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Introduction

1.1 Development Pressures in Warwick

Historically, the Town of Warwick was a loosely knit collection of villages and hamlets legally bound together by an act of the 1788 State Legislature. The 107 square mile area (including the villages) is the largest town in Orange County and one of the largest in the Hudson Valley (see Figure 2). Its landscape is characterized by diversity, ranging from mountains in the east to the flat, black dirt farmland in the west. Many of the older communities remain separated by undeveloped open space or farmland, creating the typical rhythm of a rural landscape.

This pastoral environment has been changed by new development patterns largely over the past two decades. Although the eastern and western sections of the Town are mostly protected from intense development, by the severe environmental constraints of steep slopes and black dirt soil respectively, subdivision proposals are scattered throughout central Warwick. Unlike the traditional rural landscape, new housing is focused along the existing road network rather than around the Villages.

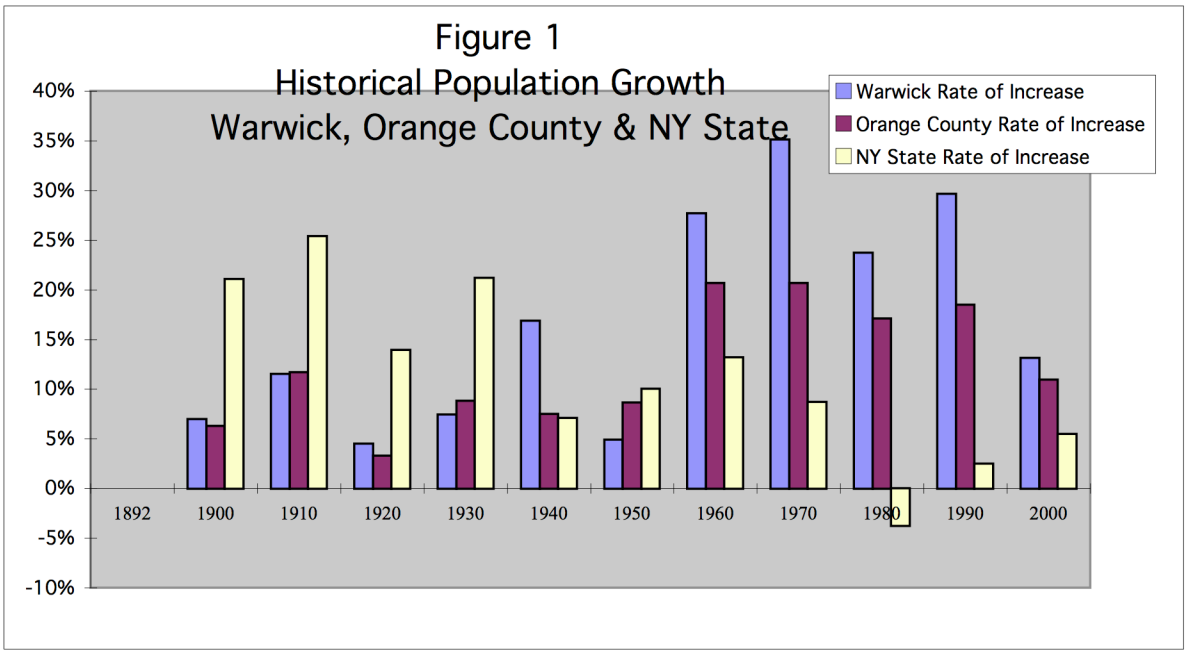
Warwick's new growth is part of a regional pattern. Orange County was considered the fastest growing county in New York State between 1980 and 1990 when attributed solely to development pressures.[1] It was the fastest growing County in the Mid-Hudson Valley (double the regional rate of growth) and was more than seven times the growth rate of the State. This growth rate slowed between 1990 and 2000 for the County, but it is the second fastest growing county in the Mid-Hudson region (Putnam was the fastest with a growth rate of 14%). In 2000 the County grew at a rate (11%) which is twice that of the State (5.5%). For Warwick this is a relatively new phenomenon. Until recently, the Town of Warwick had not experienced rapid growth because of difficult access from large employment and population centers. The tragic events of September 11, 2001 changed much however. Many city dwellers have looked increasingly to bucolic communities like Warwick, as a respite from the pressures of big-city living.

Today, new employment centers in New Jersey, Westchester County, and Orange County, are developing closer to Warwick and the New York Metropolitan housing market is expanding farther and farther to find more affordable housing. Warwick has become attractive for housing development and will become more so as a result of improved access to the New York

State Thruway from Northern New Jersey. Interstate 287 in New Jersey was completed during 1996; this new highway provides a direct linkage between Rockland County at the Thruway with Interstates 80, 280, and 78 and the large employment centers located near those interstate highways. By the year 2015, Warwick is projected to have about 3,400 more people than in 2000. This represents a growth rate of almost 19 percent over the Town's 2000 population. Population growth in Orange County continued between 1990 and 2000 (11%), although at a rate slightly less than what occurred between 1980 and 1990 (19%). For the 2000 Census, Orange County ranked as the 12th most populated county with the fourth highest rate of growth.

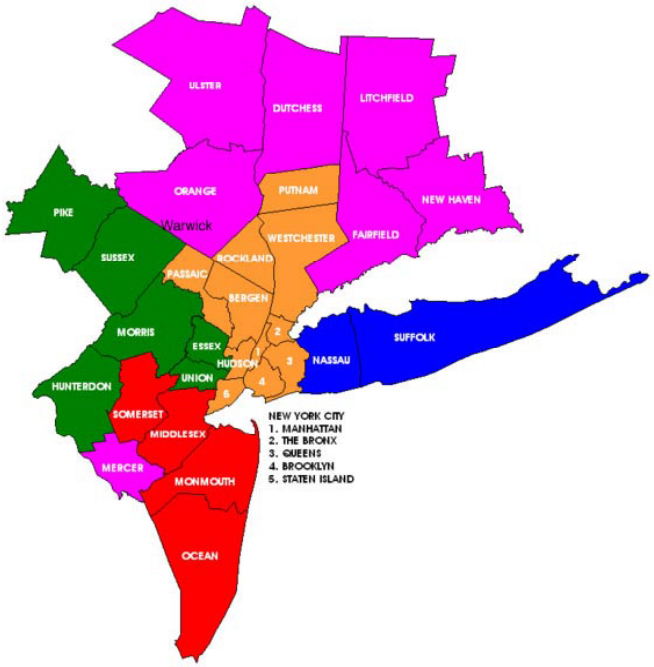
Projections of a fast growth rate are not new to Orange County. During the 1960's, population estimations for Warwick in the year 2,000 were over double those now anticipated. Economists think that an increase in gasoline prices combined with a general economic slowdown in the 70's depressed or delayed growth. From 1970 to 1980, Orange County's population grew 17 percent, and from 1980 to 1990 it grew by 19 percent. From 1990 to 1994, population is estimated to have increased an additional 4.2 percent countywide and 5.3 percent in Warwick. Projections by the State Economic Development Department indicate that the population will continue to grow, increasing about 10.3 percent between 1990 and 2000 and about 9.6 percent between 2000 and 2010. More recent projects produced by the Orange County Department of Planning indicate that by 2015, Warwick is projected to have about 3,400 more people than in 2000. This represents a growth rate of more than 18.7% over the Town's 2000 population. By 2020, the population projection for Warwick is 22,866 representing a 24% increase over the 2000 population figure of 18,370.

Since much of the current zoning for Warwick is based on higher growth projections from the 1960's and 70's, a new master plan is clearly needed. This plan should not only reflect current population projections, but should focus on the priorities of today's residents. Warwick's (unincorporated areas) population increased by nearly 2,500 people between 1970 and 1980 from 9,416 persons to 11,900 persons, representing an average annual growth rate of 2.63 percent. Between 1980 and 1990, Warwick's population increased an additional 3,600 to 15,506 for an annual growth rate of 2.5 percent. Between 1990 and 2000, Warwick added 2,866 residents for an annual growth rate of 1.8%. It is expected that Warwick will experience continued population growth through 2020 and beyond, based upon population projections by the Orange County Department of Planning. Figure 1 below illustrates historical population growth in Warwick compared with Orange County and New York State.



The highest priority expressed by respondents to a public opinion survey as well as participants in public meetings is to preserve the rural quality and natural beauty of the Town. Fortunately, much of Warwick is still undeveloped or has an agricultural or open space use. This current status plus the resident's willingness to accept development controls will mean that Warwick has a good opportunity to retain its beauty.

Figure 2 below shows Warwick in the regional context. Warwick is part of the US Census Bureau's New York-Newark-Bridgeport NY-NJ-CT-PA Combined Statistical Area, with a 2000 population of 21,903,623.



1.2 REGIONAL PLANNING EFFORTS

Orange County maintains an overall comprehensive plan that includes all towns in the County. The 1987 *Comprehensive Plan* update reinforced an "urban-rural" growth concept that was first presented in the 1980 County *Comprehensive Plan*. In 2003, the County adopted another update to the Plan which continues to build on the "urban-rural growth concept which links the historic centers (cities, villages and hamlets) with important transportation hubs; interchanges, crossroads and corridors. These elements have been developed into what the County is referring to as Priority Growth Areas and are depicted in Figure 3. This concept seeks to limit intensive growth to areas around the villages, leaving those areas that are not near major highways or water and sewer services relatively free of denser development. The intent is to maximize the use of existing facilities, providing the most economical and environmentally sound form of development. Figure 3 illustrates this plan.

As you can see in the Priority Growth Areas map, Warwick is depicted as having three neighborhood centers (Pine Island, Edenville, and New Milford) and three community centers located in the Villages of Florida, Warwick and Greenwood Lake. The neighborhood centers are hamlet areas typically without water and sewer infrastructure. The community centers are a bit larger in scale than the neighborhood centers and often have water and sewer services available. Additionally, each of the Villages is surrounded by an area designated for growth. The growth areas are general areas of preference for future development to maximize efficiency of infrastructure and services and minimize losses of open space. Outside of these designated growth district is the Rural Area. The County defines this area as a place which encourages a mix of agriculture, forest and other natural areas along with lower density residential and commercial uses.

In the County Plan, the Town of Warwick is shown to be predominantly rural. Recommended minimum density in rural areas is one unit per two or more acres depending upon soil capabilities and other environmental considerations (such as preservation of places of unusual scenic value). Urban development is shown around the Village of Florida, around the Village of Warwick and extending northward along Kings Highway to the Town of Chester and southward along Route 94, around the Village of Greenwood Lake including all lakefront lands and extending northward along Dutch Hollow Road (County Route 5), and to a more limited extent in Sterling Forest around Sterling Lake and Sterling Forest Lake. According to the County Plan, these areas would serve as focal points for future growth. A wide variety of housing types are intended for urban areas as well as public and commercial services and facilities.

Other recommendations in the Orange County Comprehensive Development Plan and subsequent Updates include:

- Support construction of more low and moderate-income housing using government subsidies that would be sought by the County's municipalities
- Develop more appropriate industrial park sites (as identified in the 1982 Industrial Marketing Study by Arthur D. Little, Inc.) and suitable commercial land for future growth
- Support revitalization efforts for downtown areas
- Adjust subdivision regulations to reduce impact on services, limiting rural densities to 2 acre lots and discouraging the "double" subdividing of large tracts (100 acres or more) that ultimately avoids Health Department approval and does not create a proper road system
- Develop a better countywide water system focusing on the Route 17 and I-84 Urban corridors
- Use sewer service plans as a management tool to control land use and growth, incrementally expanding services to meet needs
- Evaluate the current land fill site and alternatives for future needs
- Improve maintenance and upgrade urban arterials and commercial corridor roads that might face heavy development
- Improve bus transportation in Orange County. Urge MTA to join with New Jersey for direct rail service to Manhattan
- Expand the Orange County airport and develop Stewart Airport property
- Preserve farmland
- Work toward standardization of zoning and subdivision codes at the municipal level
- Protect the best scenic views for the public enjoyment of open space in Orange County
- Neither permit nor encourage the establishment of service districts (such as water and sewer) in the rural areas of the County

It is important to note that the County Plan is considered advisory only. State law gives the County the right only to approve or disapprove certain projects that have inter-municipal or county-wide significance. A municipality's boards, on the other hand, may overrule the County's decisions by a majority plus one vote. Warwick actively forwards applications to the County Planning Board in accordance with law.

New York State General Municipal Law (GML) Section 239-m specifies that comprehensive plan changes, zoning changes and development applications or appeals must be referred to the County Planning agency. The individual development review referrals are those involving discretionary action by a local board: site plans, subdivisions, area variance appeals, use variance appeals, special use permits. The referral requirement is geographically tied to certain features/facilities which raise the likelihood of potential impacts that are not solely local in nature. This geographic criterion is that the property (any part of the parcel that is part of the application or proposal) is within 500 feet from certain features:

a) a municipal boundary
b) a County or State road (existing or proposed)

c) a County or State park or recreation area (existing or proposed)
d) the boundary of any County or State-owned land on which a public building or institution is situated (existing or proposed)
e) a farm operation located in one of the two updated Orange County Agricultural Districts (this one provision does not apply to area variances)
f) the right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines (existing or proposed).

Comprehensive plans by definition encompass a municipality in its entirety and so meet the geographic criteria; therefore, all comprehensive plan changes require referral. Changes to zoning laws are often broad enough in wording or effect to require referral based on the geographic criteria. These actions are referred:

a) Adoption or amendment of a comprehensive plan pursuant to Section 72-a of Town Law
b) Adoption or amendment of a zoning local law
c) Issuance of special use permits
d) Approval of site plans
e) Granting of use or area variances
f) Other authorizations that a referring body may issue under the provisions of any zoning law

GML Section 239-n describes the subdivision application referrals. According to 239-n the local board must refer applications for preliminary and/or final subdivision approval. Even though referral for a sketch plan is not mandatory, the County Planning Department encourages local Planning Boards to send sketch plan applications so that they can formulate and offer comments early in the review process. New York State GML requires that the referring agency submit a full statement of the proposed action. This includes the following items:

a) All materials required by and submitted to the referring body as an application
b) All materials required by and submitted to the referring body in order for the board to make its determination of significance under SEQR
c) A completed environmental assessment form
d) Any additional materials agreed upon by the referring body and the Department
e) For zoning amendments -- the complete text of the revisions as well as all existing provisions to be, if any, if not already in the possession of the County Planning Department
f) For area and use variance appeals, an explanation that justifies the need for a variance (i.e. the applicant's written demonstration that they or the land in question [for a use appeal] meet the tests for the granting of a variance).
g) A statement of the relationship between the proposed action and the County Comprehensive Plan

A September 1986 housing needs study confirmed that most housing being built in the county consists of expensive single family homes and luxury condominiums. These units are being marketed to outsiders who are searching to escape the soaring housing costs of the New York City suburbs. The result is that young families, singles and the elderly are being priced out of both the home buying and rental markets.

The study concludes that Orange County will need an additional 50,000 housing units over the next fifteen years and that 25% of those or 12,500 units will need to be assisted so that they are affordable to families earning less than $35,000 annually. This would amount to slightly over 800 units of affordable housing annually in order to meet projected housing needs.

The study concludes that some of the best ways for local government to ameliorate these needs is to provide for inclusionary zoning. This would include providing for a balance of multi-family townhouses and single family units as well as accessory units aimed at the young and the old who are being priced out of the housing market. Dutchess, Ulster and Orange counties have just finished a housing needs study and the results will show each municipality's affordability gap.

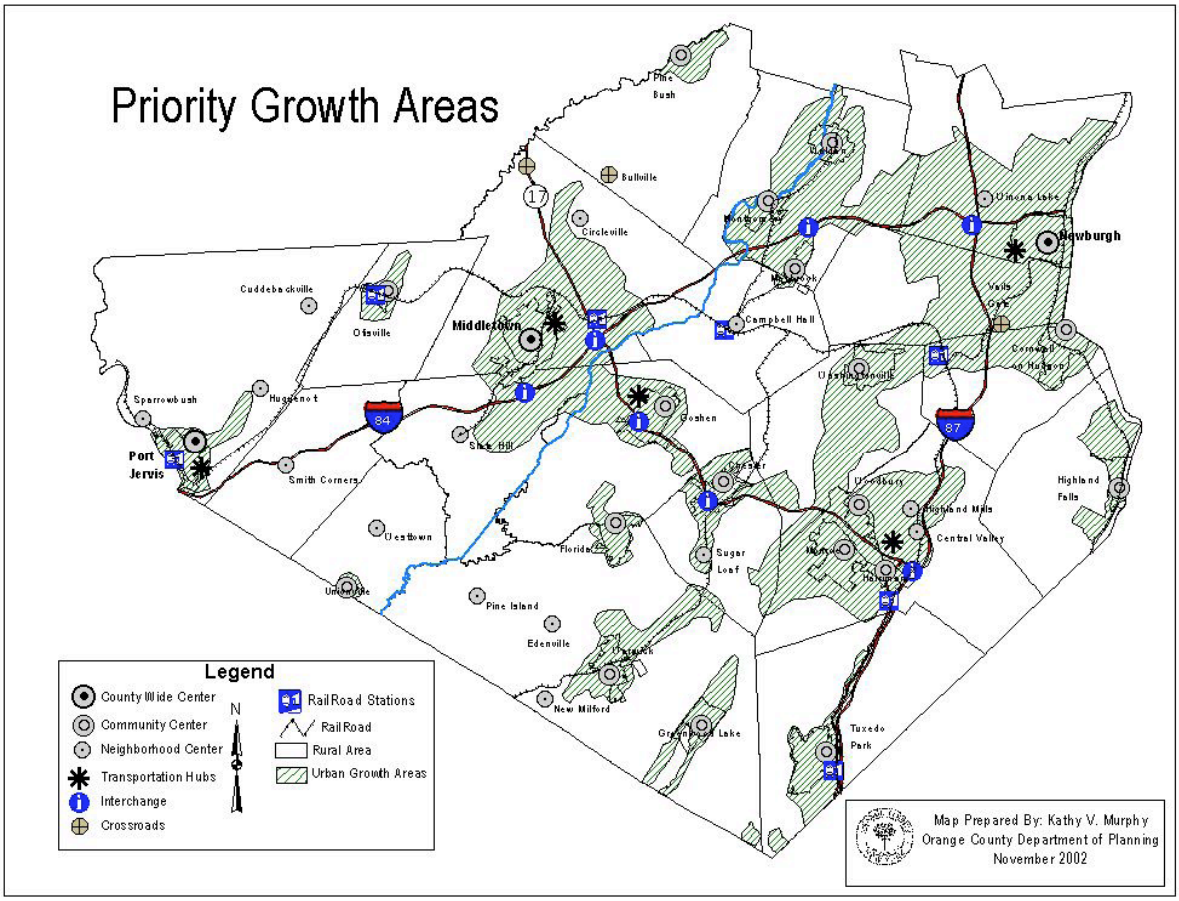


Figure 3: Orange County Plan Priority Growth Areas

1.3 THE WARWICK COMPREHENSIVE PLAN PROCESS

Planning for the future has always been an important part of Warwick's heritage. The Town was one of the first in the region to adopt land use controls when its zoning regulations were enacted in 1928. Warwick, in conjunction with the three villages, prepared a *Comprehensive Development Plan* in 1965, with the assistance of Raymond and May Associates.

Prompted by an increase in development pressures, in the winter of 1985, the Town Board of Warwick retained the planning firms of Buckhurst Fish Hutton Katz of New York City and Garling Associates of Goshen, New York to prepare a new Master Plan. A steering committee, whose members included representatives from the Town Board, the Planning Board, the Zoning Board of Appeals, the Conservation Board, and other concerned individuals, assisted the planning team. Input from this committee was sought at each stage of the Plan's evolution through a series of meetings held over the nine month period. Separate public information meetings were held with the Planning Board of both the Town and the Village of Warwick, with invitations extended to the Villages of Florida and Greenwood Lake to assure regional coordination.

The planning process included a substantial amount of public participation. Not only were all steering committee meetings and information meetings open to the public but a community-wide public opinion poll was taken to determine the goals of the citizens. The *Master Plan* was based upon research and fieldwork, information from previous plans or studies by various agencies and organizations, and interviews and meetings with many of those involved in local or regional planning. The *Master Plan* was then adopted by the Planning Board on November 4, 1987.

As was recommended in the 1987 *Master Plan*, the Planning Board has been responsible for conducting an update every three years. This has been accomplished on a regular basis since 1987. In July of 1994 at the request of Community 2000, a Warwick citizen grass-roots organization, the Warwick Town Board started the process of a full-scale study of the existing *Master Plan* by appointing a 17 member Master Plan Review Coordinating Committee to study, gather information, and make recommendations for updating the Plan.

During the previous year, 1993, the Community 2000 organization had conducted six town-wide visioning meetings during which over 500 Warwick citizens had voiced their visions of what they would like the Town of Warwick to be in the year 2000. Highest priority was given to, "Keeping Warwick Beautiful", "Preserving Our Rural Character", and "Saving Our Farms". Task Forces were organized to accomplish these goals and they studied planning, zoning and land use, agriculture, resource conservation and open spaces, and historic preservation. A video on Open Space for Warwick, produced and shown throughout the community, sparked interest among citizens and support by the Town Board for reviewing the Town's vision for the future.

During the next six months, the Master Plan Review Coordinating Committee discussed the *Master Plan* in detail, solicited input from community organizations, Town boards, and committees, and sponsored five Public Forums (involving 16 distinguished speakers) in Town Hall attended by 500 to 600 Warwick citizens. A report was written and submitted to the Town Board in February 1995. The Town Planning Board held two public hearings on March 15 and 29, 1995 to receive additional public input. In the Planning Board's report to the Town Board on the public hearings, Chairman Warren Burger wrote "A consistent theme ran through the oral comments made by speakers at the public hearings; preserve the rural character of the Town and guide development in an orderly; disciplined manner."

The Town Board then determined that the most appropriate means to achieve an update to the *Master Plan*, including the preparation of an open space plan and readoption of the *Master Plan* as a *Comprehensive Plan*, was to establish a special board as defined in Section 272-a(2)(c) of New York State Town Law consisting of Planning Board members, Town Board members, and membership from other existing boards in the Town as well as residents of the Town at large. This was achieved in early 1997 when the *Comprehensive Plan* Board, with technical assistance from the Town's Planner, Ted Fink of GREENPLAN Inc., Rhinebeck, NY, embarked upon the preparation of this 1998 *Comprehensive Plan*. The *Comprehensive Plan* Board's 1998 update to the *Master Plan* was accomplished through a series of regularly scheduled public meetings, research and fieldwork, interviews with staff at local, county and state government agencies,

special studies such as the Cornell *Cost of Services Study* and the *Agricultural Producer Survey*, and through other experts who provided technical assistance on new and promising planning techniques. It was adopted in August of 1999.

Based on the new Plan, the Town Board adopted a series of comprehensive Zoning Amendments in 2002 that codified most of the *Comprehensive Plan* recommendations. As a result, more than 1.5 acres of open space have been preserved in perpetuity for every 1 acre developed.

1.4 GOALS OF THE COMMUNITY

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

In addition to maintaining the rural character of the Town, residents indicated that they want to control the rate of new development. When asked what sort of controls they would support, the response was favorable in all categories listed including densities, restriction of commercial and industrial uses, site plan regulations, design controls, and preservation of vegetation, valuable farmland and historic structures.

Since the adoption of the *Comprehensive Plan*, the Town has made progress on the issue of farmland preservation and open space protection. 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. 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. The Town has adopted a *Community Preservation Plan* (2007), a document which identifies lands for preservation and the tools available to accomplish the Town's goals.

Residents do not want rapid growth. The community prefers new commercial development in the existing villages or near existing development, such as the hamlets. Strip development is not desirable. Industrial development near existing industrial areas or in industrial parks is also supported.

The delicate balance between the need to accommodate growth and the expressed goal to maintain the existing beauty and quality of life is the most difficult problem faced in the *Comprehensive Plan*.

1.5 SUMMARY OF THE PLAN

Warwick is and should remain primarily a residential and agricultural community. Since Warwick is not in the Route 17 or Interstate 84 corridors, Warwick's role in Orange County's growth will be primarily residential development. It is also expected that the villages serving Warwick, (Florida, Greenwood Lake and Warwick Village), will remain the major commercial centers in the Town.

It is the intent of the *Comprehensive Plan* to accommodate new growth with the least impact on the environment. The *Comprehensive Plan* is a reflection of the goal for preservation of the natural beauty of Warwick and its rural quality of life. Key elements of the Plan that will help preserve the natural and agricultural landscape continue to include the following:

AGRICULTURE

- 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.

RESIDENTIAL GROWTH

- 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.

Business Development

- Assure that the Village and hamlet centers remain as the focus for retail and service industry development,
- Provide for commercial development next to existing commercial and industrial uses,
- Encourage alternatives to typical modern highway oriented commercial development,
- Support small locally owned businesses and retail centers which are in character with the Town's largely rural environment,
- Create a commercial atmosphere friendly to small business and home occupations,
- Include agriculture in local economic development plans,
- Cooperate with the villages to share the benefits of economic development and future planning.

Recreation and Open Space

- 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 by adopting overlay districts, such as one for biodiversity,
- Update regularly the long range Recreation Plan for providing Town parkland at appropriate locations within the Town,
- Continue to implement the Community Preservation Project Plan,
- Include the public in the setting of Town policies governing the full range of active and passive recreation including greenways and trails.

Transportation

- Reduce traffic congestion,
- Promote public transit,
- Encourage alternatives to the automobile such as walking, bicycling and commuter car/van pooling,
- Improve coordination between various means of transportation.

Public Facilities

- Improve Town services and reduce the tax burden on citizens,
- Allow infrastructure development in areas targeted for growth while respecting overall density in the Town,
- Support the consolidation of appropriate Town and Village services,
- Establish planning, design, and review standards for the capital construction projects of public agencies.

Environmental Protection

- 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.

This *Comprehensive Plan* is intended to serve as a guide for long-term policies of the Town of Warwick and other agencies including those of the State of New York, Orange County, and the three villages, controlling and regulating change and growth in the future years. It must be noted that this Plan is not intended to fix precise zoning boundaries or densities but to establish a blueprint for future growth and conservation in the Town.

The recommended planning policies establish a conceptual framework for more detailed development decisions that will follow. The plan also proposes techniques and alternatives for implementing these local planning policies.

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[1] Jefferson County on Lake Ontario actually grew slightly faster during the 10 year period between the 1980 and 1990 Census of Population. This faster rate of growth in Jefferson County can be directly attributed to a reassignment of military personnel and their families to Fort Drum.