

**Generic Environmental Impact Study for the Southern Area of the
Town of New Hartford**

Frequently Asked Questions
Update December 2009

Q. What is a Generic Environmental Impact Study, (GEIS)?

A. A GEIS is a detailed study, which addresses the cumulative impacts of development, in this case in the southern area of the Town of New Hartford. It proposed measures to lessen the impacts and to finance improvements needed to prevent future impacts. It also provides an inventory and analysis of the area's land uses, and its economic and demographic characteristics; geography, topography and soils; surface and ground water and other physical characteristic of the area.

Q. What impacts are you talking about?

A. The study focused on the impacts of storm water and traffic and contains four possible courses of action, including design plans for Chadwicks and Washington Mills that direct development to the hamlets rather than allowing continued residential sprawl on the hillside, east and west of the hamlets. The study also looked at flooding, loss of agriculture/open space, scenic resources and current commercial and residential development patterns.

Q. How large an area did the GEIS cover?

A. The Study Area consists of 9,703 acres (15.2 sq. miles) of land area in the southern portion of the Town. The study area is roughly bounded by the border of the Town of Paris to the south, Town of Frankfort border to the east, the Town of Kirkland border to the west and to the north by New Paris Road, Paris Road, Canterbury Road, Bolton Road, Hoffman Road, Croft Road, Thurston Boulevard, Higby Road, Valley View Road and Pleasant Street.

Q. Why is the study being done?

A. The Town commissioned an update of its Comprehensive Plan in 2005. The last Plan was adopted in 1995. The Comprehensive Plan Update is a long-term vision of the community, which outlines goals and objectives and sets policy to guide future growth and conservation. The Plan states, "*Zoning and planning boards will measure the desirability of development applications by their conformity with the plan goals and objectives. In addition, they should adopt polices and procedures that actively assist*

those projects that comply with the Plan's goals and objectives and discourage those projects that fail to honor the communities vision." (Page 6)

A partial list of the Land Use polices recommendations adopted by the Town through the Plan include: exploring ways to mitigate the adverse effects of development; adoption of land use regulations and design standards to enhance the visual character of the Town; protection of significant viewsheds and open space; protect prime agricultural lands and limit development to those areas where adequate infrastructures exist.

Included among the 47 specific recommendations in the Plan was that the Town should take a hard look at its critical areas, "particularly and most urgently the southern area of the Town where increased numbers of homes and businesses are impacting an already serious environmental and traffic problem." An immediate Town-wide update and consolidation of all land use regulations and zoning codes was also recommended. The Plan and its recommendations were adopted by the Town Board (TB) in 2006. By law, all Town land use regulations must be in accordance with the Comprehensive Plan. To review the Comprehensive Plan Update, go to the Town web site: www.newhartfordtown.com.

Q. How can a GEIS help protect the Town?

A. The role of the GEIS is to provide alternative approaches to land use to assist Town leaders as they strive to strike a balance between conservation and development. The southern portion of the Town is predominantly residential with pockets of commercial development primarily in the hamlets of Washington Mills and Chadwicks. Land designated for agricultural use further characterizes the Southern Area and as such, continued development of this portion of the Town while conserving the agricultural lands and maintaining the small-town charm of the existing hamlets, would best be done through a planned and coordinated Plan fashioned to allow for economic development while conserving open space and agricultural lands.

Q. Where is the proposed "growth boundary" that I have heard of and what is its purpose?

A. The growth boundary is that area including Chadwicks and Washington Mills and reaching out approximately one-mile outside the hamlets where development should be concentrated in a mixed-use village-center style incorporating the concept of "walkable sustainable communities." The boundary is a guide, which takes into consideration existing subdivisions and impediments such as the Sauquoit Creek and other topographical constraints. The growth boundary was endorsed in the Comprehensive Plan Update.

Q. What are the potential adverse impacts/issues?

A. Continued development in the Southern Area will result in a compounding of impacts that are currently being experienced. Without a planned growth management plan, development will continue at the pace and style that has resulted in the current issues of storm water runoff impacts, traffic congestion, consumption of open space and agricultural land, and a strain on the existing storm water and sanitary sewer treatment plants.

The magnitude at which the issues that are currently being experienced because of development are for the most part specific to the individual impact: storm water runoff flow, sanitary sewer treatment capacity, traffic volumes, and strained community services, have been assessed during the GEIS report preparation and review process. The GEIS presents the anticipated impacts and to what degree the impacts may occur.

Q. What are the possible outcomes of this review?

A. In general, there could be three possible outcomes of the study 1) there will be no impacts from future development, 2) the impacts will be insignificant, or 3) there will be impacts that may require mitigation. Most likely, in the case of number 1 or 2, normal development would commence after the study has been completed. In the case of number 3, the Town would adopt a plan called a “Findings Statement” that describes the mitigation strategies that will be used to reduce the impacts from future development within the study area.

Q. What’s a Findings Statement?

A. A Findings Statement is prepared as part of the Final GEIS. It presents a proposed and voluntary FILM (fees in lieu of mitigation) schedule of projects and units rates that can be presented to developers as a means to recover cost associated with necessary improvement resulting from continued development in the study area. A FILM regime can only be implemented if a FINAL GEIS is adopted by the Planning Board. Mitigation in the GEIS area is offered to the Town in a variety of ways. It can be physical (infrastructure) improvements in accordance with the Findings Statement. It can come as Fees In Lieu of Mitigation (FILM), wherein which a developer offers fees according to a schedule adopted by the Town Board, and which monies are directed to segregated trust and agency accounts, or it can be in the form of offerings which advance certain mitigative goals, again, as identified in the Findings Statement.

Q. Who did the study and how much did it cost?

A. Because of the size and scope of this study, the Town Board contracted out the GEIS to the firm of peter j. smith & co., inc. in association with: Hatch Mott MacDonald; Shumaker Consulting Engineering & Land Surveying, PC; and Hartgen Archeological Associates, Inc. The study cost \$355,000; Oneida County provided \$150,000

Q. This is the first I've heard of it?

A. The Planning Board has more than 30 meetings over a 2 ½ year period and has conducted three public workshops and a public hearing to receive public comment. Residents of the study area were mailed postcard invitations to two of the workshops. In addition, numerous articles have appeared in the Observer Dispatch and Town Crier. The December 1, 2007, March 8, 2008 and January 24, 2009, power point presentations and the August 10, 2009 public hearing transcript can be viewed on the Town web site at: www.newhartfordtown.com.

Q. How will this affect my property? Will my property taxes increase?

A. The DGEIS has no affect on property taxes; the study is an environmental document, a road map for future development. As noted above, if the study is adopted, the Town Board will have the ability to enact a schedule of fees in lieu of mitigation (FILM). These fees would be paid by those developing property and would help the Town finance improvements that would reduce the off-site impacts caused by the development. The study does not affect any individual property owner's right to develop their property if in compliance with required mitigation.

Q. How many new homes are projected to be built in the study area over the next twenty years?

A. Based on the current trend, 448 new homes could be expected. The trend was established by reviewing Building Permits issued from 2000-2008.

Q. What happens if this trend analysis proves wrong and there is a significantly higher demand for new home construction in the study area?

A. The Planning Board has the statutory responsibility for land use planning. It will periodically review the study and make recommendations to the Town Board to reflect those changes.

Q. I read that the Planning Board favors "clustering" one acre lots as an agricultural preservation strategy for residential development outside the proposed Growth Boundary in the DGEIS. Is that correct?

A. On December 14, 2009, the Planning Board unanimously adopted a FGEIS which recommends growth Alternative #4. That alternative calls for density averaging or conservation subdivisions which can result in permanent protection of farmlands. It is not a 5 acre lot size requirement, rather a 1:5 ratio. It does not require 5 acre building lots nor are change zoning for single family homes.

Q. Can you give me an example of “density averaging?”

A. If zoning required a maximum density of 1 dwelling per 5 acres, a farm of 100 acres would be entitled to development up to 20 dwelling units. If the 20 units were built on 20 acres, 80 acres would remain open. The smaller lots would be sited in locations that are least suitable for farming, thus protecting prime agricultural lands.

Q. What other recommendations are there to save our farms and open space in the Town?

A. The DGEIS recommends a number of things, including: Purchase of Development Rights; Transfer of Development Rights, Cluster Development or Conservation Subdivisions. These are explained in detail on page 17-18 of the Revised DGEIS, dated November 2009.

Q. If the strategies above were to be used to protect farming and preserve open space, how long would that take to implement?

A. It would likely take a year or more and would only become effective after a public hearing and an affirmative vote of the Town Board.

Q. What are “design standards?”

A. Design standards shape the type of development within a given area. Proposed design standards for the hamlets will establish a village-like character for Chadwicks and a historic district for more commercially developed Washington Mills. Each hamlet would have different building designs as well as site requirements.

Q. Where can I obtain a copy of the adopted Revised DGEIS and FGEIS?

A. These documents may be downloaded from the Town website at: <http://www.newhartfordtown.com/Nhplanningbdmain.htm>

A copy is also available for public inspection at these locations: New Hartford Public Library, Town Clerk’s Office and at the Planning Office in the Sanger Building.

Q. Who can I contact if I have questions?

A. Town Planner, Kurt Schwenzfeier, AICP, can be reached at 724-4300, Ext. 5, or by e-mail at: KurtS@town.new-hartford.ny.us

