

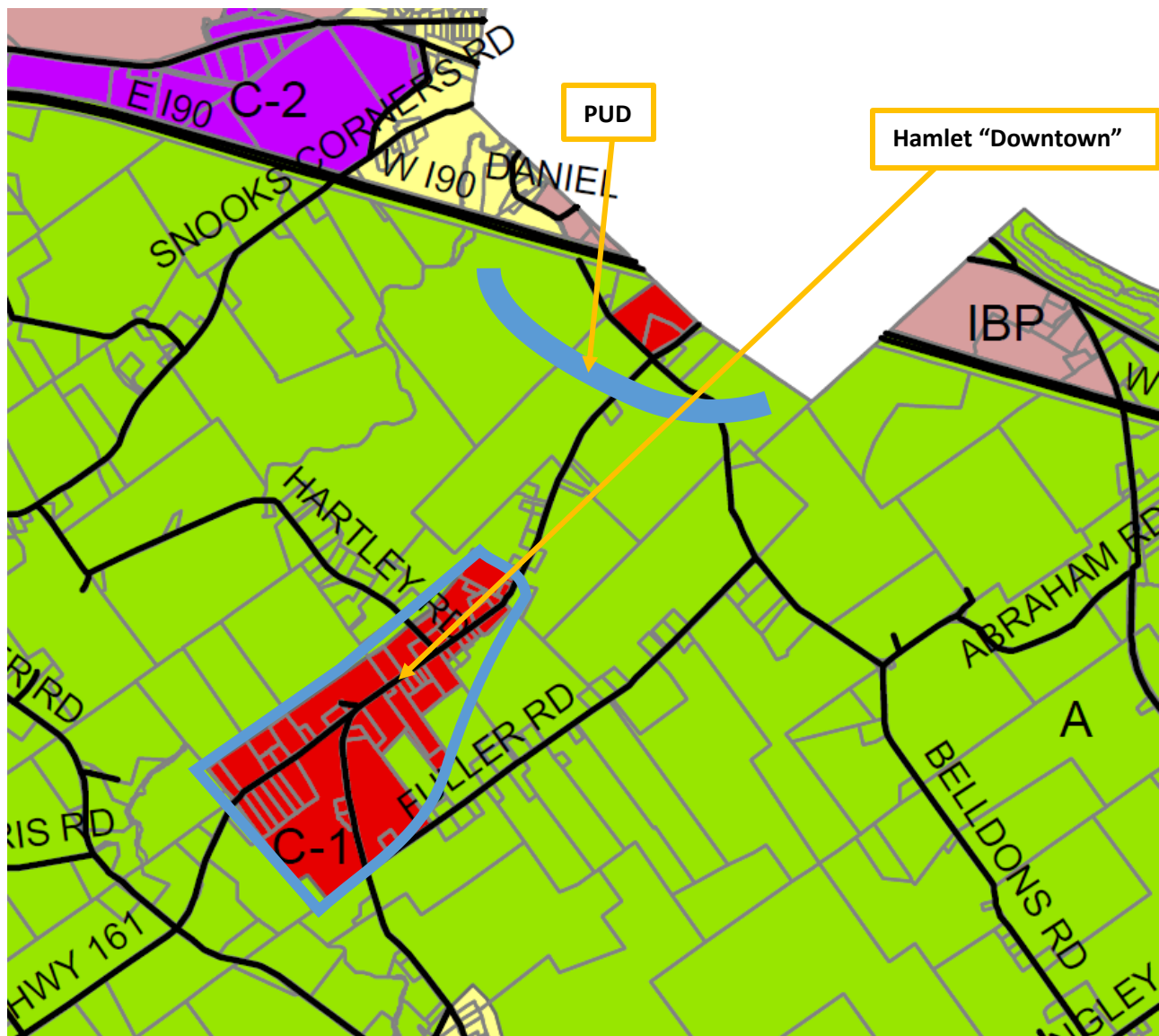
Comprehensive Plan (Amendment 2011)

Hamlet “Downtown”

Create in the area along Route 30 to the Route 30/161 split where the zoning is already commercial and the topography is relatively level. This would provide for the nicest streetscape and logically accomplish the intent of creating a “Hamlet – Downtown” area.

The PUD for the business park aligns with this goal and enhances the likelihood of a “Mixed Use Hamlet District” coming to fruition.

The two areas complement each other. They are not mutually exclusive.



welfare of the residents of the Town, it may be appropriate for the Town to regulate OWB's.

Objective: Currently, the New York State Department of Environmental Conservation (NYSDEC) is in the process of implementing regulations for emission limits, location requirements, stack height and operating requirements for both new and existing OWB's. NYSDEC's proposed new OWB regulations are proposed to take effect in April 2011, and will require that all existing OWB's be phased out by the year 2020. Since NYSDEC is currently in the process of finalizing regulations on OWB's, it may not be necessary for the Town to adopt its own local ordinance on OWB's. If NYSDEC's regulations on OWB's never become adopted or are struck down by a court of law, or if the Town wishes to make more strict regulations than those of NYSDEC, then the Town should consider passing its own ordinance, code or local law regulating OWB's.

Issue #7: Future Commercial/Industrial Development in the Town

Goal: With the recent increase in commercial and industrial in the Town, primarily associated with the Industrial Business Park (IBP), it is anticipated that the Town will be experiencing increased development pressures from not only commercial and industrial entities, but also from the resulting influx of residents. The Town envisions that industrial growth will continue in the concentrated area around the designated IBP district, away from the more rural and residential portions of the Town. While the Town possesses a concentrated industrial identity, the Town truly lacks a central business district, or "downtown." An area of the Town that would be ideal for the planning of future concentrated commercial development is **along** the Route 30 corridor south of I-90 and the City of Amsterdam, between the City/Town border and the Route 30/Route 161 split. It is the vision of the Town to encourage the concentration of future commercial development within this geographical area, in a manner similar to a hamlet, village or "downtown" style setting.

Objective: The Town can accomplish a Route 30 "hamlet" area in **a number of ways**. One method of accomplishing a "hamlet" area would be for the Town to **rezone a specific area** along Route 30 as a "Mixed Use Hamlet District." This new zoning district would provide for taller buildings (maximum 3 or 4 stories) that contain retail commercial development on the ground floor with mixed use (retail commercial, office space and residential apartments/condos) on the

upper floors. In a hamlet scenario, front yard and side yard setbacks are typically set at 0-feet, and parking areas are either provided on the street or in the behind the buildings. Maximum lot coverage for buildings is also increased to enable the parcel to be developed in a dense manor, while ensuring that developers provide some green space on their parcels. On parcels where 90% to 100% lot coverage is proposed, the Town would benefit from an Open Space Mitigation Fee mechanism, whereby the developer is provided the incentive of maximizing the development density on their hamlet parcel by providing a monetary sum to the Town for the preservation of open spaces and/or the creation of park lands. Design standards would also be adopted for the new hamlet district to ensure buildings are aesthetically pleasing while functionally operable.

A zoning change in this portion of the Town could also be supplemented by a Transfer of Development Rights (TDR) or Purchase of Development Rights (PDR) program. In a TDR/PDR scenario, legislation would be adopted to allow rural landowners to sell the development rights of their properties to landowners/developers in the "Mixed Use Hamlet District," allowing for increased density in the hamlet while assuring that the rural portions of the Town remain undeveloped in perpetuity.

Encouraging the use of these "smart growth principles" within the new "Mixed Use Hamlet District" will be an effective way for the Town to achieve its primary goal of preserving agricultural land and open space while encouraging commercial and industrial investment in the Town. Concentrated development in one central location serves to prevent "sprawl-like" growth in the rural parts of the Town while preserving the landscape that has identified the Town since its founding in the 18th century.