

Agriculture has traditionally been the predominant land use within the Town, which accounts for the Town's large percentage of undeveloped lands. Farms within the Town, however, are declining in accordance with County, State and national trends. According to the New York State Department of Agriculture & Markets, the number of farms in Madison County declined from 840 farms in 2000, to 830 farms in 2001, and the total land in farms declined by 1,700 acres in that same one year period. Because of recent depressed prices in the dairy industry, the future of agriculture, and dairy farming in particular, in the Town of Smithfield is uncertain at best, and the loss of active farms and farm land is likely to continue unless there is a marked change in agricultural economics. The loss of active farms leads to market pressure to develop vacant land for other purposes.

While farming activity has been declining, residential development has been increasing. Between 1988 and 2002, ten major subdivisions have converted approximately 1100 acres of agricultural lands to approximately 120 residential building lots. Although not all of these lots have been built upon, and a small percentage of these converted acres are still farmed to varying degrees, for the most part these lands have been permanently removed from practical agricultural production. The quality of the development occurring on these newly created lots varies greatly, creating additional concerns about protection of property values both within and adjacent to these subdivisions.

IDENTIFIED ISSUES

As the data indicates, the Town of Smithfield remains predominantly rural in character with very minimal opportunities for active employment within the Town. Census data indicates that most workers who reside in the Town commute by automobile to jobs in other communities. Many residents of the Town choose to live there because of its open space and scenic character. Some recent arrivals in the Town have indicated that they moved there precisely because of these factors, and to escape more rapid and intense development in other communities.

The results of the land use survey that was mailed to all property owners indicate (at least as to the 26% who responded) that there is significant public support for preserving the existing quality of life in the Town. Fifty-six percent of respondents felt there is a need to do more to preserve farms and agricultural lands. Fifty percent of respondents expressed a desire for stricter regulation of mobile homes and sixty-four percent want stricter regulation of junk and junk cars in the Town.

Consumer preference for low-density living as well as a perception of an abundant supply of developable land contributes to the demand for large lot subdivisions. The developer of a recent 300 acre subdivision in the Town marketed the large lots as vacation and retirement properties. Some policy-makers believe development of large lots help to keep service needs to a minimum and provide a more stable tax base than higher density developments. Accordingly, many land use regulations, including those currently in effect in Smithfield, favor large lot development.

Large lot subdivisions result in public utilities traversing substantial distances without being used to full capacity. Incremental additions of dispersed large lot

subdivisions in the community can produce other problems over the long run including storm water runoff impacts on natural drainage ways, erosions of rural character, and inhibiting more productive longer term development.

Subdivisions of parcels into lots fronting on rural roads are the predominate type of subdivision in Smithfield. Such “strip lot” or “piano key” subdivisions over time create negative impacts on the transportation system, rural character, demand for public services and future land developability. Owners of large residential lots are often unable to use, or even maintain the entire parcel, leading to a less aesthetically pleasing landscape.

Strip development produces numerous, close-together points of traffic interruption on roads. Traffic safety is compromised, speed limits are lowered, and the functional capacity of the road is reduced. Homebuyers who were originally attracted by the rural character find themselves living on a road that has assumed a semi-suburban character.

Strip lot subdivisions also prevent efficient use of land and development resources by preempting road frontage and restricting access to areas beyond the roadside development. Large areas of open space are blocked from view, further compromising rural character. When power lines are extended in response to demands created by strip lot development even more strip development is encouraged, resulting in even greater hazards and inefficiencies.

Another land use policy challenge currently facing the Town is the potential development of wind power resources for the generation of electricity within the Town. Within the last several years, two wind power electricity generation facilities have been

constructed in Madison County. In 2001, twenty towers were constructed in the adjoining Town of Fenner which are plainly visible from many locations in the Town of Smithfield. Currently under evaluation for a future wind power development is a site located on East Milestrip Road in Smithfield.

Such projects offer many potential benefits, both locally and nationally. Wind is a renewable energy source, and its use for power generation in lieu of fossil fuels promises significant environmental and national security benefits. These projects also have the potential to enhance local real estate property tax revenues.

The biggest concern with wind power generation is that of visual impact. With heights over three hundred feet, these towers, generating turbines and rotating blades are an imposing sight by any standard. While personal tastes and opinions vary, the possible introduction of such facilities is a significant land use issue in the Town.

In summary, it is the conclusion of this Plan that preservation of the rural character of the Town, the quality of its residential and agricultural life, and the preservation of its scenic and open vistas should be the prime concern in the formulation of land use policies within the Town to regulate land use within its borders.

Sub-issues falling under that broad statement of concern include the following:

- Strip development.
 - using up available road frontage.
 - hindrance of traffic flow on rural thoroughfares.
 - increased risk of accidents resulting from additional driveways, increased traffic and unregulated driveway locations.
 - negative effects on open space and view shed.
 - resultant loss of character of "back lands" resulting from frontage development.
- How to enhance quality of mobile home residences.
- How to encourage farmland preservation.
- Need for additional fiscal resources for code enforcement.
- Preservation of property values and potential negative impacts of undesirable land uses attracted to sparsely populated areas.

- Effects of towers and wind power developments.
- How to foster sense of “community” in hamlets and preserve historic character of hamlets.

GOALS, OBJECTIVES AND IMPLEMENTATION

The Plan’s overall vision for the Town of Smithfield is that a vibrant historic community center in the hamlet of Peterboro surrounded by a patchwork of residential and small scale business uses interspersed among agricultural lands, open space and wildlife habitat characterized by scenic rural vistas. The preservation of open space is critical to the realization of this vision. Recent studies of New York counties by the American Farmland Trust concluded that the median ratios of revenue versus the cost of community services is 1 to 1.23 for residential uses, 1 to 0.27 for commercial/industrial uses, and 1 to 0.29 for farm/forest/open land.

A typical element of many contemporary farmland preservation programs is the transfer of development rights to municipalities or qualified land trust organizations. The Town of Smithfield, however, does not have the fiscal resources to fund the purchase of development rights without third party assistance. Presently, the lack of a county farmland protection plan in Madison County precludes the utilization of most grant programs that are available for this purpose. The Town should, however, adopt a policy of accepting conservation and open space easements from willing land owners who are willing to donate such easements at no cost to the Town.

To preserve open space, the Town should also consider amendments to its land use and subdivision regulations to promote cluster development and/or planned unit development concepts in the design and approval of major subdivisions.

Cluster development is a project design technique that calls for modification of lot size standards specified in the land use ordinance to concentrate dwellings in specific areas of a tract and leave the land "saved" as usable open space. Although lots smaller than those specified in the zoning regulations are developed, clustering maintains the overall permitted gross density (number of dwellings per acre relative to the entire development site).

By minimizing the amount of land that is disturbed in grading and clearing, clustering permits the retention of landforms and vegetation that distinguished the site and increases the amenity of the project. Minimization of land disturbance also helps to prevent sedimentation and erosion that is costly to control. In addition, flexibility in siting dwellings in a cluster development can provide opportunities to reduce energy demand and other site maintenance costs.

In a clustered subdivision, developers are required to reserve undeveloped land within the development as common open space in exchange for modification of the requirements relating to the configuration of the conventional subdivision. Clustering of housing units and the saving of open space are means to meet Plan objectives concerning conservation of rural character, resource conservation, and the prevention of strip development of road frontage. Cluster development including a variety of housing types is currently authorized under the enabling authority of Section 278 of the Town Law.

Planned Unit Development (PUD) is a land planning and project design approach that calls for a site review and negotiation process that allows flexibility in the siting of buildings, the mixture of house types and land uses, useable open space, and the

preservation of significant natural features. Like cluster development, planned unit development can be useful in assuring that open space and recreation areas will be incorporated into site plans.

The recently approved "Cedar Meadows Farm" subdivision is an example of a type of planned unit designed that was achieved through the voluntary cooperation of the developer with the Town's Planning Board. Lot configurations were more respectful of the natural topography, and construction was limited to defined "building envelopes" in order to preserve the remainder of the land within the subdivision as permanent open space.

The active participation of the Town and the developer working together creates a process that leads to good design solutions. Developers have an interest in delivering a well-designed product. The Town's concern for the long-term impacts of development is equally legitimate. The design review process provides an opportunity for the Town and a developer to work together to ensure that a project meets both the design goals of the Town and the requirements of the developer.

The legal authority to impose design guidelines and review site plans is in New York State Town Law, Section 274-a, which authorizes site plan review when development of a single parcel of land is proposed, and in state enabling legislation authorizing subdivision review. Subdivision regulations allow towns through their planning boards to review how newly created lots will be laid out. Town Law Section 274-a authorizes towns to approve site plans "showing the arrangement, layout and design of the proposed use of the land...[and the] elements may include...those relating to parking, means of access, screening, signs, landscaping, architectural features,

location and dimensions of buildings, impact of the proposed use on adjacent land uses, and such other elements as may reasonably be related to the ...general welfare of the community.”

The traditional approach to subdivision and development has been to take the parcel, do a basic site analysis and decide on the number and size of the lots to be created from it. The lots are laid out primarily based on how they will be accessed from the driveways and/or new roadways. It is then that the buildings are sited on the lots.

An alternate method for subdivision and development would start with a thorough site analysis and understanding of the site’s natural features. Next, the best areas for the buildings and areas most worthy of preservation as open space would be identified. Groundwater resources and soil capacities for septic systems would also be evaluated, and then optimal building sites could be determined. Then the most appropriate means of access could be determined and the lot lines drawn. The benefit of this approach is that it allows for more flexibility in responding both to the features of the site as well as the patterns found in the surrounding landscape.

In addition to subdivision design, the quality of the housing stock being constructed and/or placed within the Town is also an issue of concern. Currently the Town regulates mobile home placement based on the age of the unit at the time of its placement. This system of regulation has raised issues concerning its across the board fairness. The Town should consider possible alternatives to the present means of regulating mobile home placement within the Town. A system of regulation based on square footage rather than age is one possibility. Moreover, the Town should consider enhanced placement and site development requirements for mobile homes which may

be able to address some of the complaints associated with mobile home development while preserving the right to place this type of affordable housing within the Town.

The hamlet of Peterboro remains the center of the Town community, and its unique history and character should be promoted and preserved. Small businesses should be encouraged in the hamlet, and community facilities for residents and visitors should be enhanced. With recent efforts statewide to promote "agri-tourism", the Town should examine potential community benefits to be derived from encouraging tourist visits to the Town. Infrastructure improvements such as sidewalks and public parking areas, as well as enhancement of historic sites, would be beneficial in achieving all of these objectives.

From a land use perspective, the hamlets, and Peterboro in particular, would also benefit from revised lot development criteria that reflect the age and character of the existing development. The current "one size fits all" criteria should be reviewed with an eye toward criteria that is more practical and beneficial in the hamlets.

Presently the Town has no land use regulations dealing specifically with towers and/or wind power projects in general. Such uses are presently governed only by the existing special permit requirements. The Town should utilize the experience of the Town of Fenner and other communities where wind power projects are already in existence and develop special permit criteria to govern future development of these facilities within the Town.

Although it is likely that the subject of use district zoning remains controversial in the Town, the Town should consider allowing major subdivision developers and groups of property owners in defined areas of the Town to petition the Town Board to establish

use district zoning for the petitioners' properties, as long as the requirements of such zoning are in conformance with this Plan. For instance, property owners in an area that felt strongly about issues such as mobile home or wind tower placement could petition the Board for particular zoning requirements in their area, while general and broader requirements could apply in other areas of the Town.

In summary to achieve the stated goals and objectives of this Plan, the Town should, as appropriate, consider the following actions and policies:

- Review setback and other lot dimension requirements of the existing land use law.
- Require driveway location permits either as part of subdivision review or for individual lot development, utilizing generally accepted traffic engineering standards.
- Provide for optional "use district zoning" restricting specified uses from operating in defined areas of the Town upon petition requesting such zoning submitted by property owners within the area(s) to be zoned.
- Consider revised regulations for mobile homes, either through optional use zoning and/or revised unit and site performance standards.
- Establish a Town policy to accept open space and conservation easements when offered at no cost to the Town.
- Consider amendment of existing subdivision regulations to emphasize cluster housing and planned unit development concepts in the review and approval of major subdivisions.
- Consider use district zoning for towers and wind power facilities, and/or development of detailed special use permit criteria for such developments.

REVIEW OF COMPREHENSIVE PLAN

Following adoption, this comprehensive plan should be reviewed by the Town Board at intervals of not less than five years as measured from the original date of adoption by the Town Board.