

TOWN OF FORESTBURGH COMPREHENSIVE PLAN

Adopted May 4, 2006 Amended July 5, 2007

Section IV: RECOMMENDATIONS

Forestburgh's southerly location in Sullivan County, its nearness to the village of Monticello and to N.Y.S. Rt. 17 (future Interstate 86), and its largely undeveloped nature, make it highly likely that it will be the target of land-development pressures in the near future. In order to retain its rural character, the Town must protect its open spaces and be vigilant in enforcing land use regulations. Several actions are needed to address this challenge and ensure growth enhances, rather than detracts, from the quality of life within the Town of Forestburgh.

A. Recommended Actions Toward Achieving Goals

The issues included in Section III, along with a concern for the future growth and development of the Town, have led the Planning Board to develop a number of recommendations toward the achievement of the nine goals that were listed at the beginning of this document. Those goals are repeated below, with general recommendations following each.

1. Preserve the peace and tranquility of Forestburgh life so that residents may continue to enjoy their land and their quality of life.
 - a. Preserve the existing low-density single-family residential nature of the Town using both large-lot zoning and open space design development as well as a specific zoning district for the protection of already developed areas of the Town.
 - b. Preserve the existing rural and natural character of the Town in applying site-plan review procedures and supplementary regulations from the Town Zoning Law.
2. Conserve the quality and quantity of natural, historic and scenic resources for the use and enjoyment of all residents.
 - a. Encourage preservation of historical architectural styles using State Environmental Quality Review and site-plan review procedures.
 - b. Preserve the visual quality of the Town as viewed from its highways.
 - c. Protect important wildlife habitats, such as trout streams; protect endangered species, especially the bald eagle and rattlesnake; and protect sensitive areas, particularly wetlands.
 - d. Control the amount of tree and vegetative clearing allowed for development.
 - e. Enforce land use and sign regulations.
 - f. Encourage private use of conservation easements where appropriate to protect valuable landmarks and natural areas.
3. Prevent degradation of surface and groundwater resources.
 - a. Monitor the quality of surface and ground waters.
 - b. Control stormwater runoff and erosion and sedimentation from new development.
 - c. Carefully evaluate all proposed discharges of effluent to Town streams as part of development review process.
 - d. Establish and enforce regulations for the design, location and repair of on-site sewage disposal systems.
 - e. Encourage the construction of conventional septic systems.
4. Provide for the properly-regulated and soundly-built development of housing, business, and community facilities within the Town to meet the needs of residents in a balanced manner.
 - a. Regulate location and design standards with respect to individual manufacture homes.
 - b. Control the density of development by zoning district.
 - c. Limit the expansion of business and commerce to those areas and those activities which are compatible with the Town's needs (primarily convenience services) and its present rural nature.
 - d. Restrict development on steep slopes and poor soils.

- e. Create new Residential Settlement (RS) and Planned Unit Development (PUD) Districts.
5. Ensure that every dwelling and place of work is supported by an adequate water supply, sewage treatment and disposal system or septic system, solid waste disposal, and telephone access.
 - a. Enforce land-use control ordinances.
 6. Promote safe, quiet, efficient, and uncongested roads.
 - a. Employ special use and site-plan review criteria to evaluate traffic impacts and provide for protection of scenery and other aesthetic features.
 - b. Prohibit roadside strip development.
 7. Provide adequate land, resources, and maintenance for recreational holdings so as to preserve the Town's rural character.
 - a. Encourage the New York State Department of Environmental Conservation to properly manage and maintain its lands, and to periodically develop/update Unit Management Plans that provide for public use of state lands in a manner that meets the needs and interests of the people of Forestburgh.
 - b. Control the effects of tourism by managing recreation development so as to preserve the Town's scenic and natural qualities.
 8. Maintain a balanced and equitable tax base.
 - a. Discourage further forest exemption status for land in the Town without adequate tax compensation from New York State.
 9. Protect buildings and residents from the harm of flood, fire, detrimental land use, and impairment of their natural resources and property values.
 - a. Preserve and protect existing wetlands.
 - b. Preserve and protect forest lands through proper forest management.
 - c. Practice good soil stabilization techniques as recommended by the Sullivan County Soil and Water Conservation District.
 - d. Enforce existing Town Zoning Ordinances, Town Subdivision Regulations, and the New York State Uniform Fire Protection Building Construction Code.

B. Recommendations Pertaining to the Current Sullivan County Comprehensive (2020) Plan

1. Implement the recommendations of the *Sullivan County 2020 Comprehensive Plan* to the extent applicable to the Town of Forestburgh.
 - a. Allow for growth and development through the use of innovative, progressive implementation techniques such as conservation subdivision.
 - b. Provide for sustainable development that is compatible with the natural environment and allows Forestburgh to remain Forestburgh in the context of its overall appearance.
 - c. Promote eco-tourism opportunities within the Town and County.
 - d. Develop and protect the character of those unique destinations that draw visitors to the area.
 - e. Contain the rate of growth at a manageable level to ensure it can be accommodated properly.
 - f. Reinforce Monticello as a commercial center serving not only the Town of Thompson (where it is located) but also the Town of Forestburgh.

B. Recommended Actions Regarding Zoning and Subdivision Regulations

The Town of Forestburgh made revisions to its subdivision and zoning regulations in conjunction with the enactment of the 1988 Master Plan, and has made some further minor revisions in the intervening years. Subsequent experience with these laws and the results of preparing the new Comprehensive Plan suggest the need for further revisions. The following are changes and improvements to existing Town land use regulations:

1. Update the Town Subdivision Law to conform to current requirements of New York State Town Law and the State Environmental Quality Review Act. This includes:
 - a. Clarifying procedures for exemptions.
 - b. Providing for lot improvement subdivisions.
 - c. Establishing more detailed standards for controlling stormwater run-off as well as erosion and sedimentation.
 - d. Incorporating procedures and requirements for multi-family subdivisions.
 - e. Encouraging the use of open space design development concepts in the form of conservation subdivisions.

2. Amend the Town Zoning Law to refine the Zoning Map based on property lines, incorporate new Special Use/SEQR procedures under Town Law, and add new requirements for particular Special Uses. Specifically recommended improvements include:
 - a. Creation of a Residential Settlement District to encompass existing single-family residential areas of the Town. The intent of this District should be to provide areas within the Town where residential uses are primary and, will be protected from intrusion by other incompatible activities and uses. Development standards within this district should be comparable to the existing Residential Recreation District excepting that building and lot coverages would be more strictly limited.
 - b. Creation of a more detailed procedure and a specific floating district for planned unit developments. This PUD District should provide landowners with the flexibility to develop functionally integrated communities of a residential or resort nature using innovative techniques and open space design principles which ensure the maximum protection of quality open space for residents while achieving density no more than permitted using conventional subdivision procedures and protecting health and safety.
 - c. Refinement of the purposes of the existing Rural Conservation, Residential Recreation and Business Districts to better distinguish between each on the basis of allowed uses and statements of interest. A revised Zoning Law incorporating the specifically recommended changes in uses and development standards has been prepared concurrently with this update and may be consulted for additional detail.
 - d. Addition and clarification of supplementary regulations regarding landscaping, traffic, signs, parking, home-based businesses, adult-oriented businesses, conservation of natural features, campgrounds, junkyards, residential conversions, conservation subdivisions, forestry uses and communications structures.
 - e. Development of a more practical procedure for handling changes in non-conforming uses as Special Uses, so as to offer more flexibility but retain control.
 - f. Development of a more accurate zoning map tied to property lines so that district lines are easier to identify and do not unnecessarily divide properties and create confusion as to allowable uses.
 - g. Provide procedures and incentives to encourage the use of conservation subdivision techniques as a means of preserving the large areas of open space that give the Town of Forestburgh its distinctive character. Conservation subdivisions not only protect environmentally sensitive lands (e.g. wetlands, flood plains, steep slopes), but also additional otherwise buildable land, from clearing. This is accomplished by reducing lot sizes in order to achieve full-yield density. Such subdivisions differ from traditional clustering in several ways. They involve larger and more usable open spaces. Conservation subdivisions may provide density bonuses for landconserving design, but such bonuses are not obligatory and a bonus should not be the norm. They may be combined with disincentives to discourage land-consuming layouts. Finally, they link the open spaces created with other such recreational areas in the community.
 - h. Protect Forestburgh's stream corridors and reduce the potential for increased flooding by limiting clearing for building purposes and other land disturbances within these areas (e.g. a 50 to 100 feet building setback from significant streams).
 - i. Protect the character of Forestburgh's historical properties by providing specific incentives for their preservation and productive use (e.g. flexible non-conforming use standards for such properties).

These recommendations, as well as the input received in the process of updating goals and objectives, are reflected in the revised land use regulations prepared concurrently with this Comprehensive Plan.