

TOWN OF WARWICK  
Orange County, New York



Community Preservation Project Plan

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# Community Preservation Project Plan

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Cover Photo: John Lewis Stage

# Town of Warwick

## Community Preservation Project Plan

### PART 1. INTRODUCTION, PURPOSE AND SUMMARY

#### A. INTRODUCTION

Warwick is a large and diverse town located just 55 miles from Manhattan. It is the largest town, in land area, in Orange County and one of the largest in the Hudson Valley. It includes the villages of Warwick, Florida and Greenwood Lake as well as the hamlets of Sterling Forest, Amity, Pine Island, Edenville, Bellvale and New Milford. The Town has a distinctly rural character with rolling hills and farmland dotted with barns and historic farmhouses. Its landscape is characterized by diversity, ranging from rugged mountains in the east to the flat, black dirt farmland in the west.

Many of Warwick's older communities remain separated by large tracts of undeveloped open space or farmland, creating the typical rhythm of a rural landscape. Pine Island and Florida's fertile "black dirt" land produces 25 percent of the nation's onion crop as well as organic vegetables, sod, and flower crops. This rich farmland, formed 12,000 years ago by a glacial lake, was cleared by hand in the 1880's by Polish and German immigrants and is farmed today by many of their descendants. Agriculture continues its economic importance, as innovative farmers seek alternative uses and markets for their crops.

Farm stands featuring local produce dot Warwick's countryside, families can enjoy "pick-your-own" apples, pears and pumpkins at many of Warwick's orchards, and several new wineries have become established over the past decade. The Warwick Valley Farmers' Market has been recognized as one of the best community farmers' markets for over ten years. Warwick's Applefest, in its 16th year, recently received national recognition by its designation as one of the country's "Top 100 Events".

Warwick's natural beauty extends beyond its farmland to mountains, streams and lakes. Greenwood Lake, the closest lake to New York City that is large enough to accommodate water sports, has long been a popular summer playground of such famous figures as Babe Ruth and Derek Jeter. The ten-mile-long lake straddles the New York/New Jersey border. The State of New York and the federal government have both recognized the rural and natural beauty of Warwick through acquisition of the lands known as Sterling Forest State Park and the Appalachian National Scenic Trail respectively.

Protection of Warwick's rural quality, agricultural character, and its natural environment clearly stand out as the major goals for the residents of the Town. When asked on a public opinion survey in 1987 how important certain issues were over the next ten years, the highest response was for "maintaining the rural character." This character and the natural beauty of Warwick are what appear to have most attracted residents to the Town. These same qualities are what residents value most and want to protect. These two basic goals were reflected in the results of the *Master Plan* survey, the work of a Town Board appointed Master Plan Committee, and the subsequent work of the Town Planning Board, a 1994 Master Plan Review Coordinating Committee, a grassroots Community 2000 initiative and finally a Town Board designated Comprehensive Plan Board that served from 1996 to 1999.

As a result of this comprehensive planning process, the Town adopted a new comprehensive plan in August of 1999. The eight-year effort updated the Town's planning documents and made concrete recommendations for updating its zoning rules as well. Over the eight years, the Town Board sponsored or participated in over 250 board and committee meetings, community visioning sessions, planning workshops, and formal hearings. The changes to the Town Zoning Law that were recommended in the Plan were enacted in 2002 and they introduced new incentive-based zoning concepts. These planning concepts have helped the Town achieve "smart growth" and remain a highly desired "livable community."

As a result of its planning and zoning efforts, Warwick has been awarded the well-earned status of a "Quality Community" through the office of New York's Governor Pataki. In 2005, Warwick was awarded the first "Smart Growth" award by the New York State Association of Realtors. Its innovative zoning regulations and design guidelines are now used as models in Orange County and throughout New York State. The Pace University Land Use Law Center specifically cites Warwick's approach to planning as a model of smart growth in its "Land Use Library", the Hudson River Valley Greenway provides examples of Warwick's land use controls as models in its "Technical Assistance Toolbox," and the American Farmland Trust and Natural Resources Conservation Service's "Farmland Information Center" provides the Warwick Comprehensive Plan as one of three examples of the "tools used by communities to protect agricultural resources and support agriculture." A recent publication entitled Breaking Ground: Planning and Building in Priority Growth Districts, published by the Yale School of Forestry and Environmental Studies, discusses Warwick's incentive zoning approach to agriculture and open space protection as a model.

For the past twenty years, the Town has enacted a wide range of plans and programs for preserving land and water, resulting in a network of parks, beaches, preserves, wildlife sanctuaries, agricultural reserves, trails, and historic sites. These plans, however, have never fully realized the Town's goal of preserving the full array of extraordinary natural diversity and unique quality of life, which sets Warwick apart from other Hudson Valley towns.

On July 19, 2005, Governor George E. Pataki signed state legislation amending the New York State Town Law and the State Tax Law to enable the Town of Warwick to establish, through a local referendum, a Community Preservation Fund supported by revenues from a three-quarter (3/4) percent real estate transfer tax. This legislation would allow the Town of Warwick to protect its farmland and open space, which is vital to the future social, economic and environmental health of the Town. It will also supplement the farmland and open space protection program already established in the Town's voluntary acquisition of land and development rights program. On November 7, 2000, the voters of the Town of Warwick overwhelmingly approved a purchase of development rights program. A Local Law to implement the program was adopted by the Town Board of the Town of Warwick on November 8, 2001 by L.L. No. 6-2001. Chapter 54 of the Warwick Code is entitled the Agricultural and Open Space Preservation and Acquisition program. The voters approved a proposition authorizing the expenditure of \$9.5 million for the acquisition of open spaces and areas, including, among other things, development rights to protect and conserve agricultural lands, non-farm open spaces and other open areas.

The Town's Local Law establishing the Agricultural and Open Space Preservation and Acquisition program also established an Agricultural and Open Space Preservation Fund. Deposits into the fund can include revenues of the Town from whatever source and can include, at a minimum, Open Space Acquisition Bond Funds, all revenues from or for the amortization of indebtedness authorized for the acquisition of open spaces or areas pursuant to § 247 of the General Municipal Law, and any revenues from a real estate transfer

tax which may be established. The fund can also be authorized to accept gifts. Interest accrued by monies deposited in the fund must be credited to the fund and no monies deposited in the fund can be transferred to any other fund or account.

To date, about 3,400 acres have been or are being preserved by the Town purchasing the development rights on the following farms and open spaces:

- ❑ Brady Farm (SBL 64-1-56.2)
- ❑ Brown Farm (SBLs 24-1-17, 29.5, 32)
- ❑ A. Buckbee Farm (SBLs 58-1-9, 55-1-16.32, 46-1-11)
- ❑ Lewis Farm (SBL 31-2-12.2)
- ❑ Raynor Farm (SBL 52-1-5.3)
- ❑ Weiss Farm (SBL 63-2-10)
- ❑ Miller Farm (SBL 17-1-30)
- ❑ Greenwood Lake Beach
- ❑ Brown Farm (SBLs 24-1-17, 29.5, 32)
- ❑ W. Buckbee Farm (SBLs 44-1-46.1, 48, 49)
- ❑ Mabee Farm (SBL 55-1-15.2)
- ❑ Myruski/Quackenbush Farm (SBLs 18-1-18.21, 31-1-22.2)
- ❑ Miller Farm (SBL 17-1-30)
- ❑ Sandfort Farm (SBL 31-2-109)
- ❑ Ball Farm (SBL 53-1-37)
- ❑ Paul Miller Farm (SBLs 51-1-41, 51-1-7.41)
- ❑ Wittels/Segel Farm (SBLs 47-1-80.2, 47-1-61.24)
- ❑ Benson/Bell Farm (SBLs 23-1-25.12, 35-1-55.3)
- ❑ Bazylevsky Farm (SBL 44-1-45.41)
- ❑ Pennings Farm (SBL 51-1-36)
- ❑ Newport Bloom Farm (SBLs 26-1-110, 27-1-47.2, 27-1-56.12, 27-1-126)
- ❑ Oprandy Farm (SBL 44-1-133)
- ❑ Warwick Valley Winery (SBL 12-5-25.1)

The commitment of the Town of Warwick towards protection of its community character is unique in Orange County and unmatched in the Hudson Valley. This success is widely attributed to the adoption and implementation of the Town's 1999 Comprehensive Plan. The Plan offered the following recommendations related to protection and preservation of agriculture and open space:

- Support the economic viability of farming
- Create incentives for landowners to maintain land in agricultural use, keeping it affordable so new farmers can begin farming
- Preserve as many of the operating farms as possible
- Preserve the agricultural heritage of the Town

- Discourage incompatible nearby land uses which have the potential to place burdensome pressures on farming activities
- Protect and enhance the rural character and quality of life in the Town
- Concentrate denser residential development around the villages and the hamlets, and maintain rural densities in the remainder of the Town
- Stimulate a diversity of housing types and increase the stock of affordable homes
- Encourage a mixed-use pattern of development, where appropriate, in and around the hamlets and adjacent to the villages
- Maintain and expand public access to Greenwood Lake and develop access to other water bodies including Cascade Lake and Wickham Lake
- Support preservation of open space especially in environmentally sensitive areas
- Develop a long range Recreation Plan for providing Town parkland at appropriate locations within the Town
- Prepare an Open Space Plan as an element of the Town's Comprehensive Plan
- Include the public in the setting of Town policies governing the full range of active and passive recreation including greenways and trails
- Protect the natural scenic quality of the Town and environmentally sensitive areas
- Ensure that groundwater quality meets Safe Drinking Water Act quality standards and that an adequate amount of water will be available to provide for future needs
- Protect surface and ground waters from point and non-point source pollution
- Protect habitats for the diversity of existing flora and fauna in Warwick
- Protect wetlands as important environmental resources

The Town's financial commitment to preserving agriculture and open space can be found in the following recommendation in the adopted Plan:

*The Comprehensive Plan recommends that a Purchase of Development Rights (PDR) program be instituted in the Town as soon as possible. Although PDR is already available to Warwick's farmers, through the County Farmland Protection Board, it would be more effective if such a program could be developed at the Town level. In Warwick, a PDR program could be a voluntary program, but structured in such a way that it would be economically attractive to both the community and the landowners involved. If a landowner is willing to sell the development rights, the Town would pay, over a period of time, the difference between the farm's development value and its agricultural value as determined by an independent certified appraisal. Interest on the outstanding balance paid to the landowner may be exempt for income taxes. In return the landowner agrees to grant, by deed, a permanent conservation easement on the property. The landowner can use, rent or sell the land only for agricultural and permitted non-development purposes, thus assuring that it remains open space. The source of funds for this program could be a "millage" tax upon the entire assessed valuation of the town real estate, less any grants made available through state or federal funds. The Town should aggressively seek state and federal funding to assist it in developing a successful PDR program.*

## B. PURPOSE OF COMMUNITY PRESERVATION PROJECT PLAN

One of the key elements supporting the adoption and implementation of the Town of Warwick Community Preservation Fund is the Community Preservation Project Plan (CPPP). The CPPP, once adopted by the Town Board, will serve to build upon the 1999 Comprehensive Plan and 2002 Zoning Law, as well as new initiatives, including but not limited to additional regulatory techniques and subdivision, zoning and wetland protection

laws, as well as a multitude of other conservation strategies that have been adopted by the Town.

The CPPP will include the following principles:

1. The Plan will list every project, which the Town plans to undertake pursuant to the Community Preservation Fund.
2. The Plan will include every parcel in the Town which should be preserved using the tools described in Table 2, Part III in order to protect community character.
3. The Plan will provide for a detailed evaluation of all available land use alternatives to protect community character, including but not limited to:
  - a. Fee simple acquisition
  - b. Zoning regulations
  - c. Transfer of Development Rights
  - d. Purchase of Development Rights,
  - e. Incentive Zoning, and
  - f. Conservation Easements
4. The CPPP will establish the priorities for preservation and will include the preservation of farmland as its highest priority. The CPPP's focus will also involve one or more of the following:
  - a. Establishment of parks, nature preserves, or recreation areas
  - b. Preservation of open space, including agricultural lands
  - c. Preservation of lands of exceptional scenic value
  - d. Preservation of freshwater wetlands
  - e. Preservation of aquifer recharge areas
  - f. Establishment and/or preservation of access to water bodies
  - g. Establishment of wildlife refuges for the purposes of maintaining biodiversity and native animal species diversity, including the protection of habitats essential to rare, endangered, threatened or special concern species
  - h. Preservation of unique or threatened ecological areas
  - i. Preservation of streams and stream buffer areas in a natural, free flowing condition
  - j. Preservation of unique forested lands
  - k. Establishment and/or preservation of public access to lands for public use including trails, stream rights and waterways
  - l. Preservation of historic places and properties listed on the National and/or New York State Registers of Historic Places and/or protected under a municipal historic preservation law
  - m. Undertaking any of the aforementioned in furtherance of the establishment of a greenbelt or greenway

## C. COMMUNITY PRESERVATION PROJECT PLAN SUMMARY

The CPPP is divided into the following key parts summarized as follows: Part II: Community Preservation Target Areas, Projects, Parcels and Priorities and Part III: Summary and Evaluation of Land Use Alternatives to Protect Community Character. A total of seven target areas have been identified and mapped as "Community Preservation Plan, Warwick, New York"<sup>1</sup> of Part II of the plan. These target areas are summarized as follows:

1. Agricultural Lands
  - Agricultural Overlay District Qualifying Areas and District lands
  - Operating farms
  - Prime Agricultural Soils
2. Open Space
  - Green Belts
  - Trails
  - Lands of exceptional scenic value
  - Unique or threatened ecological areas
3. Freshwater Wetlands and Biodiversity Conservation Areas (as identified in the *Southern Wallkill Biodiversity Plan*):
  - NY State Department of Environmental Conservation regulated Freshwater Wetlands
  - US Fish & Wildlife Service's National wetlands Inventory mapping
  - Town Conservation Board wetlands mapping
  - Wallkill River
  - Black dirt
  - Pochuck Neck
  - Pochuck Creek
  - Blooms Corners Swamp & adjacent uplands
  - Mounts Adam and Eve
  - Atlantic White Cedar Swamp
  - Wheeler/Stony Creek
  - Eastern Wawayanda Creek/Wickham Lake
  - Western Wawayanda Creek
  - Southern Warwick/New Jersey Border
  - West Highlands Corridor
  - East Highlands Corridor
4. Aquifer Recharge Areas
  - Favorable Locations for High Yielding Bedrock Wells
5. Village/Hamlet Greens and parks
  - Recreational and open space lands
  - Forested lands
6. Historic Places
  - Buildings/sites on the National or State Register of Historic Places
  - NY State's historic sites inventory of the Town
7. Public Water Supply Watersheds
  - Glenmere Lake
  - Greenwood Lake

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<sup>1</sup> The map is available for public review in Town Hall at the Office of the Supervisor.



## Village of Warwick Reservoirs

Recommendations for each of these target areas are as follows:

1. 6,037.7 acres of unprotected prime agricultural lands and operating farms contained within the Agricultural Overlay District
2. 4,191.5 acres of open space, trails, and greenbelt areas defined by the draft Open Space Plan and the 1999 Comprehensive Plan.
3. 5,113.4 acres of biodiversity conservation areas as identified in the Southern Wallkill Biodiversity Plan for the Town of Warwick and freshwater wetlands as identified on the New York State Department of Environmental Conservation (DEC), US Fish & Wildlife Service's and Town Conservation Board freshwater wetland maps.
4. 17.9 acres of significant parcels identified within the Aquifer Protection Overlay District including favorable locations for targeting high yield bedrock wells to provide potable groundwater and to assure clean surface water
5. 41.0 acres of significant parcels identified within hamlet centers to create traditional greens, parks, recreation opportunities and other forms of open space
6. 142.15 acres of historic places and properties defined as local landmarks or listed on the national and state registers of historic places
7. 1105.4 acres of public water supply watersheds including Glenmere Lake, Greenwood Lake and the Village of Warwick reservoirs

All told, the CPPP identifies 16,649.05 acres as the highest priorities for preservation through the appropriate land-use alternatives noted. Part II and Appendix A of the CPPP also identify various categories of priority parcels and projects situated within the target areas based on a number of sources including:

- ❑ Recommendations from the Comprehensive Plan and the draft Open Space Plan
- ❑ Inventory of agricultural land resources completed as part of the Town's Farmland Preservation Strategy
- ❑ Priority recommendations from the Town's Conservation Advisory Board
- ❑ Priority recommendations from the Town's Agricultural Advisory Board
- ❑ New York State Open Space Plan recommendations
- ❑ Recommendations from each of the three villages
- ❑ Recommendations from the Orange County Plan and Orange County Open Space Plan
- ❑ Recommendations from the Warwick Valley Land Trust and the Orange County Land Trust
- ❑ Recommendations from the Metropolitan Conservation Alliance
- ❑ Recommendations defined by various citizen groups during the comprehensive and related planning processes
- ❑ Recommendations from various local environmental groups
- ❑ Recommendations defined through analyses completed by the Town Planning Department.

Together, the seven target areas and the priority projects and parcels form a comprehensive system of open space and greenways that, if preserved utilizing the Community Preservation Fund in combination with other land use alternatives, will ensure the short and long range protection of Warwick's rural and agricultural environment as well as its social, economic and community character.

Part II of the Project Plan also provides the following elements:

- An overview of Warwick's open space and farmland planning efforts that are an essential component of the underlying basis for the plan - An overview of past and current open space and farmland protection investments through expenditures by the Town, Orange County, New York State, federal sources, and private sources such as Scenic Hudson.
- Methodology, definition, mapping and listing of target areas and priority parcels and projects

Part III Summary and Evaluation of Land Use Alternatives to Protect Community Character provides an identification and summary of Warwick's existing land use alternatives to protect community character and an evaluation of those existing land use alternatives in relation to the recommended target areas and underlying categories of priority parcels and projects. New York State Town Law at § 64-g indicates that the Project Plan's "evaluation of all available land use alternatives to protect community character" may include but not be limited to:

- a. fee simple land acquisition;
- b. zoning regulations including density reductions, cluster development and site plan and design requirements;
- c. transfer of development rights;
- d. purchase of development rights; and
- e. scenic and conservation easements.

The Project Plan identifies and evaluates nineteen classes of land use alternatives intended to protect community character as outlined by Table 2. The majority of the land use alternatives are identified by corresponding sections of the Town Code such as Section 164-41.1, Cluster subdivisions. Other important alternatives are defined by classes such as fee simple acquisition or the purchase of development rights, which may be accomplished through not only the Community Preservation Fund but also by the formation of partnerships with County, State and Federal funding programs as well as private financing strategies in order to leverage the greatest fiscal and public benefits. The actual evaluation of available land use alternatives, as presented by Table 3, utilizes a matrix format that assigns and ranks the potential application of individual or class of land use alternatives in relation to each target area and the underlying categories of potential priority parcels and projects. A narrative summarizing the evaluation of land use alternatives by target area is also provided.

In summary, the following sections of the Town of Warwick's Community Preservation Project Plan have been completed to both further the goals and objectives of the Town's adopted Comprehensive Plan and ongoing open space and farmland preservation programs. The Project Plan will serve as an important guide that will enable the Town Board and the Community Preservation Fund Advisory Board to make recommendations concerning the acquisition of interests in real property by examining the various easement, acquisition and regulatory options as outlined in Table 2, Section III to not only protect community

character but to ensure that Warwick's rural and agricultural environment and economy will be sustained.

# Town of Warwick Community Preservation Project Plan

## PART II. COMMUNITY PRESERVATION TARGET AREAS, PROJECTS, PARCELS AND PRIORITIES

### A. INTRODUCTION

The Community Preservation Project Plan presented here is one that is consistent with Warwick's own conservation efforts, which have been in effect for more than a decade. In the Town's 1999 Comprehensive Plan, Warwick identified conservation areas of critical concern Townwide. Throughout the eight-year comprehensive planning process, a desire to protect open space, farmland and recreational opportunities prompted a consideration of a whole range of further conservative initiatives, including Town's \$9.5 Million Agricultural and Open Space Preservation and Acquisition program and the initiative to implement a Community Preservation Fund. Every opportunity is likewise being made to leverage town dollars through public and private partnerships, including arrangements with Scenic Hudson, Inc, the Orange County Land Trust, Orange County, New York State and the U.S. Department of Agriculture.

These actions represent a substantial investment by the Town in open space protection. A total of over \$7.9 million in Town dollars have thus far been spent or committed to conservation. The protection of open space will remain a top priority to Warwick, as its residents have time and time again voiced their desire that agricultural lands, natural resources, and historic sites be safeguarded for generations to come. This Community Preservation Project Plan builds upon these past initiatives, as its principal goal is precisely the same as that of previous Town conservation endeavors:

*To protect and preserve the Town's unique open space, natural areas, farmland and historic places, and to provide park and recreation opportunities for residents and visitors alike. Warwick is therefore deeply committed to accomplishing all of the community preservation objectives, to maintain and enhance its status as one of the healthiest and most beautiful places to live.*

The lands recommended for protection in this Project Plan are referred to as Community Preservation Target Areas, Projects, Parcels and Priorities and are displayed on maps and listed in Appendix A of this Project Plan. Community Preservation Target Areas, Projects, Parcels and Priorities depict parcels whose protection is needed to meet minimum conservation goals pursuant to Section 64-g.4. of the New York State Town Law (the enabling legislation), authorizing the establishment of the Town of Warwick Community Preservation Fund and the imposition of a three quarter ( $\frac{3}{4}$ ) percent Real Estate Transfer Tax. These goals, as noted earlier, include the following:

- (a) establishment of parks, nature preserves, or recreation areas;
- (b) preservation of open space, including agricultural lands;
- (c) preservation of lands of exceptional scenic value;
- (d) preservation of fresh and saltwater marshes or other wetlands;
- (e) preservation of aquifer recharge areas;
- (f) preservation of undeveloped beachlands or shoreline;

- (g) establishment of wildlife refuges for the purpose of maintaining native animal species diversity, including the protection of habitat essential to the recovery of rare, threatened or endangered species;
- (h) preservation of pine barrens consisting of such biota as pitch pine and scrub oak;
- (i) preservation of unique or threatened ecological areas;
- (j) preservation of rivers and river areas in a natural, free-flowing condition;
- (k) preservation of forested land;
- (l) preservation of public access to lands for public use including stream rights and waterways;
- (m) preservation of historic places and properties listed on the New York State Register of Historic Places and/or protected under a municipal historic preservation ordinance or law; and
- (n) undertaking any of the aforementioned in furtherance of the establishment of a greenbelt.”

All told, the updated Community Preservation Project Plan identifies 15,891.45 acres as the highest priorities for preservation through the appropriate land-use alternatives noted. It is recognized that all parcels within the identified Community Preservation Project Plan cannot be acquired, even if every landowner was willing to sell. Consequently, use of alternative land preservation tools will be explored, including, among other options, clustering, conservation easements, tax abatement, public/private partnerships and/or other cooperative agreements with private landowners. The identification and evaluation of all available land use alternatives to protect community character is provided in Part III of this Project Plan. Following is a breakdown of that total by project area:

Summary of Target Area Acreage:

1. 6,037.7 acres of unprotected prime agricultural lands and operating farms contained within the Agricultural Overlay District
2. 4,191.5 acres of open space, trails, and greenbelt areas defined by the draft Open Space Plan and the 1999 Comprehensive Plan.
3. 5,113.4 acres of biodiversity conservation areas as identified in the Southern Wallkill Biodiversity Plan for the Town of Warwick and freshwater wetlands as identified on the New York State Department of Environmental Conservation (DEC), US Fish & Wildlife Service and Town Conservation Board wetland maps.
4. 17.9 acres of significant parcels identified within the Aquifer Protection Overlay Districts including favorable locations for targeting high yielding bedrock wells to provide potable groundwater and to assure clean surface water
5. 41.0 acres of significant parcels identified within hamlet centers to create traditional greens, parks, recreation opportunities and other forms of open space
6. 142.15 acres of historic places and properties defined as local landmarks or listed on the national and state registers of historic places
7. 1,105.4 acres of public water supply watersheds including Glenmere Lake, Greenwood Lake and the Village of Warwick reservoirs

## B. METHODOLOGY FOR ESTABLISHING TARGET AREAS AND PRIORITIES

To implement a plan for preservation of community character, a clear definition and prioritization of land protection target areas is required. The inventory of parcels contained in this Project Plan was developed by the Town of Warwick, with the assistance of many private individuals and organizations, county and state agencies, to meet this requirement. The initial stage of developing a Community Preservation Project Plan involved looking at existing land conditions, through field inventories, aerial photographic interpretations and local geographic research, followed by an evaluation of which areas are most important to protect. Target areas for conservation efforts were identified and mapped with the assistance of the Orange County Department of Planning's Geographic Information System (GIS) analysts.

Data used in preparing the CPPP included: (1) Parcel specific tax maps; (2) Maps of public and private lands devoted to some extent to conservation; (3) a Townwide land-use and zoning map; (4) reported and mapped occurrences of local state and national register historic sites; (5) NYS Department of Environmental Conservation Freshwater Wetlands, National Wetland Inventory maps and Conservation Board wetland mapping; (6) Town inventory of agricultural and open space lands; (7) Areas of biodiversity identified by the Metropolitan Conservation Alliance; and (7) Town property type/tax assessment codes. Coordinated display of these geographic data sets showed where protected area networks currently exist and where new reserves, corridors, and/or reserve linkages could logically be formed. Information on existing protected lands was particularly important, as their geographic arrangement showed where gaps in land protection needed to be filled. Wetlands and farmlands that are of high priority for preservation were also easily revealed.

Protection priorities were set using a range of criteria. Numerous plans and reports had already documented the significance of many target areas, both as natural and recreational areas and as valuable agricultural and cultural resources. The highest priority within each Target Area is given to those parcels which have been identified as belonging to more than one Target Area. These parcels are identified as such in Appendix A and categories are described below. It is important to note that a parcel may appear in one Target Area only, but is identified as a dual or triple Target Area parcel, to ensure an accurate account of acres to be preserved and to establish preservation priorities.

It was the goal of the initial Community Preservation Project Plan to assemble this information in order to identify key areas Townwide which are priorities for public land acquisition, consolidation and management, land use regulation and other public and private strategies necessary to preserve community character. In order to provide comparable information for inventorying and prioritizing parcels, private holdings were mapped and classified by community preservation target area types. These categories were designed to meet several objectives. These include:

1. To identify open space units or target areas that have already been defined through past open space and farmland preservation plans, hamlet studies and related town, county and state land inventories and acquisition programs, including citizen input obtained during public hearings on the Town's Comprehensive Plan Update;
2. To group together land units or parcels that have certain homogeneous natural, agricultural, historic, recreational, and/or other important community benefits;

3. To arrange parcels in a system that will aid decisions about prioritization, acquisition and/or other land preservation;
4. To furnish consistent units for inventory and mapping; and
5. To provide uniformity for prioritization of individual parcels and categorization with respect to eligible community preservation categories.

Seven classes of parcels or target areas are defined by this CPPP. These are outlined in Table 1. The location and boundaries of each target area are illustrated by the "Community Preservation Plan, Warwick, New York" map<sup>2</sup>. Descriptions of each of these target areas are provided in Part II C. of this CPPP. Within each target area, the CPPP lists every project site which the Town should undertake pursuant to the Community Preservation Fund. Complete parcel listings are provided in Appendix A. Every parcel that needs to be considered for preservation in the Town in order to protect community character is identified. All available land use alternatives which may be applied to preserve or protect such lands are also noted, with respect to both the larger target area and the individual parcels and categories of parcels.

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<sup>2</sup> The map is available for public review in Town Hall at the Office of the Supervisor.

ID	Category
1.	Agricultural Lands
2.	Open Space/Trails/Greenbelt Areas
3.	Freshwater Wetlands and Biodiversity Areas
4.	Aquifer Protection
5.	Village and Hamlet Greens, Parks, Recreation and Open Space
6.	Historic Places
7.	Public Water Supply

### C. TARGET AREAS, PROJECTS AND PARCELS

#### 1. Agricultural Lands Target Areas

In 2002, the Town of Warwick adopted an Agricultural Protection Overlay District as part of the Zoning Law. This zoning amendment identified the economic and environmental importance of the prime soils (classes 1 and 2), soils of statewide significance (classes 3 and 4) and "Black Dirt" soils that are among the most productive agricultural soils in New York State. The 108 parcels and 5,363 acres that comprise the Agricultural Overlay District today contribute significantly to the rural and agricultural character of Warwick. Both residents and visitors recognize the views and vistas created by the agricultural land areas within the District as key contributing features to the Town's overall quality of life.

The Agricultural Overlay District, as defined by the parcels appearing as part of the "Community Preservation Plan" map will serve as the Town of Warwick's Community Preservation Project Plan target areas for the preservation of farms and farmland. The State enabling legislation indicates that the Town's Plan "shall include the preservation of lands in agricultural production as a highest priority." In support of this priority, the Town of Warwick, through the joint efforts of the Agricultural and Open Space Preservation Board, the Glynwood Center and the Warwick Quality Communities Committee, completed a Farmland Preservation Strategy. The Strategy's inventory of farmland indicated that approximately 15,115 acres of agricultural land remain within the Town of Warwick in 1998. Today, approximately 13,500 acres of agricultural land remain in the Town. A total of approximately 3,272 acres of prime agricultural land have been preserved through the purchase of development rights, the cluster subdivision process and through the efforts of the Scenic Hudson Land Trust. The Town is also in the process of preserving an additional 855 acres of farmland through current applications for the purchase of development rights.

An evaluation and ranking of the remaining unprotected parcels of farmland has been completed through the process of developing the CPPP. Eight specific categories of farmland have been identified utilizing the following evaluation criteria: presence of prime agricultural soils; size; ownership; active agricultural use; potential for future agricultural use; continuity to preserved or unprotected farmland; participation in either the Town or State agricultural assessment programs; geographic location relative to the participation in other



Target Area categories, status of subdivision activity; overall visual quality; open space continuity; and commitment to farmland preservation. Based on that evaluation, Appendix A lists the remaining unprotected farmland parcels by Tax Map Number and the following categories:

<b><u>Agricultural Protection Overlay (APO)</u></b>	<b><u># of Parcels</u></b>	<b><u># of Acres</u></b>
<b><u>Subcategories:</u></b>		
APO only	47	2591.2
APO & Freshwater Wetlands/Biodiversity Areas	27	1184.6
APO & Public Water Supply Village of Warwick	7	309.2
APO & Public Water Supply Glenmere Lake	6	723.4
APO & Open Space/ Trails/Greenbelt	5	267.4
APO & Open Space/ Trails/Greenbelt & Freshwater Wetlands/Biodiversity Areas	4	203.6
APO & Aquifer Protection & Freshwater Wetlands/Biodiversity Areas	8	399.9
APO & Aquifer Protection	4	180.9
APO & Public Water Supply Village of Warwick and Freshwater Wetland/Biodiversity Areas	1	104.0
APO & Aquifer Protection & Freshwater Wetlands/Biodiversity & Open Space/ Trails/Greenbelt	8	340.9
APO & Aquifer Protection/Open Space/ Trails/Greenbelt	1	66.4

Together, the categories representing more than one Target Area, such as the APO and Freshwater Wetlands/Biodiversity Areas, comprise approximately 3,775.8 acres or approximately 69 percent of the remaining unprotected farmland within the Town. These parcels meet the majority of the criteria previously identified and should be assigned the highest priority for potential preservation. The remaining 38 APO only parcels total approximately 2,088 acres. Some of these parcels likely represent opportunities to use regulatory techniques such as Cluster Subdivision to preserve a significant portion of the important farmland.

## **2. Open Space/Trails/Greenbelt Lands Target Areas**

In order to identify and prioritize open space target areas for the Town's Community Preservation Project Plan, past open space assessments and adopted plans were revisited, with an eye towards consolidating and, where possible, linking existing protected area networks. Guidance was, in particular, taken from the Town of Warwick Conservation Board, which was established pursuant to Local Law 2 of 1977 and advises the Town Board on matters affecting the preservation, development and use of the natural and man-made features and conditions of the town insofar as beauty, quality, biologic integrity and other environmental factors are concerned. The Conservation Board also advises the Town Board and Planning Board with regard to any major threats posed to environmental quality, so as to enhance the long-range value of the environment to the people of the town. Their role in

the community preservation planning and prioritization process is crucial since the Conservation Board maintains the Town's Open Space Inventory and Index. The Conservation Board will continue to play a major part in the planning process for the town, since they are charged with reviewing the listing of priority projects and land protection recommendations of the Warwick's Community Preservation Plan.

The Town's CPPP is, in large part, built upon the recommendations of previous Town plans. These include Warwick's 1999 Comprehensive Plan and its 2002 Agricultural and Open Space Preservation and Acquisition program, which have essentially served as the town's blueprints for natural area preservation for the past ten years. These plans called for the conservation of major watersheds, wetlands, forests and lake areas across the town, all of which are reflected in the Town's CPPP. While the Town's CPPP follows these adopted plans closely, it also builds upon the additional recommendations contained in this CPPP. Pulling together this information showed where gaps needed to be filled, so that existing natural area complexes and other important open space lands could be tied together, to make the community preservation goals a reality for the Town.

The New York State Open Space Plan, which was prepared jointly by the NYS Department of Environmental Conservation and NYS Office of Parks, Recreation and Historic Preservation, provided additional guidance on community preservation priorities, including specific parcels which need to be acquired in order to protect community character in the Town. All of the priority conservation projects identified in the State Plan within Warwick have been included in the CPPP.

This Target Area contains three categories of land to be used for different open space purposes which include open space, trails and greenbelt areas. Additionally, parcels have been identified which also belong to the Freshwater Wetlands/Biodiversity Area Target Area. The parcels and acreage are described below:

<b><u>Open Space/Trail/Greenbelt (OSGT)</u></b>	<b><u># of Parcels</u></b>	<b><u># of Acres</u></b>
<b><u>Subcategories</u></b>		
OSTG for general open space	12	378.5
OSGT for trails	14	1,325.5
OSGT for Village of Warwick greenbelt	11	695.6
OSGT for Village of Florida greenbelt	8	698.1
OSGT & Freshwater Wetlands/Biodiversity Areas for general open space	3	152.1
OSGT & Freshwater Wetlands/Biodiversity Areas for trails	4	178.5
OSGT & Freshwater Wetlands/Biodiversity Areas for Village of Warwick greenbelt	1	226.7
OSGT & Freshwater Wetlands/Biodiversity Areas for Village of Florida greenbelt	5	426.9

The highest priorities in this Target Area are the 13 parcels that belong to the Freshwater Wetland/Biodiversity Areas Target Area, which totals 1,093.8 acres. Overall, there are 15 parcels designated for general open space purposes totaling 530.6 acres, 18 parcels fostering trail connections between the villages of Greenwood Lake and Florida, which comprise 1,504 acres, 12 parcels associated with the Village of Warwick greenbelt which total 922.3 acres and 13 parcels related to the Village of Florida greenbelt which total 1,125 acres.

### 3. Freshwater Wetlands and Biodiversity Target Areas

The Town of Warwick participated in an intermunicipal biodiversity study of the Southern Wallkill region of Orange County which also included the Towns of Chester and Goshen. This study<sup>3</sup>, conducted by the Metropolitan Conservation Alliance, has identified the following regions located within the Town of Warwick which are noted as "areas important for biodiversity":

*The Wallkill River* – measures are needed to improve water quality and habitat value.

*The Black Dirt Region* – this is an important region hosts an impressive list of State listed and declining bird species.

*Glenmere Lake/Black Meadow Creek* – this area supports a thriving population of a rapidly declining amphibian species.

*Pochuck Neck*- this mountain contains significant forested areas which are home to a diverse and rare array of Neotropical migrant forest birds.

*Pochuck Creek* – this creek is a tributary of the Wallkill River and runs along the western portion of the Town providing important habitat for diverse wildlife.

*Blooms Corners Swamp and adjacent uplands* – this valuable wetland-upland complex is home to important declining, range-edge and state listed amphibian and reptile species. Due to some constricted areas associated with this complex, maintaining connectivity is crucial.

*Mounts Adam and Eve* – these mountains contain a variety of contiguous habitats including forested areas and low-lying wetlands. This provides homes for wide-ranging animals such as black bear and bobcat along with refuge for amphibians, reptiles and birds.

*Atlantic White Cedar Swamp* – This is a remnant patch of a rare habitat that was once abundant in the region. Although proximate to Mounts Adam and Eve, the linkage is tenuous at best.

*Wheeler/Stony Creek* – This stream complex provides habitat for a variety of declining and listed turtle species along with other species and connects Mounts Adam and Eve biodiversity area northward to other habitats.

*Eastern & Western Wawayanda Creek/Wickham Lake*- These are some of the most important biodiversity areas for a variety of species in the entire southern Wallkill region and impacts should be minimized to the greatest extent possible.

*Southern Warwick/New Jersey border* – Lying at the edge of the Highlands, these habitats connect with a larger expanse in New Jersey.

*East and West Highlands Corridor* – This area contains extensive forests along the ridge and the Natural Heritage Program has identified numerous significant ecological communities. The East corridor provides extensive contiguous habitat for Neotropical migrant birds and a variety of other species.

Priorities within this Target Area are outlined as follows:

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<sup>3</sup> The study is entitled "*Southern Wallkill Biodiversity Plan: Balancing Development and the Environment in the Hudson River Estuary Watershed*". MCA Technical Paper Series: No. 8.

<b>Freshwater Wetlands/Biodiversity Areas (FW&amp;B)</b>	<b># of Parcels</b>	<b># of Acres</b>
<b>Subcategories:</b>		
FW&B only	76	4839.0
FW&B & Aquifer Protection	4	179.3
FW&B & Public Water Supply for Glenmere Lake	1	95.1

As described previously for the other Target Areas, highest priority is given to those 5 parcels which also support the Aquifer Protection and Public Water Supply for Glenmere Lake Target Areas. These five areas total 274.4 acres. The remaining 94% of this category is intended to support the rich biodiversity of the Town identified by the MCA and the presence of Freshwater Wetlands. These 4,839 acres are likely over-representing the number of acres likely to require protection because a parcel may or may not wholly contain an area of ecological concern.

**4. Aquifer Protection Overlay Target Areas**

This Target Area primarily seeks to protect lands which lie mainly in the alluvial plains of the Wallkill River to the west and the Wawayanda Creek in Central Warwick. Most of these parcels also fall into another Target Area category, making them a priority for preservation, including the Agricultural Protection and Freshwater Wetlands and Biodiversity Areas described above, which total 477.4 acres. The only parcel identified solely for this Target Area consists of 17.9 acres.

**5. Hamlet Centers Parks, Recreation and Open Space Target Areas**

Five parcels have been identified as a priority for preservation and are associated with the Village of Greenwood Lake. These parcels consists of 41.0 acres of land.

**6. Historic Places Target Areas**

The Town of Warwick is home to seven sites listed on the State and National Register of Historic Places. These parcels total 142.15 acres. New York State has also undertaken a survey of additional potential historic properties in the Town. This inventory was provided in the Town Comprehensive Plan as Appendix B.

**7. Public Water Supply Target Areas**

The Town has identified parcels associated with the Village of Warwick, Greenwood Lake and Glenmere Lake. A summary of these are provided below:

<b>Public Water Supply Subcategories:</b>	<b># of Parcels</b>	<b># of Acres</b>
Greenwood Lake	10	471.0
Glenmere Lake	5	312.0
Village of Warwick	4	170.2
Village of Warwick and Glenmere Lake	1	152.2

The highest priority will be given to those parcels related to Public Water Supply that are identified in the Agricultural Protection Target Area and the Freshwater Wetland and Biodiversity Target Areas noted above. For the Village of Warwick, a total of 11 parcels and 583.4 acres of land have been designated in this Target Area and the Agricultural Protection. For Glenmere Lake, 1,130.5 acres associated with 12 parcels in this Target Area, Agricultural Protection along with the Freshwater Wetlands and Biodiversity Target Areas have been recognized.

# Town of Warwick Community Preservation Project Plan

## PART III. SUMMARY AND EVALUATION OF LAND USE ALTERNATIVES TO PROTECT COMMUNITY CHARACTER

### A. INTRODUCTION

The following identification and evaluation of land use alternatives to protect community character focuses on 19 individual alternatives including several classes of public and private alternatives currently available to the Town of Warwick. The identification and evaluation is structured to assess the application of each individual or class of land use alternative in relation to the eight target areas defined by Part II of the Plan. Each land use alternative is assigned one of three priorities in terms of potential application to each target area or specific categories of parcels and projects.

Table 2 provides a complete listing of the 19 existing land use alternatives. The table defines each land use alternative by the corresponding Chapter or Section of the Town Code where applicable. Each land use alternative is also assigned an identification number to assist with the construction of a matrix that assigns the appropriate priority and application of land use alternatives to the target areas. (See Table 3) The matrix system uses a numerical index (a “1” or “2”) to indicate which land-use alternatives are to be employed as primary or secondary land protection strategies to preserve each category and parcel of land. Categories of land and land-use alternative ranks are further defined in the body and appendix of this Project Plan. It should be noted however, that each eventual application of the land use alternatives, particularly those involving voluntary fee simple acquisition or the purchase of development rights, will be negotiated or structured on a case by case basis and various alternative combinations of land use alternatives identified may vary by parcel or project.

The land use alternatives evaluation matrix, which appears as Table 3, summarizes the results of the analysis conducted for each alternative and the various target areas and categories of parcels and projects which assist in assigning priorities. The potential application of a land use alternative is indicated by the assignment of a ranking number in terms of the potential for individual or combined applications. The absence of any ranking indicates that the land use alternative has limited or no value to a specific target area, parcel or project. Again, however it should be noted that, on a case by case basis, individual circumstances or property conditions that may exist and are beyond the scope of this evaluation could further alter the level of priority or potential for application of a land use alternative. A summary of the evaluation results for each target area or category of parcel or project is also provided.

### B. Identification and Summary of Land Use Alternatives

A total of 17 applicable land use alternatives have been enacted as part of the Town Code of the Town of Warwick. Two additional classes of land use alternatives involve fee simple acquisition and private conservation strategies. Table 2 provides a comprehensive outline of the public and private land use alternatives that can be utilized to preserve community character either individually or strategically together to maximize both public and private benefits.

<b>Table 2: Existing Land Use Alternatives to Protect Community Character</b>		
<b>ID No.</b>	<b>Town Code Section</b>	<b>Description</b>
	§ 164-41.1	Cluster Subdivisions
	§ 164-41.2	Conservation Density Subdivisions
	§ 164-41.3	Environmental Control Formula
	§ 164-43.3	Special uses in Historic Structures
	§ 164-47	Traditional Neighborhood Overlay District
	§ 164-47.1	Ridgeline Overlay District
	§ 164-47.2	Aquifer Protection Overlay District
	§ 164-47.3	Agricultural Protection Overlay District
	§ 164-47.4	Transfer of Development Rights
	§ 164-47.6	Incentive Zoning for Open Space Preservation
	§ 164-47.7	Conservation Easements
	§ 164-47.8	Agricultural Advancement District
	§ 10-1 through 9	Conservation Board
	§ 54-1 through 15	Agricultural and Open Space Preservation and Acquisition
	§ 89-1 through 17	Flood Damage Prevention
	§ 137-1 through 36	Subdivision of Land
	§ 150-1 through 12	Trees, Topsoil, Grading and Excavations
<b>ADDITIONAL LAND USE ALTERNATIVES TO PROTECT COMMUNITY CHARACTER</b>		
	Fee Simple	Town Community Preservation Fund Town Bond Financing Town Dedicated Capital Reserve Fund NYS Bond Act/Environmental Protection Fund U.S. Dept. Of Agriculture Intergovernmental Transfers Special Assessment Districts Public/Private Partnerships
	Private Conservation Strategies	Conservation Easements Tax Exempt Installment Sale Bargain Sale/ Land Donation Like Kind Exchange Limited Development Family Limited Partnership Charitable Remainder Trust

The following is a summary of each individual or class of land use alternative identified by Table 2 that will be available to implement the Town’s CPPP.

### **1. § 164-41.1 Cluster Subdivision**

The Planning Board is authorized to modify applicable provisions of the Zoning Law as to lot size, lot width, depth, yard, and other applicable requirements of the Zoning Law as well as the Subdivision Regulations and Street Specifications, as well as type of residential use, to accommodate cluster or open space subdivisions. The Planning Board may require cluster subdivision where it finds any one of a number of elements present such as wetlands, steep slopes, prime farmland soils, scenic areas, historic features and so on. A fully engineered yield plan determines density in accordance with the Zoning Table of Bulk Requirements. Once the maximum number of lots has been established, the next step is to create a cluster design layout with a 4-step design process. This process includes an identification of primary and secondary conservation lands, which includes those elements most highly valued by the community such as natural and cultural resources. Development areas are those that lack important conservation value. Cluster subdivision is strongly encouraged in the Town's Agricultural Protection Overlay District to allow flexibility in design while preserving the agricultural viability and rural character of the land. All prime farmland soils, soils of statewide significance or Black Dirt soils are to be avoided by subdivision development to the greatest extent practical. Existing agricultural features such as stone walls, hedgerows, groves of trees, scenic meadows and so on, whose preservation would benefit the Town and the subdivision, are to be avoided through sensitive design (the 4 step process) of the cluster subdivision. At least 50 percent of a parcel, subject to subdivision, must be preserved in perpetuity. Since enacted in 2002, the Planning Board has granted approval to or is in the process of reviewing for approval a number of cluster subdivision applications that have already or will result in the preservation of 1,466.75 acres of land as open space. Through the 4-step conservation design process, an average of 63 percent of the land areas subject to subdivision review and approval have resulted.

### **2. § 164-41.2 Conservation Density Subdivision**

Conservation Density Subdivisions encourage the preservation of large tracts of open space by affording flexibility to landowners in road layout and design. Such subdivisions preserve open space by creating lots that average at least two (2) times the minimum size required in the Zoning District. This lower density is maintained in perpetuity through the preferred use of permanent conservation easements. To further encourage the establishment of these permanent low densities, the Planning Board may reduce road frontage requirements and may allow common driveways.

### **3. § 164-41.3 Environmental Control Formula**

To encourage the use of the cluster subdivision technique, the Town has established an environmental control formula method for determining allowable density, based upon soil conditions found on a site. While density cannot exceed that which is allowable under the Table of Bulk Requirements in the Zoning Law, this method provides an easier determination of maximum density without the necessity of preparing fully engineered yield subdivision plans.

### **4. § 164-43.3 Special uses in Historic Structures**

The intent of this section is to assist in the preservation of the cultural heritage of the Town of Warwick by allowing specialized uses in structures of historic merit. The section applies to any building listed on the National Register of Historic Places or that is eligible for the National Register or that is designated an historic structure by the Town Board upon recommendation of the Architectural Review Board within any zoning district or that has

been surveyed as an historic resource by the New York State Office of Parks Recreation and Historic Preservation, subject to the approval of a special use permit by the Planning Board. A building or structure is eligible for designation as an historic structure upon application to the Town Board and upon recommendation of the Architectural Review Board. Uses, which would not normally be allowable in a single family home, include: art and craft studios, art galleries, antique shops, rare book and coin or stamp shops, multifamily residential use in single-family districts, but not to exceed four (4) units within one (1) structure, contingent on the continuing residency of the owner of the building within one (1) of the dwelling units, and a combination of two (2) or more of the permitted uses in the same structure.

## **5. § 164-47 Traditional Neighborhood Overlay District**

The Hamlet of Pine Island, the Town's Local Business zones, and the Zoning districts surrounding the three villages were designated as a Traditional Neighborhood (TN) Overlay Zoning District to permit development of pedestrian oriented neighborhoods in these areas. The TND District encourages a more efficient use of land and public services by promoting compact development in appropriate locations. It also is designed to preserve the rural, historic and agricultural character of the Town by directing new development to existing hamlet locations and village environs, thereby creating distinct settlements surrounded by a greenbelt of conserved lands. If development rights are purchased from the Agricultural Protection Overlay District, greater density can be achieved in the TN District than otherwise allowed in the underlying Districts. The environmental review process for development in the TN District is streamlined by adhering to thresholds established in a Generic Environmental Impact Statement prepared by the Town.

## **6. § 164-47.1 Ridgeline Overlay District**

A Ridgeline Overlay District provides standards for development that are designed to protect important scenic and environmental resources in the Town's higher elevations, to maintaining rural character, a sense of place, and scenic landscapes, all of which contribute to the Town's quality of life and its attractiveness for residential and commercial development, as well as for tourism. Ridgeline conservation standards also have the effect of protecting Warwick's important wildlife habitats and environmentally fragile areas as well as preserving open space.

## **7 § 164-47.2 Aquifer Protection Overlay District**

An Aquifer Overlay District contains special rules to protect groundwater. The protection of groundwater is essential to promoting the health, safety, and welfare of the Town. The purpose of the AQ-O District is to protect, preserve, and maintain the quality and quantity of the groundwater resources, which the Town depends upon for its present and future public water supply, for its existing public water supplies that depend on groundwater, and for numerous private wells in the Town. Present and future is defined as any wells or springs currently in use for public water supply purposes, any potential wellhead areas that have been identified and are under study or planned for future use, as well as those wellhead areas identified for study from the time they were designated. The District delineates the boundaries of the unconsolidated sand and gravel deposits, recharge areas with sand and gravel at the surface, and probable high yield bedrock well locations.

## **8. § 164-47.3 Agricultural Protection Overlay District**

A voluntary Agricultural Protection Overlay District (AP-O) helps reduce land use incompatibilities and increases financial opportunities for the agricultural industry. This



district permit a voluntary transfer of development rights to allow farmers to realize the current development potential of their land while still allowing it to remain in agricultural use. The Town AP- O District protects and maintains the Town's farmland for continued or future agricultural use including operating farms, lands that contain prime agricultural soils, soils of statewide significance or Black Dirt soils and lands within Agricultural Districts; to implement the *Town Comprehensive Plan*, which contains the goals of protecting rural and agricultural lands, discouraging incompatible nearby land uses, and promoting agriculture as a component of the local economy; to support and protect farming by stabilizing the agricultural land base; to maintain a viable agricultural base to support agricultural processing and service industries; to encourage the voluntary transfer of development rights from farms within the AP-O District to suitable non-farm receiving areas of the Town as identified in § 164-47.4; to separate agricultural land uses and activities from incompatible residential, commercial, industrial development, and public facility development; to prevent fragmentation of the Town's existing farming community by non-farm development; and to reserve the Town's most productive soils for agriculture.

#### **9. § 164-47.4 Transfer of Development Rights**

On January 24, 2002, the Warwick Town Board established an incentive based voluntary density transfer program to create a way for landowners to derive equitable financial benefit from their open lands without developing them. The density transfer program consists of the transfer of development rights (TDR) from the Agricultural Protection Overlay (AP-O) District to the Traditional Neighborhood Overlay (TN-O) District. The TDR program requires coordination between the farmer selling their development rights and the buyer purchasing those rights. Planning Board approval is required before the transaction can take place.

#### **10. § 164-47.6 Incentive Zoning for Open Space Preservation**

Under this program, developers make a payment of a cash fee under the Incentive Zoning for Open Space Preservation program that allows an applicant to obtain an increase in development density in the TN-O District. Unlike the TDR program, with the Incentive Zoning Program, the developer works directly with the Town by paying a fee for gaining a density bonus in the TN-O District that can then be used immediately to seek development approvals. The Town uses the fee to purchase development rights from farmers, thereby ensuring there is a direct benefit to the community and developer from the fee proceeds. The income derived from the Incentive Zoning fee is put into a trust fund that can only be used to purchase agricultural and other open space lands in the Town. The density transfer program complements the Purchase of Development Rights (PDR) programs created by both the Town of Warwick and the State of New York. State and Town funds are available to purchase development rights on qualifying parcels in those PDR programs.

#### **11. § 164-47.7 Conservation Easements**

The Town can acquire Conservation Easements over real property that meets specific criteria, from landowners who voluntarily wish to sell or donate the development value of their land while protecting it as open space in accordance with Section 247 of the General Municipal Law and Article 49, Title 3 of the Environmental Conservation Law. This section establishes guidelines and criteria for the evaluation of such easements in order to clearly establish the public benefit associated with any offer to donate or sell such easements. The proposed easement must have a definite public purpose, which benefits the Town and the community as a whole.

**12. § 164-47.8 Agricultural Advancement District**

The Town's Agricultural Advancement (AAD) Districts program advances the business of farming. Agriculture is an \$80 million industry that maintains over 15,000 acres of Warwick as open space. Its importance to the economic base and as a creator of working landscapes that provide the Town with much of its rural, rustic character and charm, is recognized in other programs and zoning provisions. The Town provides economic encouragement and works to prevent reduction of farm owners' equity to maintain the economic vitality of the industry. In this program, the Town intent is to be in a position to match private offers and return equity to farmers based on the market. The farm owner and the Town enter into an agreement that provides the Town with a right of first refusal to purchase the property outright or to purchase development rights for a minimum of ten (10) years. This right of first refusal provides the Town with the option to acquire the property on matching terms where a sale for non-farm use is proposed. During this period, while the agreement remains in effect, the landowner is granted specific density rights. While the agreement remains in place, the Town and the landowner explore a number of preservation options, including purchase of development rights, transfer of development rights, fee simple acquisition and conservation subdivision. The agreement further provides for a mandatory Town offer to purchase developments rights or fee title, based on the density rights granted under the agreement, prior to the expiration of the agreement.

**13. § 10-1 through 9 Conservation Board**

The Conservation Board has multiple powers and duties, some of which are summarized here. It advises the Town Board on matters affecting the preservation, development and use of the natural and man-made features and conditions of the town insofar as beauty, quality, biologic integrity and other environmental factors are concerned and, in the case of man's activities and developments, with regard to any major threats posed to environmental quality, so as to enhance the long-range value of the environment to the people of the town. It conducts studies, surveys and inventories of the natural and man-made features within the Town and such other studies and surveys as may be necessary to carry out the general purposes of the Town Code. It maintains an up-to-date inventory or index of all open spaces in public or private ownership within the Town, including but not limited to natural landmarks, glacial and other geomorphic or physiographic features; streams and their floodplains, swamps, marshlands and other wetlands; unique biotic communities; scenic and other open areas of natural or ecological value; and of the ownership, present use and proposed use of such open areas, so as to provide a base of information for recommendations by the Conservation Board for their preservation and/or use.

**14. § 54-1 through 15 Agricultural and Open Space Preservation and Acquisition**

On November 7, 2000, the voters of the Town of Warwick overwhelmingly approved a purchase of development rights program. A Local Law to implement the program was adopted by the Town Board of the Town of Warwick on November 8, 2001 by L.L. No. 6-2001. Chapter 54 of the Warwick Code is entitled the Agricultural and Open Space Preservation and Acquisition program. The voters approved a proposition authorizing the expenditure of \$9.5 million for the acquisition of open spaces and areas, including, among other things, development rights to protect and conserve agricultural lands, non-farm open spaces and open areas. The Town's Local Law establishing the Agricultural and Open Space Preservation and Acquisition program also established an Agricultural and Open Space Preservation Fund. Deposits into the fund can include revenues of the Town from

whatever source and can include, at a minimum, Open Space Acquisition Bond Funds, all revenues from or for the amortization of indebtedness authorized for the acquisition of open spaces or areas pursuant to § 247 of the General Municipal Law, and any revenues from a real estate transfer tax which may be established. The fund can also be authorized to accept gifts. Interest accrued by monies deposited in the fund must be credited to the fund and no monies deposited in the fund can be transferred to any other fund or account.

**15. § 89-1 through 17 Flood Damage Prevention**

The Town participates in the National Flood Insurance Program. To qualify for the program, the Town regulates uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities. It requires that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction, it controls the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters, it controls filling, grading, dredging and other development which may increase erosion or flood damages, and it regulates the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

**16. § 137-1 through 36 Subdivision of Land**

The Town has authorized its Planning Board to consider land subdivision as part of a plan for the orderly, efficient and economical development of the Town. The Planning Board must ensure that land to be subdivided be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace; that proper provision is made for drainage, water supply, sewerage and other needed improvements; that all proposed lots are laid out and of such size as to be in harmony with the development pattern of the neighboring properties; that the proposed streets compose a convenient system are related to the proposals shown on the Comprehensive Plan and are of such width, grade and location as to accommodate the prospective traffic, to facilitate fire protection and to provide access of fire-fighting equipment to buildings and that proper provision is made for open spaces for parks and playgrounds. The Town strongly encourages cluster subdivisions and provides a bonus to developers who voluntarily offer cluster subdivision development.

**17. § 150-1 through 12 Trees, Topsoil, Grading and Excavations**

The Town promotes the preservation and safeguarding of the natural topography of the land of the town, including topsoil and other natural materials that constitute the land, the shape or contour of the land, the plant life and wildlife that is fostered on the land and the water or the flow upon the land, through a regulatory permit process. The Town does not permit changes in topography except those that are absolutely necessary in order to permit the proper and appropriate use of the land. The Town of Warwick also protects its citizens from the potentially harmful effects of excavation, mining, exploratory drilling and production drilling, particularly as these activities involve the areas of the Town where radioactive material may be located. These activities are not allowed unless it can be clearly and convincingly demonstrated to the Town that there will be no resulting detrimental effects on the health, safety and welfare of the citizens of the Town.

**18. Fee Simple Acquisition**

Acquisition of public and private funding sources outlined in Table 2, will remain one of the primary alternatives for protecting critical open space resources defined by various plans and

strategies. In conjunction with the potential for the establishment of a Community Preservation Fund through a 0.75 % real estate transfer tax, efforts should continue to be pursued to link the various available public sources of funding for fee simple acquisition with private strategies designed to establish financial incentives to encourage land preservation.

## **19. Private Conservation**

A significant number of alternative private land use strategies are available to assist landowners with various tax, estate and related financial planning needs. Several of these key strategies are identified by Table 2 and will be described in detail as part of a Guide to Land Owners to be produced as part of the Town's Agriculture and Open Space Preservation Strategy. Every effort should be made to couple these private land conservation strategies with public land use alternatives to maximize public investment and expand conservation efforts.

## **C. Evaluation and Application of Land Use Alternatives**

The evaluation of available land use alternatives to preserve community character is a critical part of the Town's Community Preservation Project Plan. The potential application and prioritization of the nineteen land use alternatives previously identified and described to the eight target areas and individual categories of parcel and projects will assist in maximizing the potential of the future Community Preservation Fund to accomplish the Town's farmland and open space preservation goals. A matrix has been constructed to assist with the evaluation and ranking of available land use alternatives. The matrix, which appears as Table 3, assigns a column for each individual or class of land use alternative with the identification number from Table 2 listed at the head of the column. The matrix assigns a specific row to each target area and underlying categories of parcels and projects described and mapped by Part II and listed in the Appendices of the plan. Land use alternatives that present the highest priority pertaining to a specific target area or underlying category of parcel or project are assigned a number one. Land use alternatives that may have a lower potential for application are assigned a number two and alternatives with limited or no application are not assigned a ranking. A complete description of the methodology for identifying target areas and categories of parcels and projects is contained in Part II of the Plan.

**Table 3: Town of Warwick Community Preservation Plan: Evaluation of Available Land Use Alternatives to Protect Community Character**

	Land Use Alternatives (Refer to Table 2)																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
<b>Target Areas</b>																				
<b>Agricultural Lands</b>	2	2	2				2	2	1	2	1	1		1				1	1	
<b>Open Space, Greenbelts, Trails</b>	1		2		2	2	2		1	1	1		2	1	2	2	2	1	1	
<b>Biodiversity Conservation</b>	1	2				2	2		1	2	1		2	1	2	2	2	1	1	
<b>Freshwater Wetlands</b>	1	2	2				1		1	2	1		2	1	2		2	1	1	
<b>Aquifer Recharge Areas</b>	1	2	2				1		1	2	1		2	1	1			1	1	
<b>Village/Hamlet Parks</b>	1				1		2		1	1	1			1	2	2	2	1	1	
<b>Historic Places</b>	2			1	2					2	1			1		2		1	1	
<b>Public Water Supply</b>	1	2			2	2	1		1	2	1				2			1	1	

The following narrative summarizes the actual evaluation of land use alternatives by target area as portrayed by the Table 3 matrix.

It should be noted that several techniques are consistently referenced as the priority tools for preservation within each target area. These include the Transfer of Development Rights, Conservation Easements, Purchase of Development Rights, Fee Simple Acquisition and Private Conservation. All of these focus on obtaining conservation easements or acquisition of a particular parcel. These are the most effective tools to ensure long-term protection of land. The Town understands that all of their preservation efforts cannot solely rely on those measures for a variety of reasons. These reasons include the availability of funds; landowner interest in a particular technique as well as the timing of various projects will all contribute to Town's ability to entertain a technique or a combination of techniques. Therefore, Table 3 also describes the secondary techniques available to the Town to supplement the priority tools. For each Target Area, these secondary measures are identified below.

**Target Area 1 - Agricultural Lands**

The Town's existing preservation efforts have focused on the use of Purchase of Development Rights and Cluster Subdivisions, which combined, have protected 4,739 acres (3,272 + 1,467 respectively) of agricultural land. For the remaining priorities identified in this Plan and with the availability of additional dollars from the Community Preservation Fund, the Town will primarily seek to purchase development rights from farmers utilizing conservation easements to permanently protect the land. The potential for increase funding will also allow the Town to pursue partnerships in a variety of ways to preserve farmland by bringing matching dollars to negotiations. Additionally, the Town can more actively pursue working with farmers in the Agricultural Advancement District and increase its potential to employ the Transfer of Development Rights program. The application

of private conservation strategies will also be essential to farmland preservation efforts in this category.

Secondary efforts to protect farmland will continue to consist of the use of the cluster subdivision technique along with other Zoning techniques such as Conservation Density Subdivisions, the Agricultural Protection Overlay District, and Aquifer Protection Overlay District. The Town recognizes the importance of the Planning Board's ability to work with an applicant in order to achieve the goals of both parties.

### **Target Area 2 - Open Space/Greenbelts/Trails/Scenic Lands**

Within this target area, the focus remains on techniques to gain easements and acquire land but also includes regulatory measures that require open space preservation as a part of a development proposal. These regulatory measures (cluster subdivisions, transfer of development rights, and incentive zoning for open space preservation) allow the Town some flexibility in accommodating growth while balancing preservation efforts.

The second tier of methods involves regulatory measures, which are aimed at a particular resource to protect, such as ridgelines, aquifers or floodplains. These resources play a critical role in the efforts to preserve open space. These secondary measures are currently employed by the Planning Board and will continue to be utilized as part of the ongoing planning process.

### **Target Area 3 - Freshwater Wetlands and Biodiversity Conservation Areas**

The Town of Warwick participated in an intermunicipal biodiversity study of the Southern Wallkill region of Orange County, which also included the Towns of Chester and Goshen. This study<sup>4</sup>, conducted by the Metropolitan Conservation Alliance, has identified the following regions located within the Town of Warwick which are noted as "areas important for biodiversity":

*The Wallkill River* – measures are needed to improve water quality and habitat value.

*The Black Dirt Region* – this is an important region hosts an impressive list of State listed and declining bird species.

*Glenmere Lake/Black Meadow Creek* – this area supports a thriving population of a rapidly declining amphibian species.

*Pochuck Neck*- this mountain contains significant forested areas, which are home to a diverse and rare array of Neotropical migrant forest birds.

*Pochuck Creek* – this creek is a tributary of the Wallkill River and runs along the western portion of the Town providing important habitat for diverse wildlife.

*Blooms Corners Swamp and adjacent uplands* – this valuable wetland-upland complex is home to important declining, range-edge and state listed amphibian and reptile species. Due to some constricted areas associated with this complex, maintaining connectivity is crucial.

*Mounts Adam and Eve* – these mountains contain a variety of contiguous habitats including forested areas and low-lying wetlands. This provides homes for wide-ranging animals such as black bear and bobcat along with refuge for amphibians, reptiles and birds.

*Atlantic White Cedar Swamp* – This is a remnant patch of a rare habitat that was once abundant in the region. Although proximate to Mounts Adam and Eve, the linkage is tenuous at best.

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<sup>4</sup> The study is entitled "Southern Wallkill Biodiversity Plan: Balancing Development and the Environment in the Hudson River Estuary Watershed". MCA Technical Paper Series: No. 8.

*Wheeler/Stony Creek* – This stream complex provides habitat for a variety of declining and listed turtle species along with other species and connects Mounts Adam and Eve biodiversity area northward to other habitats.

*Eastern & Western Wawayanda Creek/Wickham Lake*- These are some of the most important biodiversity areas for a variety of species in the entire southern Wallkill region and impacts should be minimized to the greatest extent possible.

*Southern Warwick/New Jersey border* – Lying at the edge of the Highlands, these habitats connect with a larger expanse in New Jersey.

*East and West Highlands Corridor* – This area contains extensive forests along the ridge and the Natural Heritage Program has identified numerous significant ecological communities. The East corridor provides extensive contiguous habitat for Neotropical migrant birds and a variety of other species.

The recommendations of the report underscore the value of preserving the land for habitats and linkages between habitats to ensure the long-term viability of these declining, rare and state listed species. The biodiversity areas represent more of a challenge in terms of preservation because they may or may not consume an entire parcel. This makes some of the regulatory measures particularly important in the endeavor to safeguard these important lands. In addition to the easements and acquisition, cluster subdivision is likely to be a priority technique. Secondary tools acknowledge that development may occur in these sensitive areas and rely on the Planning Board to work through development proposals with applicants to ensure these resources are protected. These techniques include Conservation Density Subdivisions, the use of the Environmental Control Formula, Ridgeline Overlay District, Aquifer Protection Overlay District, Incentive Zoning, the expertise of the Conservation Board to advise the Planning Board, Flood Damage Protection and regulations governing Trees, Topsoil, Grading and Excavation. Currently, the Planning Board has required applicants whose land falls in one of these identified biodiversity areas to provide a habitat evaluation and an analysis of how their project is or is not in conformance with the recommendations of the MCA report of their site as part of the SEQR review process. SEQR will continue to be a tool to ensure the protection of these sensitive resources.

The Town's freshwater wetlands are an integral component of the local watersheds and are a source of tremendous biodiversity. Wetlands provide a variety of societal benefits and values including fish and wildlife habitat, natural water quality improvement, flood storage, shoreline erosion protection, opportunities for recreation and aesthetic appreciation and natural products.

#### **Target Area 4 – Aquifer Recharge Areas**

Aquifer recharge areas are important locations where groundwater is replenished and the flow of groundwater has a strong downward component that can carry contaminants into an aquifer. These areas are associated with impermeable soils and sometimes with a shallow water table. Pollutants may travel farther and reside in an aquifer for a longer time if introduced in recharge areas, thus making their importance for protection essential to the health of a larger aquifer system. Cluster subdivision and the Aquifer Protection Overlay are additional primary techniques to be considered for preservation along with the following secondary techniques: Conservation Density Subdivision, the Environmental Control Formula, Incentive Zoning, and Flood Protection Regulations.

#### **Target Area 5 – Village/Hamlet Greens and Parks**

The Town and the Village of Greenwood Lake have identified one parcel for this target area, which would serve as a park within this more heavily developed area of Town. The main objective would

be municipal ownership of the parcel; however, other principal techniques such as Cluster Subdivision and the Traditional Neighborhood Overlay will be considered to achieve the objectives. Secondary techniques rely on the Aquifer Protection Overlay, Flood Damage Prevention, Subdivisions and Trees, Topsoil, Grading and Excavation.

### **Target Area 6 – Historic Places**

There are five properties listed on the National Register for the Town along with a nationally registered Historic District in the Village of Warwick. In addition to the easement or acquisition primary options, it is likely that a landowner may take advantage of the regulatory provision that allows certain special permitted uses with a historic structure. Secondary techniques involve the potential use of the Traditional Neighborhood Overlay, Incentive Zoning for Open Space and Subdivision.

### **Target Area 7 – Public Water Supply Watersheds**

Protecting land within the watersheds that provide drinking water to the villages of Florida, Greenwood Lake and Warwick is crucial to ensure the water quality of these systems. Supplemental techniques to preserve land in these target areas include Cluster Subdivision, Conservation Density Subdivisions, Traditional Neighborhood Overlay District, Incentive Zoning for Open Space Preservation and Flood Damage Prevention.



**Town of Warwick  
Community Preservation Project Plan  
Appendix A – List of Community Preservation Target Areas,  
Projects, Parcels and Priorities**

The following abbreviations are used to designate the seven target areas:

<b>APO</b> – Agricultural Protection Overlay	<b>OSTG</b> – Open Space/ Trails/Greenbelt	<b>FW&amp;B</b> – Freshwater Wetlands & Biodiversity	<b>AQ</b> - Aquifer Protection
<b>HAM</b> – Hamlet Parks, Recreation & Open Space	<b>HP</b> – Historic Places	<b>PW-W</b> - Public Water Supply, Village of Warwick	<b>PW-Glen</b> – Public Water Supply, Glenmere Lake
<b>PW-GL</b> – Public Water Supply, Greenwood Lake			

**Projects in the Agricultural Protection Overlay (APO):**

Target Area	Tax Map ID #	Acres
APO	10-1-69.31	40.2
APO	11-1-10.22	29.9
APO	11-1-14.3	49.7
APO	12-5-25.1	78.0
APO	12-5-25.2	0.37
APO	12-5-26	33.3
APO	12-5-27	2.0
APO	16-1-38.231	36.9
APO	16-1-74.2	61.8
APO	16-1-75.2	67.5
APO	17-1-53	12.8
APO	17-1-7	34.5
APO	17-1-30	61.6
APO	17-1-40	0.9
APO	2-2-35.22	91.2
APO	2-2-42	41.9
APO	2-2-58.1	70.3
APO	2-2-80	300.3
APO	24-1-1.334	25.7
APO	24-1-29.5	96.2
APO	24-1-37	194.1
APO	24-1-42.1	91.5
APO	24-1-42.26	36.5
APO	24-1-46	44.5

Target Area	Tax Map ID #	Acres
APO	26-1-26	36.0
APO	26-1-73.2	98.8
APO	26-1-78.1	14.8
APO	26-1-110	78.8
APO	27-1-47.2	62.3
APO	27-1-56.1	53.4
APO	27-1-56.12	136.2
APO	27-1-63.221	41.8
APO	27-1-116	35.7
APO	27-1-117	21.6
APO	27-1-118	11.6
APO	27-1-126	83.1
APO	40-1-2.21	46
APO	40-1-27	14.7
APO	40-1-30.21	84
APO	40-1-35.23	27.8
APO	40-1-6.1	1.7
APO	40-1-9.3	58.1
APO	49-2-12.232	34.7
APO	6-4-16	51
APO	6-4-22.3	21.4
APO	6-4-34	8
APO	7-2-78	68
<b>APO Total</b>		<b>2591.2</b>
APO/AQ	26-1-69.2	8.8
APO/AQ	27-1-15	22.0
APO/AQ	27-1-16.5	56.8
APO/AQ	44-1-45.42	93.3
<b>APO/AQ Total</b>		<b>180.9</b>
APO/AQ/FW&B	26-1-67.1	4.0
APO/AQ/FW&B	26-1-67.21	33.2
APO/AQ/FW&B	26-1-67.22	29.4
APO/AQ/FW&B	27-1-41.131	94.4
APO/AQ/FW&B	27-1-47	4.4
APO/AQ/FW&B	44-1-45.41	29.2
APO/AQ/FW&B	46-1-12	142.0
APO/AQ/FW&B	46-1-15.22	63.3
<b>APO/AQ/FW&amp;B Total</b>		<b>399.9</b>
APO/AQ/FW&B/OSTG	23-1-25.12	55.3

Target Area	Tax Map ID #	Acres
APO/AQ/FW&B/OSTG	27-1-16.71	31.4
APO/AQ/FW&B/OSTG	27-1-35.23	47.5
APO/AQ/FW&B/OSTG	47-1-61.24	10.8
APO/AQ/FW&B/OSTG	47-1-80.2	40
APO/AQ/FW&B/OSTG	51-1-7.41	14.3
APO/AQ/FW&B/OSTG	51-1-41	75.1
APO/AQ/FW&B/OSTG	53-1-37	66.5
<b>APO/AQ/FW&amp;B/OSTG Total</b>		<b>340.9</b>
APO/FW&B	10-1-64.12	18.9
APO/FW&B	16-1-5	53.2
APO/FW&B	17-1-3	63.6
APO/FW&B	17-1-6	15.0
APO/FW&B	17-1-56	25.3
APO/FW&B	2-2-47	29.4
APO/FW&B	24-1-19.11	28.4
APO/FW&B	24-1-24	34.4
APO/FW&B	24-1-42.27	78.6
APO/FW&B	26-1-20.1	108.0
APO/FW&B	26-1-21.3	7.1
APO/FW&B	26-1-47	27.5
APO/FW&B	26-1-93	11.8
APO/FW&B	27-1-54.24	8.7
APO/FW&B	27-1-53	8.4
APO/FW&B	40-1-78.21	104.0
APO/FW&B	44-1-133	171.4
APO/FW&B	6-4-13	10.0
APO/FW&B	6-4-15	27.0
APO/FW&B	6-4-17	23.3
APO/FW&B	6-4-18	43.2
APO/FW&B	6-4-19	12.4
APO/FW&B	6-4-20.1	76.2
APO/FW&B	6-4-20.2	38.1
APO/FW&B	6-4-26.3	80.5
APO/FW&B	6-4-27	17.6
APO/FW&B	6-4-33	62.6
<b>APO/FW&amp;B Total</b>		<b>1184.6</b>
APO/AQ/OSTG	51-1-36	66.4
<b>APO/AQ/OSTG Total</b>		<b>66.4</b>

Target Area	Tax Map ID #	Acres
APO/FW&B/PW-W	17-1-69	104.0
<b>APO/FW&amp;B/PW-W Total</b>		<b>104.0</b>
APO/OSTG	42-1-102	53.1
APO/OSTG	42-1-4.21	40.0
APO/OSTG	42-1-4.23	30.2
APO/OSTG	42-1-51	23.0
APO/OSTG	42-1-8	121.1
<b>APO/OSTG Total</b>		<b>267.4</b>
APO/OSTG/FW&B	31-2-109	38.3
APO/OSTG/FW&B	35-1-55.3	21.3
APO/OSTG/FW&B	41-1-63	37.0
APO/OSTG/FW&B	41-1-64	107.0
<b>APO/OSTG/FW&amp;B Total</b>		<b>203.6</b>
APO/PW-GLEN	33-1-20.3	175.9
APO/PW-GLEN	33-1-21	200.1
APO/PW-GLEN	33-1-22	84.4
APO/PW-GLEN	33-1-30.22	35.1
APO/PW-GLEN	33-1-62	108.4
APO/PW-GLEN	35-1-56.22	119.5
<b>APO/PW-GLEN Total</b>		<b>723.4</b>
APO/PW-W	23-1-10.2	21.5
APO/PW-W	23-1-11	13.0
APO/PW-W	23-1-15.2	35.2
APO/PW-W	23-1-16	101.4
APO/PW-W	23-1-17	54.6
APO/PW-W	51-1-29	32.8
APO/PW-W	52-1-17	50.7
<b>APO/PW-W Total</b>		<b>309.2</b>
<b>GRAND TOTAL APO</b>		<b>6037.7</b>

**Projects in the Open Space/Trails/Greenspace Target Area:**

Target Area	Tax Map ID #	Acres
OSTG	18-1-18.21	199.0
OSTG	18-1-2	169.0
OSTG	19-1-32.1	93.7
OSTG	19-1-32.2	23.9
OSTG	19-1-39.12	25.0
OSTG	19-1-39.2	41.5
OSTG	23-1-27.12	66.8
OSTG	23-1-54.4	48.8
OSTG	23-1-64.2	23.3
OSTG	31-2-64.2	20.3
OSTG	31-2-66.2	71.6
OSTG	31-2-8	39.8
OSTG	42-1-103	24.3
OSTG	43-1-28	29.3
OSTG	43-1-3	52.1
OSTG	43-1-39.12	83.0
OSTG	43-1-49	63.5
OSTG	44-1-8.1	72.8
OSTG	47-1-70	12.9
OSTG	49-1-62.14	24.3
OSTG	51-1-33	19.0
OSTG	51-1-4.42	24.3
OSTG	52-1-26.2	144.6
OSTG	52-1-5.3	94.3
OSTG	53-1-19	23.0
OSTG	53-1-20	18.5
OSTG	53-1-35	28.6
OSTG	54-1-22	22.0
OSTG	55-1-2.2	48.5
OSTG	58-1-101	271.0
OSTG	58-1-13.2	41.5
OSTG	58-1-20.32	21.5
OSTG	58-1-24.23	19.4
OSTG	58-1-40.2	11.6
OSTG	63-1-10.2	485.8
OSTG	63-2-8	85.0
OSTG	65-1-15.22	49.4
OSTG	65-1-9.22	51.2
OSTG	66-1-68	44.1
OSTG	69-1-14	148.7

Target Area	Tax Map ID #	Acres
OSTG	69-1-3.1	89.0
OSTG	69-1-4	10.0
OSTG	70-1-12.2	15.8
OSTG	7-2-76.27	94.4
OSTG	8-2-25.23	51.6
<b>OSTG Total</b>		<b>3,097.7</b>
OSTG/FW&B	18-1-1	121.6
OSTG/FW&B	18-1-17	20.0
OSTG/FW&B	18-1-27	122.5
OSTG/FW&B	19-1-39.11	33.3
OSTG/FW&B	51-1-1	71.9
OSTG/FW&B	51-1-28.221	30.2
OSTG/FW&B	53-1-5.1	226.7
OSTG/FW&B	53-1-6	29.4
OSTG/FW&B	53-1-8	109.6
OSTG/FW&B	54-1-13	50.0
OSTG/FW&B	65-1-60	51.8
OSTG/FW&B	66-1-1	97.3
OSTG/FW&B	8-2-24	129.5
<b>OSTG/FW&amp;B Total</b>		<b>1,093.8</b>
<b>Grand Total</b>		<b>4,191.5</b>

For the Freshwater Wetlands and Biodiversity Conservation Target Areas:

Target Area	Tax Map ID #	Acres
FW&B	1-1-44	47.2
FW&B	1-1-46	9.0
FW&B	10-1-49	82.5
FW&B	10-1-50	11.6
FW&B	10-1-54	86.9
FW&B	1-1-62	
FW&B	1-1-66	11.4
FW&B	1-1-70	12.8
FW&B	1-1-73	6.8
FW&B	1-1-74	6.8
FW&B	1-1-75	10.2
FW&B	1-1-76	10.2
FW&B	1-1-78	6.8
FW&B	1-1-79	6.8
FW&B	1-1-82	33.2
FW&B	1-1-84	150.0
FW&B	4-2-3	175.7
FW&B	10-1-66.3	10.2
FW&B	10-1-66.4	8.9
FW&B	10-1-66.72	62.8
FW&B	11-1-14.41	23.6
FW&B	11-1-14.42	23.0
FW&B	11-1-5.2	302.0
FW&B	1-1-34.22	48.9
FW&B	1-1-56.2	83.8
FW&B	12-5-5.326	35.3
FW&B	16-1-4	10.1
FW&B	16-1-7.2	99.0
FW&B	17-1-38.222	47.0
FW&B	17-1-39.3	88.5
FW&B	18-1-31.2	74.6
FW&B	24-1-1.34	20.0
FW&B	24-1-17	199.3

Target Area	Tax Map ID #	Acres
FW&B	26-1-1.225	20.0
FW&B	26-1-112	32.6
FW&B	26-1-113	15.8
FW&B	26-1-18.352	10.0
FW&B	26-1-46	5.0
FW&B	26-1-69.32	41.7
FW&B	26-1-71	17.1
FW&B	27-1-14.52	63.7
FW&B	27-1-48.1	151.1
FW&B	29-1-65.12	147.4
FW&B	35-1-34.1	37.5
FW&B	35-1-36	19.2
FW&B	35-1-37	19.2
FW&B	40-1-37.1	14.5
FW&B	40-1-40	15.9
FW&B	40-1-41	10.0
FW&B	40-1-42	7.6
FW&B	40-1-6.23	64.5
FW&B	40-1-96	17.2
FW&B	40-1-97	15.1
FW&B	41-1-108	49.9
FW&B	41-1-78	41.9
FW&B	41-1-90	7.0
FW&B	4-2-1.2	135.1
FW&B	44-1-45.42	93.3
FW&B	44-1-49	238.0
FW&B	46-1-11	115.0
FW&B	46-1-21	17.6
FW&B	46-1-9.1	733.1
FW&B	47-1-76	38.0
FW&B	49-1-77	15.4
FW&B	51-1-40	47.5
FW&B	52-1-4.3	84.4
FW&B	53-1-18	49.0



Target Area	Tax Map ID #	Acres
FW&B	58-1-1	31.1
FW&B	58-3-2.1	35.8
FW&B	63-1-1.1	12.8
FW&B	63-1-10.2-1	389.2
FW&B	63-1-16	33.4
FW&B	6-3-43.22	36.0
FW&B	65-1-18.2	37.0
FW&B	65-1-24.4	44.4
FW&B	8-2-8.2	24.1
<b>FW&amp;B Total</b>		<b>4,839.0</b>
FW&B/AQ	35-1-39	49.4
FW&B/AQ	35-1-40	40.0
FW&B/AQ	35-1-42	27.1
FW&B/AQ	35-1-58	62.8
<b>FW&amp;B/AQ Total</b>		<b>179.3</b>
FW&B/PW-GLEN	9-1-7	95.1
<b>FW&amp;B/PW-GLEN Total</b>		<b>95.1</b>
<b>Grand Total</b>		<b>5,113.4</b>

**For the Aquifer Protection Target Area:**

Target Area	Tax Map ID #	Acres
AQ	35-1-28	17.9

**For Hamlet Center Parks, Recreation and Open Space:**

Target Area	Tax Map ID #	Acres
HAM	66-1-70	14.6
HAM	302-1-1.1	2.3
HAM	302-1-1.22	6.4
HAM	305-3-5.22	13.7
HAM	308-1-24	4.0
<b>Total HAM</b>		<b>41.0</b>

**For the Historic Places Target Area:**

Target Area	Tax Map ID #	Acres
HP	23-1-23.12	118.2
HP	52-1-5.22	14.6
HP	52-1-5.1	4.7
HP	77-1-35.2	1.2
HP	103-1-1	1.2
HP	105-2-24	2.0
HP	105-2-26.1	0.25
<b>Total HP</b>		<b>142.15</b>

**For the Public Water Supply Watersheds Target Area:**

Target Area	Tax Map ID #	Acres
PW-GL	47-1-118	36.1
PW-GL	47-1-18.2	113.0
PW-GL	47-1-5.721	20.4
PW-GL	58-1-45.422	23.7
PW-GL	61-1-25.1	100.8
PW-GL	61-1-26	57.0
PW-GL	61-1-35.1	10.2
PW-GL	61-1-40.25	27.1
PW-GL	61-1-56	53.9
PW-GL	316-1-37.1	28.8
<b>PW-GL Total</b>		<b>471.0</b>

Target Area	Tax Map ID #	Acres
PW-GLEN	23-1-28.2	182.4
PW-GLEN	23-1-29	32.8
PW-GLEN	9-1-13	31.7
PW-GLEN	9-1-14	30.0
PW-GLEN	9-1-15	35.1
<b>PW-GLEN Total</b>		<b>312.0</b>
PW-W	52-1-6.23	69.4
PW-W	53-1-4.42	41.9
PW-W	64-1-1	14.6
PW-W	64-1-8	44.3
<b>PW-W Total</b>		<b>170.2</b>
PW-W/GLEN	23-1-2	152.2
<b>PW-W/GLEN Total</b>		<b>152.2</b>
<b>Grand Total</b>		<b>1105.4</b>