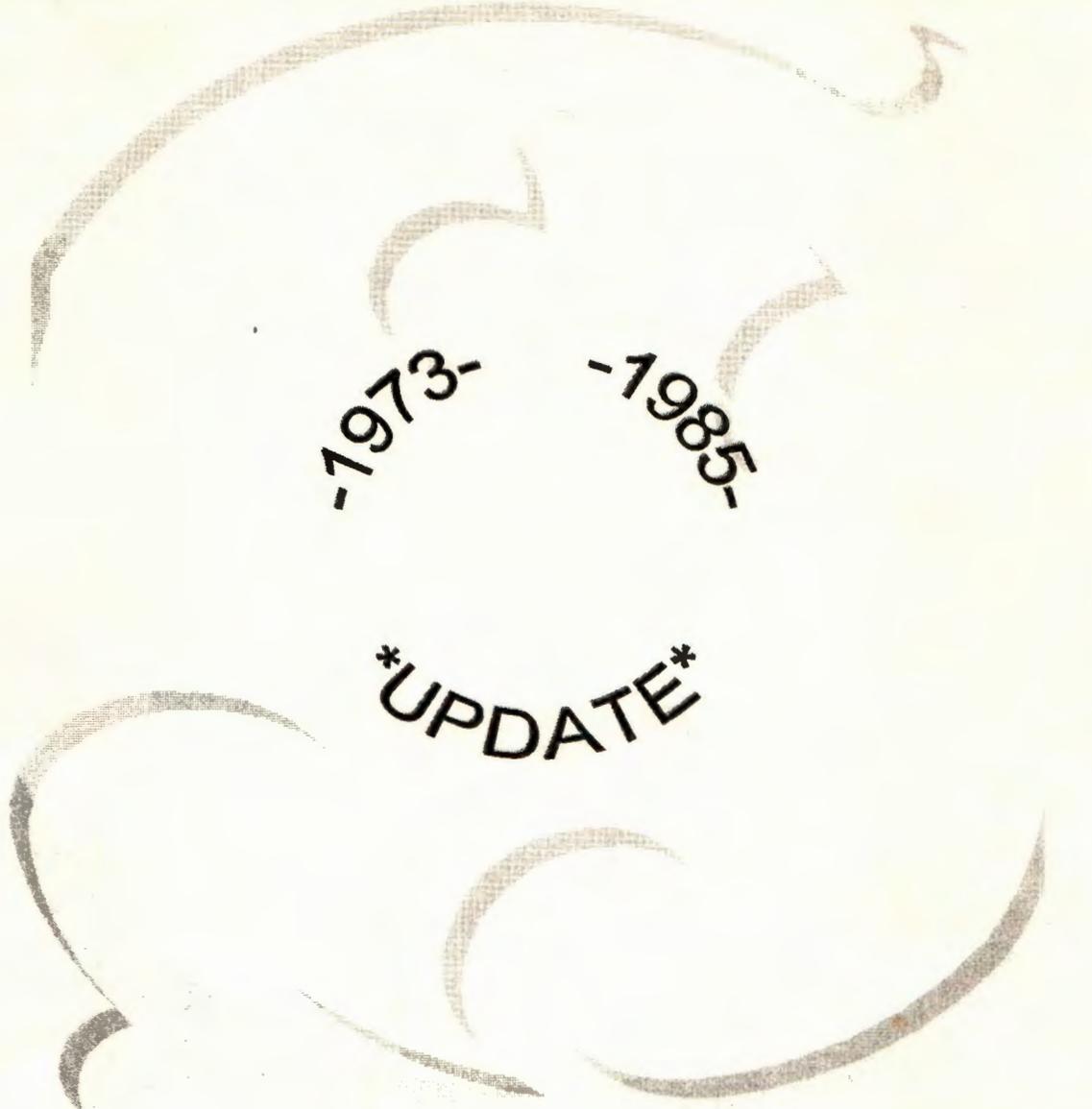

LEWISBORO MASTER PLAN REVIEW AND RECOMMENDATIONS



-1973-

-1985-

UPDATE

PREPARED FOR THE LEWISBORO TOWN BOARD
BY THE PLANNING BOARD
DECEMBER 14, 1999

LEWISBORO PLANNING BOARD

**REVIEW AND RECOMMENDATIONS
FOR
UPDATING THE 1985 LEWISBORO MASTER PLAN**

**THE FOLLOWING REPORT HAS BEEN PREPARED BY
THE LEWISBORO PLANNING BOARD
AT THE REQUEST OF THE TOWN BOARD
WITH THE ASSISTANCE OF
MATTHEW D. RUDIKOFF ASSOCIATES, INC.
PLANNING CONSULTANT TO THE TOWN**

DECEMBER 14, 1999

COMPREHENSIVE MASTER PLANNING

To meet the challenge of preserving a community's unique characteristics and values while fostering responsible growth and development, many towns have created an officially endorsed Master Plan (Town Comprehensive Plan). The Planning Board recognizes that among the most important powers and duties granted by the State Legislature to a town government is the authority and responsibility to undertake town master planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens.

Pursuant to §272-a of New York State Town Law, a concise Master Plan includes a clear identification of the goals, objectives, principles, guidelines, policies and standards upon which development of the town is to be based. These policy statements and recommendations on future land use, zoning and development decisions do not have the authority of law and regulation, but are intended to be used as guidelines by the decision-making boards of the community. As such, a Master Plan is the most important document by which a municipality forges its future and implements its present set of laws.

It is essential that a Master Plan reflect the refined objectives and altered perspectives of the community. It must emphasize local issues and needs within the context and consideration of regional implications. Furthermore, it is integral to the proper functioning of a town's land use regulatory scheme that the Master Plan be regarded by residents as sound and reliable, and that the Master Plan be, in fact and in practice, a viable and coherent blueprint for the future.

Recognizing that the many decisions and actions affecting immediate and long-range conservation and preservation, growth and economic enhancement, and orderly and desirable development of the community are made by the Town's various land use boards, it is important that the Town's legislative tools and mechanisms are developed to their highest potential to be most effective. Even as perspective or philosophy remain unchanged, review is important to determine which ordinances function properly and which require revision, implementation or clarification. Furthermore, technological advances or new State and Federal laws, such as the Telecommunications Act of 1996, provoke the need for local legislative action.

To successfully implement the goals and objectives of a Town's Master Plan, the significant decisions of its various land use boards must be consistent with the Master Plan, as well as relate to actual and prevailing conditions affecting those decisions. As indicated above, an effective Master Plan must give due consideration to the needs of the people of Lewisboro and it must clearly present expectations for future growth, land use and development potential.

LEWISBORO MASTER PLAN: 1973 / 1985 / UPDATE

The Town of Lewisboro adopted its first comprehensive Town Development Plan on June 5, 1973. The 1973 Plan provided invaluable direction throughout the 70's, and many of its recommendations were implemented. During the 1980's, new problems and issues beyond the scope of the first (1973) Plan spurred the Planning Board to create a new comprehensive plan. After a thorough process of reviewing factual information as well as soliciting public comment, the Town adopted the current (Lewisboro) Master Plan on May 24, 1985.

During the 1990's, it became apparent that issues were again arising beyond the scope of the 1985 Plan. Many of the projections that form the basis for the 1985 policy recommendations have turned out quite differently. New concerns have been brought to the forefront, and in response, the Planning Board, as authorized by the Town Board, has begun the preliminary tasks to review and update the Town's existing Master Plan. The Planning Board discussed the initial review with the Lewisboro Town Board in July 1997. Regional aspects of master planning were discussed during separate joint sessions held with the Lewisboro Planning Board and the Town of Bedford Planning Board (July 1997), and with the Town of North Salem Planning Board (October 1997).

The Planning Board has reviewed the current 1985 Master Plan at a number of regularly scheduled work session meetings held between the period of November, 1997 and February, 1999, all of which were open to the public and at which public comments were heard. The Planning Board also conducted three special sessions held in the hamlets located throughout the Town. These special meetings were conducted as a means of providing an effective connectivity with the geographically dispersed resident population of the Town. These special meetings were conducted between the period of November, 1998 and February, 1999. In addition, the Planning Board attended and participated in a joint meeting with the Conservation Advisory Council on June 20, 1999, and with the School Board of Education for the Katonah-Lewisboro Union Free School District on January 5, 1999.

The following is the schedule of meetings conducted by the Planning Board to gather input and review comments regarding the existing 1985 Master Plan (in addition to the meetings listed below, the Planning Board discussed general Master Plan and updating issues at a number of its other meetings held during the review period noted above):

November 22, 1997	Work Session Meeting
March 24, 1998	Work Session Meeting
April 14, 1998	Work Session Meeting
April 28, 1998	Work Session Meeting
May 12, 1998	Work Session Meeting
June 2, 1998	Work Session Meeting
June 9, 1998	Work Session Meeting
June 20, 1998	Joint Meeting with Conservation Advisory Council
June 23, 1998	Work Session Meeting

November 24, 1998	Goldens Bridge Community Center Meeting
January 5, 1999	School Board of Education Joint Meeting
January 26, 1999	Onatru Farm Park Meeting
February 23, 1999	Cyrus Russell Community House Meeting

During the Planning Board's review of the Master Plan, comments and suggestions regarding updating the Master Plan have been provided from the Architecture and Community Appearance Review Council, the Zoning Board of Appeals, the Highway Department, Parks and Recreation, the School District, the Conservation Advisory Council, the Housing Board, Members of the Town Board, interested community and business persons, the Town's Consultants (Planning, Engineering and Environmental), and most importantly, from the citizens of Lewisboro.

SIGNIFICANT COMPONENTS OF THE 1985 MASTER PLAN

The 1985 Lewisboro Master Plan was the result of five "Base Studies" and four "Planning Analysis" documents that captured and interpreted the changes that were needed from the 1973 Plan. The current Master Plan document is separated into two major parts. The first part contains the results and conclusions of the Base Studies, while the second part includes goals and specific recommendations for implementation. This report, prepared by the Planning Board, looks at all aspects of the 1985 Master Plan for factual, technical and substantive changes that should be considered as part of a targeted update process, as well as identifies and recommends specific actions that should be undertaken in both the immediate and near-term to address issues of the next decade (and beyond).

BASE STUDIES

The 1985 Lewisboro Master Plan includes five introductory sections which form the basis of the factual information and technical data which represents the relative changes in land use, development forces, and the make-up of the community that occurred since work began in 1970 on the 1973 Master Plan. The Introduction section of the 1985 Master Plan (*External Influences: The Regional Context, Existing Land Use, Transportation, Environmental Data Base, and Demography*) clearly presents the data and assumptions by which the Town's goals and recommendations were established. The issues covered in the introductory section include:

- ▶ Existing Land Use
- ▶ Population and Housing
- ▶ Physical Features of the Land
- ▶ The Regional Context
- ▶ Fiscal Conditions

Existing Land Use

The Existing Land Use section of the 1985 Master Plan includes descriptions of the extent of development, characteristics of land use, the zoning as of 1985, and the details of the development that was in progress at the time of the preparation of the 1985 Master Plan.

Population and Housing

A review of population and housing characteristics of the residential development in Lewisboro was used to provide additional insight to the information gathered in the Existing Land Use section. The information of this section was gathered primarily from the United States Department of Commerce's Bureau of the Census data of 1980.

Changes in population and increased residential growth, particularly relating to the increased growth of school aged children in the Town, are among the most significant aspects of land use change and impact affecting the Town's rural residential character and fiscal responsibilities. Continued growth as identified in the Long Range Planning Study prepared by the Katonah-Lewisboro Union Free School District, dated April 1999 (Final Report), will have significant impacts on the Town's environmental and municipal (and school) resources.

Physical Features of the Land

This section of the 1985 Master Plan describes the physical land features of the Town, including *Topography and Surface Hydrology, Soils and Soil Characteristics, Wetland Functions, and Aquifers*. This section also includes a *Summary of Limitations to Development*.

The basic information presented is still accurate. However, the subsection discussing aquifers concluded that "...*data on aquifers and water resources remains only sketchy. As Lewisboro continues to develop, the need for accurate, detailed information on water resources is increasingly important.*" Similar sentiments were echoed during the work sessions and special meetings held by the Planning Board during its review of the 1985 Master Plan.

The Regional Context

The purpose of this section of the 1985 Master Plan is to briefly summarize the thinking at that time of outside agencies as to how future development in the region as a whole, and in northeastern Westchester in particular, should be accommodated. It also provides a summary of the planning proposals as of 1985 which were likely to have an impact on Lewisboro.

Fiscal Conditions

This section of the 1985 Master Plan examines fiscal elements affecting the Town, such as *Sources of Revenue, Tax Base Trends, Town and School District Budgets, and Property Tax Rates*.

RECOMMENDATIONS FOR ACTION (Base Studies)

- *It is important to update the status of the Town's existing land use in order to make informed decisions regarding the patterns of growth and change in the community, and in order to identify potential resources which may be subject to future development pressures. As such, a detailed Land Use Report and Map should be prepared, and compared to the analysis of the 1973 and 1985 Plans.*
- *An update of the Town's population characteristics should be developed based on the 1990 Census data, noting that this data is already 10 years old. As such, sources providing projected Census data for 2000 should also be consulted. Existing documented studies such as Patterns for Westchester, the most current Westchester County Data Book, and the current Long Range Planing Study recently completed by the Katonah-Lewisboro Union Free School District should also be utilized to reduce redundancy. Furthermore, the Town should plan for the immediate review and update of this information following the completion of the 2000 Census.*
- *A study of the existing and future housing characteristics, particularly relating to future growth potential, should be conducted. Noting however, that the Planning Board, with the assistance of the Office of the Town Assessor and Matthew D. Rudikoff Associates Inc., the Town's Planning Consultant, has already begun this process by assessing the potential for future residential development in the Town (refer to Appendix A). A focused study utilizing this data, as well as additional similar data, should be conducted in order to identify and assess implementation measures intended to effectively address and control increased residential growth; and to ensure that sensitive land areas are not irreversibly lost or damaged, and that municipal resources, infrastructure and services can adequately support such increased growth.*
- *Although some of the information presented in the section regarding regional issues is now out of date, it doesn't appear necessary to completely revise this information before updating certain other aspects of the Master Plan. Furthermore, an update of this section should include the utilization of the Westchester County Planning Board documents: Patterns for Westchester and the Westchester County Data Book.*
- *An update of current municipal fiscal conditions should be completed and future impact issues should be identified. In addition, measures to address and reduce municipal costs due to development activities which do not provide off-setting tax revenues should be identified and assessed.*

- *The Master Plan should be updated to include an assessment and establishment of policy statements pertaining to the ongoing development plans of Metro-North; increased commuter growth affecting public safety on Roads within the Town, particularly NYS Route 35; and the impacts caused by the influx of regional telecommunications facilities and towers.*

PLANNING ANALYSIS

The bulk of the 1985 Master Plan provides a detailed assessment and interpretation of the land use and development data revealed during the completion of four significant “Planning Analysis” (*Residential Development, Commercial Development, Open Space and Recreation, and Public Facilities and Fiscal Impact*) efforts. These studies identified the possible changes to the 1973 Plan which were later to be incorporated in the 1985 Master Plan in eight chapters. The first chapter includes the Town’s highest priority Goals and Policies established as a result of the Master Plan initiative, and the last chapter includes a copy of the Town Plan Map. The intervening chapters include the major policy issues and recommendations addressed by the 1985 Master Plan. The substantive “Planning Analysis” portion of the 1985 Master Plan includes chapters addressing the following:

- ▶ Chapter I Goals and Policies
- ▶ Chapter II Residential Development
- ▶ Chapter III Commercial Development
- ▶ Chapter IV Open Space and Recreation
- ▶ Chapter V Public Facilities and Services
- ▶ Chapter VI Community Character and Appearance
- ▶ Chapter VII Transportation
- ▶ Chapter VIII Town Plan Map

Chapter I Goals and Policies

The Lewisboro Master Plan is based on five comprehensive goals for the future of the Town. These goals are clearly stated in the 1985 Master Plan and are followed by policy statements intended to serve as the basis for the more detailed recommendations and implementation techniques discussed in the subsequent chapters of the document. The 1985 Master Plan goals include the following:

- Goal 1: A Residential Community
- Goal 2: Four Hamlet Centers
- Goal 3: Open Space and Natural Resource Preservation
- Goal 4: Enhance Community Character and Appearance
- Goal 5: Establish a Regional Perspective

RECOMMENDATIONS FOR ACTION (Goals And Policies)

- Each of the five Goals established in the 1985 Master Plan are still relevant to the Lewisboro community today, with the exception of Goal 2, given the more recent re-acknowledgment of the “Lewisboro” hamlet. However, increased clarity, emphasis and reinforcement of these Goals should be established to address current development pressures and in response to considerable public input for increased direct municipal participation in the preservation and protection of passive open space and environmental resources.*
- Establish an emphasis on “residential image and character”; identify the aspects of the community which define existing and desired image and character.*
- Establish the need for specific and targeted “site development standards” to guide future non-residential growth and expansion/alterations.*
- Update policies regarding means of preserving open space and limiting new development.*
- Revise policy regarding “Town acquisition of additional open space land” to be more pro-active - alternative methods, such as cluster subdivisions, open space and conservation development restrictions, conservation easements, estate planning techniques, etc should be pursued prior to and during subdivision of undeveloped properties to attain open space.*
- Develop and adopt code revisions and new regulations which strengthen updated open space preservation policies.*
- Update goals and policies regarding recreational facilities which are out of date with today’s needs and growing demands. In addition, prioritize the use of recreation fees.*

Chapter II Residential Development

Chapter II of the 1985 Master Plan includes guidelines for maintaining Lewisboro’s low density residential character and establishes policy recommendations to accomplish this. The Master Plan sets forth the following general density ranges for residential development:

- | | |
|---------------------------|---------------------------------|
| ▶ Rural Density | 1 housing unit per 3 to 4 acres |
| ▶ Low Density | 1 housing unit per 2 acres |
| ▶ Moderate Density | 1 to 3 housing units per acre |
| ▶ Moderately High Density | 4 to 8 housing units per acre |

The 1985 Master Plan provided a significant rezoning of a number of areas within the Town to relate to a more realistic development pattern based on natural resource considerations. The focus was aimed at fostering a strong residential community that respected its rural character and extensive and varied sensitive and unique natural resource base. The Master Plan supports conservation developments (clustering) as a significant means of protecting natural resources, and includes a number of other methods for the appropriate layout of subdivisions. Provisions for additional multi-family housing is not recommended by the 1985 Master Plan until all such zoned areas have been completely developed. Accessory apartments and residential space in the top floors of commercial structures are supported as opportunities to reduce housing costs.

RECOMMENDATIONS FOR ACTION (Residential Development)

- Update the base data from the 1985 Master Plan.*
- Identify existing undeveloped large lots on a map and review built subdivisions to identify aspects which were successful and those which are not desirable.*
- Evaluate road feasibility or carrying capacity for increased traffic.*
- Review Road Standards to be more dynamic and to reduce clearing and width of cut, provide for street tree plans which are integrated to the environment (e.g., naturalistic cluster plantings, mixed evergreen and deciduous tree and shrub species, use smaller scale flowering trees as opposed to shade trees along road edge, etc.), and require that planting plans be prepared by a New York State licensed Landscape Architect.*
- Establish standards for increased preservation and retainment of stonewalls (e.g., preservation, reconstruction, new construction, etc).*
- Review, revise and establish zoning and land development definitions (i.e. Lot, Minimum Lot Area, Buildable Area, Bulk Standards, Limits of Disturbance, etc). Provisions should be established to define and emphasize "Limits of Disturbance" as a protective, regulatory measure.*
- Address issues relating to affordable housing provisions. For instance, increased density provisions could be revised by setting the permitted density higher from the beginning and requiring that a certain percent of units must be for affordable housing.*
- Evaluate the need for establishing regulations governing the development of assisted living/congregate care housing (i.e. new zoning districts, code provisions, etc).*
- Review areas currently zoned R-2A and R-4A for potential down-zoning and up-zoning.*

- ❑ *Evaluate the ratio of existing and needed facilities for schools and recreation, including additional capital acquisition and construction costs.*
- ❑ *Revise definition of “Buildable Area” in the R-MF District for consistency with the regulations established for single family residential development, specifically to require that the areas be contiguous.*

Chapter III Commercial Development

Chapter III of the Master Plan establishes the Town’s policies regarding commercial (nonresidential) development in the Town. Three types of business centers (*Regional, Community and Neighborhood Centers*) are defined. The Master Plan supports development to the level of Neighborhood Center, and only in the established Town hamlet areas. A new zoning district is recommended to permit corporate campus commercial development. The Master Plan includes the study of several potential sites, but concludes that only those lots adjacent to Interstate 684, on the easterly side of NYS Route 22 in the Hamlet of Goldens Bridge, warrant the new campus commercial zoning designation. The 1985 Master Plan recommends that campus commercial development be subject to stricter design regulations than what was specified for the existing ORL-10 Zoning District (its predecessor).

Subsequent to the adoption of the 1985 Master Plan, the CC-20 Campus Commercial District was established to provide for a limited amount of campus commercial development in areas with sufficient access to regional highways, subject to compliance with stringent site development standards appropriate for the maintenance of a predominantly residential community. On December 6, 1994, Site Development Plan Approval from the Town was granted to Route 22 Associates for the development of 313,980 square feet of corporate office space to be contained in a single structure, including its associated parking. The approved facility has been designed with significant set backs to provide all-year screening from the surrounding area.

The Master Plan recommends that development of Neighborhood Centers be separated into “Hamlet Business” and “Hamlet Local Office” Districts. The Hamlet Local Office District is envisioned as the more restrictive of the two, allowing only those business uses which would be compatible with residential uses. The construction of new buildings for commercial use in this District is clearly discouraged. Furthermore, the Master Plan establishes that all commercial development that does occur should be subject to strict standards, some of which could be accomplished with suggested zoning amendments.

The four hamlets recognized by the 1985 Master Plan include *Goldens Bridge, Cross River, South Salem, and Vista*. Specific recommendations to guide the future development of each hamlet are based on the five factors identified in the preceding 1973 Plan. Each hamlet is recognized as “a unique place serving special functions”.

Zoning changes implemented in 1986 were intended to accommodate the visions detailed in the 1985 Master Plan. Public comments during the Planning Board's review of the Master Plan, as well as previously during the Hamlet Land Use Forums, have revealed that limiting commercial development, particularly to the established hamlet areas, is still an important consideration and that stricter recommendations are desired.

RECOMMENDATIONS FOR ACTION (Commercial Development)

- The inclusion of the Hamlet of Lewisboro should be studied and recommendations for zoning revisions similar to that completed for the other hamlets of the Town should be undertaken.*
- The current Zoning Map and schedules of permitted uses should be reviewed in comparison to the Plan's recommendations and to assess the effectiveness of the established Districts.*
- The geographic area of the hamlet areas should be assessed and existing land uses should be inventoried to identify opportunities for enhanced and targeted development. New opportunities to improve and increase potential tax ratables which foster and promote the qualities of a neighborhood oriented development scheme should be explored.*
- Evaluate the development of "Hamlet" zoning, including supplemental hamlet specific development regulations to address issues of traffic generation, traffic control, parking, pedestrian-targeted land uses, small businesses, signage, landscaping, and architectural and site appearance.*
- Revise definition of "Buildable Area" in the Non-Residential Districts for consistency with the regulations established for residential development, specifically to require that the areas be contiguous.*

Chapter IV Open Space and Recreation

Chapter IV of the 1985 Master Plan provides extensive analysis of the Town's open space at the time of the Plan's adoption, and sets forth open space standards and a recommended *open space system*. The Master Plan includes the following action recommendations:

- ▶ ***Conservation Development*** - The Town Board should authorize the Planning Board to *require* the use of conservation subdivision design.
- ▶ ***Wetlands Ordinance*** - A separate ordinance is recommended.
- ▶ ***Zoning Regulations*** - Several amendments to the Zoning Ordinance are recommended.

- ▶ ***Aquifer Protection*** - The Plan recommends additional research in this area to determine if an aquifer protection ordinance is warranted.
- ▶ ***Conservation Easements and Subdivision Regulations*** - The Plan recommends easements and stricter subdivision regulations rather than public acquisition for some sensitive areas.

The 1985 Master Plan also identifies several actions that can be taken by the Town to achieve better protection of the existing open space system and critical environmental areas, including:

- ▶ ***Watershed Land Protection*** - It is recommended that the Town seek first right of refusal in the event that any of these lands owned by other authorities are put up for sale.
- ▶ ***Surface Water Protection*** - The Plan recommends that land surrounding lakes and reservoirs should be protected through low density regulations.
- ▶ ***Ground Water Protection*** - The Plan makes several recommendations for protecting ground water.
- ▶ ***Trail System*** - The Plan recommends the realization of a Town-wide foot path, and suggests the Town seek more extensive use of reservoir and watershed lands for this purpose.

Conservation Development

Although at one time authorization to require and approve cluster subdivisions was included in the Town's land use development and subdivision regulations, that authority was later repealed by the Town Board. Authority of the Planning Board to approve a subdivision plan involving lot clustering (also known as a conservation development) must first be obtained from the Town Board on a case by case basis.

Lot clustering is viewed by the Planning Board, and the public, as a significant means of achieving a conservation oriented subdivision development that protects the Town's unique and considerable natural resources. However, it is not viewed as a tool to extract increased density from an environmentally constrained property (e.g., wetlands, steep slopes, ridge lines and high elevations, etc). Lot clustering is highly encouraged in all developments, but must be designed to significantly protect unique and important natural resources. Development and encroachment upon otherwise constrained lands (indicated above) should be avoided as a typical application of sound planning principles and a strict enforcement of the Town's environmental land use regulations.

Wetlands Ordinance

On June 13, 1995, the Town Board adopted Local Law No. 3-1995, which refined and enhanced the Town's regulation of wetlands, watercourses and associated areas within 100-feet of wetlands and watercourses. Continued public sentiment for increased wetland and watercourse protection was clearly evident during the Planning Board's review of the 1985 Master Plan, as well as during the review of development applications involving regulated wetland and watercourse activities. The Planning Board also spends a considerable amount of time evaluating alleged violation actions issued by the Town's Wetlands Inspector. Enforcement is a continuous issue of discussion as the Wetlands Inspector is increasingly pre-occupied with building department responsibilities (since he is also the Building Inspector for the Town).

Zoning Regulations

The 1985 Master Plan recommends amending the Zoning Ordinance to provide a regulatory basis for maintaining the recommended open space corridors along roadways and those established as buffers between different land uses. Suggested amendments include establishing special building setbacks, limiting tree removal, and developing maintenance requirements for open areas.

Aquifer Protection

No significant advances have been made by the Town with regard to the assessment or mapping of its aquifer resources since the adoption of the 1985 Master Plan.

Conservation Easements and Subdivision Regulations

As noted above, the 1985 Master Plan recommends easements and stricter subdivision regulations rather than public acquisition for some sensitive areas. However, public sentiment for increased municipal acquisition and the incompleteness of revised subdivision regulations, as discussed in more detail below, has not kept in step with the increasingly difficult task of protecting sensitive natural resources and desirable open spaces from development.

With regard to conservation easements, the Town Board established by Resolution, dated October 9, 1990, a "neutral policy" regarding the acceptance of conservation easements. The Town Board further established six guidelines to be utilized in evaluating the offer of any such easements, particularly those offered to the Town.

The guidelines briefly consist of the following:

- ▶ Conservation easements should be established in perpetuity.

- ▶ Conservation easements should be available for some passive use by the general public.
- ▶ Prior to accepting land or a conservation easement, the Town Board must make an affirmative finding that the property offered is of exceptional value for the preservation of environmentally sensitive lands, or wildlife, or some other outstanding attribute to eliminate it from the tax rolls.
- ▶ Very small parcels under 5 acres should be carefully evaluated regarding lost tax revenues and costs of preserving the land area and its resources.
- ▶ The establishment of conservation easements is not intended to create “pocket neighborhood parks”.
- ▶ These policies are not intended to discourage or prevent any homeowner from establishing development restrictions on his own property.

The dedication of conservation easements to land preservation oriented organizations is preferred and encouraged. As a result, the inclusion of conservation easements to such organizations as the Westchester Land Trust have been typically common and encouraged by the Planning Board during its review of subdivision proposals; particularly where the subdivision property includes assets of critical sensitivity, is worthy of open space preservation, or where provisions for public accessible trails are included. The emphasis and encouragement of the inclusion of conservation easements, as well as conveyance of land reservations, in fee, to the Westchester Land Trust is expected to continue. However, additional measures that will secure the most significant open spaces remaining unprotected in the Town before subdivision or site development is proposed, need to be identified and implemented. Open space preservation has been the most significant issue raised during the preceding Hamlet Land Use Forums, the Planning Board’s review of the 1985 Master Plan, and as clearly stated by the executive summary of the 1998 open space and development trends resident survey conducted by the Lewishoro Conservation Advisory Council.

Watershed Land Protection

The recommended policy that the Town seek first right of refusal in the event that any of these lands owned by other authorities are put up for sale is still valid and should be vigilantly pursued. Furthermore, a review of the Town’s land use and development regulations, as required pursuant to the landmark regional watershed agreement between watershed towns east of the Hudson and the City of New York, to provide for increased environmental protection to water related resources within the watershed, should be completed in connection with the various recommended updates to the Master Plan.

Surface Water Protection

The 1985 Master Plan recommends that land surrounding lakes and reservoirs should be protected through low density regulations (it is noted however, that developed areas surrounding lakes already include higher density residential development). It is presumed that the zoning classifications established following the adoption of the 1985 Master Plan considered this recommendation. Nonetheless, a simple review of the permitted zoning of the areas surrounding lakes and reservoirs should be conducted to ensure consistency with the Plan's recommendation.

Ground Water Protection

The 1985 Master Plan includes several recommendations for protecting groundwater. In addition to strengthening land use and zoning regulations which prohibit or regulate toxic and polluting substances, the Plan suggests that ground water protection be considered during subdivision design.

Trail System

The 1985 Master Plan recommends the realization of a Town-wide foot path, and suggests the Town seek more extensive use of reservoir and watershed lands for this purpose.

Although limited regulations exist protecting or requiring the preservation of existing trails, and for the establishment of new trails and trail connections, the Planning Board and the Lewisboro Horseman's Association have strongly encouraged and promoted the acquisition of easements for trails through subdivision properties (to preserve existing trails and to provide for future connections to adjacent trails and open space areas). The identification of significant trails, and increased provisions to require the preservation of trails and trail connections, is seen as a cornerstone of an overall open space plan for the Town. The preservation of open space without public access trails connecting resource areas, is viewed as a paramount failing of any such plan.

With regard to reservoir and watershed lands, New York City has implemented stricter controls and limitations on public access over said lands in the more recent past. The Town should explore opportunities to provide access to these lands, particularly where connections to adjacent open space resources exist or can be established.

RECOMMENDATIONS FOR ACTION (Open Space and Recreation)

- Sessions with the public indicate that this chapter continues to be an important component of the Town's Master Plan, and is in need of specific updating to identify a number of effective tools which promote the highest level of open space protection and preservation.*

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- *Open space preservation measures should be identified to maximize the acquisition, conservation, and protection of natural resources and open areas not yet impacted by increased growth and development pressures. The following issues, goals and objectives should be assessed:*
 - ▶ *Establishment of open space acquisition and preservation priorities.*
 - ▶ *Establishment of development standards for preserving the character of open space areas and properties surrounding designated open space parcels.*
 - ▶ *Encouragement of the Town Board to explore land acquisition as a primary means of preserving open space.*
 - ▶ *Limitation on the granting of zoning variances which make otherwise inaccessible or nonconforming properties subdividable.*
 - ▶ *Study of the effects of a real estate transfer tax which directs funds to be utilized for the Town purchase of open space.*
 - ▶ *Use of recreation fee funds for open space acquisition and enhancement purposes.*
 - ▶ *Establishment of greenbelts and greenways.*

 - *An inventory of existing and potential open space should be completed; an Open Space Plan should be drafted. This Open Space Plan should include a prioritized acquisition list based on set criteria, a method for expenditure, specific tax techniques, and the establishment of a "Land Preservation Committee". Means of protection other than direct acquisition should be identified and assessed, including conservation overlay zones designed to protect valuable open space areas.*

 - *Strengthen existing laws and ordinances, and create new environmental and land use development regulations which promote protection of sensitive natural resources as follows:*
 - ▶ *Modify the Environmental Quality Review Law of the Town of Lewisboro to be more restrictive.*
 - ▶ *Adopt a "Slope Ordinance" with provisions for regulating development activities by all slope classifications (i.e., 0-10%, 10-15%, 15-25%, 25%+).*
 - ▶ *Create "Conservation Overlay Districts" (i.e., protecting aquifers, oldfields and meadows, stonewalls and tree-rows, evergreen stands, etc).*
 - ▶ *Expand the regulated wetland buffer area from 100 feet to 150 feet or more.*
 - ▶ *Increase wetland and other exclusions from base lot area requirements.*
 - ▶ *Limit activities within wetlands and associated buffer areas by regulating development activities by category of encroachment (i.e outright prohibitions of certain uses in wetlands proper; within 50 feet of wetlands; within 100 feet of wetlands, etc).*
 - ▶ *Establish development performance standards and provisions of vegetation retention and reclamation.*
 - ▶ *Redefine buildable area to exclude inaccessible areas.*
 - ▶ *Study regulatory options regarding biodiversity and sustainable development.*
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- ❑ *A detailed assessment and mapping of aquifer resources in the Town should be completed as part of a Master Plan update and revision, and can be accomplished without revising other aspects of the Master Plan.*
 - ❑ *Once completed, the aquifer map as recommended above should be compared by overlaying other aspects and features of the Town (e.g., land use, zoning, topography, etc) in order to assess the areas of greatest risk and need of protection. Therefrom, aquifer overlay protection zones or similar measures should be studied and considered.*
 - ❑ *Analyze existing enforcement measures and procedures, and identify needed improvements and establish written guidelines for Building and Wetland Inspectors to follow.*
 - ❑ *Establish subdivision lot clustering design criteria and policies.*
 - ❑ *Identify and map trail resources, and establish tools and development standards intended to preserve and expand trail system as follows:*
 - ▶ *Target desirable growth areas where trails exist as priority trail preservation areas.*
 - ▶ *Explore means of designing and establishing a Town-wide (continuous and contiguous) walking trail system; coordinate with efforts of establishing greenbelts and greenways.*
 - ▶ *Develop a Trail Map and identify guidelines and development standards for preserving or relocating trails.*

Chapter V - Public Facilities and Services

Chapter V of the 1985 Master Plan considers the existing and anticipated public facilities in terms of location, scope and scale. Recommendations are given in the areas of **Town Government, Highway Department, Police Protection, Fire Protection, Schools, Sewer and Water, Libraries, and Refuse Collection and Disposal**. Furthermore, the section that deals with the Town's water supply clearly states the objective of aquifer protection, emphasizing the importance of the protection of such significant groundwater resources.

RECOMMENDATIONS FOR ACTION (Public Facilities and Services)

- ❑ *While most of this chapter doesn't warrant immediate action and review, the section on schools should be revisited and reviewed for consistency with the recently released Long Range Planning Study completed by the Katonah-Lewisboro Union Free School District, dated April 1999 (Final Report). The recommendations included in the section on schools were based on a declining school enrollment; whereas enrollment has continued to increase since 1990, and some schools are currently at or near capacity. This section of the Master Plan should be reconsidered based on actual enrollment, new projections should be calculated, and new policy recommendations formulated.*

- ❑ *Other school related issues include:*
 - ▶ *Work with the School Board in potential redistricting of the current School District to address issues of student population growth and forecasted future growth.*
 - ▶ *Work with State Senator & Assemblywoman to remove applicable sections of Pound Ridge and North Salem from School District.*

- ❑ *The adequacy and capacity of existing sewage disposal facilities should be reviewed in conjunction with water quality protection efforts.*

- ❑ *The adequacy of municipal services and facilities should be reviewed and coordinated with other efforts of the Town involved in the assessment of such services and facilities, including:*
 - ▶ *Compliance with ADA requirements.*
 - ▶ *Needed infrastructure improvements to Town owned buildings and facilities.*
 - ▶ *Relocation of the highway garage.*
 - ▶ *Centralization of municipal offices.*
 - ▶ *Identification and development of needed ballfields, including the use of school fields by residents and consideration for the installation of lights for night activities.*
 - ▶ *Cyrus Russell expansion plans and Onatru improvements; direct centralization of recreation activities away from Onatru.*
 - ▶ *Integration of permit development procedures among town departments.*
 - ▶ *Strengthening of land use enforcement activities.*
 - ▶ *Increased coordination and communication between town boards and departments.*

- ❑ *Add a new section to the Master Plan dedicated to the need for Lewisboro to utilize technology as a constant and effective means to communicate.*
 - ▶ *Publish public meeting minutes online, including School Board meetings.*

- ▶ *Provide and publish e-mail addresses for all public officials.*
- ▶ *Study the costs and benefits of airing via local cable television all public meetings.*

Chapter VI Community Character and Appearance

Chapter VI of the 1985 Master Plan proposes that the key to realizing the Plan's vision of the future of Lewisboro is to identify the best qualities of the community's character and overall appearance, and then maintain and enhance those qualities. This chapter includes specific recommendations for *Residential Development, Commercial Areas, Areas of Special Character, and Landmarks*. Limiting commercial development to maintain the residential quality of the Town is still a relevant goal.

Additional recommendations are detailed for residential areas, including suggestions for incorporating natural and man-made features into subdivision and site plan design. Specific suggestions include preserving stone walls, protecting natural wetlands and stream corridors from disturbances, protecting steeply sloped land, preserving the character of wooded areas, and maintaining (and possibly creating) open space fields. Other recommendations are given for separating residential development from major and collector roads (including exceptions), street construction design, and architectural review.

For commercial areas, the 1985 Master Plan provides general recommendations for visual appearance, circulation and site development standards. Further detailed specifications are provided for each of the five areas of special character (Old Goldens Bridge, Cross River, Mead Street, South Salem, and West Lane/Elmwood Road). Special Character Overlay Zones with specific restrictions on new development were added to the Zoning Ordinance.

This section of the Master Plan also provides general guidelines for any "landmark structure" which is not located within one of the above designated special character overlay zones. Guidelines for protection of landmark structures include preservation, appropriate zoning regulations, and appropriate consideration of such structures included in development proposals.

RECOMMENDATIONS FOR ACTION (Community Character and Appearance)

- The goals, guidelines and techniques recommended in this chapter might be reviewed and compiled into a "Design Manual", with review authority added to the responsibilities of the Planning Board or Architecture and Community Appearance Review Council.*
- Revise the existing Tree Ordinance to require a permit for the cutting of trees with a 6" dbh or greater.*

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- Develop zoning, subdivision and wetland ordinance revisions to increase protection of natural resources, open space and rural character, and which curbs uncontrolled increased residential development.*
 - Extend and establish new designations subject to “Special Character Overlay Zones”; and develop design guidelines for constructing in these special areas.*
 - Develop mechanisms (i.e. incentives and management programs) to protect and preserve meadows and open fields.*
 - Establish “Conservation Overlay Zones” by revising existing ordinances to prevent development on primary and secondary conservation areas such as aquifers, steep slopes, meadows/open fields, etc., while permitting development in less sensitive areas.*
 - Define and set as a priority, the preservation of the image and character defined by Route 35. Strengthen existing ordinances to eliminate and mitigate development activities which could adversely affect that image and character by:*
 - ▶ *Establishing stricter development regulations and setting acceptable density limits.*
 - ▶ *Identifying inappropriate land uses and appropriate permitted land uses that promote preservation of image and character.*
 - ▶ *Explore measures to designate Route 35 as a “Scenic Road”; and coordinate such efforts with adjacent towns.*
 - Assess the enforcement of the Sign Law for uniformity and compliance.*
 - Reduce visual clutter associated with uncontrolled signage, and prohibit development of franchise signage inconsistent with Town character; restrict lighting and use of neon signs. Update the Site Law as appropriate.*
 - Study the effects of increased expansion of development in hamlet areas, including the following:*
 - ▶ *Prevent expansion of Metro-North in Goldens Bridge hamlet.*
 - ▶ *Study the effects of increased traffic on major roads and consider changes in permitted land use and zoning to reflect the current road capacity.*
 - ▶ *Promote local small stores not regional market draws.*
 - ▶ *Foster small commercial developments in hamlet centers and other appropriate locations to provide some degree of additional tax revenue for the Town.*
 - ▶ *Pass local law creating a new “Planned Hamlet District Zone” before any expansion of such areas is permitted.*
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- *Protect watershed areas and establish greenbelts within subdivision developments. Maintain hard negotiations with developers to ensure suitable development that protects, preserves and conserves natural resources and which enhances or is consistent with existing rural character.*

Chapter VII Transportation

Chapter VII analyzes roadway capacities and limitations both to identify upgrading needs of the road system and to partly establish the framework for Town policy. This chapter identifies four basic roadway types as appropriate for Lewisboro - **Limited Access Highways, Major Roads, Collector Roads, and Local Roads**. Recommendations are given for specific roads in each category. Commuting patterns and needs are discussed. A recommended road plan is detailed and appears on the Plan's Town Map.

RECOMMENDATIONS FOR ACTION (Transportation)

- *This chapter should be subject to a more in depth review to evaluate the adequacy of the 1985 road plan, and to create a Road Overlay Map based on an updated review. Public sessions indicate that pedestrian and bicycle access and accommodations should also be considered to a greater extent.*
- *Specific transportation concerns that should be studied include potential designation of NYS Route 35 as a Scenic Highway, as well as the development of street standards, not guidelines, for common driveways, private roads and alternative public roads to address character considerations without sacrificing public safety.*
- *Establish priorities, goals, guidelines and standards for accommodation of pedestrian and bicycle transportation in residential and commercial developments.*
- *Road specifications should be revised to address community character preservation issues (e.g., county road standards, design specifications beyond engineering issues such as landscaping, adjacent walkways like trails, traffic calming techniques, etc).*
- *The design of subdivision roads should embrace the lots they support. "Pretty road that kids can play on." Establish design standards to achieve subdivisions with smaller and less intense roadways, and with a collector spine and access roads (mini cul-de-sacs and loops) off the spine (cluster houses around pocket roads off the collector spine).*
- *Define subdivision design criteria for types of roads preferred (e.g., cul-de-sacs verse connector roads, private roads and common driveways as opposed to a dedicated road, provision for future extension or not, etc).*

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- ❑ *Establish rural character standards for entryways into and out of the Town. In a sense, advertising by the character and design of the entryway that the roads in Lewisboro are rural and community oriented (local roads), thus reducing the highway or generic look of state roads.*

Chapter VIII Town Plan Map

The final chapter of the 1985 Master Plan includes a map of graphic representation of the land use recommendations and future road system as developed in the Plan.

RECOMMENDATIONS FOR ACTION (Town Plan Map)

- ❑ *Any substantial changes to the current Master Plan would warrant an updated Map and should include additional maps as indicated above (e.g., Open Space Inventory and Index; Trails Map; Road Overlay Map; Aquifer Map; etc).*

SUMMARY CONCLUSIONS

The existing or current Master Plan for the Town was adopted by the Planning Board more than ten years ago (May 24, 1985). Since that time, the Town has undergone various changes which have precipitated a series of public hamlet land use forums and town-wide focus towards increased open space and natural resource protection, as well as finding ways to secure appropriate economic development that retains the Town's rural residential character and appearance.

Significant changes include:

- ▶ Significant Residential Growth
- ▶ Increased Public Recreation and Community Facility Demands
- ▶ Increased Infra-structure Needs and Improvements
- ▶ Fluctuations in Demographic, Employment and Commutation Patterns
- ▶ Local and Arterial Road Upgrades
- ▶ Increased Environmental Pressures and Significant Calls for Open Space Preservation

Additionally, in 1994, New York State Town Law §272-a, was amended to reflect the Town Board as the authorized agency to adopt a Town's (Comprehensive) Master Plan. The 1994 Amendments also provided increased clarification and direction regarding the definition and content of what constitutes a community's Master Plan:

“...materials that identify the goals, objectives, principles, guidelines, policies, standards, devices, and instruments for the immediate and long-range projections, enhancement, growth and development of a Town which serves as the basis for land use regulation, infrastructure development, public and private investment and any plans which may detail one or more topics of a town comprehensive plan.”

In conclusion, the Planning Board recommends that the existing Town of Lewisboro Master Plan be selectively updated, since many of the policies and goals remain valid today. Furthermore, the above ***Recommendations for Action*** are viewed as being separable components which do not necessarily require the coordination or completion of other components in order to be undertaken or completed. Although some aspects are interrelated and of a higher priority, such an approach has been anticipated and is envisioned to provide a more efficient and cost effective planning process.

The selective areas of the Master Plan recommended for updating and revision, as identified herein, could be completed by the Planning Board given its technical and planning expertise. In fact, the Planning Board is readily equipped and prepared to undertake the responsibility of preparing said selective updates to the Master Plan, upon the further direction of the Town Board and authorization to utilize the Town's consultants.

**TOWN OF LEWISBORO
PARCEL - LAND USE DISTRIBUTION
APRIL 9, 1999**

LAND USE DISTRIBUTION	LOT AREA RANGES								SUB TOTALS
	0 - < 10	10 - < 15	15 - < 20	20 - < 30	30 - < 50	50 - < 75	75 - < 100	100 or >	
AGRICULTURE	6	0	0	1	0	0	1	0	8
HOUSING	4426	35	16	13	4	3	1	1	4499
VACANT	912	22	20	16	11	4	6	3	994
COMMERCIAL	NA	2	1	1	0	0	0	0	4
RECREATION	NA	1	2	1	6	2	0	1	13
ROADS	NA	5	2	2	2	0	0	1	12
PUBLIC SERVICE ⁽¹⁾	NA	2	1	1	4	2	1	1	12
SPECIAL FRANCHISE ⁽²⁾	NA	1	3	1	5	0	1	0	11
TOTAL	5647 ⁽³⁾	68	45	36	32	11	10	7	5856

SOURCE:

The data in the above Table is based on Town of Lewisboro Land Records from the Office of the Town Assessor.

NOTES:

(1) State, County, New York City Watershed Lands, NYSEG, etc.

(2) Cable Company, Nature Conservancy, Utilities, etc.

(3) Includes 598 condominium units.

TOWN OF LEWISBORO - SUBDIVISIONS

NAME	STREET	STATUS	ORIGINAL TAX PARCEL(S)			# OF LOTS	# OF BUILDING PERMITS	# OF CO's
			SHEET	BLOCK	LOT #			
1998								
Woods at Waccabuc	North Salem Road (Route 121)	Final Approval	13	10802	44	14	0	0
Waccaboro Corp.	North Salem Road (Route 121)	Final Approval	12	10802	46	4	0	0
Paltrow (one existing house)	Mead Street	Preliminary Approval	24	11155	63	2	NA	NA
1997								
Albers (one existing house)	Oscaleta Road	Final Approval	32	10804	18	2	NA	2
Energy Savings Experts Inc.	Smith Ridge Road (Route 123)	Final Approval	50	9834	79	2	1	0
The Glen (Multi-Family) 16 3-bedroom & 16 2-bedroom	Park Road	Final Approval	7A	11139	14	32	NA	32
Handler (one existing house)	Woodway	Final Approval	37, 38	10549	2, 16, 20	2	1	1
1996								
Chapel Hills	Chapel Road	Final Approval	12, 13, 23	10802	45	20	1	2
NuCraft Builders Inc.	Cornel Ferris Road	Final Approval	45	10300	95	2	NA	2
Powers Development Corp.	Main Street & Howe Street	Final Approval	36	11160	6	2	NA	2
Putnam Realty Corp.	Smith Ridge Road	Final Approval	45A, 46	9827	1, 10	11	4	4

TOWN OF LEWISBORO - SUBDIVISIONS

NAME	STREET	STATUS	ORIGINAL TAX PARCEL(S)			# OF LOTS	# OF BUILDING PERMITS	# OF CO's
			SHEET	BLOCK	LOT #			
1995								
DelBello	Red Coat Lane	Final Approval	24	11155	62, 103	2	2	0
Kohlberg	Old Church Lane	Final Approval	45A, 46	9825	5, 7, 15, 16, 20, 21	5	2	2
MacAusland	Boutonville Road	Final Approval	29	10553	18	2	0	1
Stanland (one existing house)	East Ride Road	Final Approval	25	10803	75	2	0	1
OLDER APPROVED SUBDIVISIONS (Known Large Subdivisions Not Yet Built-Out)								
Seminara Estates	Church Tavern Road	1988 Under Construction	38, 39	10549	5, 14	34	2	17
Michelle Estates	Lambert Ridge	1987 Under Construction	16	10533	19, 111	115	108 MIX NOT KNOWN	
PENDING SUBDIVISION APPLICATIONS								
LGC Corp	Route 138	Sketch Plan	7	11137	30	3	NA	NA
Martabano (one existing house)		Sketch Plan	46	9827	91, 93	2	NA	NA
Waccabuc Farm	Mead Street	Sketch Plan	22	10802	59, 83	5	NA	NA
Bedford Audbon (one existing house)	Todd Road	Sketch Plan	5	10777	3	4	NA	NA

TOWN OF LEWISBORO - SUBDIVISIONS

NAME	STREET	STATUS	ORIGINAL TAX PARCEL(S)			# OF LOTS	# OF BUILDING PERMITS	# OF CO's
			SHEET	BLOCK	LOT #			
PENDING SUBDIVISION APPLICATIONS CONTINUED...								
Leitner Hubsher (one existing house)	Route 35	Sketch Plan	39	10543	32	3	NA	NA
Boniello Falcon Ridge	Route 138, Deer Park Road	Sketch Plan	8	11137	18	28	NA	NA
Trail at Waccabuc (large estate lots proposed)	Mead Street	Sketch Plan	21	10803	3, 77	7	NA	NA
Beaver Pond II	Old Church Lane	Sketch Plan	45A	9827	69	4	NA	NA
Hardman Realty	Smith Ridge Road (Route 123)	Sketch Plan	50A	9834	19	3	NA	NA