

IMPLEMENTING STANFORD'S  
MASTER PLAN:  
A DIAGNOSTIC REPORT

*February 25, 2002*

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## Introduction

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The Town of Stanford, New York, a rural town lying just beyond the metropolitan New York suburban fringe, has managed remarkably well to maintain its small-town feeling while preserving much of its beautiful open countryside and farmland. A considerable degree of consensus seems to exist within the Town about the value of Stanford's small-town sense of community and the preservation of its open space resources.

The Town faces slowly mounting development pressures as the population of Dutchess County grows and spreads out. Growth has not been rapid up to now, but as towns to the south and west fill up and become increasingly transformed by suburban development, pressure for change will increase in Stanford. Most of the development that has occurred in the past 20 years has been in the form of rural second homes on large parcels. This has enabled the Town to keep much of its landscape intact and has minimized burdens on municipal services, since second homes generally pay more in taxes than they consume in services.

The essential tenets of Stanford's 1980 Master Plan seem to be as valid today as they were when the Plan was written. However, the Town has yet to implement many of the Plan's recommendations. The Town has thus far been fortunate in managing to maintain its quality of life despite this inaction on the implementation of the Plan.

Development pressure will increase due to Stanford's strategic regional location as a desirable exurban residential location. As this occurs, inadequacies in the regulations governing land use will become increasingly evident. Stanford's accessibility to Westchester, New York City, Albany, and mid-Hudson employment centers such as Poughkeepsie and Kingston make it an attractive place for people who want to live close to nature yet convenient to commerce. The nature of agriculture in Stanford has changed significantly, as much of the land has turned over from farm owner-operators to owners who lease the land to farmers or hire farm managers. Some of this farmland has also been subdivided into smaller holdings.

Stanford's major challenge is to implement, *i.e. to take action on*, the broad consensus on fundamental issues already expressed in its Master Plan. A master plan is a guidance document and only indirectly affects the way land is actually used or developed. The only way to implement the goals expressed in the plan is through revisions to land use regulations and other measures that preserve the Town's quality of life while managing and benefiting from the growth that will inevitably come its way. The Town has not been notably successful in translating the goals and intent of the Master Plan into meaningful action.

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Due to recent changes in state law, the term "Master Plan" has been replaced by the term "Comprehensive Plan" as the official name of a town's basic planning document. The meaning is essentially the same, although the procedures for adoption and consequences of adopting a plan have changed. Under prior law in effect when the 1980 Master Plan was adopted, master plans were adopted by a town's Planning Board and did not have any formal legal consequences. Under current law, it is the Town Board that adopts a comprehensive plan. Although a comprehensive plan does not by itself have any legal force, a town that has adopted a comprehensive plan must now bring its land use regulations (such as zoning and subdivision laws) into conformity with the comprehensive plan or risk having them invalidated.

Because its existing Master Plan is still largely valid, the Town of Stanford has the option of either writing a brand new comprehensive plan or of updating the existing plan with a relatively simple "update" document that notes changes in conditions since the previous plan and modifies the title from "Master Plan" to "Comprehensive Plan." One of the key decisions that the Town must make is whether to update the existing plan or draft a new comprehensive plan. If the Town chooses to write and adopt a concise plan update it will be able to focus more energy on implementing its plan through zoning and other measures.

Throughout the remainder of this report, the term "comprehensive plan" will generally be used to refer to the town's existing Master Plan as well as to any revised or updated plan that may be prepared.

**Purposes of This Report**

The purposes of this diagnostic report are:

1. To present an analysis of the key issues that the Town faces as it considers updating its comprehensive plan;
2. To review the Town's land use regulations (primarily zoning) to determine what needs to be done to implement the goals of Stanford's citizens; and
3. To make recommendations on how to best deploy Town resources to ensure that the planning process will produce meaningful results.

This document is not intended to be a first draft of a new comprehensive plan or a planning study that will end up on a shelf. Rather, it is a road map for updating the comprehensive plan as efficiently as possible, with a focus on revising the land use regulations. These have the most direct practical effect on what actually happens on the ground.

This Diagnostic Report is based upon a review of numerous planning documents, most of them prepared by or for the Town, as well as interviews and meetings with over fifty people who represent a cross-section of the different interests within the Town,

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including farmers, businesspeople, real estate and development professionals, conservationists, representatives of various civic organizations, and members of town boards and commissions. These interviews were conducted with the sole purpose of developing an understanding of the issues the Town faces—they are not and were not intended to substitute for the broad-based public participation process that may be needed to create an action agenda that enjoys wide public support. After this report was submitted in draft form in October 2001, a public meeting was held by the Town Board in which the public commented extensively on its contents. These comments have been taken into consideration in the drafting of the final report.

The analysis, opinions, and recommendations contained in this diagnostic report are solely those of the author and do not represent any official position of the Town or of any Town officials, committees or commissions. The report was commissioned by the Master Plan Review Committee, which will make recommendations to the Town Board on the next steps to advance the community's planning process. The report's recommendations are intended to guide the Master Plan Review Committee, Town Board, and Planning Board toward an outcome that best serves the needs of the people of Stanford. This report assumes that most of the readers are already generally familiar with planning issues and terminology in the Town. In this respect, the report is different from a comprehensive plan, which should be written in a way that is clearly understandable to the layperson.

This report begins with a brief review of the current Plan and the Town's land use regulations. Chapter 2 discusses key planning issues, including the preservation of open space, the future of the town center area, the effect of property taxes on the town's ability to achieve its goals, and the role of public participation in the planning process. The focus of Chapter 3 is on the process for updating the Comprehensive Plan and bringing the zoning into conformity with it, including structuring an appropriate public participation process. Chapter 4 concludes the report with a list of suggested next steps for the Town to take.

## Chapter 1: The Town of Stanford's Comprehensive Plan and Land Use Regulations

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### **The Existing Plan**

The basic content of the Town's 1980 comprehensive plan, entitled "Stanford, N.Y.: A Plan for Environmentally Sound Growth" remains valid today, although its goals might not be expressed in exactly the same words today as they were in 1980. The portions of the Plan that are based on statistical data from the 1970s are of course out of date, but the underlying points that they illustrate still apply.

The three most important goals of the existing Plan are:

1. Preserve rural character.
2. Elevate ecological issues to an equal level with other planning considerations.
3. Require new development to capitalize on natural assets, avoid landscape hazards, and minimize environmental impact.

The Plan's overall vision is of a Town that maintains its rural and natural qualities while supporting moderate environmentally sound growth concentrated near the historic hamlet centers of Stanfordville and Bangall. The Town's residents still want to preserve open space, maintain a strong agricultural base, have a healthy town center, and protect water quality. Although there may be small quibbles here and there with the wording in the Plan, most of its actual content still resonates today.

There are a few new issues that have arisen since 1980 that will need to be addressed in any comprehensive plan update. These include:

1. Wireless communication towers
2. Aircraft landing areas
3. Changes in the nature of farming
4. The growth of the second-home and visitor economy

An issue that was not addressed sufficiently in 1980 was the role of the Taconic State Parkway in bringing people into Stanford from more urban places. This has been a stimulant for growth, particularly in the western part of the Town. The Parkway is also a major scenic road, and the preservation of scenic roads is an issue that has arisen since

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the 1980 Master Plan was adopted. However, such preservation is entirely consistent with that Plan. The Dutchess Land Conservancy did not exist in 1980, but its land preservation programs have had a significant effect on the Town, one that is also consistent with the current comprehensive plan. (A comprehensive plan does not need to limit itself to measures that are implemented by government – it can also make recommendations for action by the private sector and non-profit organizations.)

The Town currently has, to one degree or another, separate and uncoordinated planning ongoing for recreation facilities, the library, open space, water resources, and the schools (done by the school districts). There may also be plans in the works for the state and county highways that pass through the Town. These should all be coordinated through the comprehensive plan process to the extent feasible, so that the different planning processes reinforce one another and do not work at cross-purposes.

Discussions with a variety of town officials indicate that there is a lack of communication and understanding among some of the boards. This seems to be especially true of the Planning Board and the Town Board. The Planning Board has not taken a major role in the comprehensive planning process, while the Town Board has taken some initiative in that regard. There seems to be some distrust between the two boards that could be overcome through better communication and coordination. It is important that these two boards work together effectively if the Town's planning process is to produce positive results.

The most significant issue involving Stanford's comprehensive plan update is the apparent lack of connection between the plan and the zoning law that is supposed to implement it. The Town should therefore consider changing its focus from updating a comprehensive plan that remains largely valid to undertaking the revision of its zoning necessary to implement that comprehensive plan. For this reason, any comprehensive plan update and zoning revisions should be done concurrently rather than sequentially. That is, the zoning revision process should begin as soon as the main goals of the comprehensive plan update have been clearly articulated and the needed changes in zoning and subdivision regulations have been identified. This will enable the final drafts of both the zoning revision and the comprehensive plan update to be approved simultaneously, thus assuring consistency between them.

The balance of this chapter will focus on changes that may be needed in the zoning law.

### **Zoning Law Revisions**

The primary conflict between the Town's comprehensive plan and its Zoning Law arises from the rural emphasis of the comprehensive plan and suburban approach of the zoning. This is not unusual, as most rural zoning ordinances have been borrowed from suburbs, with only minor variations such as larger lot sizes and different provisions for keeping horses and other large animals.

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The typical practice of dealing with zoning problems on an ad hoc, piecemeal basis as they arise does not serve the community well, because it does not systematically link the vision in the comprehensive plan to the ground rules for development in the zoning. It also tends to result in short-term solutions that do not consider the relationships among the issues or the interrelationships of different sections of the zoning law. This, in turn, leads to unnecessary complexity, burdensomeness, and inconsistencies in the zoning law.

The Town of Stanford needs to have a zoning ordinance that reflects the Town's vision and is tailored to the type of rural community described in its comprehensive plan. This can be done through a series of strategic changes to the zoning, some of which are listed below. This list is not exhaustive, but suggestive of some of the revisions that might be considered. One of the purposes of a comprehensive plan update is to prioritize needed changes in the zoning. Of the changes listed below, the most important for preserving rural character are probably those relating to minimum lot size and residential clustering. These are some of the changes that should be considered:

1. **Use Table** (Sec. 164-8): One or more of the following could make the zoning more farm-friendly:
  - Allowing commercial activities directly serving farm operations in the AR and RC districts as well as in the RR district
  - Allowing housing for farm employees by right rather than requiring a special use permit
2. **Dimensional Regulations** (Sec. 164-9): If the Town seriously wants to protect its rural landscape, it should consider going to lower densities (i.e. larger lot sizes) in all districts other than the Rural Center (RC). These should be combined with an effective mandatory cluster provision (see below) and possibly "transfer of development rights" to help protect as much as possible of the rural landscape. Even many rural landowners would support such a change. 5-acre lots are a recipe for low-density sprawl, which will eventually destroy the Town's rural character, replacing it with mini-estates. 10-acre or 15-acre density, combined with incentives for clustering and transferring development rights, offers some hope of protecting much of the landscape and concentrating development in appropriate locations. The "density increase" areas, which allow 2.5-acre lots instead of 5-acre lots in portions of the RR district, defeat many of the rural preservation purposes, as they encourage more dense development of some of the best farmland. In addition, the mapping of these areas has been widely criticized as crude at best, and the concept itself deserves re-examination in light of the fact that the Town is concerned not only with preservation of its water resources, but also of its farmland and scenic character.

Conversely, within the Rural Center district, lot sizes, setbacks, and lot widths should be smaller to allow the more compact pattern of development that gives a hamlet its special character as well as to absorb the housing demand that must be accommodated in the Town and would otherwise sprawl into the countryside. Reducing densities in the countryside while concentrating development in the center implements one of the fundamental principles of the comprehensive plan, which is to preserve the countryside and focus appropriate development in the hamlet centers. In order to do this, more infrastructure will be necessary in the RC zone (see the discussion of the Town Center below in Chapter 3). The current dimensional requirements, 1.5-acre lots and 125-foot lot widths are based on the need to protect the aquifer, which is a laudable goal. Also, a minimum building setback of 75 feet and a minimum parking setback of 25 feet virtually guarantee a roadside landscape in which parked cars are the dominant feature. The result is a disconnected series of strip roadside developments that do not form a coherent whole. Only Bangall has a "sense of place," and this is because virtually all of the lots there do not conform to the zoning requirements.

3. **Two family dwellings** (Sec. 164-11) The provisions of this section make it very unlikely that anyone would build two-family housing, which is a good tool for increasing economic diversity in a rural community, since it provides both rental units for people who cannot afford to own a house and rental income to people who might otherwise not be able to afford to buy a house. However, this section requires a lot size that is twice what would be required for a single-family house. Given the real estate market in Stanford, it is very unlikely that anyone would find it economically more beneficial to do two-family housing in a single building when the same person could build two single-family houses on the same land.
4. **Off-street Parking Requirements** (Sec. 164-16): The number of spaces required by this section is excessive and will result in the creation of oversized parking lots that detract from the character of the hamlets, needlessly increase the cost of construction, and result in too much impervious surface coverage which is damaging to water resources. Also, the zoning does not allow public street spaces to count toward parking requirements. This is antithetical to the notion of a traditional village in which on-street parking is encouraged (if it is legal and safe) and should be counted toward the parking requirements.
5. **Mining** (Sec. 164-18): The Town could gain more control over its future by requiring a special use permit for mining, which is currently allowed by right, with essentially no town control, in the AR district. State law provides that DEC pre-empts local governments in most matters affecting mining operations. However, under the statutory and caselaw as it has evolved, towns do have limited authority over mining through zoning, including the right to limit mining to certain zoning districts (or even to prohibit it town-wide under appropriate

circumstances), the right to regulate how mining operations access and use local roads, the right to enforce certain provisions of DEC mining permits, and the right to require a special use permit for mining operations.

6. **Residential Cluster Development** (Sec. 164-19): The residential cluster provisions are among the more problematic in the zoning law. Cluster development is a technique that can be used to permanently protect significant amounts of open space that the Town values. However, the cluster development provisions of the zoning are highly restrictive and burdened with requirements that make it an unattractive option to most developers (and apparently none have used it). Clustering is limited to the RR district, so that it cannot even be applied in much of the town. If a developer were to use the cluster development provisions, the results would most likely be a modified form of suburban sprawl, rather than the compact hamlet type of pattern that fits into a rural town and protects significant amounts of open space. This is because of excessive dimensional requirements such as minimum lot frontage, lot width, lot depth, and building separation, all of which are unnecessarily restrictive and make it more difficult to maximize the preservation of open space. If the Town wants to have as much open space preserved as possible, it should allow buildings to be clustered tightly, not require them to be spread out. While it is likely that the current real estate market would look more favorably upon estate-sized lots rather than clustered lots, the Town could make clustering more attractive and effective as an alternative to conventional large-lot development, particularly in the Town Center area.
7. **Technical Issues:** There are several technical problems with the zoning law, which can be solved in the course of a revision. These do not significantly affect its consistency with the comprehensive plan and are therefore beyond the scope of this report. However, they make the zoning law somewhat cumbersome to implement and complicated to administer. A zoning revision should address these issues and correct the technical problems. Some of these problems are minor and easily fixed, while others are more complicated. A few examples include the lack of an integrated procedure for special permit and site plan review, area variance requirements that are not consistent with state law, time frames for approvals that are not consistent with state law, and various conflicts in definitions such as a reference in the text to “resort and recreation areas, including golf courses,” when golf courses are specifically excluded from the definition of “resort and recreation.”

## Chapter 2: Key Planning Issues

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Through the interview process the key issues that emerged were the preservation of open space, the future of the town center, the effect of property taxes on the town's ability to achieve its goals, and the role of public participation in the planning process. This chapter will discuss each of these issues, with the last issue elaborated further in Chapter 3.

### **Preservation of Open Space**

The preservation of open space is a major priority of the existing Master Plan. There are many different kinds of open space that perform a variety of important functions for a community. It is useful to distinguish between different types of open space, as there is often confusion in communities as to what is considered "open space." It is not one kind of land or land use, but a variety of land types and land uses that support the people and their economy in different ways, such as active recreation, passive recreation, watershed protection, wildlife habitat, farmland, and ecologically sensitive areas.

Most prominent, and most threatened, is farmland. It is the special combination of farms and forested lands set into rolling hills that gives Stanford much of its unique scenic character. Unlike many other towns, where farms have either grown back into scrubland and forests or been developed into subdivisions and strip malls, Stanford has maintained much of its farmland in agricultural use. The nature of farm ownership and operations has changed, but the land is still being farmed. As new owners buy this land, it is important to preserve not only its agricultural character but also the role the land plays in the life of the community.

The reason that farmland is the most threatened type of open space is that it is most often the easiest land to develop, and when it is developed the housing that is built is usually prominent in the landscape. In addition, every farm that ceases agricultural use undermines the agricultural infrastructure of the region needed to support other farms, including feed, supply, and equipment stores, marketing arrangements, and the farm labor pool. The lack of farm labor, escalating costs of supplies and utilities, falling prices for farm products, and rising property taxes make it difficult for farms to survive economically. Generally, unless a farm can make a profit as a business, farmland will not remain in agricultural use.

The conversion of farmland to residential uses also frequently introduces conflicts between residential neighbors and agricultural operations. When many houses adjoin farmland, complaints from the residents about noise and odors are common, as are

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complaints from farmers about children and pets interfering with farm operations. When farmland turns into rural estates that are owned by people who value the agricultural landscape, this is somewhat less likely to happen. However, these new landowners who move in from more urban and suburban areas often lack an understanding of land management, farm practices, and the rural way of life. The community needs to find ways to inform them about farming and weave them into Stanford's rural fabric.

Other important types of open space in Stanford include wildlife preserves, such as Buttercup Sanctuary, and many other types of natural areas that provide habitat for a wide variety of flora and fauna, offer recreational opportunities for hiking, cross-country skiing, hunting, and fishing, and protect both groundwater and surface water from pollution. The more mountainous and forested parts of Stanford are somewhat less susceptible to development pressure than farmland, but they are still very important as open space resources. The undeveloped areas within the watersheds of Hunns Lake and Upton Lake are important in protecting the water quality of those lakes, which is threatened at least in part by the density of housing surrounding them.

While the comprehensive plan supports preservation of open space, especially farmland, and the protection of lake watersheds, the zoning has the curious feature of allowing *higher density* development on some of the best farmland and around the lakes. (This is something also advocated, somewhat paradoxically, in the comprehensive plan.) This contradicts the goals of preserving these areas. There are many people in Stanford, including a surprising number of owners of large parcels as well as real estate and land development professionals, who believe that five-acre zoning is not a low enough density to preserve open space. Strong and widespread sentiment exists to go to ten-acre or even lower density. (Note that larger lot sizes mean lower density – this is sometimes a source of confusion.) Much of the land adjoining Stanford in the Town of Washington has ten-acre zoning and it is some of the most valuable rural land in the County.

The Dutchess Land Conservancy, created in 1985, has worked with many landowners to place voluntary conservation easements on their land, thus protecting much of this land from incompatible development. The landowners have, in effect, been fulfilling the goals of the comprehensive plan despite the fact the zoning is not well attuned to these goals. These owners have, in effect, put into place voluntary “zoning” ranging from 30 – 50 acres or more per house. This is an effective way to protect large stretches of open space at no cost to the Town. If owners are willing to reduce their density to this extent voluntarily, the Town should be able to do more with zoning than it has done to date.

### **The Town Center Area**

There is significant sentiment in Stanford in favor of having a more active, attractive, and economically vital town center. Most agree that Bangall works more effectively than Stanfordville as a community-oriented hub of activity, even though it is smaller in scale. Bangall is more compact and its traffic is slower and lower in volume. It is a walkable

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place with attractive architecture that has been well-maintained and restored. The Country Store is a place where people like to congregate, and the restoration of Bullis Hall has given the hamlet a major boost. Stanfordville, by contrast, is spread out along a high-speed state highway and lacks coherence. The distance between buildings is much greater and the lack of sidewalks, combined with the volume and speed of traffic moving in a straight path with long sight lines, makes walking hazardous. A number of businesses have come and gone along this long stretch of commercial strip development.

Many people expressed the desire to see Stanfordville develop in a more compact and pedestrian-friendly way, with a greater variety of businesses and more of a sense of place. There were significantly differing views as to whether or not this was practical and achievable, particularly because it would be necessary to provide public water and sewer services to make this possible. The zoning contradicts this goal by mandating lot sizes that are too large (1.5 acres) and by designating over a mile and a half of Route 82 as "Rural Center." This is too long and linear to be true "center," and such zoning makes it difficult to concentrate development into one portion that could be the hub of activity.

The key issue in creating a viable and attractive town center is determining whether or not water and sewer infrastructure is feasible and desirable. If such infrastructure can be provided, then the zoning should be reconsidered to allow for more tightly clustered and compact development. The technology of sewage disposal is in a period of rapid evolution and new technologies for hamlet-scale sewage treatment are becoming practical and cost-effective. These can and should be examined to determine what might be workable in Stanfordville. The Dutchess County Water and Wastewater Authority is in a position to provide assistance to local communities that want to investigate these options.

The Town should also work closely with the state Department of Transportation to make the portion of Route 82 that becomes a real town center more pedestrian-friendly. This would include narrowing the travel lanes and installing sidewalks, crosswalks, and street trees. It would also necessitate lowering the speed limit and enforcing the lower speeds. Narrowing the street and adding features that make the area more of a "main street" would have the effect of reducing the "design speed" of the road and thereby tend to slow down traffic. While this concept may seem far-fetched, more and more communities that realize the benefits of improving their quality of life have been making these types of changes.

Few of these measures to improve the quality of Stanfordville would be successful without the addition of public water and sewer infrastructure. That cannot happen unless the Town has a clear vision of what it wants in the town center area and a strong constituency supporting that vision. At this time, there seem to be many people who like the concept of a stronger and more pedestrian-oriented town center area, but there is no clear vision of what it would look like or how it could be achieved. As a result, there are also many skeptics who believe it is impossible or that any effort to achieve it would

likely produce disappointing results. One way to arrive at a clearer vision on this issue and determine whether or not consensus exists to support that vision is through an open and effective public participation process (see Chapter 3 below).

**In considering the feasibility of water and sewer infrastructure, the issues of timing and financing are critical. This is not the kind of project that can be accomplished quickly, but typically takes years of planning and negotiations among landowners and public officials. It is never too early to begin to study the issue, but it is important to keep in mind that any solution will have to be tailored to the unique circumstances of Stanfordville and may take anywhere from five to fifteen years (or more) to implement. Its successful implementation requires a clear public consensus in support of the concept, as well as supportive town leadership and a financial structure that places most of the costs of developing the infrastructure on developers, with the assistance of whatever county, state, or federal subsidies may be available.**

A more compact town center located in the right place, with good planning, proper infrastructure, and appropriate zoning, can over the long term advance the Town's goals of protecting water quality and enhancing local businesses.

### **Property Taxes**

The controversy over the recent revaluation of property in Stanford was raging at the time interviewing was conducted for this report. It was difficult to discern the real problems from the wide range of viewpoints expressed. These may emerge over time.

However, there are certain issues that most rural towns commonly face in reconciling state policies and requirements for property taxation with comprehensive plan goals. The heavy reliance on property taxes for financing public schools, combined with the problems inherent in equalizing rates between different towns in the same school district, creates much confusion and often discourages the preservation of open land. As property taxes on open space land increase, farming becomes less profitable. This pressures owners into selling their land for development, undermining the land preservation goals of Stanford's Comprehensive plan. Yet there is little that the Town can do (beyond proper administration of the system prescribed by the state) using the limited discretion that local assessors have to be helpful to owners of large parcels in retaining their holdings intact. New York is somewhat unusual in having a body of caselaw that requires farmland to be assessed according to its current value as farmland rather than its speculative value for development. Local assessors do not always follow this practice. The state's agricultural district and forest taxation provisions afford some relief to these landowners, but often not enough to offset the incentives for development built into the property tax system.

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Stanford residents interviewed for this report understand that the unique quality of their town and its landscape depends upon retaining large parcels as undeveloped open space. Those who do not own large tracts seem supportive of measures that enable the town to preserve open space. It has been documented in a number of studies that undeveloped open space and large second-home parcels (even if restricted by conservation easements or under farmland or forest taxation programs) tend to pay more in taxes than they consume in municipal services, while other forms of residential development cost more in services than they provide in tax revenues.

The bottom line on this issue is that the protection of open space tends to keep property taxes lower, and anything that has the effect of raising property taxes on open land creates an incentive to develop that land. As the land is developed, the result is often a spiral of increased development and increasing property taxes, as landowners feel pressured into selling land by rising taxes and the resulting development in turn costs the town more than it produces in tax revenue. Adding commercial development to the tax base can help in the short run (as commercial development tends to pay more than it costs), but ultimately commercial development triggers more residential development to house the people who work for the businesses. As a general rule, towns with larger populations and more businesses and services tend to pay more in taxes than sparsely populated rural towns.

However, property tax policy should not be the primary determinant of local planning, as a community necessarily has other objectives in addition to keeping its tax rate low. (If that were the sole objective, a town would discourage development above all else.) What many people love about Stanford is that it remains a diverse small town, with a range of economic levels and housing in many different price ranges. As real estate values rise and the town's attractiveness increases, there is a danger that residents who make their living in the local area may be priced out of the town. That would result in a significant change in the community's character, which many residents would not like.

### **Public Participation in the Planning Process**

There are differing views within the Town as to how much the public needs to be involved in the planning process. The 1980 comprehensive plan went through considerable public review, although it was not drafted using a participatory process.

Although many people believe that the existing comprehensive plan is still valid and has been largely borne out by the townwide survey, some question whether or not a major public participation process is really needed. The fact that many parts of the comprehensive plan have not been effectively implemented is one indication that an effort is needed to build consensus around not only goals, but also actions to achieve those goals. This view was affirmed by the attendees at the meeting in which the draft of this diagnostic report was discussed.

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A public participation process built around a community workshop of some type could help to confirm and/or modify the tenets of the existing comprehensive plan. More importantly, it could be a way to focus more effectively on how to implement the principles and goals expressed in the comprehensive plan and build a constituency that would support such implementation. Such a process is outlined below in Chapter 3.

## Chapter 3: The Process for Updating the Comprehensive Plan and Revising the Zoning Law

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### **The Need for an Effective Public Process**

The process of articulating a community's goals and principles is sometimes referred to as defining the community's "vision" of itself and its future. It is important that in defining such a vision, a large cross-section of residents be involved so that the results are an accurate reflection of the views of a majority of the townspeople. Without that cross-section, the resulting vision may be seen as distorted and/or as an assertion of one faction's agenda rather than as a consensus view of the Town's people.

The 1980 Master Plan was written without the level of public involvement that is frequently done today. However, its overall vision of the future of the Town is supported by both the recent community survey and by the interviewing that was done to prepare this report. This suggests that the community generally supports the comprehensive plan goals. However, the lack of implementation of some of these goals suggests that this support, while broadly expressed across the community, does not run as deep as it would be if the comprehensive plan had been formulated with more direct and active community involvement.

Too many towns stop with a comprehensive plan and do not proceed to implement the community's vision. If active members of community participate in the formulation of implementation measures, they are more likely to occur. Stanford's planning process should therefore take the next step and focus on what needs to be done to fulfill the community's goals as articulated in the Plan. If the action steps have been agreed upon by a large and diverse cross-section of Town residents, their implementation is far more likely to occur successfully, because there will be a constituency of informed citizens supporting and prodding Town officials to move forward. Based upon the comments at the public meeting held to discuss the draft version of this report, there appears to be considerable interest in having more public participation in Stanford's planning process.

It is not the comprehensive plan document that brings about desired outcomes—rather, the collective will of the citizens and the coordinated actions taken by a multitude of individuals, organizations, and public officials create the future that the community wants. The new Plan update should be a manual that they will rely upon to guide their actions. Although there seems to be widespread consensus on overall goals, there needs to be a consensus building process on how to achieve those goals. It is often said that "the devil is in the details," and this is particularly true when it comes to implementing planning goals through zoning changes.

### **The Plan Update Process**

The Town, through its Master Plan Review Committee, has already made considerable progress in its process of updating the plan. It has sponsored a series of public forums with invited experts to discuss important planning issues, and it has conducted a town wide survey which reaffirmed Stanford's commitment to the protection of its open space and special community character, it sponsored the town photography project that led to important discussions and pictorial displays of what people in Stanford value in their community. These are all important steps toward building public understanding and consensus concerning the future of the Town. This report is the most recent effort sponsored by the Committee, designed to give clear direction to the Town in updating and implementing its comprehensive plan.

There is no one right process for revising a master plan and zoning law. However, state law does prescribe certain steps and requires hearings at critical stages in the process. The detailed legal requirements for each stage of the process can be specified at a later time. The Master Plan Review Committee oversees and manages the process, including preparation of planning documents, the Town Board formally adopts the recommended documents, and the Planning Board, CAC, and other town officials and committees serve in an important advisory role. Here is a suggested sequence of steps that could be followed in updating the plan.

1. Determine the scope, content, and approach of the plan or plan update, and then prepare a work program, budget, and schedule for the project.
2. Conduct a broad-based public participation process to formulate goals and action steps for inclusion in the plan update and regulatory revisions (zoning and subdivision regulations).
3. Draft plan update and recommended action steps to bring the plan and regulations into alignment (first draft).
4. Draft regulatory revisions (first draft).
5. Begin process of complying with the State Environmental Quality Review Act (SEQRA) and drafting of a generic environmental impact statement (GEIS).
6. Revise plan update and regulatory revision for public discussion.
7. Hold public meetings to discuss draft plan update, regulatory changes, and environmental impacts.
8. Revise all documents and begin formal adoption process, including hearings on the plan update, zoning and other regulatory revisions, and GEIS.
9. Adopt comprehensive plan update and regulatory revisions.

### **Public Participation Techniques**

The Town has already taken a major step forward by doing its survey and offering public forums that provide information to interested citizens. The next step is to build consensus on implementation by conducting a more active public process that engages and educates people about how to achieve planning goals.

This public participation process should be custom-designed cooperatively by the consultant and the Master Plan Review Committee. The more that the Committee takes ownership of the process, the more successful it will be at generating public excitement. It is important to broaden the circle of participation to engage people who do not normally get involved.

There are many ways to accomplish this important task of getting a variety of people to participate. The appropriate ones for Stanford will be those that resonate with members of the Committee, i.e. those measures that will engage the hearts and minds of those responsible for making the planning process work

Some of the public involvement techniques include:

1. A multi-day planning event (sometimes called a “charrette”) that focuses first on reaffirming the community’s goals, but that quickly proceeds to the formulation of an action agenda. It should be accompanied by some public education on implementation techniques, particularly the use of zoning in rural communities. This event should be festive and enjoyable, and people should be allowed to drop in for as much or as little of it as they can. Food should be provided, child care should be available, and the event should culminate with a sense that the community has come together and accomplished something important. This event should be carefully prepared, and some of the other techniques listed below can be used to heighten interest in it. The Committee should recruit as many volunteers as possible should to help make it a successful community event.
2. Educational workshops on planning issues relevant to the community, particularly related to zoning and the key issues identified in Chapters One and Two.
3. A community newsletter with information and updates on the comprehensive plan update process.
4. A website and e-mail forum in which community members can engage in open-ended discussion of key planning issues, possibly with commentary and clarifications from the Town’s planning consultants, public officials, or others with special expertise.
5. School projects, in which classes in the schools make the planning process an integral part of their curriculum and do their own town planning projects. This would be difficult in Stanford, because it involves coordination with more than

one school district (each of which includes several towns), but it is helpful in several ways: by engaging children it involves parents who would otherwise not have time to pay attention; covering these issues in schools makes a statement about their importance; children are the community's future and should be involved constructively in the process; and engaging the schools is a way to help ensure that the school administration participates in the planning process. A special town planning curriculum could be developed that would be used in the schools. This could be an effective follow-up to the four-town planning effort currently being funded by the Greenway.

6. Articles in local newspapers and features on cable TV, including coverage of events listed in 1 and 2 above.
7. Outreach by the Master Plan Review Committee members attending meetings of different groups in the community including chamber of commerce, volunteer firefighters, school-related groups, fish and game clubs, environmental and civic organizations, etc.

Volunteers can do some of the items listed above, but some require the expertise of professional consultants. The exact menu of public participation techniques is best worked out in detail by the Master Plan Review Committee, the Town Board, the Planning Board, and the consultant the Town selects to assist with the public participation process. Ideally, several of the above techniques would be used in a mutually reinforcing way to maximize public understanding and participation.

### **Public Participation: An Educational Process**

Public participation is inherently an educational process. To make informed decisions, the general public needs to be trained over a period of time to understand planning issues in their larger context, rather than as a series of specific controversies over individual development proposals. The value of a charrette or workshop type of process is that it provides a rapid education to a large number of people about the issues, and also engages them in dialogue with fellow citizens with whom they do not normally interact. This can both increase knowledge of the issues and help bridge gaps between different social and economic groups within the Town.

There are many formats in which a public participation event can be held. A two or three day intensive process is often the most effective at galvanizing a community into consensus and acting on that consensus. However, shorter formats are also possible, such as one-day workshops or even half-day or evening programs. Because longer events tend to build momentum, they are generally more successful than a series of short events, although both can be valuable.

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The type of community charrette proposed here would involve a combination of the following elements:

1. Educational presentations on key planning issues that the Town faces (especially zoning revision), including an introductory presentation that sets the stage and explains the entire process.
2. Break-out group sessions with specific questions to discuss, and facilitators to help the groups discuss them. Such questions are designed to engage people in frank and discussions about what they care about in their community and to engage them positively in creating and implementing a vision for the future.
3. Plenary sessions in which the groups report out their conclusions and the large group engages in facilitated discussion designed to move toward consensus.
4. Summaries of what has already occurred to give the participants an opportunity to give feedback on whether they have been heard and understood.

Shortly after the end of the charrette, a summary report would be distributed, presenting the community's goals and agreed upon action steps to affirm progress toward consensus and set the stage for action. A public that has become informed through the public participation process can then better understand what needs to be done.

Meaningful public participation involves intensive informal interaction before a Plan update has been written. It also involves a series of opportunities to review and comment upon the Plan update in draft form before it is ready for adoption as an official document. By the time it comes before the Town Board for formal adoption, it should have been thoroughly understood and reviewed by the public, and its actual content should have emerged through the public discussion process.

## Chapter 4: Recommendations for Next Steps

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Stanford has been fortunate in staying out of the path of suburban sprawl development that has engulfed much of Dutchess County. This has been more the result of good luck than good planning practice. If Stanford wants to retain control of its destiny, it will need to take a far more pro-active approach to controlling land use in the future. This means going beyond the comprehensive plan and into its implementation through zoning revisions and other measures.

This Chapter presents some suggested next steps for moving forward and breaking the deadlock of inaction that has kept the Town from acting to create the future it wants.

***1. The Master Plan Review Committee should plan and conduct a public participation process and begin to refine the scope, content, budget, and timetable for the comprehensive plan update, including zoning amendments and the SEQOR process.*** A major threshold decision must be made as to whether to write a brand new comprehensive plan or simply update the old one. For reasons described elsewhere, this report recommends a plan update. Until the scope of the update (or new plan) and the type of public participation process have been decided, it will be impossible to determine with certainty the total budget for the process. Even after these decisions have been made, a truly open public participation process may result in the discovery that the project needs to be approached in a different way with different implications for budget and timetable. Planning at its best is a process in which those who do the planning listen to their constituents and adjust their approach as they go in response to what they hear.

***2. The Master Plan Review Committee should continue its detailed review of the existing Master Plan and determine which provisions of it no longer apply.*** This item is already in process and involves two kinds of reviews, one for the content of the Plan's statements of community goals and one for the factual background. Updating factual information can begin at any time; updating the goals should be done through the public participation process.

***3. The Master Plan Review Committee may want to recommend some immediate changes to the Town of Stanford Zoning Law to bring it into consistency with the 1980 Master Plan and to prevent development that would be inconsistent with that Plan.*** This should only be done if there is a reasonable probability that such changes would be non-controversial and simply reflect principles that were agreed to long ago and remain valid, but that were never put into practice.

***4. The Town Board may want to consider adding some additional representation to the Master Plan Review Committee, including members of the Town Board, Planning Board, and local business community, to ensure that the Committee represents a true cross-section of the community.*** To the extent that there may be some mistrust of the Committee on the part of members of the Town Board or Planning Board, this may help ensure that the Committee steers a course that accurately reflects Town opinion.