	2,591 acres	
Developable vacant or low-density residential land acquired		1,052 acres
Residential Development, 2010-2022		
Projected housing units built	156 units	
Land needed for housing	818 acres	
Developable portion of land needed for housing		511 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		4,729 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		75 percent

The impact of future acquisitions can also be assessed in terms of how they affect the character of the community.

Several of these goals listed in the town comprehensive plan– notably goals 1 through 3 and 8 – are consistent with the purposes of the Land Acquisition Program. Further acquisitions under LAP would support maintenance of Jewett's rural, small-town character, and the quality of its natural environment. The acquisition of WAC easements on 203 acres of additional farmland could help preserve agricultural activity.

Moreover, if the percentage of land acquired in fee simple that is opened to public recreational use is the same between 2010 and 2022 as it has been to date, it can be estimated that NYCDEP would open more than 600 additional acres in Jewett for recreational use.

Finally, under a proposed agreement among NYCDEP, the Town, the regulatory agencies and other stakeholders, Jewett's designated hamlet areas (areas in which LAP would be precluded from acquiring additional land) would be expanded from 652 to 2,014 acres. This would help ensure that land in and near the hamlets remains available for future development.

CONCLUSIONS

While the amount of land to be acquired in Jewett under the Extended LAP could be substantial, it appears that sufficient developable land would be available to support the projected level of residential development through 2022. The projected acquisitions would help preserve the Town's natural environment; and the projected acquisition of WAC easements on 203 acres of farmland could help preserve the Town's remaining farmland. Moreover, the proposed increase in the acreage included in the Town's designated hamlet areas should help ensure that land remains available for development in these areas.

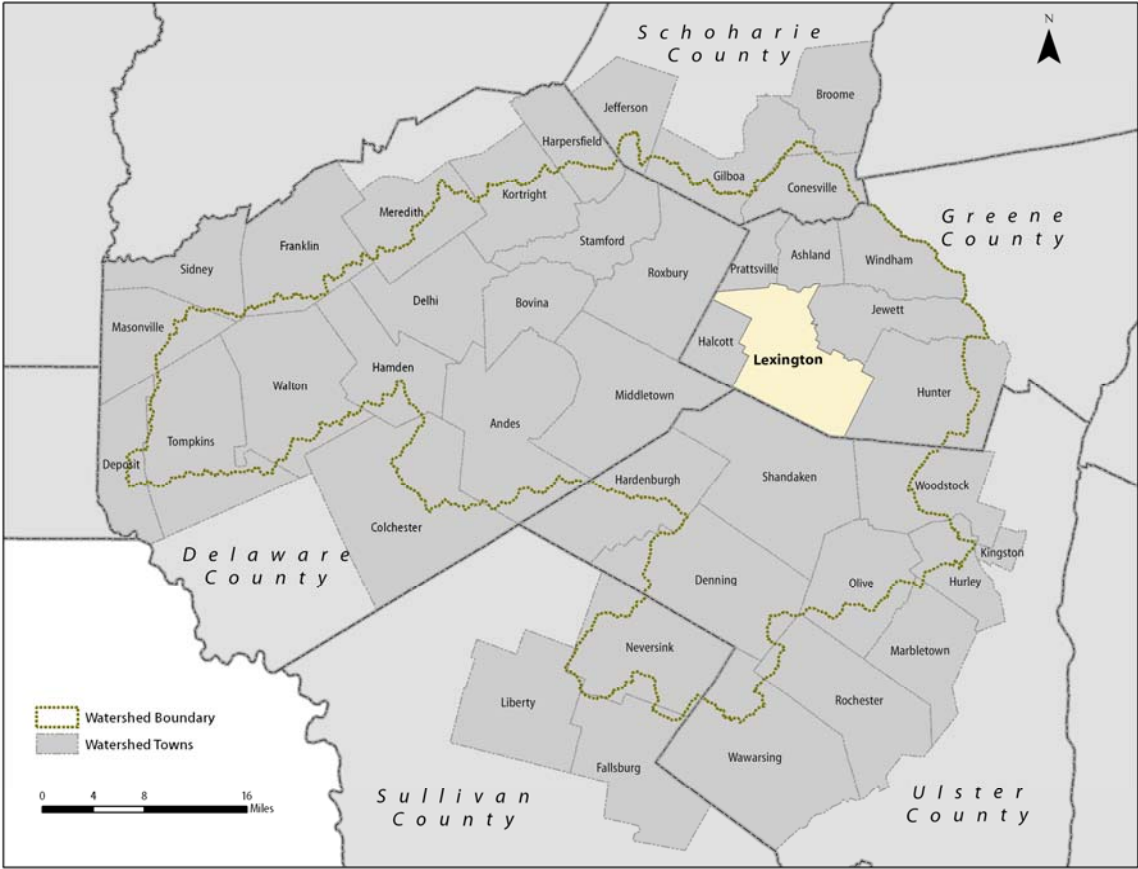
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Jewett.

TOWN OF LEXINGTON

EXISTING CONDITIONS

With an estimated 874 residents in 2008, Lexington is a low-density rural community. It is the second-largest of Greene County’s “mountaintop towns” in terms of area (after Hunter) – but at 10.9 persons per square mile, it has the second-lowest population density of these towns (after Halcott). Lexington’s overall low density in part reflects the fact that 56 percent of its total area consists of protected land (mostly owned by New York State). Lexington’s population is estimated to have grown by about 5.3 percent between 2000 and 2008.

Figure 4-31: Map of Town of Lexington in relation to west-of-Hudson watershed



Town of Lexington – Quick Facts

Land area:	51,274 acres
Percent of town land area within the watershed:	100%
Percent of land protected	56%
Population (estimated), 2008:	874
Median age (estimated), 2008	47.9
Median household income (estimated), 2008	\$36,654

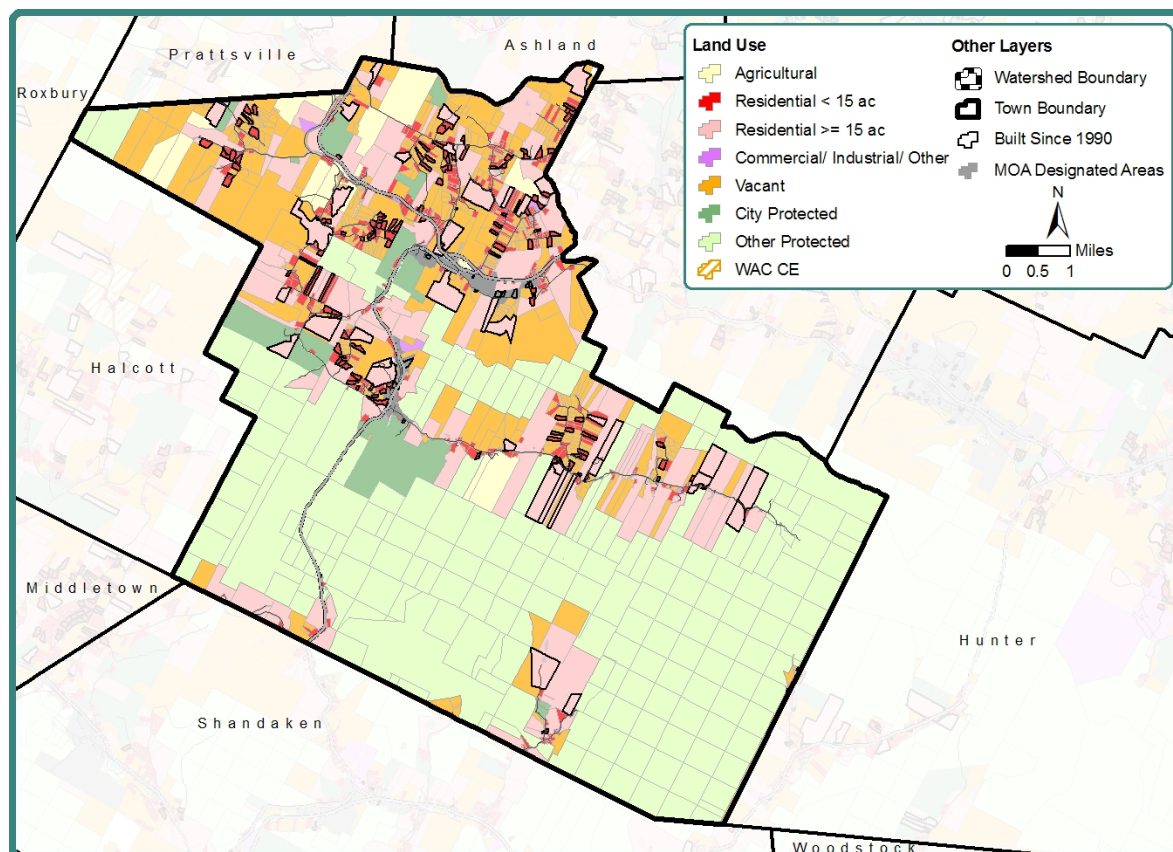
As Table 4-31 and Figure 4-32 show, about three-quarters of the Town's non-protected land consists of either low-density residential or privately-owned vacant land. Commercial and community uses occupy only 113 acres, and consist primarily of small businesses serving the local population, along with some tourist-oriented businesses such as bed-and-breakfasts. Commercial activity and community uses in Lexington are located primarily along Route 42, in the hamlets of Lexington and West Kill. Like most other mountaintop towns, Lexington has a large second-home sector. In 2000, 54 percent of all housing units were for seasonal or recreational use. Lexington currently has a limited amount of land in agricultural use.

Most development since 1990 (as shown by the parcels outlined in black in Figure 4-32), occurred in or near the hamlets of Lexington and West Kill, or in the hamlet of Spruceton in the eastern part of the Town. Using data on building permits, it was estimated that between 2000 and 2009, about 81 new housing units were built in Lexington.

Table 4-31: Land uses by type

Land Use	<i>Acres</i>	<i>% of Total</i>
Agricultural	1,617	3%
High-Density Residential	2,437	5%
Low-Density Residential	9,185	18%
Commercial/Other	113	0%
State/Other Protected	26,696	52%
City Protected	1,940	4%
Vacant	8,738	17%
Total Town Acres	51,274	

Figure 4-32: Map of the Town of Lexington showing land use, protected land and proposed hamlet expansion areas



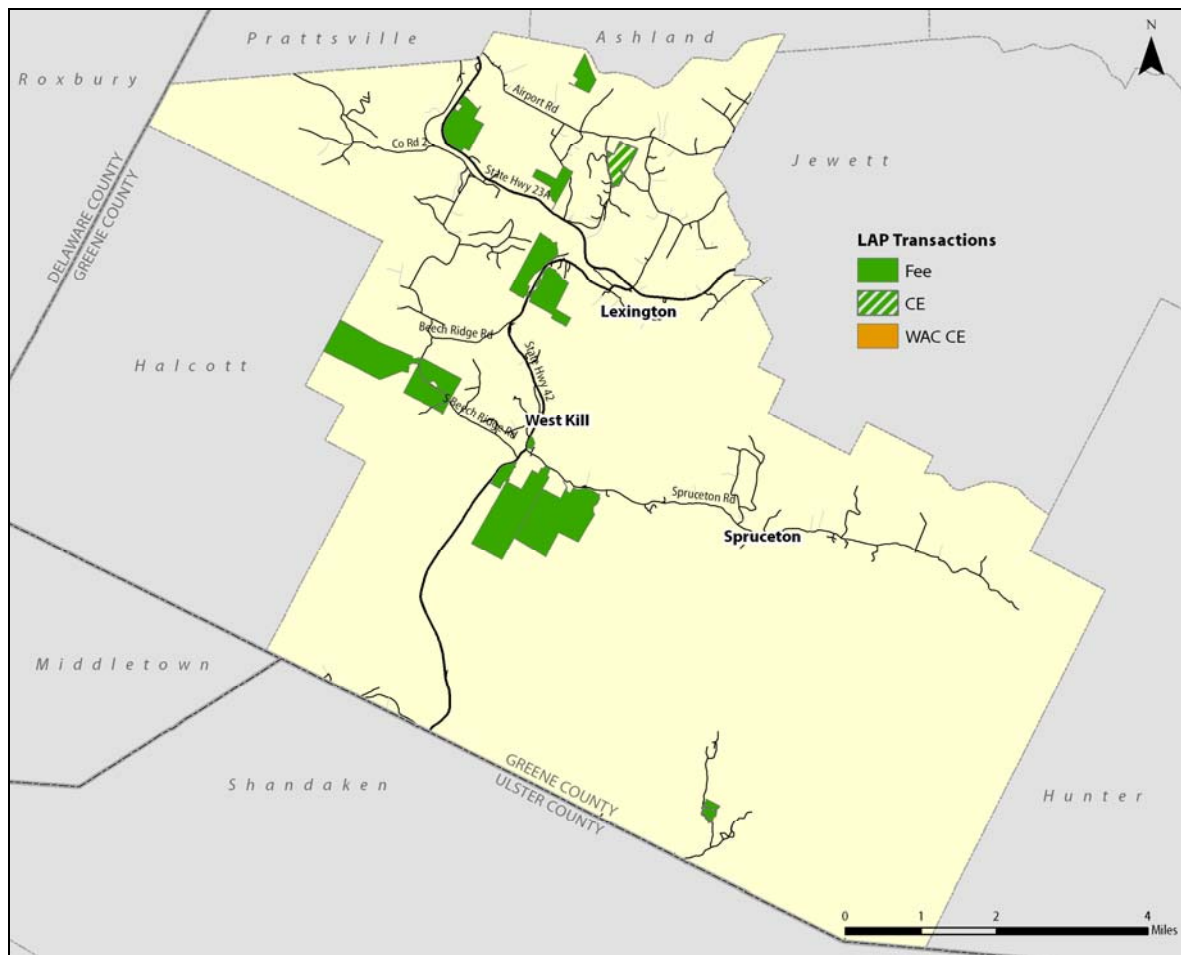
Previous LAP Activity

Through June 2009, NYCDEP had acquired interests in a total of 1,951 acres in Lexington pursuant to the 1997 MOA. As shown in Table 4-32 below, purchases of land in fee simple account for about 94 percent of all acquisitions in the Town. Figure 4-33 shows the location of LAP properties in Lexington, by type of acquisition.

Table 4-32: Acquisitions in the Town of Lexington through July 2009

Type of acquisition	Acres
Fee simple	1,866
Conservation easements	85
WAC agricultural easements	0
Total acquired	1,951

Figure 4-33: Map of LAP properties in Lexington, by type of acquisition



As of October 2009, NYCDEP had acquired 13 acres in fee simple in Lexington that prior to acquisition had been in active agricultural use. As of October 2009, no application for agricultural use of this land had been submitted to NYCDEP. Through June 2009, WAC had not purchased any agricultural easements in Lexington.

Of the 1,866 acres that NYCDEP acquired in fee simple as of July 2009, 1,715 acres – 92 percent of the total – had been opened for public recreational use as of October 2009. This reinforces what is already one of the Town’s strengths –opportunities for outdoor recreation. Pursuant to the 1997 MOA, the Town designated hamlet areas totaling 362 acres. While NYCDEP has acquired some properties near the designated areas, the hamlet designation ensures that the City’s acquisitions do not conflict with commercial and other uses within the designated areas.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Greene County is expected to grow by about 3 percent – somewhat slower than the rate of growth in Lexington

during the past decade. At the same time, the demand for second homes in the mountaintop towns may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development has nevertheless been estimated based on the rate of development during the past two decades. Assuming that the pace of new development in Lexington (as measured by new residential units) remains the same as it was between 1990 and 2008, it is estimated that about 108 additional units would be built by 2022; and that the land required to support this new development through 2022 would total approximately 682 acres, including 314 acres of developable land²³ – about 9 percent of the Town’s supply of such land as of 2009.

Beyond the projected residential development, Lexington is likely to remain a low-density, primarily rural town. Any new commercial development in the Town is likely to focus primarily on small businesses serving the local population or visitors to the mountaintop region.

A Generic EIS prepared for the Town in 2003 sets out the following vision:

The Town of Lexington is remarkable for its extraordinary natural beauty and relatively low level of development. The Town is nestled in the rural, mountaintop region of southwest Greene County with a small, stable and closely knit population. The mountainous terrain and distance from cities has allowed it to retain its year-round population while attracting a slowly increasing number of seasonal residents....the Town should remain predominantly rural, with low levels of development designed to serve its residents. Tourist oriented business and condominium development are to be discouraged in order to maintain the sense of community desired by its residents.

*....The quiet and natural setting of the Town is one of its strongest assets, attracting its permanent and seasonal residents alike...The acquisition of large portions of the Town by the State for the Catskill Park and the ongoing purchases of land by New York City to protect its watershed have assured that the forested mountains will remain undeveloped. The strongest commercial businesses should be built around these resources, including hunting, outdoor recreation and related services. In the next 10 to 20 years, the Town should create opportunities for new businesses and jobs in the existing hamlets, and at the same time strive to maintain low-density residential development in the outlying areas....*²⁴

²³ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic is considered undevelopable.

²⁴ Town of Lexington, Draft Generic EIS, August 2003, pp. 2-3.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Because Lexington is in an “area of high focus,” as defined in NYCDEP’s Long-Term Land Acquisition Plan – primarily because Schoharie Creek runs through the town – NYCDEP expects that the amount of land to be acquired in the Town will increase substantially during the next twelve years. NYCDEP estimates that through 2022, it could acquire 3,771 additional acres in the Town either in fee simple or through conservation easements. Based on the percentage of the Town’s low-density residential and vacant land that is developable as of 2009, it is estimated that these acquisitions could include approximately 871 acres of developable land – about 25 percent of the Town’s supply of developable vacant and low-density residential land as of 2009. NYCDEP does not currently expect that any agricultural easements would be acquired in Lexington through 2022.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Lexington would still be left with 2,290 acres of developable vacant and low-density residential land in 2022 – approximately 66 percent of the Town’s current stock of such land.

Table 4-33: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		3,475 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	3,771 acres	
Developable vacant or low-density residential land acquired		871 acres
Residential Development, 2010-2022		
Projected housing units built	108 units	
Land needed for housing	682 acres	
Developable portion of land needed for housing		314 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		2,290 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		66 percent

As noted in Chapter 3, this estimate of LAP’s impact on the Town’s supply of developable land needs also to take into account that as of 2009, Lexington’s supply of such land is already limited. As defined here, developable land represents about 6.8 percent of the Town’s total land area; and by 2022 this percentage would decline to 4.5 percent.

While the large percentage of LAP purchases may imply some potential for conflict between further LAP acquisitions and future development, it is important to note that the 2009 and 2022 estimates for the supply of developable land presented in Table 4-33 are conservative in several respects. They do not include agricultural land, or any undeveloped portions of residential parcels of less than 15 acres. Overall, the supply of developable land in Lexington appears to be sufficient to accommodate both additional LAP acquisitions and the projected level of new development through 2022.

The potential impact of additional acquisitions on the character of the community can be assessed relative to the vision the Town has defined for itself.

As a result of the projected level of acquisitions, the percentage of Lexington's total area that is protected would rise to 63 percent. This will help preserve the natural features that are among the Town's greatest assets, and the rural, low-density character cited in the Generic EIS, while leaving room for some additional low-density residential development. If the percentage of land acquired in fee simple that is opened for public recreational use remains the same as it has been to date, more than 3,000 acres of additional LAP-acquired land could be opened for recreational use by 2022.

Under a proposed agreement among the Town, NYCDEP, the regulatory agencies and other stakeholders, Lexington's designated hamlet areas would be expanded to cover a total of 737 acres – more than doubling the current acreage in designated areas. This expansion would help ensure that land remains available to accommodate limited development in the Town's major corridors, consistent with the vision described above.

CONCLUSIONS

The amount of land to be acquired in Lexington under the Extended LAP could be substantial – and would represent a substantial percentage of the Town's supply of developable land. Nevertheless, given the Town's very low density, there is likely to be sufficient developable land available to support the projected level of residential development through 2022 and many years beyond. Expansion of the Town's designated hamlet areas would also help to accommodate some commercial development, consistent with the Town's stated goal of developing business and employment opportunities in these areas.

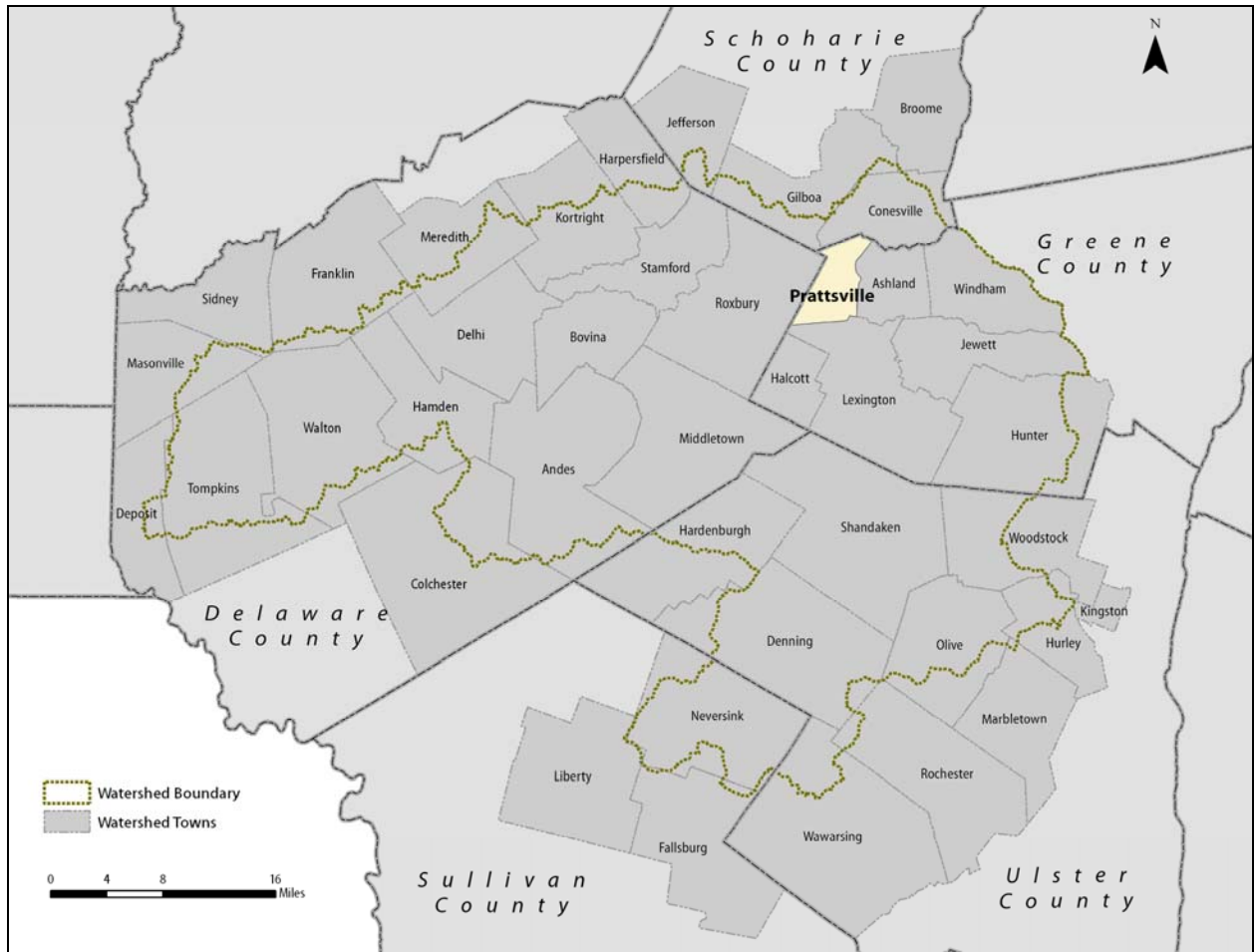
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Lexington.

TOWN OF PRATTSVILLE

EXISTING CONDITIONS

The Town of Prattsville is one of Greene County's "mountaintop towns." Prattsville's resident population in 2008 was estimated to be 712 – an increase of 7.1 percent since 2000. Prattsville is primarily rural in character, with a resident population density of approximately 33 per square mile.

Figure 4-34: Map of Town of Prattsville in relation to west-of-Hudson watershed



Town of Prattsville – Quick Facts

Land area:	13,851 acres
Percent of town land area within the watershed:	100%
Percent of land protected	23%
Population (estimated), 2008:	712
Median age (estimated), 2008	37
Median household income (estimated), 2008	\$37,460

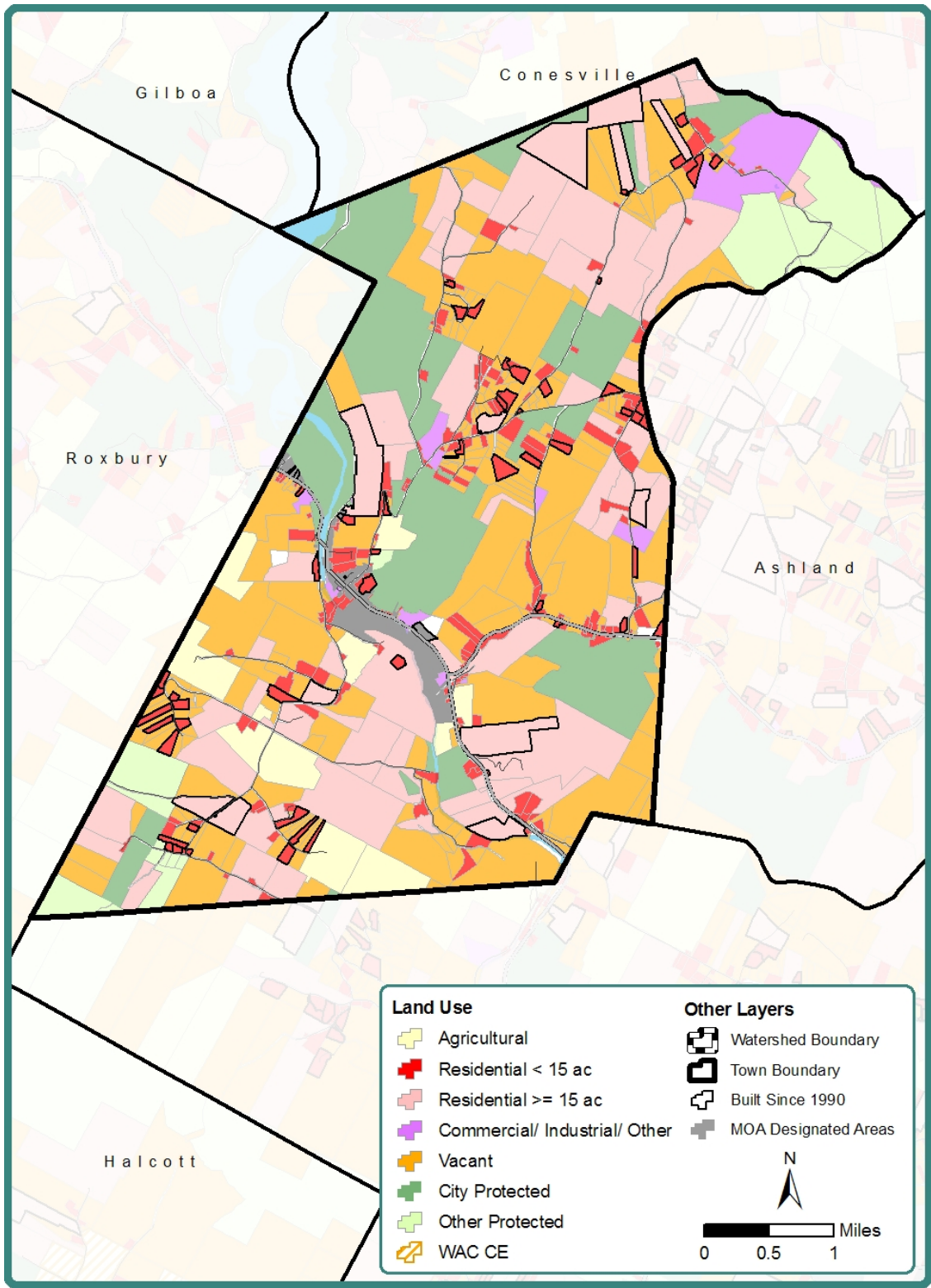
As shown in Table 4-34 and Figure 4-35, 60 percent of Prattsville’s total area consists of either low-density residential (28 percent) or privately-owned vacant land (32 percent). The Town has a substantial seasonal or part-time population. In 2000, according to the Census Bureau, 29 percent of Prattsville’s 406 housing units were for seasonal or recreational use. Commercial activity in the Town is generally limited to retail and service businesses that serve the local population, with some concentrated along Route 23A in the hamlet of Prattsville. While about 5 percent of Prattsville’s land area (about 701 acres) is coded as being agricultural, active farming within the Town appears to be limited. According to the website of the Pratt Museum – a local institution that focuses on the community’s history – there was only one active farm in the Town in the fall of 2009.

Recent development activity since 1990 (as shown in black highlighted parcels in Figure 4-35) has generally been small in size and scattered throughout the town. Using data from the New York State Office of Real Property Services, it is estimated that between 2000 and 2009, 43 new housing units were built in Prattsville.

Table 4-34: Land uses by type

Land Use	Acres	% of Total
Agricultural	701	5%
High-Density Residential	955	7%
Low-Density Residential	3,905	28%
Commercial/Other	398	3%
State/Other Protected	914	7%
City Protected	2,338	16%
Vacant	4,395	32%
Total Town Acres	13,851	

Figure 4-35: Map of the Town of Prattville, showing land use and protected land



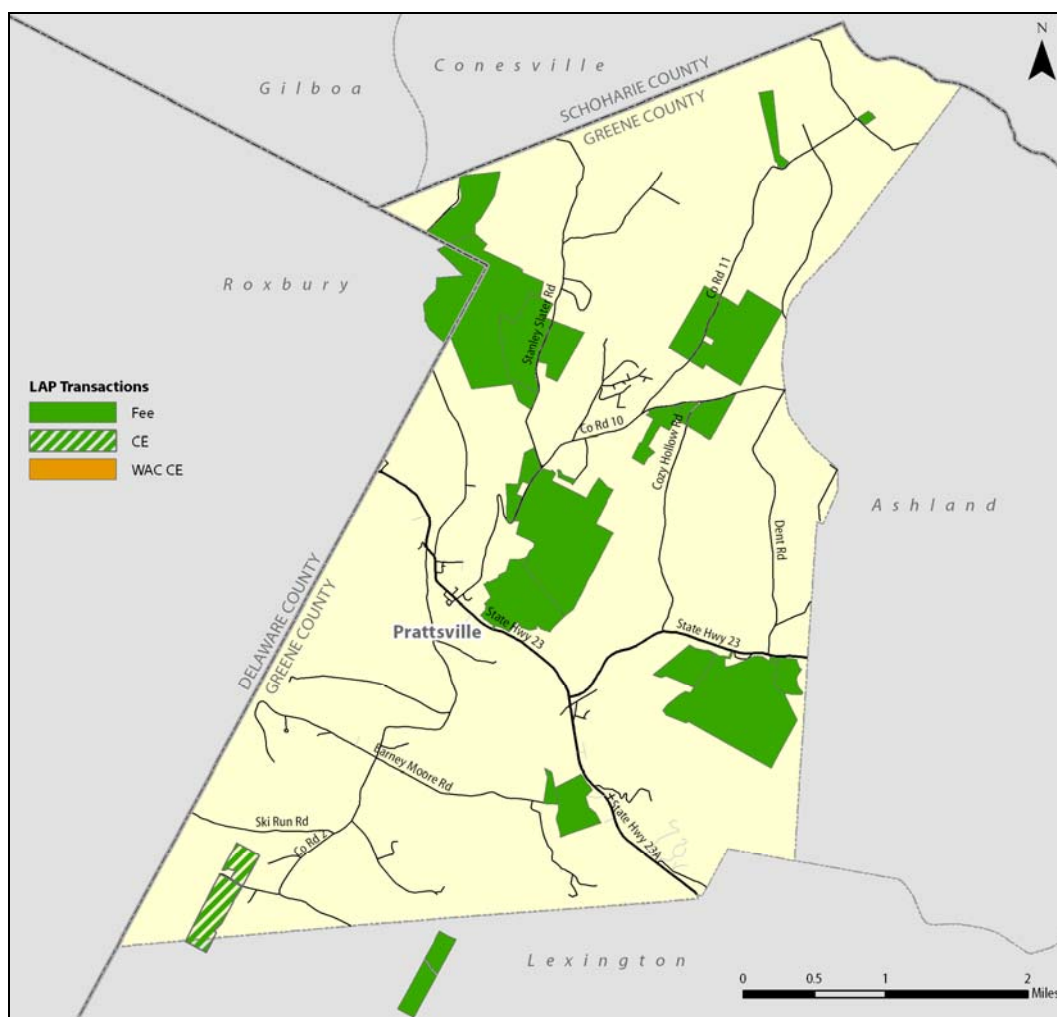
Previous LAP Activity

Through July 2009, NYCDEP had acquired a total of 1,924 acres in Prattsville under LAP – about 14 percent of the Town’s land area. As shown in Table 4-35, nearly 90 percent the land was acquired in fee simple. Figure 4-36 shows the location of LAP properties in Prattsville, by type of acquisition.

Table 4-35: Acquisitions in the Town of Prattsville through July 2009

Type of acquisition	Acres
Fee simple	1,724
Conservation easements	200
WAC agricultural easements	0
Total acquired	1,924

Figure 4-36: Map of LAP properties in Prattville, by type of acquisition



As of October 2009, NYCDEP had acquired approximately 146 acres in fee simple in Prattsville that had previously been used for agricultural production. In 2009, NYCDEP, issued a permit to a farm operator for use of 67 acres, which will be used for production of hay. As of October 2009, no agricultural easements have been acquired in Prattsville.

As of October 2009, a total of 556 acres acquired by NYCDEP in fee simple in Prattsville had been opened by NYCDEP for public recreational use – about 32 percent of the land that NYCDEP has acquired in fee simple in the Town since the beginning of the Land Acquisition Program.

Pursuant to the 1997 MOA, the Town designated a 207-acre hamlet area in the hamlet of Prattsville, along Route 23, within which NYCDEP cannot acquire land. This designation ensures that acquisitions by NYCDEP will not conflict with commercial and community development within the designated area.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Greene County is expected to grow by about 3 percent – somewhat slower than the rate of growth in Prattsville during the past decade. At the same time, the demand for second homes in the mountaintop towns may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” we have nevertheless estimated future residential development based on the rate of development during the past two decades. If we assume that the pace of new development in Prattsville (as measured by new residential units) remains the same as it was between 2000 and 2009, we can estimate that the land required to support new development through 2022 will total approximately 247 acres – including 100 acres of land characterized as developable.²⁵

As noted above, commercial activity the Town is currently limited; and any growth in this sector is likely to be limited as well.

A parks master plan prepared for Prattsville in 2008 notes that “While agriculture and manufacturing have generally declined, tourism, recreation and the arts have remained important components of the regional economy.”

Although all lands in the New York City watershed are subject to an additional layer of regulatory oversight, the undeveloped character of the watershed is desirable for low-

²⁵ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic in considered undevelopable.

*impact residential development. Second-home owners from the New York City metropolitan area contribute to the population and economy of the Town and the surrounding region.*²⁶

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP's experience in Prattsville to date, and the fact that portions of Prattsville in the Schoharie Creek and Johnson Hollow sub-basins are Areas of High Focus under the Extended LAP, NYCDEP estimates that through 2022, it could acquire 2,195 additional acres either in fee simple or through conservation easements. Based on the percentage of the Town's low-density residential and vacant land that is developable as of 2009, it is estimated that these acquisitions will include approximately 820 acres of developable land.

NYCDEP further estimates that WAC could during the same period purchase easements on 151 acres.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Prattsville would still be left with approximately 67 percent of the Town's current stock of developable vacant and low-density residential land.

Table 4-36: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		2,773 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	2,195 acres	
Developable vacant or low-density residential land acquired		820 acres
Residential Development, 2010-2022		
Projected housing units built	47 units	
Land needed for housing	247 acres	
Developable portion of land needed for housing		100 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		1,853 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		67 percent

The impact of future acquisitions can also be assessed in terms of how they affect the character of the community. Further acquisitions by NYCDEP, whether in fee simple or through conservation easements, could help maintain the low-density, rural character and the natural assets that the Town values. Moreover, if the percentage of newly-acquired land that is opened for public recreational use remains consistent with what it has been to date in Prattsville, Town residents and visitors could between 2010 and 2022 gain access to more than 400 acres of additional City-owned land.

If the projected purchase of WAC agricultural easements on 151 acres of farmland occurs—which would be the first use of this program in the Town – it could potentially help maintain the limited agricultural activity that remains in Prattsville.

²⁶ Town of Prattsville, Draft Parks Master Plan, 2008

As noted above, pursuant to the 1997 MOA, the Town had designated a 207-acre hamlet area, within which NYCDEP cannot acquire land in fee simple. This will help maintain the current character in this area assuming the Town continues to preclude NYCDEP from acquiring land within it. Prattsville is one of fifteen watershed towns that have not sought to expand designated hamlet areas.

CONCLUSIONS

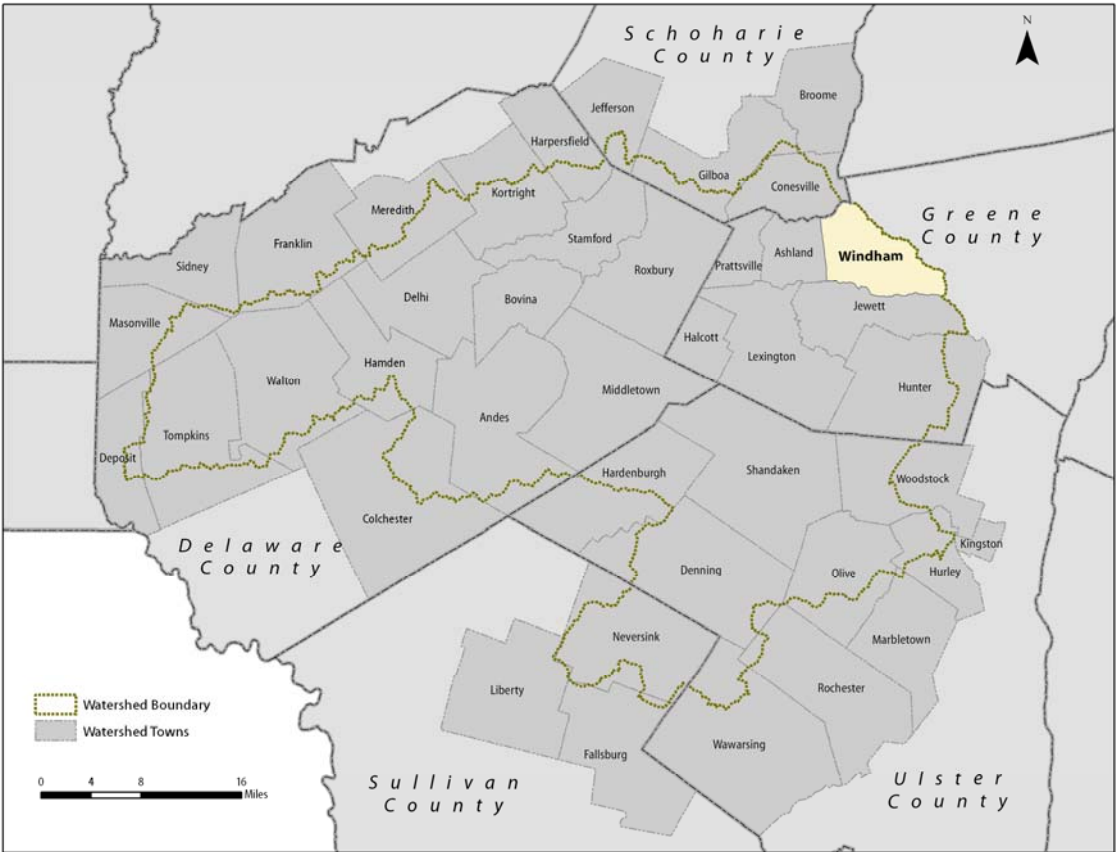
The number of acres that could be acquired in Prattsville under the Extended LAP is substantial – especially in relation to the total size of the Town and its supply of developable land. Nevertheless, given the Town’s low density and relatively slow growth, there appears to be little potential for conflict between the Extended LAP and the need for land to accommodate new development.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Prattsville.

TOWN OF WINDHAM
EXISTING CONDITIONS

The Town of Windham is one of Greene County’s “mountaintop towns.” Windham’s resident population in 2008 was estimated to be 1,755 – an increase of 5.7 percent since 2000. Windham is primarily rural in character, with a majority of its full-time residents concentrated in and around the hamlets of Windham, Hensonville and Maplecrest.

Figure 4-37: Map of Town of Windham in relation to west-of-Hudson watershed



Town of Windham – Quick Facts

Land area:	29,009 acres
Percent of town land area within the watershed:	100%
Percent of land protected	31%
Population (estimated), 2008:	1,755
Median age (estimated), 2008	46
Median household income (estimated), 2008	\$44,952

Windham has in recent years experienced more rapid growth and subdivision activity than most other towns in the West-of-Hudson watershed. Ski Windham, a large downhill ski resort adjacent to the hamlet of Windham that together with nearby Hunter Mountain attracts 600,000 visitors each year, has been among the leading drivers of this growth.

In addition to its full-time population, the Town has a relatively large seasonal or part-time population; in 2000, according to the Census Bureau, 56 percent of Windham's 2,002 housing units were for seasonal or recreational use – the highest percentage among all west-of-Hudson watershed towns. Second-home owners are drawn to the Town in part by Ski Windham and other outdoor recreational opportunities.

Most of the development in Windham since 1990 (as shown by the parcels outlined in black in Figure 4-38) has occurred on fairly small parcels in the southern, central and western parts of the town. Based on building permit data, it is estimated that between 2000 and 2008, 416 new housing units were built in Windham. The pace of development in Windham (as measured by either population or growth in the number of housing units) was significantly faster between 2000 and 2008 than it had been in the preceding decade. Land prices in Windham are among the highest in the West-of-Hudson watershed region – and as elsewhere in the region, prices rose sharply during the 2000-2008 real estate boom. The Town's popularity as a second-home destination appears to be a major contributor to high land costs. A Generic EIS prepared for the Town in 2009 noted that "slope-side development" at Windham Mountain "has greatly skewed local real estate prices."²⁷

As Table 4-37 and Figure 4-38 shows, commercial and industrial uses make up only about 2.5 percent of the town area. Commercial activity is primarily clustered in and around the hamlets of Windham and Hensonville and along Route 296. The heart of Windham's economy – along with that of most of Greene County's other mountaintop towns – is the tourism industry, which brings skiers to Ski Windham in the winter and hikers, mountain bikers, anglers and hunters to the Town during the rest of the year. Agriculture has a limited role in Windham, accounting for only 2.4 percent of the Town's land area.

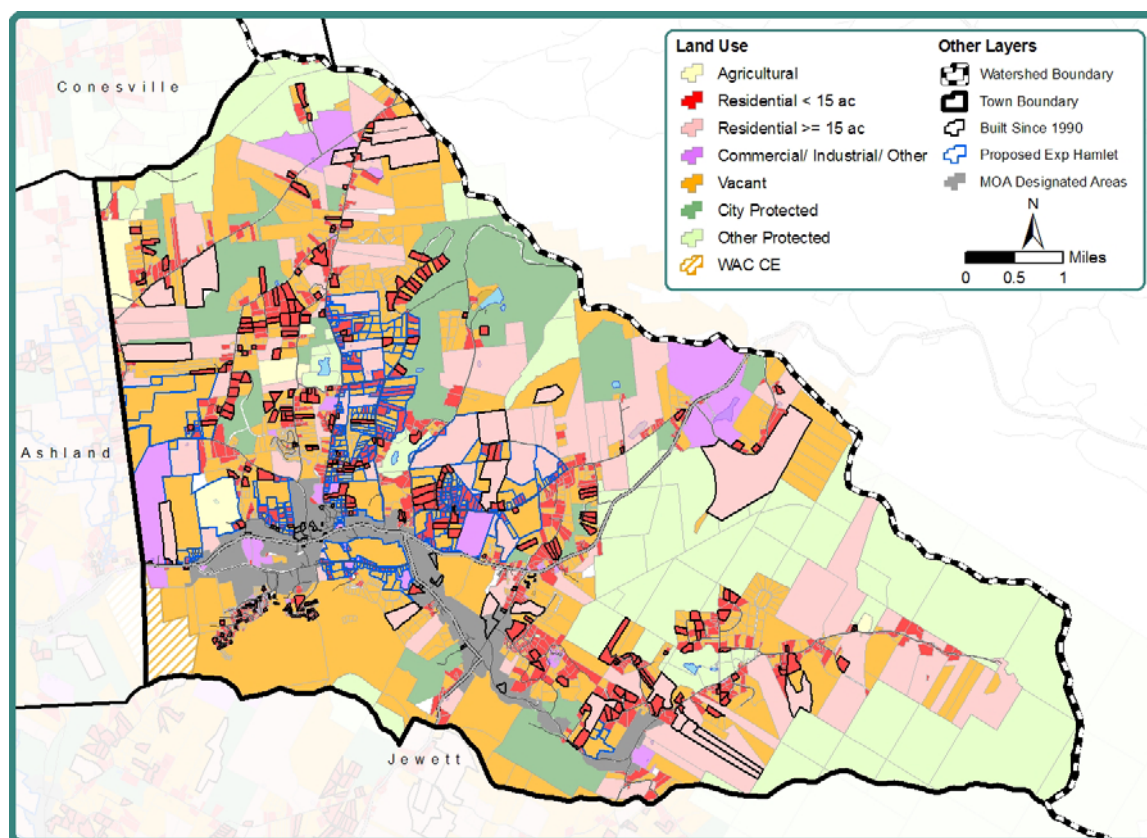
Table 4-37: Land uses by type

Land Use	Acres	% of Total
Agricultural ²⁸	599	2%
High-Density Residential	3,282	11%
Low-Density Residential	5,477	19%
Commercial/Other	1,319	5%
State/Other Protected	6,229	21%
City Protected	2,725	9%
Vacant	8,316	29%
Total Town Acres	29,009	

²⁷ Town of Windham Draft Generic Environmental Impact Statement on the Development Capacity of the Town of Windham (May 2009), p. 9.

²⁸ The agricultural category includes WAC conservation easements.

Figure 4-38: Map of Windham, showing land use, protected land and proposed hamlet expansion areas



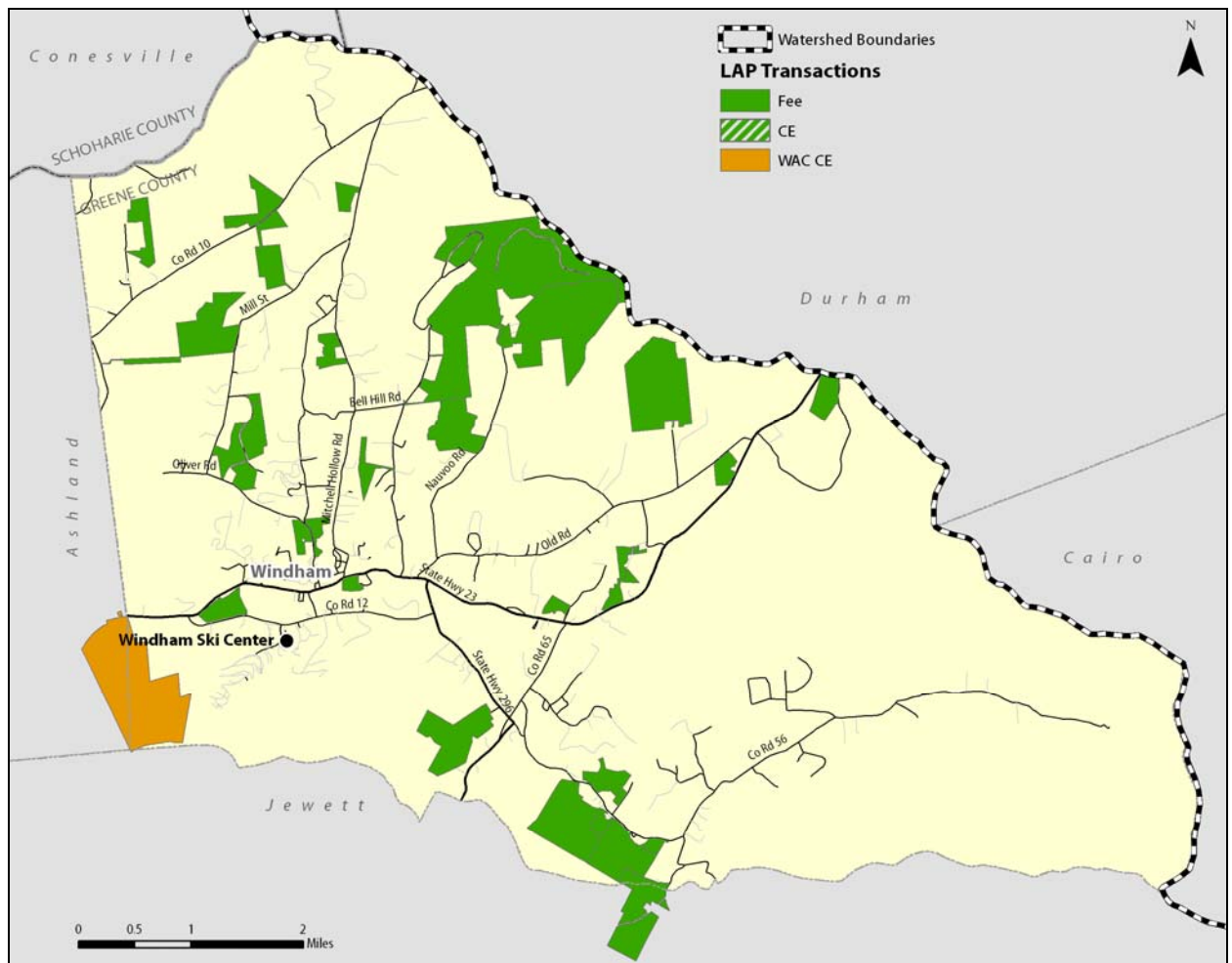
Previous LAP Activity

Through July 2009, NYCDEP had acquired a total of 2,889 acres in Windham pursuant to the 1997 MOA – just under 10 percent of the Town’s total land area. As shown in Table 4-38 below, purchases of land in fee simple account for 92 percent of the total acreage acquired under LAP. Figure 4-39 shows the location of LAP properties in Windham, by type of acquisition.

Table 4-38: Acquisitions in the Town of Windham through July 2009

Type of acquisition	Acres
Fee simple	2,662
Conservation easements	0
WAC agricultural easements	226
Total acquired	2,889

Figure 4-39: Map of LAP properties in Windham, by type of acquisition



Through June 2009, WAC had acquired easements on 226 acres of agricultural land in Windham, covering about 36 percent of the Town's farmland. As of October 2009, NYCDEP had also acquired in fee simple approximately 29 acres of land previously used for agricultural production. In 2006, NYCDEP issued a permit to a farm operator for use of 27 acres for agricultural production. This property is used primarily for the production of hay and alfalfa.

As of October 2009, a total of 1,261 acres acquired by NYCDEP in fee simple in Windham had been opened by NYCDEP for recreational use – more than 47 percent of the land that NYCDEP has acquired in fee simple in the Town since the beginning of the Land Acquisition Program. Opening additional land for public recreational use adds to what is already one of the Town's greatest assets – resources for outdoor recreation.

As shown in Figure 4-39, most of the land acquired in Windham by the Land Acquisition Program through July 2009 is located in outlying areas of the Town, not immediately adjacent to the Town's main hamlet areas, and the ski center. Pursuant to the 1997 MOA, Windham had designated hamlet areas totaling 1,148 acres and the Town Board voted in 2006 to make these

hamlet areas off-limits for acquisition in fee simple by NYCDEP. Accordingly, NYCDEP has not acquired any land in fee simple Windham's 1997 hamlet areas since 2006.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Greene County is expected to grow by about 3 percent – significantly slower than the rate of growth in Windham during the past decade. At the same time, the demand for second homes in the mountaintop towns may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development has nevertheless been based on the rate of development during the past two decades. Assuming the pace of new development in Windham (as measured by new residential units) remains the same as it was between 1990 and 2008, we can estimate that the land required to support new development through 2022 would total approximately 888 acres – including 540 acres of land characterized as developable.^{29 30}

Several new development projects are in various stages of planning in Windham, including the Windham Mountain Sporting Club, a multi-phase development that would include 169 residential units on 465 acres, and Stonewall Glen, a recently approved project including 48 townhouse units, a clubhouse and some commercial space. Both are located near Windham Mountain. As noted in Chapter 3, as of March 2010, NYCDEP either had approved or was in various stages of the review process for developments in Windham totaling more than 600 units.

Even with a slower economy and changing demographic trends, Windham could thus experience greater growth between 2010 and 2022 than the great majority of west-of-Hudson watershed towns.

The 2009 Generic EIS cited above sets out a vision for the town:

The Town desires to create a sustainable community primarily through the creation of a diverse economy. The key to a sustainable community is a stable employment base that provides a livable wage....To realize these goals, the Town will expand its tourism industry to become a full four-season destination community. The present tourism based

²⁹ For Windham, the calculation of land needed for housing unit development was based on a relatively conservative assumption that future development would consume lots somewhat larger than has been typical of recent development. Based on ORPS data, NYCDEP calculated a median lot size of 0.8 acres per unit for housing units built since 2000. Applying a more conservative 2.0 acres per unit to the housing units projection, we project 888 acres being needed to support residential development.

³⁰ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic is considered undevelopable.

local economy is too reliant on the ski industry and related businesses serving Windham Mountain....More diverse recreation and tourism are envisioned.³¹

In line with this vision, the Generic EIS identifies certain goals and values as being critical to the Town's future. These include:

- a. Maintaining and increasing diversity in recreation, education, and appreciation of cultural, historic and natural resources.*
- b. Increased and higher quality of employment opportunities.*
- c. Sustainable and increased entrepreneurial, commercial and industrial opportunities.*
- d. Diversified sources of consumer services and retail products, especially in areas totally or substantially lacking.*
- e. Enhanced housing stock, with a distributed balance of value enabling people with a variety of incomes to reside in the towns.*
- f. Vehicular and traffic patterns and controls that function smoothly and do not interfere with the enjoyment of the Town by residents and visitors.³²*

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP's experience in Windham to date, NYCDEP estimates that through 2022, it could acquire 2,127 additional acres either in fee simple or through conservation easements. Based on the percentage of the Town's vacant and low-density residential land that is developable as of 2009, it is estimated that this total could include approximately 880 acres of developable land. NYCDEP further estimates that WAC could during the same period purchase easements on 80 acres of agricultural land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Windham would still be left with approximately 73 percent of the Town's current stock of developable vacant and low-density residential land.

³¹ Town of Windham, op cit, p. 2.

³² Ibid. p. 14.

Table 4-39: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		5,272 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	2,127 acres	
Developable vacant or low-density residential land acquired		880 acres
Residential Development, 2010-2022		
Projected housing units built	444 units	
Land needed for housing	888 acres	
Developable portion of land needed for housing		540 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		3,853 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		73 percent

Given the pace of development in Windham, projected LAP acquisitions through 2022 might be expected to have some impact on the availability of land for development, and possibly on the price of developable land. Several factors, however, are likely to reduce significantly any potential impacts:

- The Town has proposed an expansion of Windham's designated hamlet areas by 2,797 acres, to a total of 3,945 acres, which NYCDEP has determined is reasonable. This expansion could help ensure that areas near the existing hamlets that are particularly suited to new development would not be acquired by NYCDEP.
- Our estimate of the supply of developable land remaining in Windham is probably conservative. It excludes, for example, some smaller parcels in and around the hamlets that are already available for residential development, and it excludes land that might be made available by subdivision of residential parcels of less than 15 acres. It also excludes agricultural land – in effect assuming that no land currently used for agricultural purposes will be developed between now and 2022.
- Moreover, our projection of land required for new development through 2022 assumes an average of 2.0 acres per unit – a higher average than recent experience would suggest.

The potential impact of future acquisitions on the character of Windham can also be assessed relative to the future the Town has envisioned for itself. While additional acquisitions under LAP will not directly contribute to achievement of the Town's goals regarding diversification, expanded economic opportunity and affordable housing, such acquisitions are generally compatible with the Town's goals. They would help the Town maintain its rural character, protect its natural beauty and preserve some of its remaining farmland. Moreover, by opening up additional land for recreational uses other than skiing, LAP could in the future contribute in a modest way to the process of diversifying Windham's tourist business.

Perhaps most notably, the proposed expansion of designated hamlet areas would help ensure that the further acquisitions do not conflict with the types of development the Town is seeking to

promote in and around the hamlets. The Extended Land Acquisition Program thus appears to be consistent with many of the Town's goals.

CONCLUSIONS

The pace of development in Windham in recent years suggests that this is one of several towns where there may be some potential for conflict between projected acquisitions under the Extended LAP and projected future development. For the reasons noted above, however, the rate of new development in Windham between 2010 and 2022 may be slower than it has been during the past decade, and the amount of land required to support such development may likewise be less. Moreover, the proposed expansion of the Town's designated hamlet areas would help ensure that new acquisitions under the Extended LAP take place primarily in outlying areas, and that Extended LAP would not acquire land that can support new development in and around the existing hamlets.

Beyond the availability of land for new development, the Extended LAP is not expected to affect the overall level of economic activity in the Town – and would help preserve the high-quality natural environment on which much of its economy depends.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Windham.

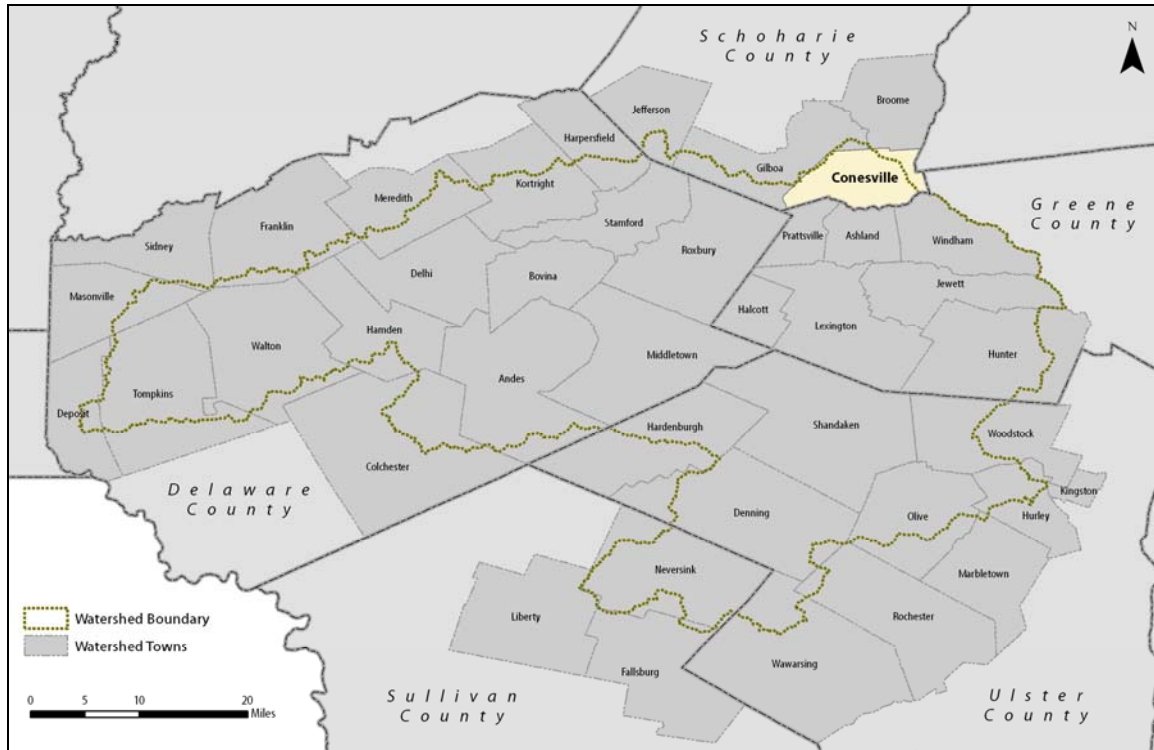
SCHOHARIE COUNTY

TOWN OF CONESVILLE

EXISTING CONDITIONS

The Town of Conesville is located in the southeastern corner of Schoharie County. The Town's estimated population in 2008 was 714. Population has grown by 4 percent since 1990, with all of the increase estimated to have occurred between 1990 and 2000. Conesville includes three hamlet areas – Manor Kill, Conesville and West Conesville. It has a diverse agricultural base, but relatively little commercial activity.

Figure 4-40: Map of Conesville in relation to the watershed



Town of Conesville – Quick Facts

Land area:	25,492 acres
Percent of town land area within the watershed:	85%
Percent of land protected	20%
Population (estimated), 2008:	714
Median age (estimated), 2008	45
Median household income (estimated), 2008	\$41,384

As Table 4-40 and Figure 4-41 show, low-density residential and privately-owned vacant land together account for more than half the Town's total area. According to the Town's 2007 comprehensive plan, Conesville's agricultural sector includes several substantial farms, as well

as several smaller niche enterprises. Commercial activity in the Town is limited primarily to businesses serving the local population – both residents and second-home owners.

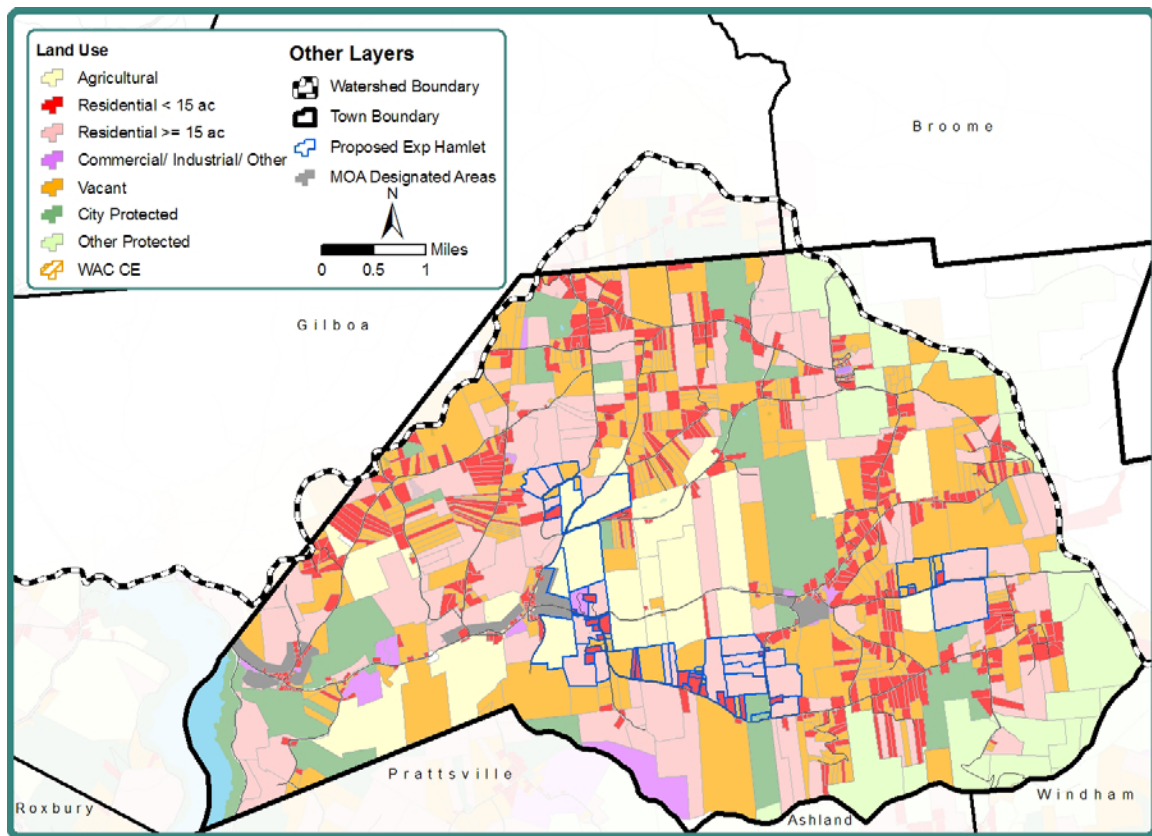
With access to the New York City metropolitan area, as well as the Greater Albany area, Conesville has a large second-home population. About 54 percent of all housing units in 2000 were for seasonal or recreational use. Growth in this sector was especially strong in the 1990s, when – despite a modest increase in resident population – the number of housing units in the Town grew by 41 percent.

Based on U.S. Census data and estimates by DemographicsNow, it is estimated that between 2000 and 2009, there was no net increase in Conesville in land used for residential development.

Table 4-40: Land uses by type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>
Agricultural	2,653	12%	115	3%	2,768	11%
High-Density Residential	2,692	12%	72	2%	2,764	11%
Low-Density Residential	5,363	25%	1,105	28%	6,468	25%
Commercial/Other	391	2%	15	0%	406	2%
State/Other Protected	2,407	11%	1,385	35%	3,791	15%
City Protected	2,084	10%	N/A	N/A	2,084	8%
Vacant	5,468	25%	1,059	27%	6,527	26%
Total	21,590		3,902		25,492	

Figure 4-41: Town of Conesville, land use, protected land and proposed expansion area



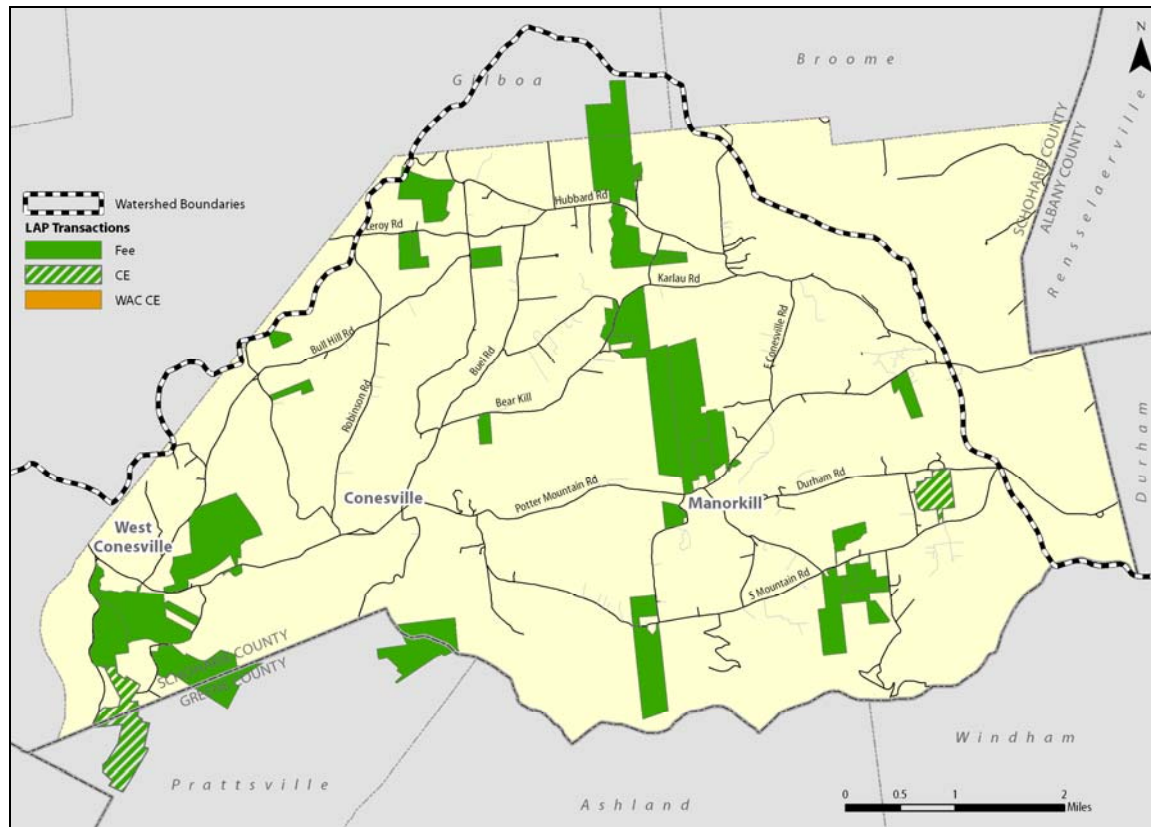
Previous LAP Activity

Through June 2009, NYCDEP had acquired 2,274 acres in Conesville under the Land Acquisition Program – about 8.9 percent of the Town’s total land area. As shown below, purchases of land in fee simple accounted for 94 percent of the total. Figure 4-42 shows the location of LAP properties in Conesville, by type of acquisition.

Table 4-41: Acquisitions in the Town of Conesville through July 2009

Type of acquisition	Acres
Fee simple	2,148
Conservation easements	127
WAC agricultural easements	0
Total acquired	2,274

Figure 4-42: Map of LAP properties in Conesville, by type of acquisition



As of July 2009, none of Conesville's agricultural land was covered by WAC easements. As part of its acquisition of several larger parcels in fee simple, NYCDEP has to date acquired about 70 acres of land that had previously been in active agricultural use. One agreement with a landowner for use of NYCDEP land for maple tapping is in place.

As of the fall of 2009, NYCDEP had opened a total of 1,236 acres of land acquired under LAP for a variety of recreational uses – about 60 percent of the land that LAP has acquired in fee simple in Conesville.

Pursuant to the 1997 MOA, Conesville designated hamlet areas totaling 275 acres, within which NYCDEP cannot acquire land in fee simple. These designations help ensure the acquisitions by NYCDEP do not conflict with existing commercial activity or further development within the hamlets of Manor Kill, Conesville and West Conesville.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Schoharie County is expected to decline slightly. At the same time, the demand for second homes in Conesville may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the

number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development has nevertheless been estimated based on the rate of development during the past two decades. If it is assumed that the pace of new development in Conesville (as measured by new residential units) remains the same as it was between 1990 and 2008 (about 12 new units per year), it can be estimated that the land required to support new development through 2022 will total approximately 899 acres – including 560 acres of land characterized as developable.³³ (This estimate may in fact overstate the number of new units, and thus the amount of land, likely to be developed during this period. As noted above, the available data suggest that the pace of development has been much slower since 2000 than it was in the 1990s.)

Between 2010 and 2022, Conesville is also likely to see a continued decline in land used for agricultural purpose, potentially offset by modest growth in other sectors.

A survey conducted in conjunction with the development of Conesville’s comprehensive plan found that:

When asked to describe their vision for Conesville after the next 10-20 years, the three elements that came out on top were a “clean and green” environment, preservation of remaining farms and a strong natural resources industry.

The goals stated in Conesville’s comprehensive plan are to:

- 1) Base all land use regulations on a foundation of protecting private property rights.*
- 2) Provide for orderly growth and development in the Town of Conesville.*
- 3) Make the Town secure from dangers of flooding, fire and other dangers.*
- 4) Preserve where practical the character of existing highways and promote efficient and safe circulation of traffic.*
- 5) Protect surface and ground water quality, maintain high-quality physical environments and preserve wildlife habitats through effective design.*
- 6) Provide for those agricultural, forestry, tourism and similar businesses with potential to improve local incomes and preserve working landscapes.*

³³ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic in considered undevelopable.

The plan also urges greater use of WAC easements to preserve farmland.³⁴

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based in part on LAP’s experience in the Town to date, NYCDEP estimates that through 2022 it could acquire 1,828 additional acres in Conesville either in fee simple or through conservation easements. Based on the percentage of the Town’s low-density residential and vacant land that is developable as of 2009, it is estimated that the projected total could include approximately 955 acres of developable land. NYCDEP further estimates that WAC could during the same period purchase easements on 572 acres of agricultural land.

As shown in the following table, it is estimated that after taking into account both the Extended LAP acquisitions and the land required to support new development, Conesville would still be left with approximately 73 percent of the Town’s current stock of developable vacant and low-density residential land.

Table 4-42: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		5,525 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	1,828 acres	
Developable vacant or low-density residential land acquired		955 acres
Residential Development, 2010-2022		
Projected housing units built	144 units	
Land needed for housing	899 acres	
Developable portion of land needed for housing		560 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		4,009 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		73 percent

Further acquisitions in Conesville through 2022 can also be assessed in terms of their potential impact on the character of the community. NYCDEP’s Land Acquisition Program appears to be broadly consistent with the goals outlined in the Conesville comprehensive plan – especially those relating to preservation of environmental quality and of “working landscapes.” Moreover, because the program operates strictly on a “willing seller, willing buyer” basis, it is also consistent with the goal of protecting property rights.

The acquisitions in fee simple and through conservation easements projected above could have a positive impact on the Town’s stated goals of preserving its rural character and maintaining a “clean and green” environment. And as called for in the Town’s comprehensive plan, the introduction of WAC agricultural easements in Conesville could contribute to preservation of the Town’s existing farms.

Assuming that the percentage of NYCDEP-acquired land remains constant, NYCDEP’s projected acquisitions in fee simple through 2022 would open more than 1,000 additional acres

³⁴ Town of Conesville, Comprehensive Plan, 2007, pp.3-1 to 3-3.

to public recreational use. This could represent a significant amenity for both residents and second-home owners – and could also support the development of tourism-based businesses.

The Town has proposed that designated hamlet areas be increased from 275 to 1,845 acres, which NYCDEP has agreed is appropriate. This expansion, focused in the central portion of the Town east of the hamlet of Conesville, could shift NYCDEP acquisitions away from areas that the Town feels are likely to be most suited for new development – and could help ensure that land is available in these areas for new commercial, residential or other development.

CONCLUSIONS

Even with the Extended LAP projected to acquire more than 1,800 acres through fee purchases and conservation easements between 2010 and 2022, there should be sufficient developable land available in Conesville to support the projected level of new residential development – especially if as discussed above the rate of new development proves to be substantially lower than that which occurred between 1990 and 2008. At the same time, the Extended LAP would help preserve the natural environment that is valued both by full-time residents and second-home owners; and the projected acquisition of WAC easements on 572 acres of farmland in the Town should help preserve its agricultural base. The proposed increase in the size of Conesville’s designated hamlet areas will also ensure that some land is available to support development in other sectors.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Conesville.

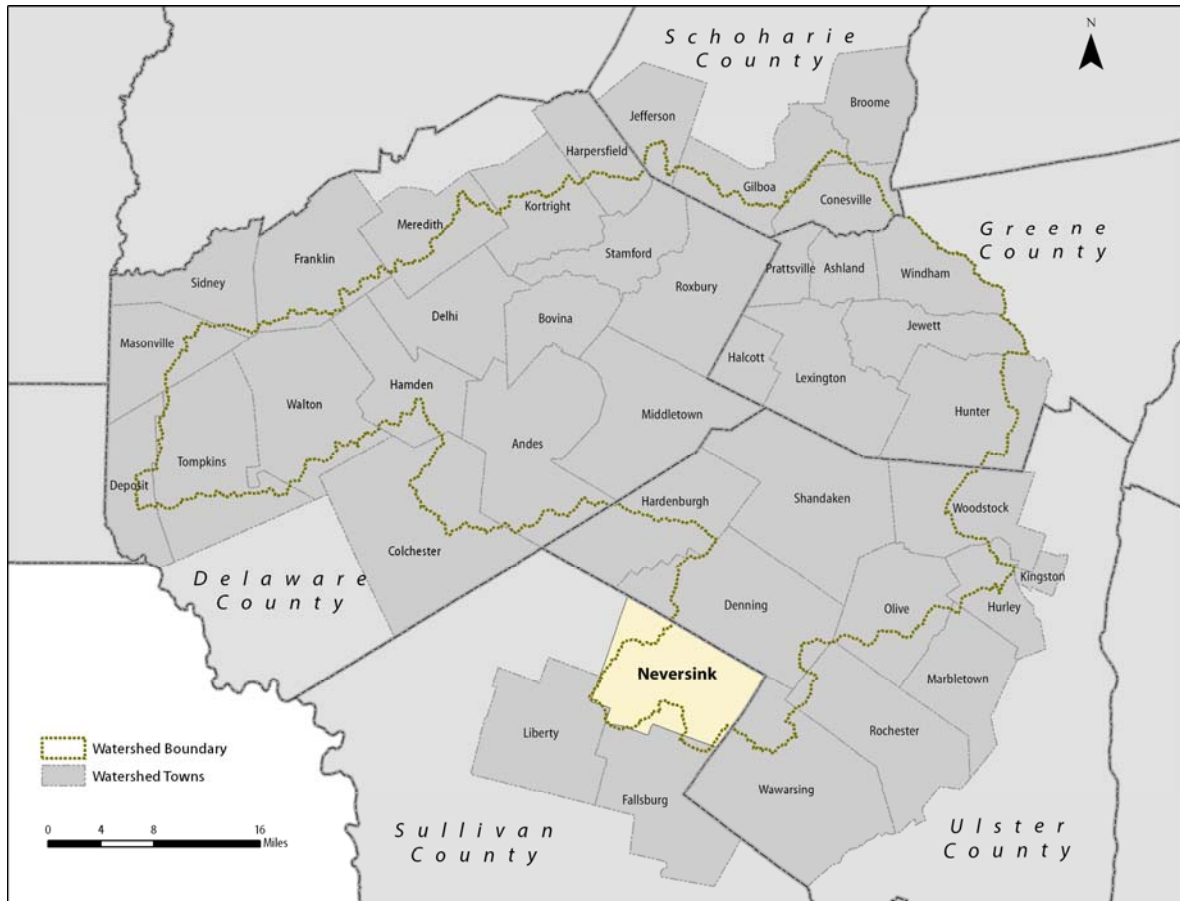
SULLIVAN COUNTY

TOWN OF NEVERSINK

EXISTING CONDITIONS

The Town of Neversink, located in northeastern Sullivan County, had an estimated population of 3,909 in 2008. The Town's resident population has grown by more than 32 percent since 1990, with most of this growth occurring before 2000.

Figure 4-43: Map of Neversink in relation to the watershed



Town of Neversink – Quick Facts

Land area:	55,144 acres
Percent of town land area within the watershed:	79%
Percent of land protected	31%
Population (estimated), 2008:	3,909
Median age (estimated), 2008	39.7
Median household income (estimated), 2008	\$54,855

As shown in Table 4-43 and Figure 4-44, low-density residential and privately-owned vacant land together account for nearly half the Town's total area. Neversink has an active agricultural sector. Commercial activity is generally concentrated along Routes 55 and 42, in and around the hamlet of Grahamsville.

Neversink has a substantial second-home sector. About 25 percent of all housing units in 2000 were for seasonal or recreational use. Growth in this sector appears to have continued since 2000; between 2000 and 2008, the Town's housing stock grew by nearly 15 percent, while its resident population grew by about 5 percent.

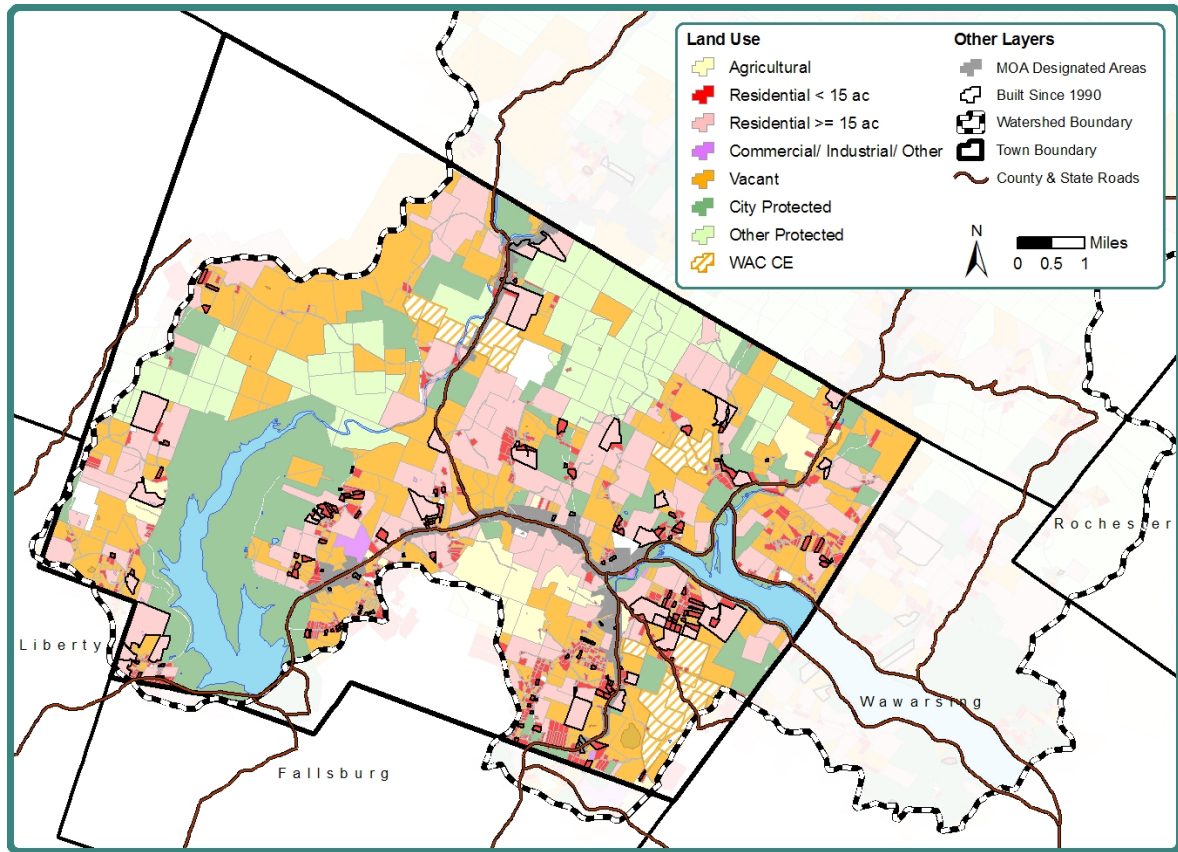
Recent development activity since 1990 (as shown in the black highlighted parcels in Figure 4-44) has largely occurred in the vicinity of the hamlet of Grahamsville and Routes 55 and 42. Based on estimates supplied by DemographicsNow, it is estimated that between 2000 and 2009, approximately 289 new housing units were built in Neversink. This level of growth, high in comparison to many West-of-Hudson towns, can be attributed to the Town's closer proximity to the New York metropolitan area, and to easy access to Rte 17/I-86.

Table 4-43: Land uses by type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>
Agricultural ³⁵	2,909	7%	365	3%	3,274	6%
High-Density Residential	2,939	7%	1,122	10%	4,060	7%
Low-Density Residential	9,120	21%	2,410	21%	11,530	21%
Commercial/Other	283	1%	68	1%	351	1%
State/Other Protected	5,616	13%	2,836	25%	8,452	15%
City Protected	9,918	19%	N/A	N/A	8,324	15%
Vacant	11,670	27%	3,539	31%	15,210	28%
Total	43,804		11,340		55,144	

³⁵ The agricultural category includes WAC conservation easements.

Figure 4-44: Map of Neversink showing land use and protected land within the Watershed



Neversink’s website highlights the Town’s historic relationship to the watershed, noting that it is “home to the Neversink Reservoir and part of the Rondout Reservoir.” The Town also notes that because of its position in the city’s water supply system, “Neversink has the added benefit of a guaranteed pristine environment.”

Moreover, because of its location in the watershed and at the southern end of the Catskill Park, “Neversink affords residents and visitors numerous recreational activities including hiking, biking, hunting, fishing and camping.”

Previous LAP Activity

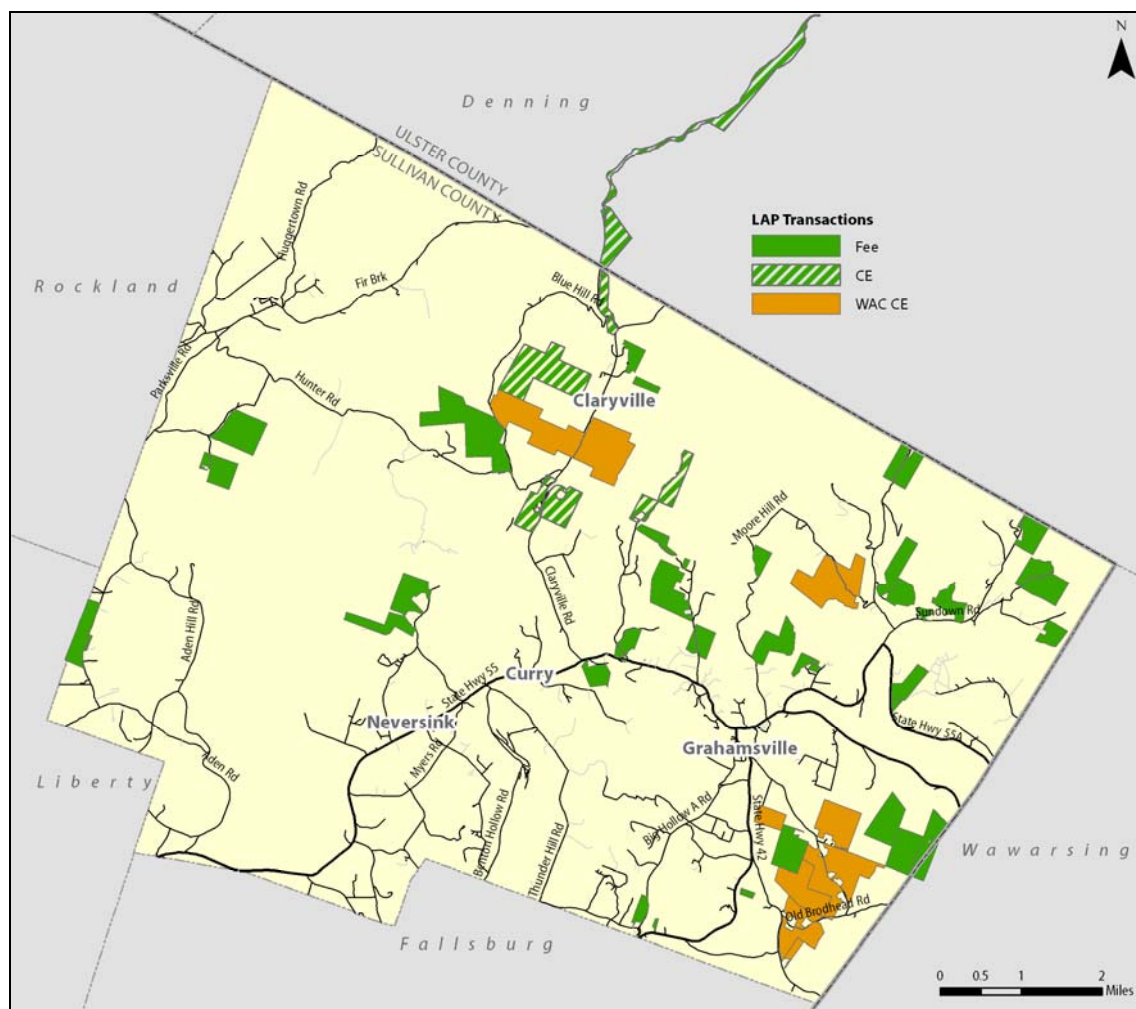
Through June 2009, NYCDEP had acquired a total of 4,671 acres in Neversink pursuant to the 1997 MOA. As shown in Table 4-44 below, purchases in fee simple account for about 53 percent of all acquisitions in the town.

Figure 4-45 shows the location of LAP properties in Neversink, by type of acquisition.

Table 4-44: Acquisitions in the Town of Neversink through July 2009

Type of acquisition	Acres
Fee simple	2,462
Conservation easements	748
WAC agricultural easements	1,462
Total acquired	4,671

Figure 4-45: Map of LAP properties in Neversink, by type of acquisition



Through June 2009, as noted above, WAC had acquired easements on 1,462 acres of agricultural land – about 45 percent of all agricultural land in Neversink.

As of July 2009, NYCDEP had opened 2,487 acres of land acquired under LAP for public recreational use. Opening this land for recreational use represented a 79 percent increase in the total City-owned acreage available for public recreational use in Neversink.

Pursuant to the 1997 MOA, the Town designated hamlet areas totaling 1,197 acres, concentrated along the major roads in and around Grahamsville. While the Town did not elect to preclude fee simple purchases in these hamlet areas, acquisitions under LAP (including WAC easements) have nevertheless focused primarily on outlying areas.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Sullivan County is expected to grow by about 3 percent – a much lower growth rate than the County has experienced in the past two decades. At the same time, the demand for second homes in Sullivan County may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” we have nevertheless estimated future residential development based on the rate of development during the past two decades. If it is assumed that the pace of new development in Neversink (as measured by new residential units) remains the same as it was between 1990 and 2008, it can then be estimated that the land required to support new development through 2022 will total approximately 2,027 acres, including 1,501 acres of land characterized as developable³⁶ – about 12 percent of the Town’s supply of such land as of 2009.

As it will elsewhere in the region, the overall level of agricultural production in Neversink is likely to decline.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

As shown in Table 4-45, NYCDEP projects that through 2022, it could acquire 4,171 additional acres in Neversink either in fee simple or through conservation easements. Based on the percentage of the Town’s low-density residential and vacant land that is developable as of 2009, it is estimated that these acquisitions will include approximately 1,833 acres of developable land – about 14 percent of the Town’s supply of developable vacant, low-density residential and agricultural land as of 2009.

NYCDEP also projects that WAC could acquire easements on 301 acres of agricultural land – of which 143 acres, or one percent of the Town’s 2009 supply, will be developable.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions (including WAC easements) and the land required to support new development, Neversink would still be left with 9,319 acres of developable vacant, low-density residential and agricultural land in 2022 – approximately 73 percent of the Town’s current stock of such land.

³⁶ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic is considered undevelopable.

Table 4-45: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant, low-density residential or agricultural land in 2009		12,797 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	4,171 acres	
Projected WAC acquisitions	301 acres	
Developable vacant, low-density residential or agricultural land acquired		1,976 acres
Residential Development, 2010-2022		
Projected housing units built	456 units	
Land needed for housing	2,027 acres	
Developable portion of land needed for housing		1,501 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		9,319 acres
Percent of 2009 developable vacant, low-density residential or agricultural land remaining in 2022		73 percent

The estimate of the amount of developable land remaining in 2022 may be conservative in several respects. As noted above, the pace of development in Neversink has been somewhat slower since 2000 than it was in the 1990s; the assumption that new development will average 38 new units per year could prove to be overstated.

The potential impact of additional acquisitions between 2010 and 2022 can also be assessed in terms of their potential effects on the character of the community. To the extent that it helps to protect the Town's natural environment, the Land Acquisition Program thus reinforces some of Neversink's greatest strengths.

Agriculture is an important aspect of community life in Neversink. Each year the Neversink Agricultural Society sponsors a local fair that is one of the oldest events of its kind in New York State. By helping to preserve farmland in an area that has seen significant development during the past twenty years, the WAC easement program helps to preserve the Town's agricultural heritage.

Acquisition of additional land by NYCDEP will further protect the "pristine environment" that Neversink highly values. Moreover, based on NYCDEP's experience in Neversink to date, we estimate that more than 2,000 acres of additional land acquired by NYCDEP in fee simple could be opened for public recreational use – further enhancing one of the Town's greatest attractions.

As noted above, Neversink designated hamlet areas totaling 1,197 acres pursuant to the 1997 MOA. The Town has not sought to expand these areas. Under the terms of the new WSP concerning hamlet expansions, Neversink would have the option to expand.

NYCDEP's acquisition of land in outlying areas of Neversink helps to maintain the Town's primarily low-density, rural character, and helps protect the quality of the Town's natural environment.

CONCLUSIONS

Despite the projected acquisition of more than 4,100 acres in fee simple or conservation easements under the Extended LAP, and 301 acres in WAC farm easements, it is estimated that in 2022 there would still be more than 9,000 acres of developable land remaining in Neversink. The Town's supply of such land thus appears to be more than sufficient to support the projected

rate of residential development. Projected acquisitions under the Extended LAP would help preserve the Town's high-quality natural environment; and Extended LAP could also result in the opening of more than 2,000 acres in Neversink for public recreational use – thus reinforcing one of the Town's greatest strengths.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Neversink.

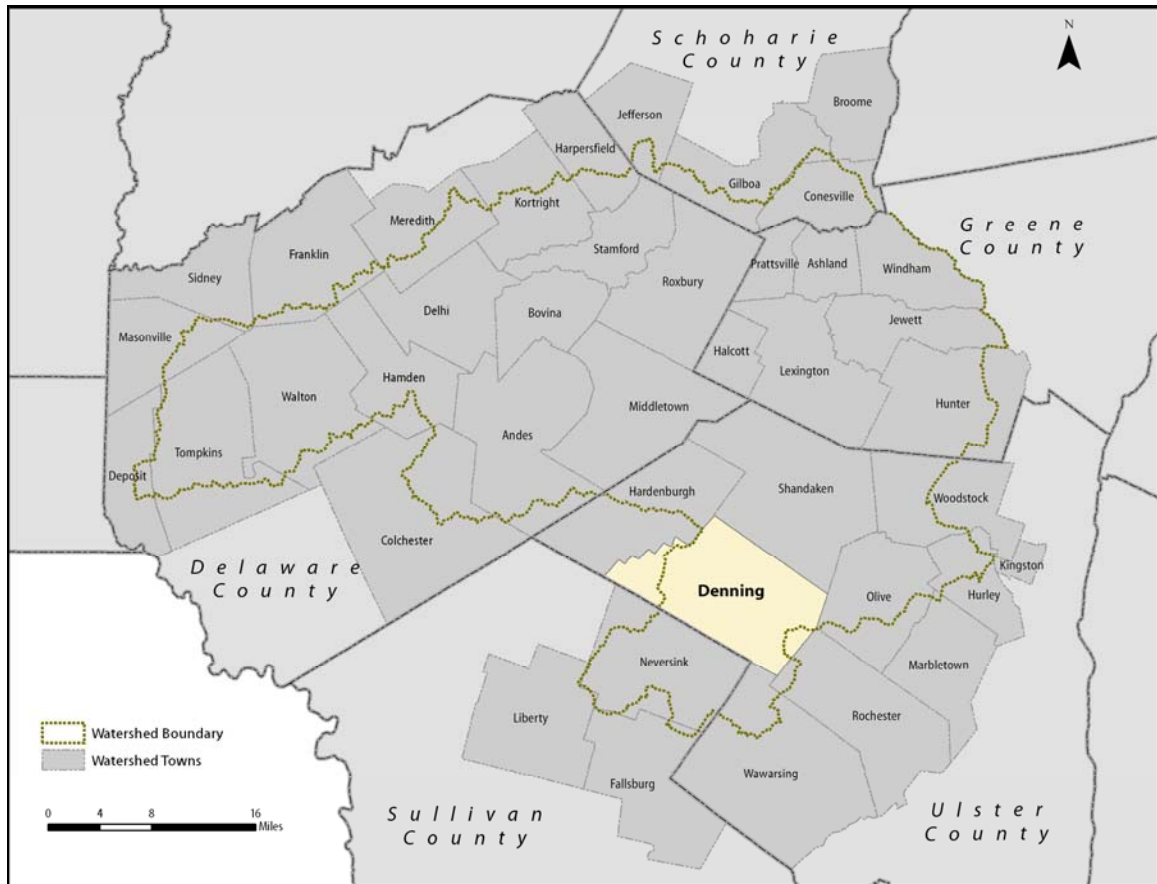
ULSTER COUNTY

TOWN OF DENNING

EXISTING CONDITIONS

Denning is primarily rural, with development concentrated on the southern border of the town. Denning's resident population in 2008 was estimated to be 524 – an increase of 1.6 percent since 2000. The Town's population density is only 5.1 persons per square mile.

Figure 4-46: Map of Denning in relation to the watershed



Town of Denning – Quick Facts

Land area:	65,430 acres
Percent of town land area within the watershed:	86%
Percent of land protected:	55%
Population (estimated), 2008:	524
Median age (estimated), 2008	48
Median household income (estimated), 2008	\$43,765

As shown in Table 4-46 and Figure 4-47, land use in Denning is dominated by New York State Forest Preserve land, comprising 41,061 acres or 63 percent of the Town's total area. The rest of the Town consists primarily of either low-density residential parcels (19 percent of the Town's area) or privately-owned vacant land (12 percent). In addition to its full-time population, the Town has a relatively large seasonal or part-time population; in 2000, according to the Census Bureau, 47 percent of Denning's 518 housing units were for seasonal or recreational use. The land area devoted to commercial, industrial and community uses is small (181 acres).

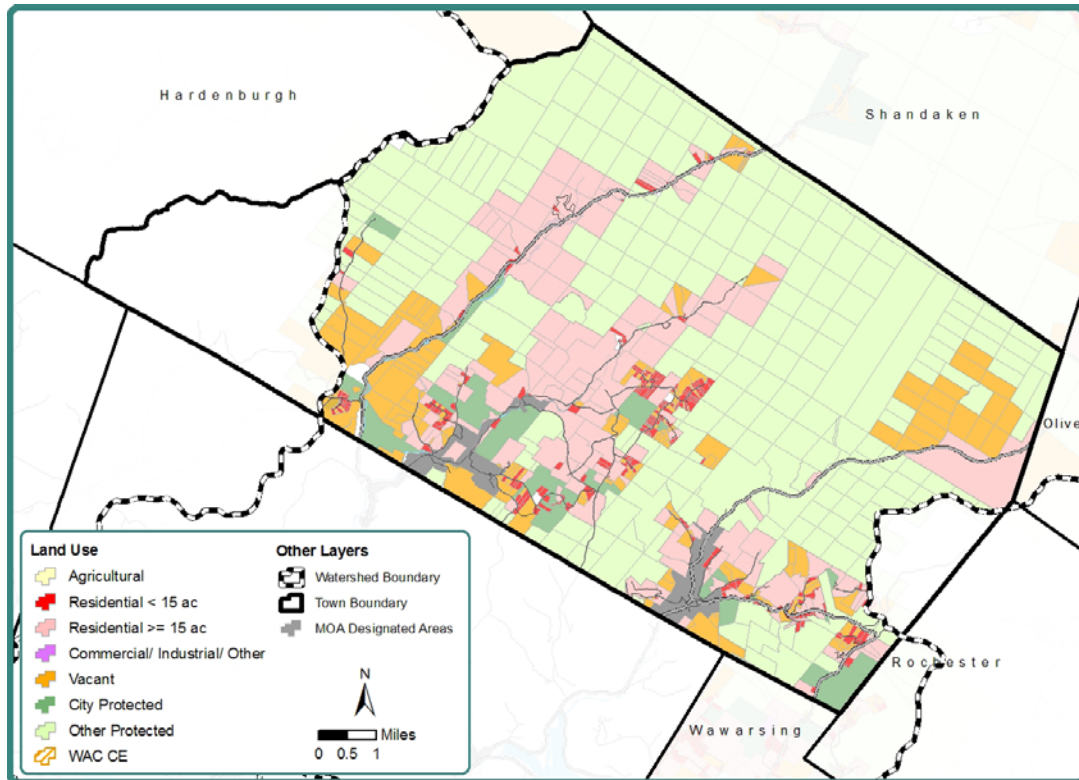
The Town's largest enterprise, and one of its strongest economic assets, is the Frost Valley YMCA, a 6,000-acre complex that draws 40,000 visitors a year for family vacations and other recreational, cultural and educational activities, and employs 120 people. Due largely to its mountain terrain, agricultural uses are very limited in Denning.

There has been little recent development activity. Based on Census data, it is estimated that between 2000 and 2008, 19 new housing units were built in Denning.

Table 4-46: Land uses by type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>
Agricultural	0	0%	0	0%	0	0%
High-Density Residential	1,544	3%	201	2%	1,745	3%
Low-Density Residential	11,320	20%	1,429	16%	12,750	19%
Commercial/Other	10	0%	171	2%	181	0%
State/Other Protected	33,367	59%	7,845	87%	41,212	63%
City Protected	2,402	4%	N/A	N/A	2,402	4%
Vacant	6,415	11%	1,716	19%	8,130	12%
Total	56,447		8,983		65,430	

Figure 4-47: Map of Denning showing land use and protected land within the Watershed



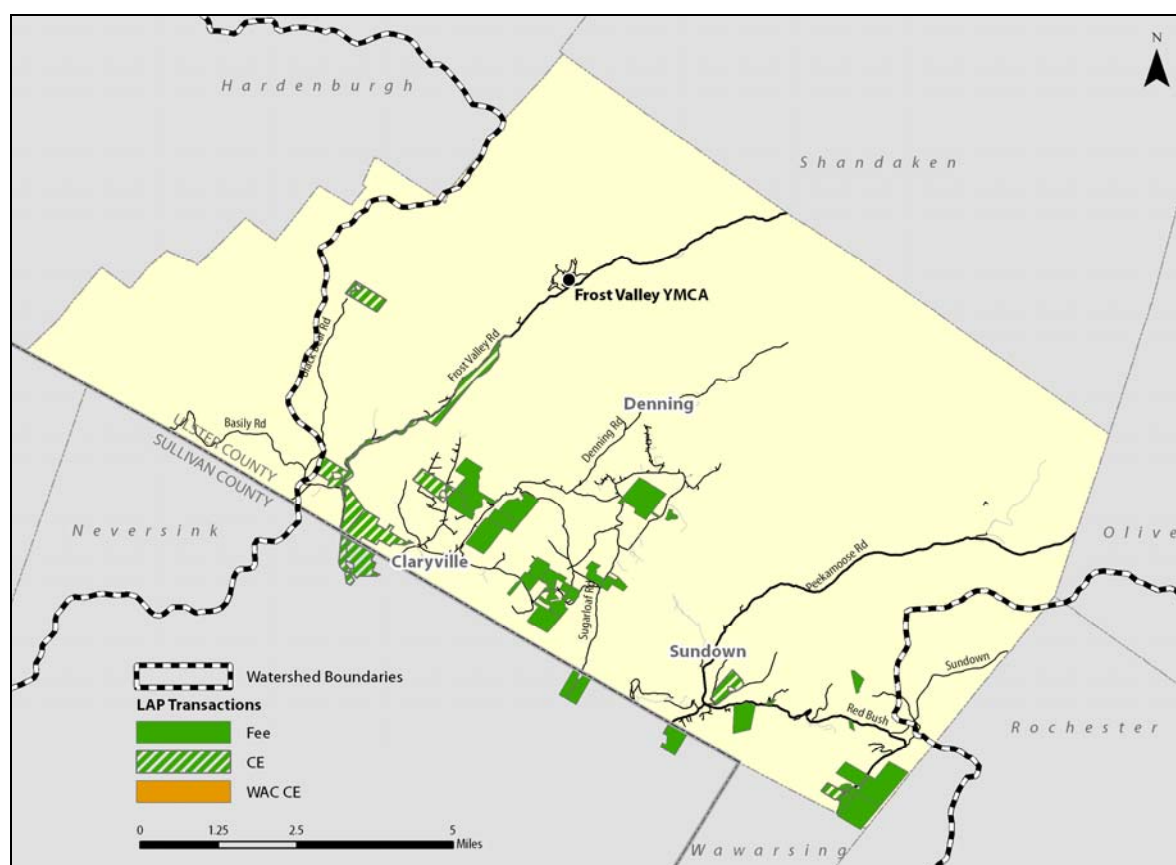
Previous LAP Activity

Through July 2009, NYCDEP had acquired a total of 2,499 acres in Denning pursuant to the 1997 MOA. As shown in Table 4-47 below, purchases of land in fee simple account for 65 percent of the total acreage acquired under LAP. Figure 4-48 shows the location of LAP properties in Denning, by type of acquisition.

Table 4-47: Acquisitions in the Town of Denning through July 2009

Type of acquisition	Acres
Fee simple	1,634
Conservation easements	865
WAC agricultural easements	-
Total acquired	2,499

Figure 4-48: Map of LAP properties in Denning, by type of acquisition



As of October 2009, a total of 1,206 acres acquired by NYCDEP in fee simple in Denning had been opened by NYCDEP for recreational use – about 74 percent of the land that NYCDEP has acquired in fee simple in the Town since the beginning of the Land Acquisition Program.

As shown in Figure 4-48, much of the land acquired in Denning by the NYCDEP Land Acquisition Program through July 2009 is located on the outskirts of the town's two hamlets, Claryville (which is partly in the Town of Neversink) and Sundown. Under the terms of the MOA, the Town elected to preclude acquisitions within the designated hamlets themselves; Denning has designated hamlet areas totaling 1,107 acres.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Ulster County is expected to grow by about 3 percent, somewhat slower than the rate of growth during the past two decades. At the same time, the demand for second homes in the County may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” we have nevertheless estimated future residential development based on the rate of development during the past two decades. Assuming the pace of new development in Denning (as measured by new residential units) remains the same as it was between 1990 and 2008, it is estimated that the land required to support new development through 2022 will total approximately 241 acres – including 71 acres of land characterized as developable.³⁷

Beyond this modest residential development, conditions are likely to remain consistent with those of the past decade – a largely rural community, with commercial activity limited primarily to businesses that serve the local population, and visitors to the region.

Denning’s 2007 Comprehensive Plan calls for lower density zoning outside of the Town’s hamlet areas to help “manage growth” and preserve the rural character of the Town.³⁸ The Comprehensive Plan also highlights the importance of protecting the natural environment. As the Town’s Plan puts it:

*Denning is not a suburban community. Nor is it a place with all modern conveniences. Accordingly, new housing will be carefully sited to protect natural resources and enhance established neighborhoods and roads in, or adjacent to, the hamlets in Claryville and Sundown, and also the settlements at Frost Valley, Red Hill, Denning and Ladleton. Outside of these places, forestry and other physical development should occur selectively, with consideration of the capability of the soils, slopes, and streams to support new development.*³⁹

The plan defines a series of goals that Denning seeks to achieve, including:

- *Maintain and preserve Denning’s natural beauty and rural character, such as its hillsides and views*
- *Help keep land and housing prices affordable for residents*
- *Manage and improve the form and quality of existing neighborhoods to reinforce and enhance existing community character*
- *Protect water resources*
- *Accommodate new growth within the traditional community settings and specific designated areas. Minimize the conversion of undeveloped land in the remote mountain areas and other outlying areas in favor of careful infill in and adjacent to the valley and on Red Hill. This will strengthen the community and its sense of place.*

³⁷ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, or slopes of greater than 15 percent. Land with any one or more of these characteristic in considered undevelopable.

³⁸ Source: Town of Denning Comprehensive Plan 2007, pg. 19.

³⁹ Town of Denning Comprehensive Plan 2007, pg. 5.

- *Ensure that development is compatible with natural resources protection by achieving site development where buildings and access are separated from the most sensitive resources*
- *Allow for adequate, affordable housing in Denning, including some that meets the needs of older seniors and those of more modest means*
- *By working collaboratively with the Town of Neversink, plan for coherent growth which straddles municipal boundaries and provides the desired mix*
- *Diversify and strengthen the Town's fiscal base*
- *Promote a strong sense of community*
- *Foster systems of public communication which are informative and accessible in a variety of forms so that anyone interested has access*
- *Recognize that various lifestyles make up the intrinsic character of Denning*
- *Emphasize maintaining and enhancing existing road and stormwater facilities before adding new infrastructure*
- *Encourage and accommodate pedestrian options in hamlets and at large institutional properties*
- *Encourage opportunities in technology and economic development that are compatible with rural development and sustainable resource management*
- *Support tourism and cooperate with county- and state-level economic development policies and programs*
- *Minimize the costs of municipal services, especially costs related to fringe development*
- *Recognize the limited potential for growth in the hamlets – that which occurs should appear as small scale and should not be overly intensive*
- *Support businesses which practice the sustainable utilization of natural resources, including forestry and farming*
- *Provide clear and effective land use laws that are specific to the type of land use activity and its setting. Provide incentives in order to promote and achieve desired outcomes*
- *Promote public health and well-being by informing residents about how to minimize flood hazards and other risks, and describe how they should act in the event of a natural disaster*

- *Achieve innovative application of energy conservation and production in order to save public sector resources and sustain supplies⁴⁰*

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP's experience in Denning to date, NYCDEP estimates that through 2022, it could acquire a total of 5,046 acres either in fee simple or through conservation easements. Based on the developable percentage of land acquired in fee simple or as conservation easements as of June 2009, it is estimated that these acquisitions will include approximately 1,359 acres of developable land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Denning will still be left with approximately 66 percent of the Town's current stock of developable land.

Table 4-48: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		4,187 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	5,046 acres	
Developable vacant or low-density residential land acquired		1,359 acres
Residential Development, 2010-2022		
Projected housing units built	36 units	
Land needed for housing	241 acres	
Developable portion of land needed for housing		71 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		2,757 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		66 percent

As noted in Chapter 3, this estimate of LAP's impact on the Town's supply of developable land needs also to take into account that as of 2009, Denning's supply of such land is already quite limited. As defined here, developable land represents about 6.4 percent of the Town's total land area; and by 2022 this percentage would decline to 4.2 percent. Although NYCDEP is proposing to acquire a significant amount of land in Denning through 2022, the rate of housing development in the town has been extremely low. It is expected that there would be little potential for conflict between the projected level of the Extended LAP acquisitions and land needed for new development, given the low level of new development projected through 2022.

NYCDEP's Land Acquisition Program appears to be broadly consistent with the Town's goals, in particular those that relate to preserving the town's natural beauty and rural character, protecting water resources and other natural resources, and accommodating growth within traditional community settings. (This broad consistency should not, however, be taken to imply Town support for continuation or expansion of the Land Acquisition Program. As Town officials have noted, continued acquisitions by NYCDEP through 2022 on the scale assumed in the Draft EIS were not envisioned in 2007, when the Comprehensive Plan was written.)

⁴⁰ Ibid. pp. 10-11

CONCLUSIONS

While the amount of land projected to be acquired under the Extended LAP is substantial, the program is unlikely to affect the pace or character of development in the Denning. Extended LAP be consistent with the low-density, rural character of the Town, and would help preserve the natural environment that is among the Town's greatest assets.

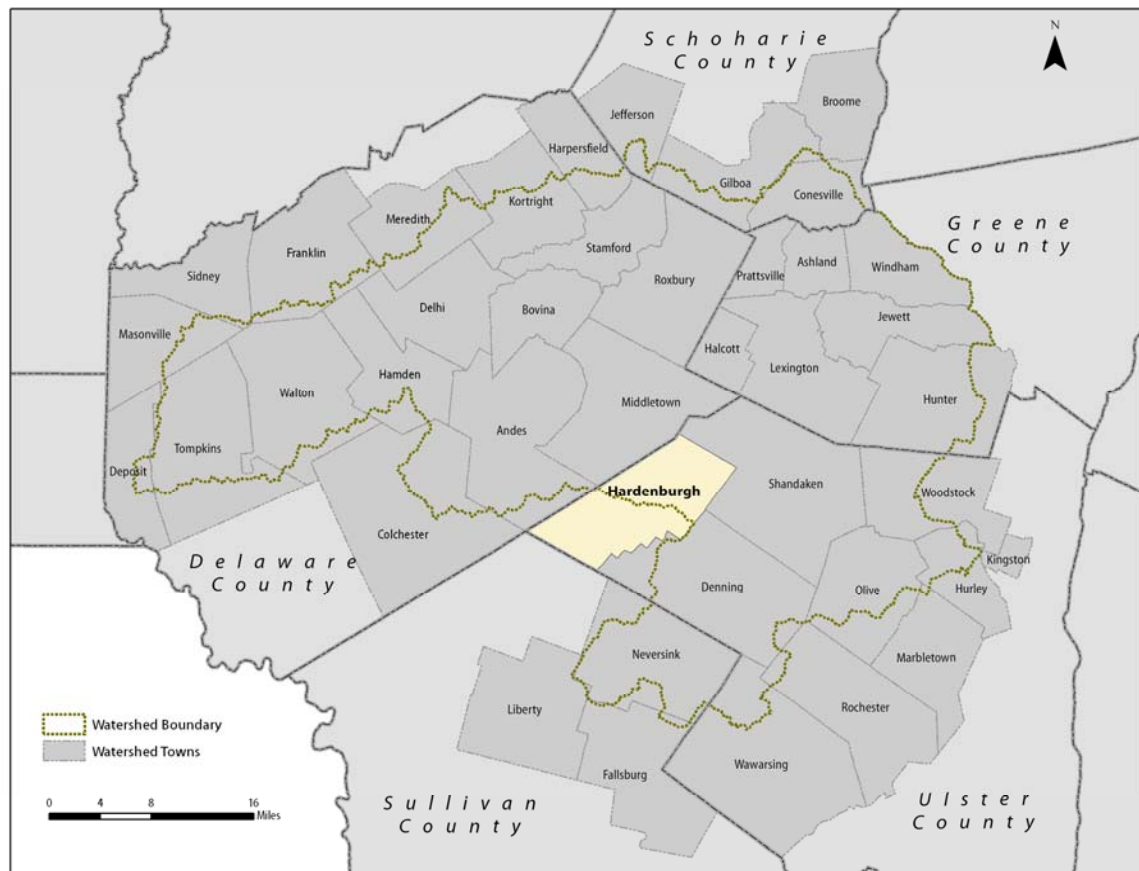
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Denning.

TOWN OF HARDENBURGH

EXISTING CONDITIONS

The Town of Hardenburgh – the westernmost town in Ulster County – is a very low-density rural community. With a resident population of 211, it has the lowest population density of any watershed town – 2.6 persons per square mile. Although only 44 percent of the Town’s total area lies within the watershed, we estimate (based on the location of residential parcels) that about two-thirds of the Town’s resident population live within the watershed.

Figure 4-49: Map of Hardenburgh in relation to the watershed



Town of Hardenburgh – Quick Facts

Land area:	51,756 acres
Percent of town land area within the watershed:	44%
Percent of land protected	53%
Population (estimated), 2008:	211
Median age (estimated), 2008	48.2
Median household income (estimated), 2008	\$44,509

Land uses in Hardenburgh reflect the Town's low-density rural character. As Table 4-49 and Figure 4-50 show, State-owned land accounts for more than half the Town's total area – especially in the portion of the Town that lies outside the watershed. Vacant land (23 percent of the total) and low-density residential parcels (10 percent) account for most of Hardenburgh's non-protected land. Most of the undeveloped privately owned land in the watershed portion of the town is controlled by a single land owner.

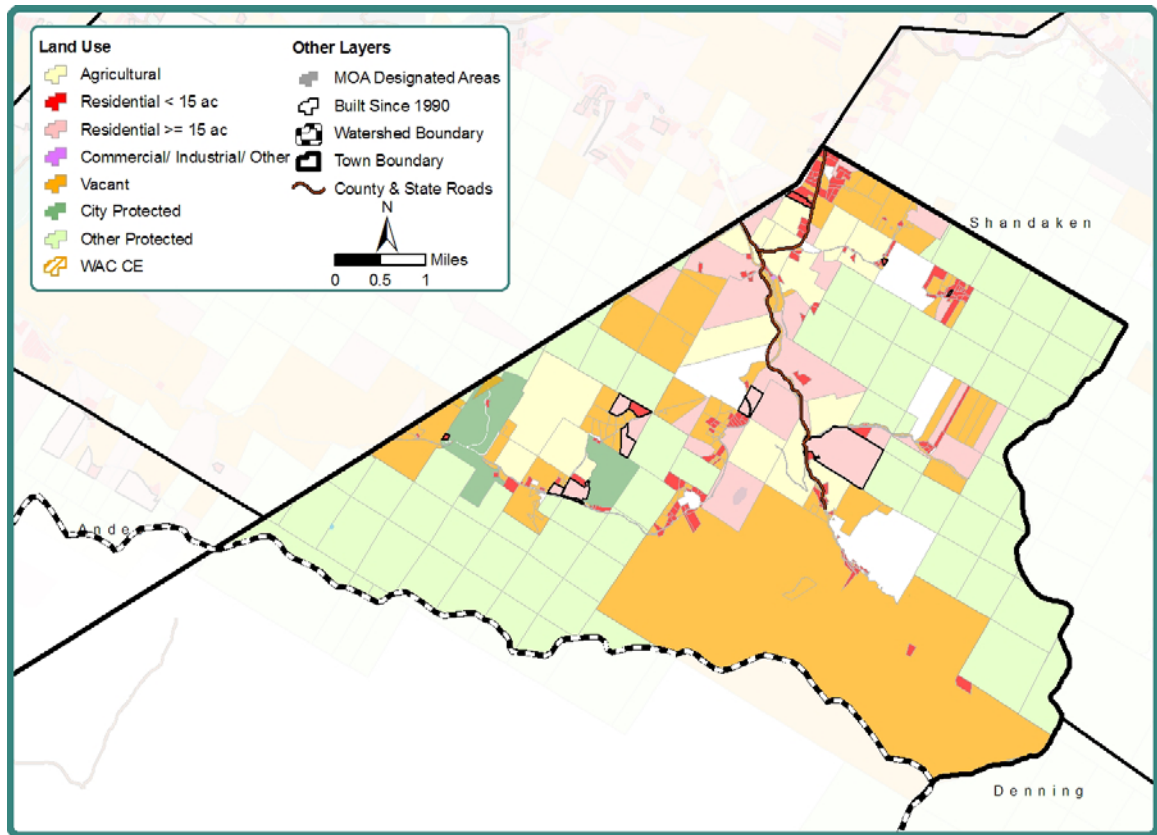
Although its total population is small, Hardenburgh has a relatively large second-home sector. In 2000, 47 percent of the Town's housing units were for seasonal or recreational use. Commercial, industrial and community uses occupy about 4 percent of the Town's land; but are almost entirely located outside the watershed. Commercial services for the northern portion of the Town (within the watershed), which is geographically distinct from the southern portion, are provided primarily in the hamlet of Arkville, in Delaware County.

There has been a modest amount of development in Hardenburgh since 1990 (as shown in the black highlighted parcels on Figure 4-50). Based on estimates from DemographicsNow on growth in the number of housing units in the Town, it is estimated that between 2000 and 2009, 9 housing units were added in Hardenburgh.

Table 4-49: Land uses by type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>
Agricultural	2,007	9%	175	1%	2,182	4%
High-Density Residential	534	2%	304	1%	838	2%
Low-Density Residential	1,989	9%	3,188	11%	5,178	10%
Commercial/Other	3	0%	1,877	6%	1,880	4%
State/Other Protected	9,108	40%	17,634	61%	26,743	52%
City Protected	543	2%	N/A	N/A	543	1%
Vacant	6,808	30%	4,864	17%	11,672	23%
Total	22,675		29,081		51,756	

Figure 4-50: Map of Hardenburgh showing land use and protected land within the Watershed



Previous LAP Activity

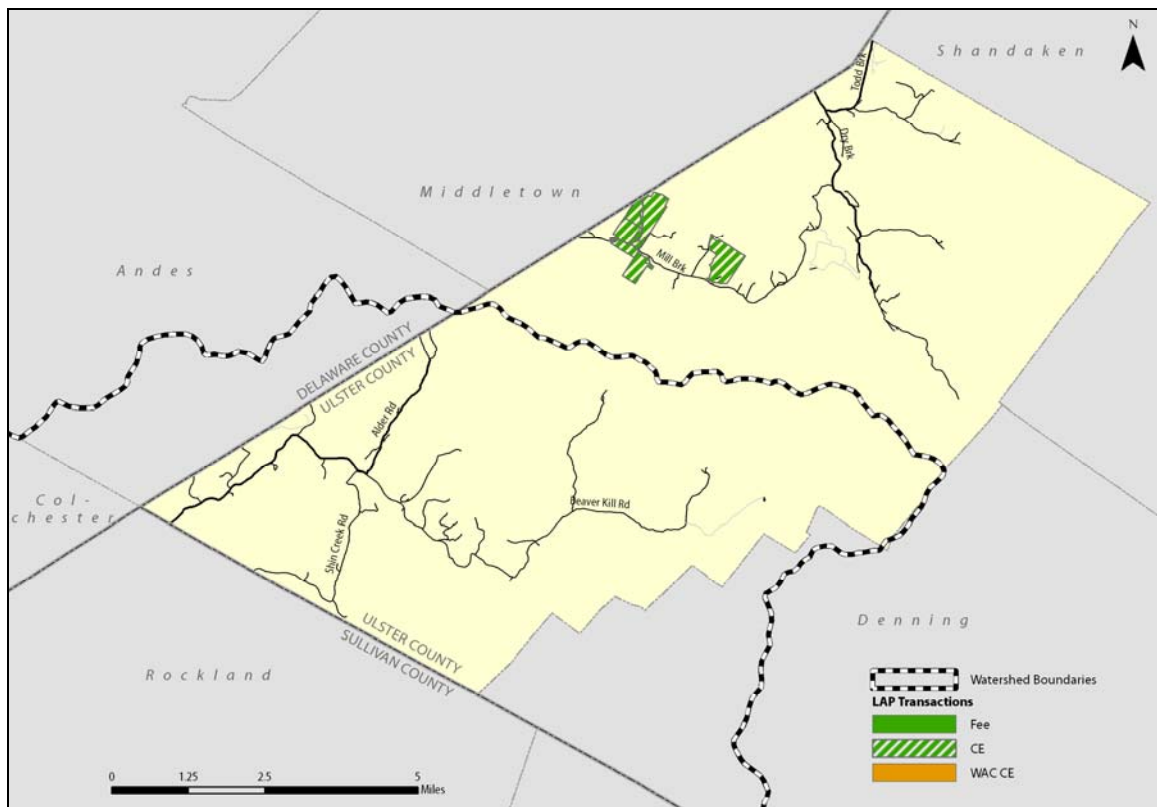
Through June 2009, as Table 4-50 shows, NYCDEP had acquired conservation easements on 595 acres of watershed land in Hardenburgh – slightly more than 1 percent of the Town’s total area. As of that date, NYCDEP had not acquired any acreage in Hardenburgh in fee simple; nor had WAC acquired any agricultural easements.

Figure 4-51 shows the location of LAP properties in Hardenburgh.

Table 4-50: Acquisitions in the Town of Hardenburgh through July 2009

Type of acquisition	Acres
Fee simple	0
Conservation easements	595
WAC agricultural easements	0
Total acquired	595

Figure 4-51: Map of LAP properties in Hardenburgh, by type of acquisition



Through June 2009, as noted above, WAC had acquired no agricultural easements in Hardenburgh. Nor had NYCDEP acquired in fee simple any land that had previously been used for agricultural purposes.

Having acquired no land in fee simple, NYCDEP has not opened any land acquired in Hardenburgh for recreational use. (Acquisition of conservation easements by NYCDEP does not bring with it the right to open land for public recreational use; control over access to such land remains with the owner.)

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Ulster County is expected to grow by about 3 percent, somewhat slower than the rate of growth during the past two decades. At the same time, the demand for second homes in the County may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” we have nevertheless estimated future residential development based on the rate of development during the past two decades. Assuming that the pace of new residential development in Hardenburgh averages 3 new units per year (a rate consistent with the issuance of building permits between 1997 and 2008), and that each new unit consumes 15 acres of land, it is estimated that the land required to support new

development through 2022 will total approximately 540 acres. This would include 166 acres of land characterized as developable – about 6 percent of the Town’s supply of developable land.⁴¹

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Because a relatively high proportion of its total area (53 percent) is already protected, especially through State ownership, as well as the Town’s physical characteristics, the total supply of developable vacant and low-density residential land in Hardenburgh is limited – an estimated 2,692 acres as of 2009.

After having acquired relatively little land through June 2009, NYCDEP estimates that through 2022 it could acquire a total of 3,209 acres in Hardenburgh either in fee simple or through conservation easements. Based on the developable percentage of land acquired in fee simple or as conservation easements as of June 2009, it is estimated that these acquisitions will include approximately 636 acres of developable land – 24 percent of the Town’s supply of developable vacant and low-density residential land in 2009. NYCDEP further estimates that WAC will during the same period purchase easements on 432 acres of agricultural land.

As shown in the following table, after taking into account both LAP acquisitions and the land required to support new development, it is estimated that Hardenburgh would still be left with approximately 70 percent of the Town’s current stock of developable vacant and low-density residential land.

Table 4-51: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		2,692 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	3,209 acres	
Developable vacant or low-density residential land acquired		636 acres
Residential Development, 2010-2022		
Projected housing units built	36 units	
Land needed for housing	540 acres	
Developable portion of land needed for housing		166 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		1,891 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		70 percent

As noted in Chapter 3, this estimate of LAP’s impact on the Town’s supply of developable land needs also to take into account that as of 2009, Hardenburgh’s supply of such land is already quite limited. As defined here, developable land represents only 5.2 percent of the Town’s total

⁴¹ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, or slopes of greater than 15 percent. Land with any one or more of these characteristic in considered undevelopable.

land area; and by 2022 this percentage would decline to 3.7 percent. However, with the low rate of new development projected in Hardenburgh (36 units over 12 years), it is expected that there is little potential for conflict between projected LAP acquisitions and the land needed to support new development. The Extended LAP through 2022 is thus unlikely to have any adverse impact on the rate of residential development in Hardenburgh.

NYCDEP acquisitions would also help protect the Town's natural environment, thus preserving the rural character of the Town. Moreover, assuming that the percentage of newly-acquired land opened to public recreational use is similar to what it has been in other watershed towns through 2009, it is estimated that through 2022 more than 1,200 acres of land acquired in fee simple in Hardenburgh could be made available by NYCDEP for public recreational use. WAC's acquisition of additional easements could also help preserve the Town's remaining agricultural uses.

Hardenburgh is one of several watershed towns that did not have the option to designate any hamlet areas under the 1997 MOA. In 2009, the Town also chose not to propose any new hamlet-area designations.

CONCLUSIONS

Hardenburgh has a very limited supply of developable land. But given the extremely low-density character of the Town and its history of limited growth, the projected level of acquisitions in Hardenburgh under the extended LAP is unlikely to affect in any substantial way the existing patterns of land use in the Town, or the availability of land for development through 2022.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Hardenburgh.

TOWN OF OLIVE
EXISTING CONDITIONS

The Town of Olive is located in central Ulster County, at the eastern edge of the West-of-Hudson watershed region. The Town’s resident population in 2008 was estimated at 4,759 – an increase of more than 16 percent since 1990, with most of this growth occurring before 2000.

Figure 4-52: Map of Olive in relation to the watershed



Town of Olive – Quick Facts

Land area:	41,735 acres
Percent of town land area within the watershed (including reservoirs):	70%
Percent of land protected	58%
Population (estimated), 2008:	4,759
Median age (estimated), 2008	45.0
Median household income (estimated), 2008	\$55,202

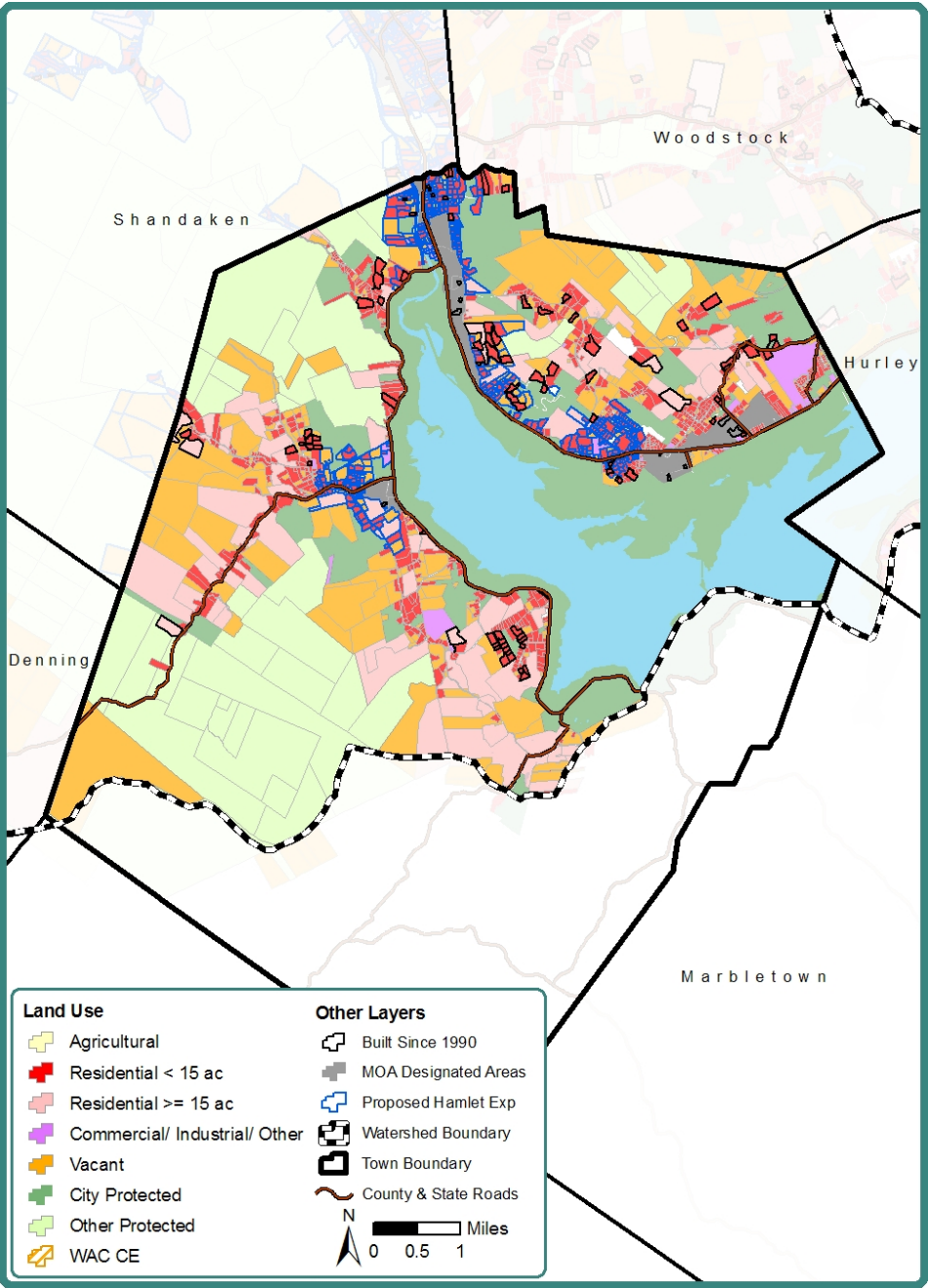
About 58 percent of the total area of the Town of Olive is protected (including the surface area of part of the Ashokan Reservoir, which makes up about 10 percent of the total area of the Town). Low-density residential and privately-owned vacant land makes up much of the rest – about 38 percent of the Town’s total area (see Table 4-52 and Figure 4-53). Compared to many other watershed towns, a relatively high percentage of the Town’s land is in higher-density residential use, reflecting the concentration of a substantial part of the Town’s population in its hamlets, as well as the Town’s proximity to employment opportunities in Kingston and along the New York State Thruway. About 13 percent of all housing units in Olive in 2000 were for seasonal or recreational use – one of the lowest percentages among all west-of-Hudson watershed towns. Olive currently has very little agricultural land – about 191 acres, virtually all of which is located outside the watershed.

Much of the recent development that has occurred in the watershed portion of Olive since 1990 (as shown in the black highlighted parcels on Figure 4-53), has been clustered in and near the hamlets along Routes 28 and 28A, including Ashokan, Shokan, Boiceville, West Shokan and Olivebridge. Based on estimates supplied by DemographicsNow, we estimate that between 2000 and 2009, approximately 158 new housing units were built in Olive.

Table 4-52: Land uses by type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>
Agricultural	1	0%	190	2%	191	0%
High-Density Residential	3,044	10%	2,751	22%	5,795	14%
Low-Density Residential	3,394	12%	3,545	28%	6,939	17%
Commercial/Other	426	1%	463	4%	888	2%
State/Other Protected	6,907	24%	1,183	9%	8,090	19%
City Protected	10,044	22%	N/A	N/A	6,524	16%
Vacant	5,039	17%	3,728	30%	8,767	21%
Total	29,252		12,483		41,735	

Figure 4-53: Map of Olive showing land use and protected land within the Watershed



The Town's website describes Olive as "primarily residential in nature, with a large percentage of seasonal residents, and a limited number of backyard farms with victory gardens." In a section geared to visitors, the site highlights Olive's natural beauty and recreational resources.

Olive embodies the beauty of the Catskills with its pristine streams and majestic mountain peaks. Sunrise and sunset at the Ashokan reservoir will take your breath away as you watch Mother Nature's color show. Olive has something for everyone. Fishing and wild game hunting....Hiking trails, maintained walkways, mountain bike trails and picnic areas around the Ashokan.

Natural beauty is Olive's strong point, from its cool, clear mountain streams to the majestic forests.

In describing opportunities for outdoor recreation in Olive, the site highlights fishing and boating on the Ashokan Reservoir, and hiking on the trails above the reservoir. The site also highlights opportunities for snowmobiling, tubing on the Esopus Creek, and the Town's restaurants and shops.

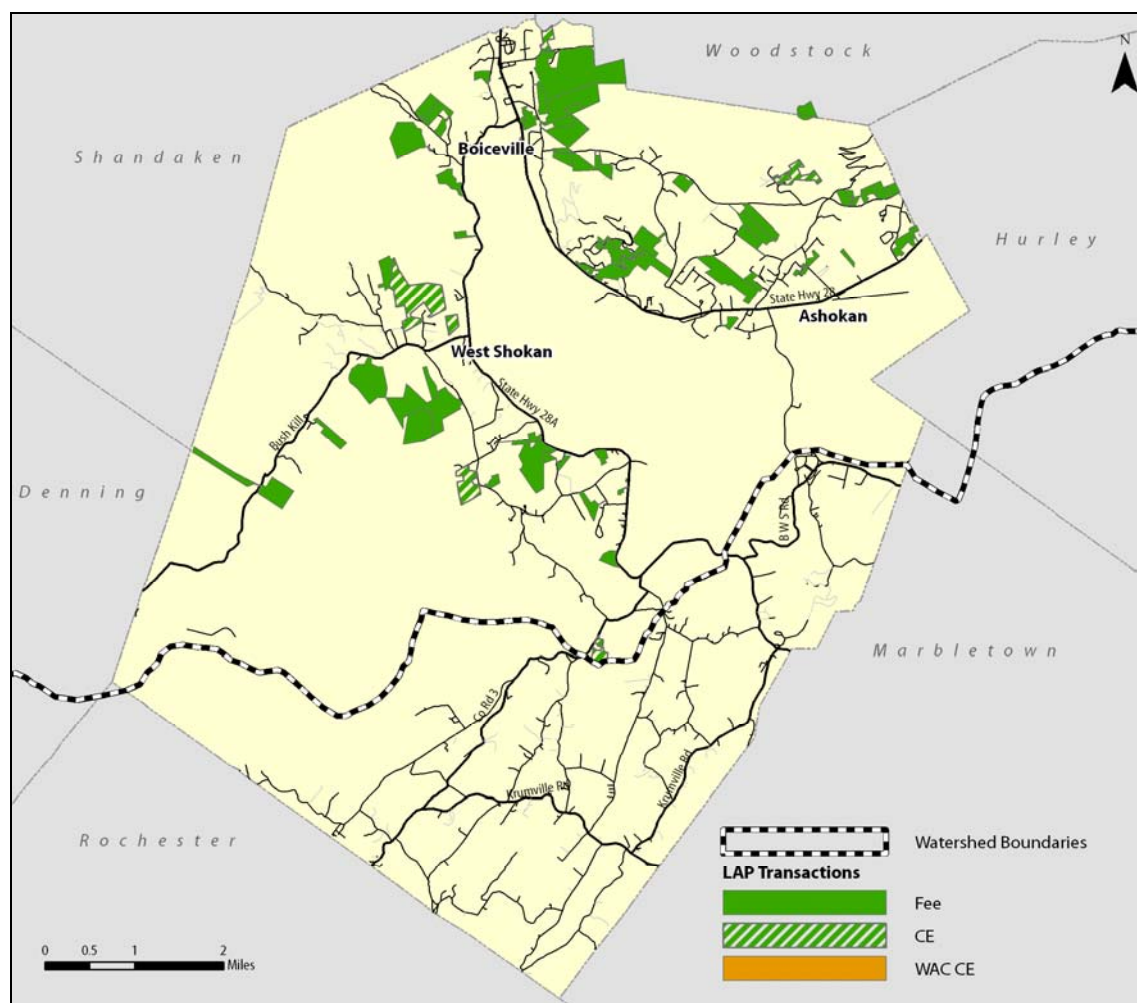
Previous LAP Activity

Through June 2009, NYCDEP had acquired a total of 2,285 acres in Olive pursuant to the 1997 MOA. As shown in Table 4-53 below, purchases in fee simple account for about 63 percent of all acquisitions in the town. Figure 4-54 shows the location of LAP properties in Olive, by type of acquisition.

Table 4-53: Acquisitions in the Town of Olive through July 2009

Type of acquisition	Acres
Fee simple	1,717
Conservation easements	568
WAC agricultural easements	0
Total acquired	2,285

Figure 4-54: Map of LAP properties in Olive, by type of acquisition



Of the 1,717 acres that NYCDEP acquired in fee simple as of July 2009, 926 acres – 54 percent of the total – had been opened for public recreational use.

Pursuant to the 1997 MOA, the Town designated hamlet areas totaling 547 acres. However the Town did not elect to prohibit acquisition of lands by LAP within these designated Hamlets.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Ulster County is expected to grow by about 3 percent, somewhat slower than the rate of growth during the past two decades. For purposes of constructing a “reasonable worst-case scenario,” we have nevertheless estimated future residential development based on the rate of development during the past two decades. Assuming the pace of new development in Olive (as measured by new residential units) remains the same as it was between 1990 and 2008 (about 23 units per year), it is estimate that the land required to support new development through 2022 will total

approximately 1,194 acres, including 748 acres of land characterized as developable – about 13 percent of the Town’s supply of such land as of 2009.⁴²

In addition to new residential development, the Town could see some additional growth in small businesses that serve local residents and visitors to the region.

FUTURE CONDITIONS WITH THE PROPOSED ACTION

Based on LAP’s experience in Olive to date, NYCDEP estimates that through 2022, it could acquire an additional 1,899 acres either in fee simple or through conservation easements. Based on the percentage of the Town’s low-density residential and vacant land that is developable as of 2009, it is estimated that these acquisitions will include approximately 871 acres of developable land – about 15 percent of the Town’s supply of developable vacant and low-density residential land as of 2009.

As shown in the following table, it is thus estimated that after taking into account both LAP acquisitions and the land required to support new development, Olive will still be left with 4,065 acres of developable vacant and low-density residential land in 2022 – approximately 72 percent of the town’s current stock of such land.

Table 4-54: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		5,684 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	1,899 acres	
Developable vacant or low-density residential land acquired		871 acres
Residential Development, 2010-2022		
Projected housing units built	276 units	
Land needed for housing	1,194 acres	
Developable portion of land needed for housing		748 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		4,065 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		72 percent

This estimate could prove to be conservative. As noted above, the pace of development in Olive has been somewhat slower since 2000 than it was in the 1990s. The assumption that new

⁴² For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, or slopes of greater than 15 percent. Land with any one or more of these characteristic in considered undevelopable.

development will average 23 new units per year between 2010 and 2022 could prove to be overstated.

The relatively high demand for land to accommodate new development that has been projected here could suggest some potential for conflict between the projected level of acquisitions by NYCDEP and future development in Olive. However, as Figure 4-54 indicates, much of the recent development within the Town has been concentrated along or near Routes 28 and 28A, while much of the vacant and low-density residential land most likely to be acquired by NYCDEP lies outside these corridors.

The potential impact of future acquisitions can be assessed relative to the character of the community, as reflected both in historic patterns of development and as that character is described by the Town in the above section. NYCDEP's acquisition of watershed land and conservation easements is broadly consistent with the preservation of the Town's natural assets, and has added to the supply of land available for public recreation. Moreover, the designation of hamlet areas within which the City does not acquire property helps ensure that LAP is compatible with the goals for preservation and revitalization of hamlets in the Route 28 corridor that have been stated by the Central Catskills Collaborative, of which the Town of Olive is a member. Moreover, the Town has proposed to expand Olive's designated hamlet areas from 547 to 1,333 acres, which NYCDEP agrees is reasonable. If the Town elects, in the future, to prohibit acquisitions from the designated area, this would further ensure that land is available within these areas to continue to accommodate future development.

CONCLUSIONS

While the amount of land projected to be acquired in Olive under the Extended LAP is substantial, the Town would still have a substantial supply of undeveloped land as of 2022. Additional acquisitions under the Extended LAP would help protect the high-quality natural environment that is clearly among Olive's greatest economic assets.

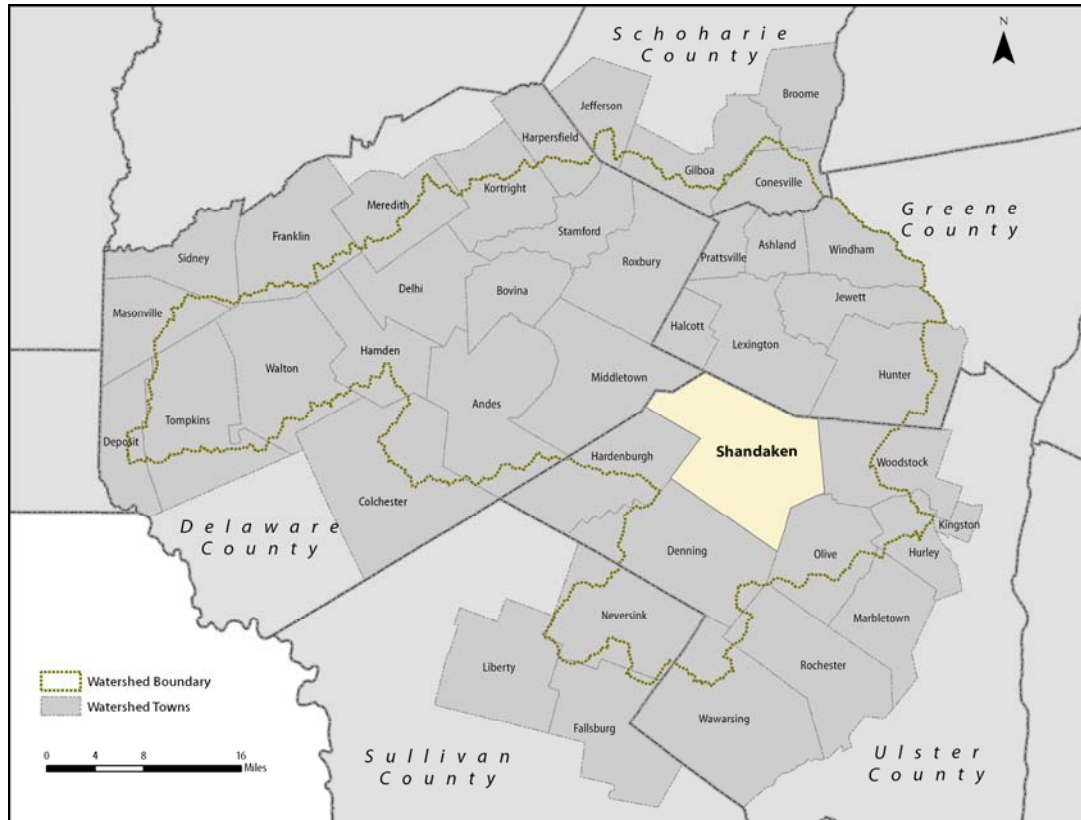
On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Olive.

TOWN OF SHANDAKEN

EXISTING CONDITIONS

The Town of Shandaken is located in northwestern Ulster County, entirely within the New York City watershed. Shandaken's resident population in 2008 was estimated to be 3,427 – an increase of 5.9 percent since 2000. Shandaken is primarily rural in character, with most of its population concentrated in hamlets such as Pine Hill, Shandaken, Phoenicia and Big Indian along Route 28.

Figure 4-55: Map of Shandaken in relation to the watershed



Town of Shandaken – Quick Facts

Land area:	78,875 acres
Percent of town land area within the watershed:	100%
Percent of land protected:	72%
Population (estimated), 2008:	3,427
Median age (estimated), 2008	47
Median household income (estimated), 2008	\$39,555

The local economy is based primarily on recreational activity, including skiing at Belleayre Mountain as well as hiking and hunting in the State Forest Preserve. In addition to its full-time population, the Town has a relatively large seasonal or part-time population; in 2000, according

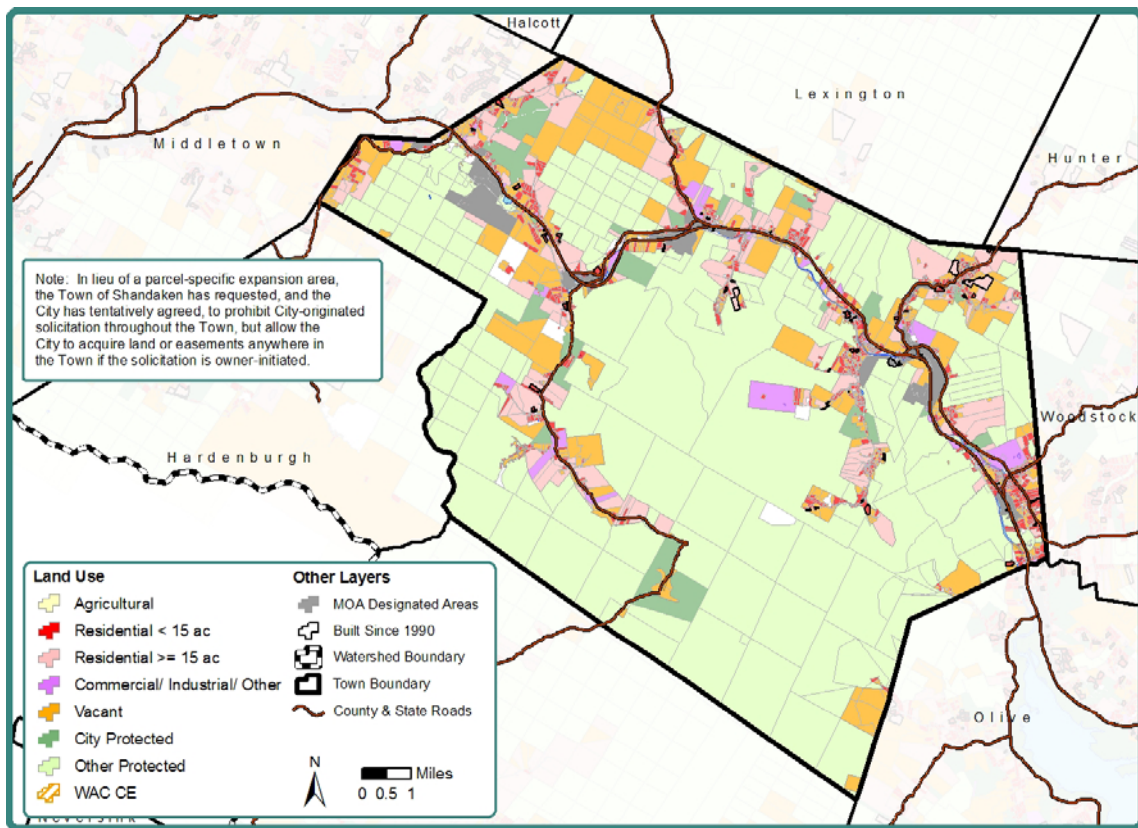
to the Census Bureau, 32 percent of Shandaken's 2,710 housing units were for seasonal or recreational use. DemographicsNow estimates that between 2000 and 2008, the total number of housing units in the Town increased by 205 – an average of 25.6 units per year.

As Table 4-55 and Figure 4-56 show, nearly 72 percent of Shandaken's total area consists of protected land, with privately-owned vacant land and low-density residential land accounting for about two-thirds of the remainder.

Table 4-55: Land uses by type

Land Use	<i>Acres</i>	<i>% of Total</i>
Agricultural	0	0%
High-Density Residential	3,808	5%
Low-Density Residential	6,361	8%
Commercial/Other	1,474	2%
State/Other Protected	53,753	68%
City Protected	2,701	3%
Vacant	9,804	12%
Total Town Acres	78,875	

Figure 4-56: Map of the Town of Shandaken, showing land uses, development since 1990



After declining sharply in the first half of the twentieth century, the Town's population has grown steadily in recent decades. With a resident population of 3,235 in 2000, Shandaken for the first time surpassed its previous high – which had been set in 1900. With a high percentage of its lands already protected – its mountainous terrain – and much of the land in its hamlet areas already developed – Shandaken has relatively little developable land remaining.

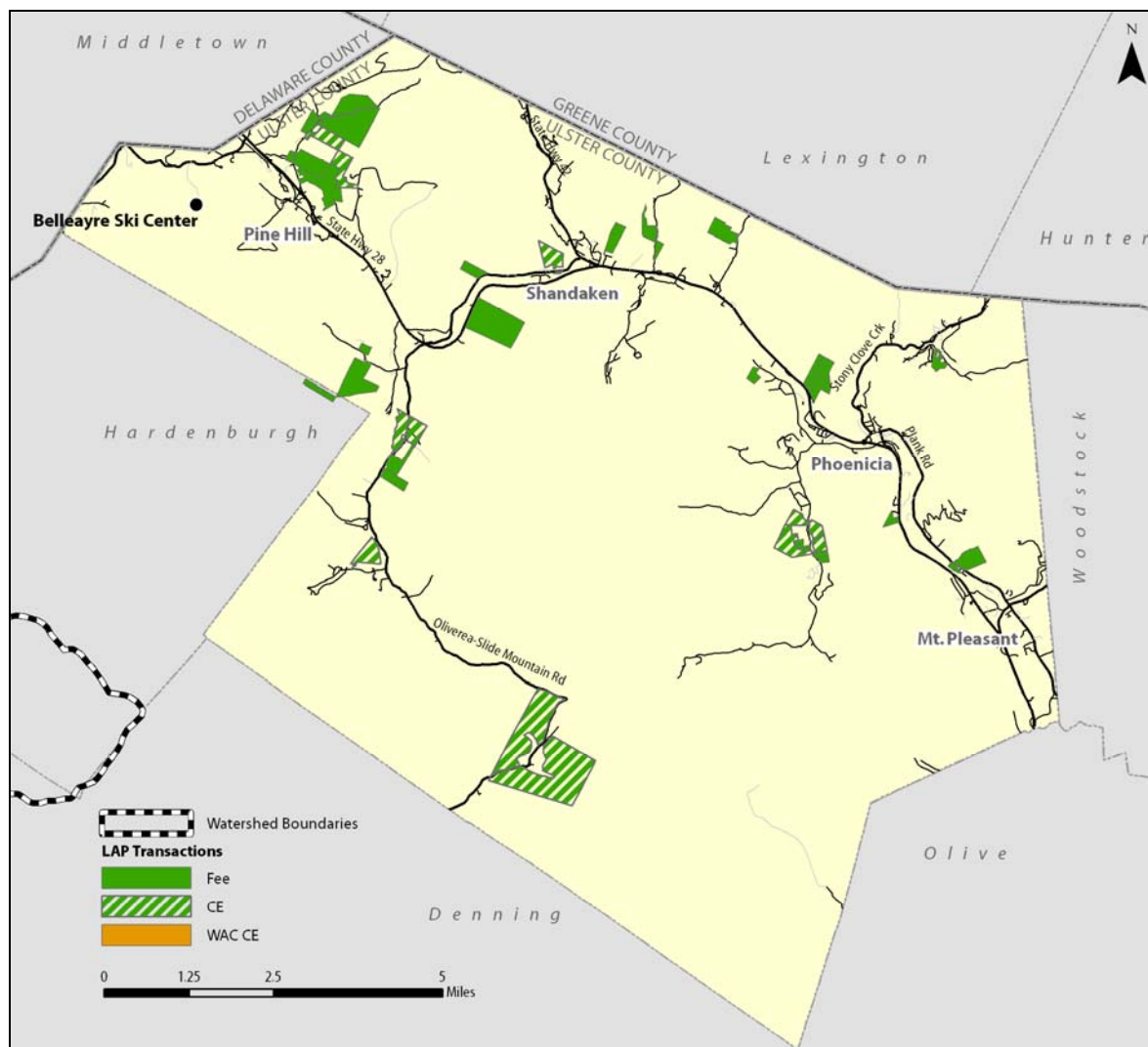
Previous LAP Activity

Through July 2009, NYCDEP had acquired a total of 2,660 acres in Shandaken pursuant to the 1997 MOA. As shown in Table 4-56, below, purchases of land in fee simple account for 54 percent of the total acreage acquired under LAP. Figure 4-57 shows the location of LAP properties in Shandaken, by type of acquisition.

Table 4-56: Acquisitions in the Town of Shandaken through July 2009

Type of acquisition	Acres
Fee simple	1,424
Conservation easements	1,236
WAC agricultural easements	-
Total acquired	2,660

Figure 4-57: Map of LAP properties in Shandaken, by type of acquisition



As shown in Figure 4-57, most of the land acquired in Shandaken by the LAP through June 2009 is located near the Route 28 corridor, but outside the Town's main hamlet areas.

Of the 1,424 acres acquired by NYCDEP in fee simple in Shandaken, 1,220 acres have been opened for public recreational use.

Pursuant to the 1997 MOA, Shandaken designated six hamlet areas totaling 1,506 acres in Pine Hill, Big Indian, Allaben, Phoenicia, Mount Tremper and Chichester. These designations, which are shown in gray in Figure 4-56, have helped ensure that acquisition of land and easements by NYCDEP does not conflict with commercial activity and further development in the hamlets.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Ulster County is expected to grow by about 3 percent, somewhat slower than the rate of growth during the past two decades. At the same time, the demand for second homes in the County may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” we have nevertheless estimated future residential development based on the rate of development during the past two decades. Assuming the pace of new development in Shandaken (as measured by new residential units) remains, on an average annual basis, the same as it was between 1990 and 2008, we can estimate that the land required to support new development through 2022 will total approximately 650 acres – including 186 acres of land characterized as developable.⁴³

The planned Belleayre Resort straddles the boundary between Shandaken and Middletown. Under an agreement negotiated in 2007 among the developer, local officials, NYCDEP, and NYSDEC, the project would include two hotels with a total of 370 rooms, an 18-hole golf course, and 259 lodging units and other facilities.

The Town of Shandaken’s 2005 comprehensive plan presents a vision of the Town as a place:

*...with bustling hamlets, interesting shops, successful restaurants and attractive overnight accommodations, surrounded by open spaces and unspoiled natural beauty – one with a prosperous economy centered on tourism, historically our most enduring business... We put a high priority on the revitalization of our hamlets.*⁴⁴

The Town’s goals as defined in the comprehensive plan are to:

A. Protect and preserve the environmental, historical, and cultural features and resources within the Town of Shandaken from harm, physical degradation and visual impacts.

⁴³ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, or slopes of greater than 15 percent.. Land with any one or more of these characteristic in considered undevelopable.

⁴⁴ Robert G. Cross, Town Supervisor, “Vision Statement,” Town of Shandaken, Comprehensive Plan for the Town of Shandaken, New York, July 2005.

- B. Promote the economic development of the Town of Shandaken to ensure an acceptable standard of living for its residents.*
- C. Provide programs and laws to guide future development toward desired patterns within the Town of Shandaken.*
- D. Provide the infrastructure needed to meet the other Comprehensive Plan goals and to meet the health, safety and quality of life needs of residents of Shandaken.*
- E. Be proactive in establishing regional partnerships to address issues that transcend Town boundaries.*
- F. Develop community education and outreach programs that foster an understanding of key issues facing the Town and encourage public participation in developing effective solutions.⁴⁵*

FUTURE CONDITIONS WITH THE PROPOSED ACTION

As noted in Chapter 3, any analysis of the Extended LAP's impact on Shandaken's supply of developable land needs to take into account that as of 2009, Shandaken's supply of such land is already quite limited. As defined here, developable land represents only 1.8 percent of the Town's total land area. Given the projected level of development in Shandaken, and the number of developable acres projected to be acquired by LAP, this percentage could decline to 1.4 percent by 2022.

- Given the pace of development in Shandaken, projected LAP acquisitions through 2022 might thus be expected to impact the availability of land for development. Several factors, however, are likely to reduce significantly any potential impacts: As noted above, the definition of developable land used in this analysis is conservative in several respects. The effective supply of developable land as of 2009 is in reality likely to be somewhat larger than Table 4-57 indicates. In fact, Shandaken's 2005 comprehensive plan, using a somewhat broader definition of developable land, estimated the Town's remaining developable land at 4,760 acres compared to 1,444 used in this analysis. Even under this broader definition the supply of land available for development is clearly limited. It should nevertheless be noted that despite this relatively tight supply of developable land, both the Town's population and its housing stock has grown significantly between 2000 and 2008 – by 5.9 and 7.6 percent, respectively.
- Incorporated into the Extend LAP will be a new NYCDEP policy that will potentially reduce acquisitions in Shandaken. Recognizing the reality that nearly 72 percent of Shandaken land area is already protected, Town officials have proposed and NYCDEP has agreed to a new policy under which the Department will forego active solicitation of individual land-owners in the Town, but will still be free to enter into negotiations with, and purchase land from, owners who initiate contact with NYCDEP.

Based on LAP's experience in the Town to date, and taking into account the change in policy described above, NYCDEP estimates that through 2022, it could acquire an additional 1,450 acres in Shandaken either in fee simple or through conservation easements. Based on the percentage of the Town's low-density residential and vacant land that is developable as of 2009, we estimate that these acquisitions will include approximately 185 acres of developable land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Shandaken will still be left with approximately 74 percent of the Town's current stock of developable non-agricultural land.

Table 4-57: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		1,444 acres
LAP Acquisitions, 2010-2022		
Projected fee and CE acquisitions	1,450 acres	
Developable vacant or low-density residential land acquired		185 acres
Residential Development, 2010-2022		
Projected housing units built	216 units	
Land needed for housing	650 acres	
Developable portion of land needed for housing		186 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2022		1,073 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		74 percent

The potential impact of additional acquisitions through 2022 can also be assessed in terms of how such acquisitions affect the character of the community. The comprehensive plan acknowledges some tension among three important priorities: protecting the natural environment; the need to protect the city's water supply, resulting in additional acquisitions by NYCDEP from the town's already-limited supply of developable land; and "local residents who need additional economic opportunities to sustain their quality of life." The plan expresses particular concern about "a growing disconnect between the cost of housing and the ability of local wage-earners to afford a place to live."

While LAP may not contribute directly to achievement of other goals outlined in the plan – such as promoting economic development – it does not appear to conflict with those goals. The very high proportion of protected land in the town means that its development capacity will inevitably be limited – but with collaboration between the Town and the Department, it should be possible to accommodate both new development, additional acquisitions under LAP and preserve the character of the Town, through 2022 and beyond.

CONCLUSIONS

Due to the Town's very limited supply of developable land, Shandaken is one of just a few West-of-Hudson watershed towns where there may be some potential for conflict between projected acquisitions under the Extended LAP and projected future development. However, the

⁴⁵ Ibid., p. III-3

proposed agreement among NYCDEP, the Town and other stakeholders under which NYCDEP would no longer actively solicit land in Shandaken will help alleviate any potential for conflict. Moreover, LAP does not conflict with what appears likely to be by far the most significant development proposal affecting the town – the planned Belleayre Resort.

Given the likelihood of relatively limited acquisitions in Shandaken under the Extended LAP, and on the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Shandaken.

TOWN OF WOODSTOCK

EXISTING CONDITIONS

The Town of Woodstock is located in northern Ulster County, at the eastern edge of the West-of-Hudson watershed region. The Town's resident population in 2008 was estimated at 6,346 – an increase of one percent since 1990. The hamlet of Woodstock – which is located outside the watershed – is the Town's largest population center, accounting for about one-third of all residents, and its leading commercial center.

Figure 4-58: Map of watershed towns



Town of Woodstock – Quick Facts

Land area:	43,321 acres
Percent of town land area within the watershed (including reservoirs):	52%
Percent of land protected	30%
Population (estimated), 2008:	6,346
Median age (estimated), 2008	50.0
Median household income (estimated), 2008	\$60,000

Unlike most other watershed towns, 19 percent of Woodstock’s land is higher-density residential use, reflecting the concentration of a substantial part of the Town’s population in its hamlets. An additional 21 percent is low-density residential, and another 24 percent is vacant land. Woodstock currently has very little agricultural land – about 49 acres, all of which is located outside the watershed. Commercial, industrial and community uses account for about 4 percent of the Town’s land, with almost all of these uses being located outside the boundaries of the watershed. (See Table 4-58)

Woodstock has long been well-known as a center for the arts, music and entertainment. Its businesses and cultural institutions include galleries, studios, theaters, museums and music venues, and an annual film festival, as well as restaurants and visitor accommodations. The Town is also home to Ametek Rotron, an aerospace firm that, with 350 employees, is among the region’s largest manufacturing enterprises.

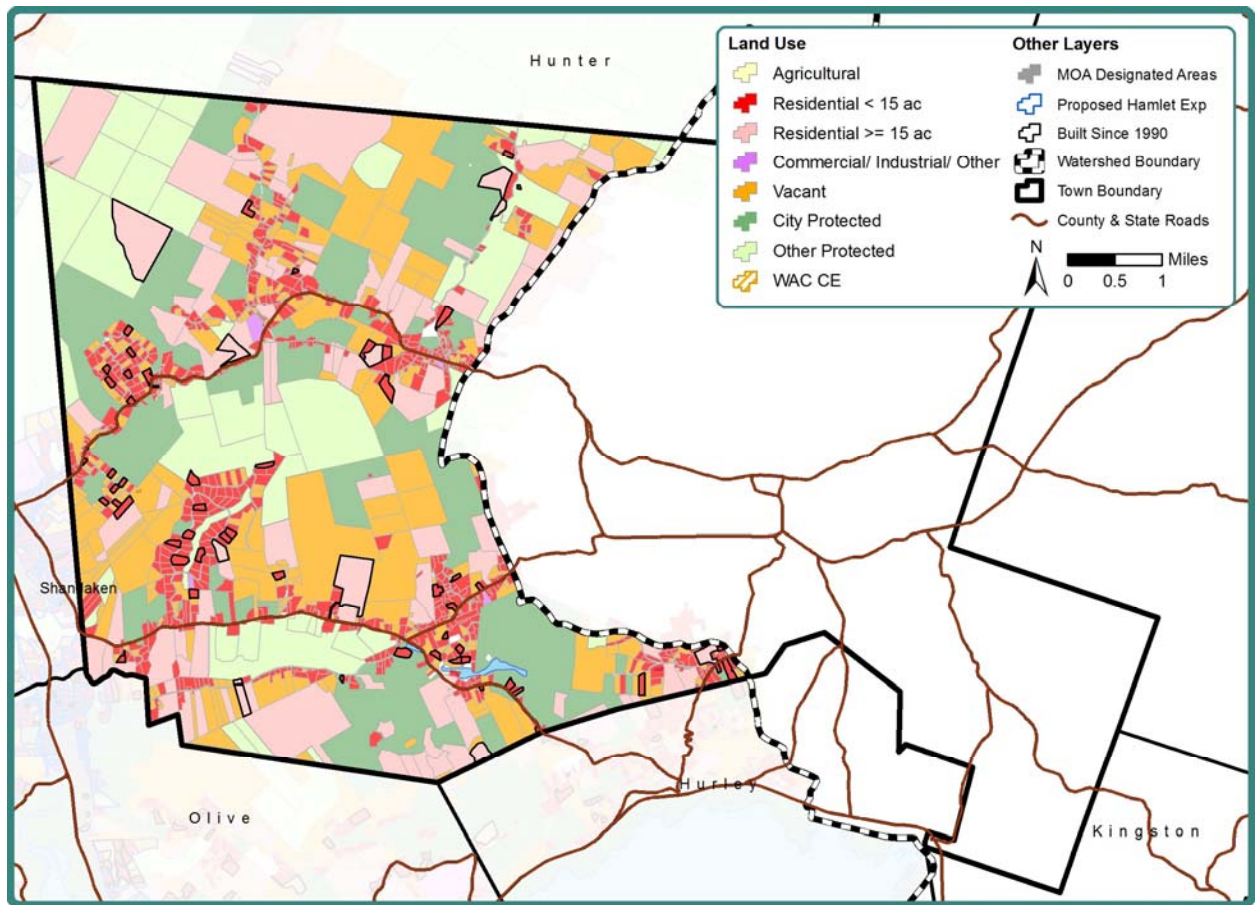
About 13 percent of all housing units in Woodstock in 2000 were for seasonal or recreational use – one of the lowest percentages among all west-of-Hudson watershed towns.

Much of the recent development that has occurred in the watershed portion of Woodstock since 1990 (as shown in the black highlighted parcels on Figure 4-59) has been clustered in and near the hamlets along Route 212 and Wittenburg Road, including Lake Hill, Willow and Wittenburg. Based on estimates supplied by DemographicsNow, we estimate that between 2000 and 2009, approximately 153 new housing units were built in Woodstock.

Table 4-58: Land Uses by Type

Land Use	In Watershed		Out Watershed		Total	
	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>	<i>Acres</i>	<i>% of Total</i>
Agricultural	0	0%	49	0%	49	0%
High-Density Residential	2,817	13%	5,975	27%	8,792	19%
Low-Density Residential	4,851	22%	4,505	21%	9,356	21%
Commercial/Other	50	0%	1,553	7%	1,603	4%
State/Other Protected	4,419	20%	3,888	18%	8,307	18%
City Protected	5,039	23%	N/A	N/A	6,524	14%
Vacant	4,970	22%	5,882	27%	10,852	24%
Total	22,346		20,975		43,321	

Figure 4-59: Map of Woodstock showing land use and protected land within the Watershed



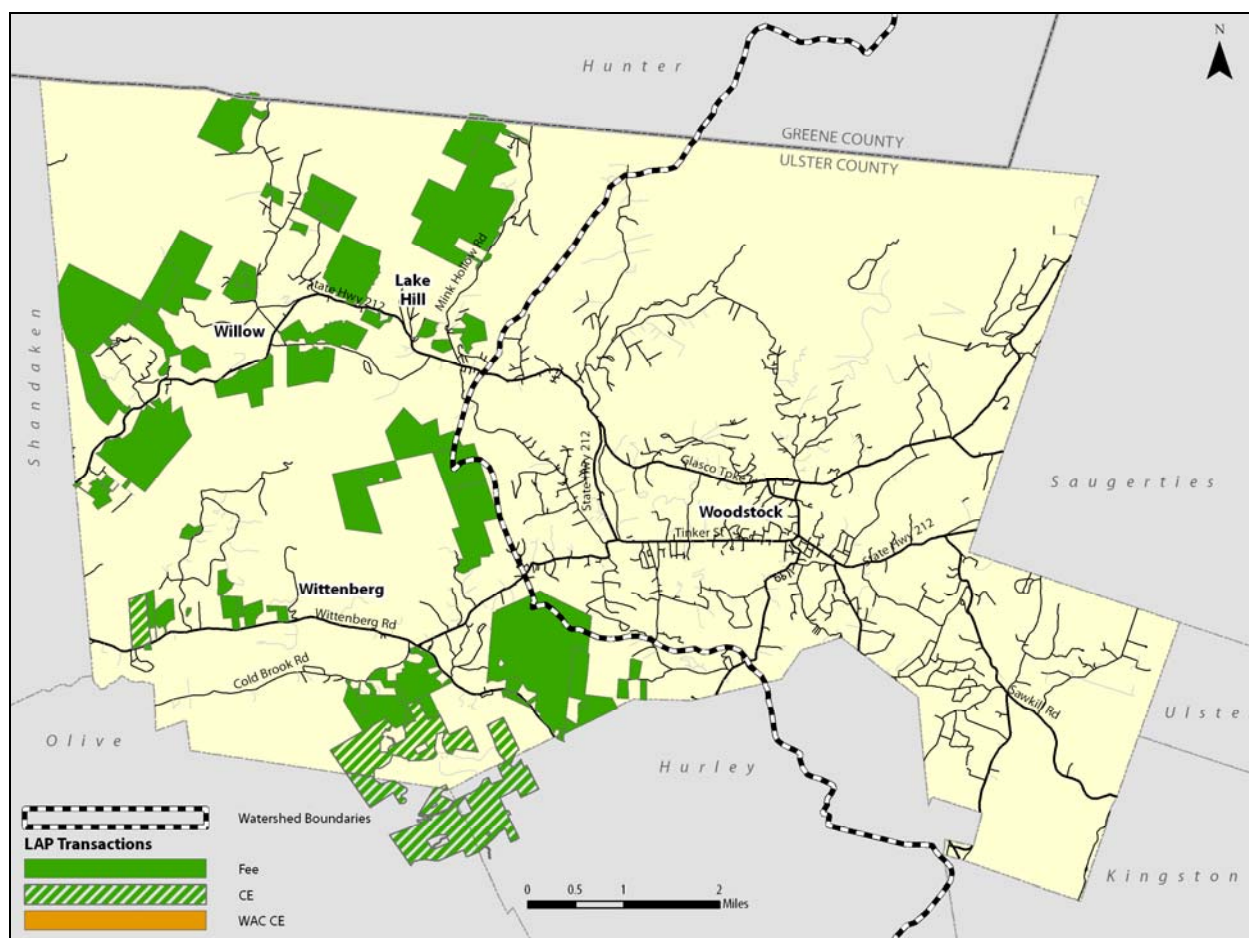
Previous LAP Activity

Through June 2009, NYCDEP had acquired a total of 5,120 acres in Woodstock pursuant to the 1997 MOA. As shown in Table 4-59 below, purchases in fee simple account for about 92 percent of all acquisitions in the town. Figure 4-60 shows the location of LAP properties in Woodstock, by type of acquisition.

Table 4-59: Acquisitions in the Town of Woodstock through July 2009

Type of acquisition	Acres
Fee simple	4,700
Conservation easements	420
WAC agricultural easements	0
Total acquired	5,120

Figure 4-60: Map of LAP properties in Woodstock, by type of acquisition



Of the 4,700 acres that NYCDEP acquired in fee simple as of July 2009, 1,212 acres – 26 percent of the total – had been opened for public recreational use.

FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

Between 2010 and 2025, as discussed in Chapter 3, the resident population of Ulster County is expected to grow by about 3 percent, somewhat slower than the rate of growth during the past two decades. For purposes of constructing a “reasonable worst-case scenario,” we have nevertheless estimated future residential development based on the rate of development during the past two decades. Assuming the pace of new development in Woodstock (as measured by new residential units) remains the same as it was between 1990 and 2008 (about 17 units per year), it is estimate that the land required to support new development through 2027 will total approximately 1,112 acres, including 679 acres of land characterized as developable⁴⁶ – about 10 percent of the Town’s supply of such land as of 2009.

⁴⁶ For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres

Currently-planned development includes a complex of 50 units of affordable housing, to be developed in the hamlet of Woodstock by the Rural Ulster Preservation Corporation. In addition to new residential development, the Town could see some additional growth in arts-related uses, and in small businesses that serve local residents and visitors to Woodstock.

The Town's 2003 Comprehensive Plan outlines the following goals:

- *Protect, maintain, and enhance the quality of Woodstock's natural setting and ecosystems (e.g., forests, streams, drainage systems, groundwater sources, wetlands, meadows, and others) to preserve the distinctive natural setting and ensure a sustainable future for the Town and its residents.*
- *Maintain balance between small-scale recreation opportunities and large-scale environmental features to provide a variety of recreational and cultural opportunities for all residents and visitors.*
- *Preserve and enhance existing hamlet centers as complementary buttresses to the overall quality of life in the Town.*
- *Since affordability breeds diversity, which spurs economic and cultural dynamism, the Town should encourage a variety of housing types to accommodate the varying needs of all Woodstock residents including seniors, starting artists, and young families.*
- *Protect and enhance the town's community, cultural, environmental, and natural resources to maintain Woodstock as a location of choice for residents, artists, artisans, entrepreneurs and others seeking a dynamic cultural life in a rural setting.*
- *Provide an integrated transportation system that can serve a variety of needs in a manner that is safe, economical, ecologically sound, and aesthetically pleasing.*
- *Continue to provide high quality municipal services to every resident in the community that protects the natural environment; regards residents' needs; and protects the health, safety, and general welfare of the community.*

FUTURE CONDITIONS WITH THE GREATER IMPACT ALTERNATIVE

Based on LAP's experience in Woodstock to date, NYCDEP estimates that under the proposed action, it could acquire an additional 2,593 acres in the Town between 2010 and 2027, either in fee simple or through conservation easements. Based on the percentage of the Town's low-density residential and vacant land that is developable as of 2009, it is estimated that these acquisitions would include approximately 923 acres of developable land – about 13.7 percent of the Town's supply of developable vacant and low-density residential land as of 2009.

per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, or slopes of greater than 15 percent. Land with any one or more of these characteristic in considered undevelopable.

As shown in Table 4-60, it is thus estimated that after taking into account both LAP acquisitions and the land required to support new development, Woodstock will still be left with 5,157 acres of developable vacant and low-density residential land in 2027 – approximately 76 percent of the Town’s current stock of such land.

Table 4-60: Remaining developable land after LAP and housing development, 2010-2027

Developable vacant or low-density residential land in 2009		6,759 acres
LAP Acquisitions, 2010-2027		
Projected fee and CE acquisitions	2,593 acres	
Developable vacant or low-density residential land acquired		923 acres
Residential Development, 2010-2027		
Projected housing units built	289 units	
Land needed for housing	1,112 acres	
Developable portion of land needed for housing		679 acres
Remaining Town Land after LAP and Residential Development		
Developable vacant or low-density residential land after LAP and development in 2027		5,157 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2027		76 percent

The Greater-Impact Alternative can also be assessed in terms of its potential impact on the character of the Town of Woodstock. Broadly speaking, this alternative appears to be fully consistent with the goals set out in the Town’s draft comprehensive plan in 2003.

The acquisitions projected under the Greater-Impact Alternative would help protect the primarily low-density character and natural environment of the western portion of Woodstock, while having no direct impact in the southeastern portion of the Town – in and near the hamlets of Woodstock, Bearsville and Zena – that are the most likely areas for new development.

With respect to open space and recreation, the Town’s goals are consistent with those of NYCDEP. The Town’s Comprehensive Plan states:

The western portion of the town is located within the New York City Watershed and, as a result, the New York City Department of Environmental Protection (DEP) has targeted the more environmentally sensitive of these lands for acquisition on a willing buyer/willing seller basis. Their intent is to acquire lands to prohibit development and thus protect water quality. Interestingly, DEP’s goals are consistent with the goals of this comprehensive plan - to protect the natural environment. However, as lands are acquired they may present new opportunities to expand the recreational resources in the community. To meet this future need, coordinate with DEP to continue to allow public access for hiking, hunting, and fishing on city-acquired land per the New York City watershed protection effort.

Because the Town’s largest and most developed hamlets are outside the watershed, the projected acquisitions would not affect the character of these areas, or their capacity for further development. (Woodstock is one of several watershed towns that, pursuant to the 1997 MOA, chose not to designate any hamlet areas within the watershed portion of the town. In 2009, the Town also chose not to propose any new hamlet-area designations.) Both the proposed action and the Greater-Impact Alternative thus appear to be generally consistent with the goal of preserving and enhancing these hamlets.

CONCLUSIONS

Under both the proposed action, additional acquisitions by NYCDEP would be limited to the western portion of the Town – the area within the boundaries of the watershed, consisting primarily of low-density residential properties, privately-owned vacant land and land already protected by New York City or New York State. Even with the projected acquisition of nearly 2,600 acres, there appears to be an adequate supply of land in the non-watershed portions of the Town (and to a lesser extent, within the watershed) to support the projected level of new development. And beyond its potential impact on the supply of developable land, the proposed action appears to be consistent with the goals defined in Woodstock’s 2003 draft comprehensive plan.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Woodstock.