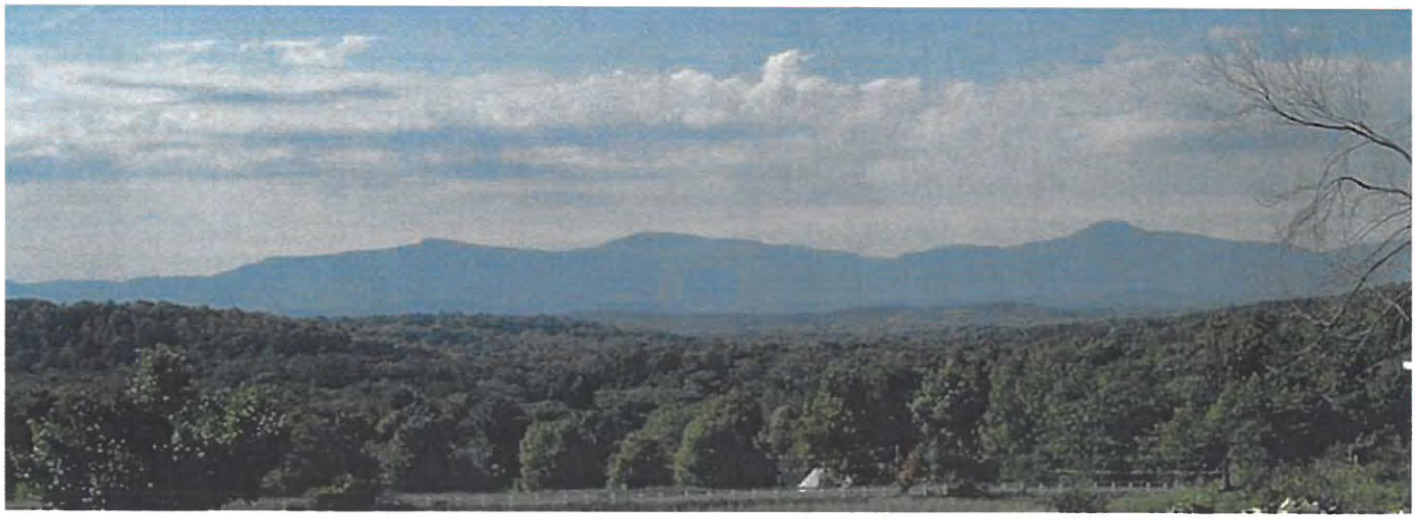
Town of Milan
Comprehensive Plan
2007

Town of Milan Comprehensive Plan

Table of Contents

i.	Acknowledgements
1.	Introduction
2.	Central Findings
3.	Course Changes for Milan
4.	Natural Resources
5.	Historical Resources
6.	Infrastructure
7.	Residential Development
8.	Commercial Development
9.	Land Use Plan
Appendix A.	Maps
Additional background material.	Appendices B-E on file at Town Hall



Adopted August 13, 2007

Town of Milan
Comprehensive Plan
Special Review Board

Jack Grumet
Bill Jeffway
Sheila Margiotta
Ray Pozzi
Ross Williams - Chair
Phillip Zemke
Deborah Bergman Administrative Assistant

Contributors

Stephen Bang
Deborah Blalock
Sheila Buff
Pauline Clark
Tom Daley
Patrick Higgins Town Historian
Barbara Hughey
Ken Kassner
Lauren Kingman Chair Planning Board
Ruth Ketay
Frank Margiotta
Richard Plass
Guy Russell
Bette Steele
Carol Talmage
Robert Trumbull
Douglas Walters
Lenior Walters
Greenplan Inc.

Milan Town Board

Van Talmage Town Supervisor
Pauline Clark Al LoBrutto Diane May Ross Williams

Supported in part by a grant from Greenway, Inc.

Chapter Highlights:

According to New York State law, municipal zoning and land-use decisions must derive from a comprehensive plan that reflects the values and priorities of the community. After it was established in April 2004, the Comprehensive Plan Board worked diligently to ascertain the values and priorities of the community through broad public participation. Both the Comprehensive Plan Board and the Town Board received extensive public comment and this has been used as the basis for recommendations regarding Milan's future land use.

Introduction to the Comprehensive Plan Report

The Milan Comprehensive Plan Special Review Board (CPB) was established by action of the Milan Town Board on April 12, 2004. The CPB was mandated "to develop a Comprehensive Plan for the Town of Milan, such Plan to be adopted in all or in part by the Town Board. The Milan Comprehensive Plan Special Review Board is directed to review existent material consisting of but not limited to the Master Plan of 1986 and all work done by a comprehensive planning committee during the years 2000 to 2001."
It is important that Milan update its plan at this time in light of the following:

- It has been 18 years since the last Master Plan was adopted.
- Population growth in Milan has been more rapid than was projected in 1986, and it appears we stand on the threshold of even faster growth.
- The largest development in the history of Northern Dutchess County has recently been proposed. It consists of a major golf and second home resort on Milan's eastern boundary with Pine Plains. Initial plans have suggested the addition of 975 homes, some of which would be on the 400 acres that lie in Milan.
- Development pressure is expanding north from the New York metropolitan area following the Taconic State Parkway. The areas in southern and mid-Dutchess County have already experienced a major impact, and there is a marked increase in subdivision activity in Milan.
- Large parcels, which were prior generation farms, are coming on the market with major subdivision development proposals planned.
- New proposals for development along the Route 199 corridor are being discussed.
- Commercial/industrial development, zoning, and environmental protection issues have become important.
- The comprehensive plan process in 2001 was not completed.
- Towns adjoining Milan, i.e., Pine Plains, Red Hook, and Rhinebeck, are experiencing some of the same growth issues and are either in the process of updating or completing their Comprehensive Plans.

The CPB was initially chartered to consist of nine citizens, including a chair. Eight people were initially appointed by the Town Board, leaving one open spot. Two appointees found it necessary to resign due to other time commitments. We completed our work with six members: Jack Grumet, Bill Jeffway, Sheila Margiotta, Ray Pozzi, Ross Williams (chair), and Phillip Zemke. Each member took responsibility for at least one committee that included Infrastructure and Services, Natural and Cultural Resources, Economic Opportunities and Commercial Development, Housing Opportunities and Residential Development, Land Use Implementation, and Publicity and Publication.

Additional citizens of Milan in turn, staffed these committees. A total of 25 people served on the CPB and its committees during the process.

The *New York State Local Government Handbook* includes the following description of a Comprehensive Plan in Chapter XVI, Land Use and Planning:

> Comprehensive planning can (and should) be performed by all municipalities, whether or not a set of land use controls is the result. Comprehensive planning logically forms the basis of all efforts by the community to guide the development of its governmental structure as well as its natural and built environment. Nonetheless, the most significant feature of comprehensive planning in most communities is its foundation for land use controls.

> Most successful planning efforts begin with a survey of existing conditions and a determination of the municipality's vision for the future. This process should not be confused with zoning or other land use regulatory tools. Instead, the comprehensive plan should be thought of as a blueprint on which zoning and other land use regulations are based.
>
> The State statutes define a comprehensive plan as "the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development" of the municipality (General City Law §28-a(3)(a); Town Law §272-a(2)(a); Village Law §7-722(2)(a)). While the use of the state comprehensive plan statutes is optional, they can guide boards through the comprehensive plan process. (General City Law §28-a; Town Law §272-a; Village Law §7-722). An important component of the process is public participation. Under the statutes, this occurs both formally, through mandatory hearings held by the preparing board and by the legislative body prior to adoption of the plan, and through the informal participation of the public at workshops and informational sessions."

The current Master Plan was adopted in 1986, and it formed a solid base from which the current CPB could begin its work. That document had a great deal of valuable background information about Milan and made a number of recommendations, some of which were adopted over the course of the last 18 years. We chose to update background information and to provide historical references in appendices rather than in the body of our report. The current CPB decided to review issues anew and create a new Comprehensive Plan for Milan.

Public Participation

Comprehensive planning work that was initiated by the Town in the year 2000, aided by Greenplan, Inc., a municipal consulting organization, was reviewed. Of particular use was the Community Values Survey that had been returned by 26% of Milan's citizens (roughly 450 respondents), a very high return rate for this type of mailed survey. Of the respondents, 55% indicated that they had lived in Milan for over 10 years. There appeared to be a roughly proportional representation of non-permanent residents ("weekenders") in the survey. Very strong preferences were expressed to retain Milan's rural character, control development, and protect the Town's environmental resources. (It is interesting to note the high degree of correlation to the results of the survey reported in the 1986 Master Plan, also included in the appendix.) Further, a Community Preference Survey using visuals was completed in a workshop conducted by Greenplan. That survey provided more specific understanding regarding the type of development the citizens of the Town preferred. The CPB confirmed these results in public forums conducted in May 2004, and concluded that the data collected in 2000 was still a valid reflection of the views of Milan's citizens. The CPB decided to utilize this data rather than conduct new surveys in view of the significant response rate and in the interests of time and objectivity.

The CPB conducted two public forums in May 2004 to give Milan citizens a further opportunity to define what they liked most about the Town, what they wanted to preserve, the concerns or hopes they had for the future of Milan, and to suggest specific ideas for the future. There was a high degree of consensus when people were asked for their top priority: the rural, quiet character of the town with its open and wooded landscape was the dominant theme. Concerns about the future focused on environmental protection, control of growth and zoning. The results of these forums, as well as the data from the surveys noted above, are included for reference in the appendices to this report.

Further input was sought from the public through a booth manned by CPB members at Community Day in September 2004. A regional workshop, conducted in October 2004, was attended by four neighboring towns and representatives of the Dutchess County Planning and Development Department, State Senator Leibell's office, and the Greenway Council. The participants provided valuable guidance and helped to prioritize the 3 top issues for the Milan Comprehensive Plan. These can be summarized as:

1) Plan for open space . . . avoid sprawl.
2) Avoid "cookie cutter" zoning.
3) Keep dialogue open with surrounding towns and continue intermunicipal cooperation.

The Commissioner of the Dutchess County Department of Planning and Development, Roger Akeley, endorsed the use of several of the new planning and zoning concepts outlined in this document. He specifically commented on avoiding sprawl, the importance of compact growth centers to the preservation of rural character, and the importance of requiring preservation of open space in development regulations.

The CPB conducted three public workshops (two in November 2004, and one in January 2005) to review the preliminary recommendations of the Board with the community. The workshops focused on four concepts, which will be discussed in subsequent chapters:

1) The establishment of a maximum desired density for the purposes of town planning.
2) The creation of priority growth area(s) in the town.
3) The establishment of a large lot zoning overlay zone (a Rural Space Overlay Zone).
4) The establishment of Planned Purpose Development districts for two purposes: traditional walking neighborhoods and senior housing/assisted living.

The public provided substantial support for these new directions. The most common concern noted was population density. Two of the sessions also reviewed individual committee recommendations in breakout groups. Again, the public was highly supportive of the committee's directions.

A draft of the plan was prepared and delivered to the Town Board for review on March 11, 2005. It was simultaneously made available to the public at no charge through the Town web site, at Town Hall and in the local libraries.

On April 9, 2005 the CPB Chair participated in a Lafayetteville community discussion sponsored by the Town Supervisor. This discussion occurred in a heated environment due to the publication of an anonymous opposition flyer that misstated the contents of the CPB's draft plan. A committee of volunteer citizens met with the Supervisor the next week to discuss what they would like to see going forward for Lafayetteville. The meeting was well attended and valuable feedback was received by the CPB, which has been incorporated into this recommended plan.

Public hearings were held on April 14 and April 16, a weeknight and a Saturday morning, to permit as many to attend as possible. A total of 43 people made 54 comments at these sessions, with many others present to listen. A majority of the total comments were positive, and a large proportion of the speakers were supportive of the plan. The CPB considered all comment, both positive and negative, made in the Public Hearings. A record of those comments is provided in the appendix. CPB responses regarding some of the issues raised are also provided in the appendix.

A major study of gravel and sand resources in Milan, conducted by a consulting geologist hired by Red Wing Sand and Gravel, was submitted at the final public hearing on April 16, 2005 and a meeting with the CPB was suggested by Art Brod, a consultant retained by Red Wing. Despite the late submission of this information, the CPB invited Red Wing representatives to make a presentation to the CPB and the

public on April 26. The main points of that presentation and related public comment have been incorporated into the plan.

The Town Board received the Comprehensive Plan Board's Report on May 9, 2005. Public hearings were conducted on August 20 and 23. A total of 72 speakers (excluding second-time speakers) made comments: 71% were completely supportive of the plan as reported; 19% opposed one or more aspect of the plan (most commonly the Rural Space Overlay zone, 14%); and the balance (10%) raised questions, were undecided, or made other comments.

Subsequent to the August hearings, major changes were proposed by the Town Board and a new draft plan circulated for comment and additional public hearings. The modified plan failed to gain the needed majority after Dutchess County Planning required it obtain a majority plus one to pass. With new Town Board members taking office January 1, 2006, the original CPB report was accepted by the Town Board, minor amendments were made, and the process for adoption -- Dutchess County Planning review, public hearings, and Milan Planning Board comment -- was renewed.

A mailing was sent to all citizens in advance of each of the major public participation events—the public forums in April 2004, Community Day in September 2004, public workshops in November 2004 and January 2005, and the public hearings in August 2005 and January 2006. In each case the mailing reported the current status and findings of the plan, invited all citizens to the events, and reiterated the availability of materials on the web site. Citizens were encouraged to attend meetings and make comment in person, through e-mail, or in writing. In addition to comments at meetings, approximately 50 e-mails containing suggestions and comments were received during the development of the plan, and more were received after the CPB report was published; they were overwhelmingly positive regarding the plan and its importance to Milan.

The Plan's Organization

The next two chapters of this plan address the overall issues; later chapters deal with the issues in depth.

Chapter 2 addresses the following issues:

1) The values and priorities identified from all of the sources of community input.
2) The central vision and goals of the overall Comprehensive Plan.
3) An overview on growth, density and residential build-out and their impacts.
4) The central findings of the CPB's research.

Chapter 3 is the CPB's response to the central findings in Chapter 2. Chapter 3 provides an overview of the more significant new directions recommended in this document. These are discussed further in subsequent chapters, which report on each committee's research and analysis. Their work draws on the results of the surveys, public forums, workshops and hearings, and other citizen input to formulate the CPB's recommendations.

Five appendices have been prepared to document the Comprehensive Plan process. While the materials therein are not part of the Comprehensive Plan as adopted by the Town Board, they are made available for future reference by the citizens of Milan. Included in the five appendices are:

A) Maps of the Town, its features and the proposals being made in the plan.
B) Data from the public surveys, forums and workshops, and the public hearings.
C) Background papers and data, plus information from the 1986 Master Plan, as appropriate.

D) CPB meeting agendas and minutes.
E) Materials subsequent to CPB Report, including transcripts and minutes of Public Hearings

Appendix A, containing the maps, is included with this document. The others are in separate packages available at Milan's Wilcox Memorial Town Hall. The information in the remaining four appendices is quite bulky and is not included. However, the information is available at Town Hall for review by anyone who requests it.

Initial Transmittal to the Town Board and the People of Milan

The members of the Milan Comprehensive Plan Special Review Board appreciate the time the Town Board has taken to attend four Joint Board Workshops. These meetings provided us with valuable feedback and questions as the plan was developed. We take great pride in presenting this Comprehensive Plan to our fellow Milan citizens and to the Town Board of the Town of Milan. We expect that following appropriate reviews and comment this plan will be adopted by the Town Board to guide our community planning for many years in the future. However, this plan should not remain as an unchanging document. As more information becomes available, as land planning techniques improve, and as land is developed in Town, the Comprehensive plan will need to change. To ensure that it continues to express the dreams and wishes of the people that call Milan home, we recommend that the adopted plan receive a review and update at intervals no greater than five years.

Jack Grumet _____
Bill Jeffway _____
Sheila Margiotta _____
Ray Pozzi _____
Ross Williams _____
Phillip Zemke _____

May 3, 2005

Final Adoption of the Town of Milan's Comprehensive Plan

The members of the Town Board are pleased to complete the long and sometimes grueling process of adopting a new Comprehensive Plan for Milan. We congratulate the members of the Milan Comprehensive Plan Special Review Board on the quality of their work; we thank them for the extensive time they invested and for their contribution to the future of our community.

January 26, 2006

Milan's Comprehensive Plan was initially adopted on January 26, 2006 and was ruled void by Justice James V. Brands, Supreme Court of New York, Dutchess County because of procedural errors. The Comprehensive Plan, redated 2007, and containing this paragraph, was reintroduced March 12, 2007.

Chapter Highlights:

Milan's citizens value the rural quality of life the Town offers and want to keep Milan rural. Underlying the rural character of Milan is its rugged and varied topography, environmental resources and open space. Explosive growth threatens our rural character and risks causing ever higher taxes to support our schools. Milan's current zoning is outmoded and does not enable us to protect the environmental resources and rural residential character so valued by residents.

Central Findings of the Comprehensive Plan Board

A. Introduction

Milan's citizens have spoken clearly about what they want for the future of their Town. Repeatedly, in surveys, in public forums, workshops, letters, e-mails and conversation, as documented in the appendices to this report, people speak up to say that they live here because of the rural character of the Town. Protecting the rural residential quality of life, the environment, and the scenic beauty of the Town is *the* priority. Rather than talk about the need for jobs or business opportunities, the very large majority of people talk about Milan as a residential community, as a Town between other towns that provide those opportunities. Residents see Milan as a Town whose topography and transportation infrastructure are not conducive to commercial enterprise other than small, local, service-oriented establishments. Residents want to protect and retain the natural beauty and serenity of their rural residential community.

The values and priorities of the Town have been summarized and reviewed in numerous surveys, forums, workshop, presentations and meetings. They are as follows:

1) Maintain the rural character of Milan.
2) Remain (primarily) a Residential Community.
3) Enable small-scale and limited commercial activity.
4) Protect open space and natural resources.
5) Keep Milan affordable and accessible to current residents.

B. Existing Conditions and Trends

Growth and consequent impacts on the environment and the community, given today's zoning and land-use regulations, threaten the realization of the values and priorities Milan citizens have expressed. The following discussion of existing conditions and trends addresses environmental resources protection, population growth, the potential future build-out of Milan, taxes and new zoning concepts.

1) Environmental resources protection. Milan has a very rugged and varied topography, with numerous streams and wetlands, steep slopes, ridgelines, wildlife and habitats. Sole source aquifers supply Milan's drinking water; our water resources affect downstream water quality through the watersheds to our west and south in Dutchess County. These environmental resources contribute to Milan's natural beauty, attractiveness, and rural character. That's why Milan residents rate protection of our environmental resources as a very important priority for the future. Yet we have few protections in place for these important resources of our Town. We do not know today what exists in a comprehensive way, as Milan is one of the few towns in Dutchess County that has not completed a Natural Resources Inventory (our Conservation Advisory Council is in the process of doing this work). Wetlands in some areas of town have not been mapped. Protection of our environmental resources should guide where and how we permit development.

2) Population. The current population of Milan is approximately 2,527. Milan's natural beauty, proximity to the New York metropolitan area and location along the Taconic State Parkway are causing dramatic growth, rising land and home prices, and dramatically increasing rates of development. As depicted in Table 2.1, Milan grew significantly faster in the decade of the 1990s than any of our surrounding towns, and more than three times as fast as their average growth rate. Rapid growth is continuing, with the estimated population of Milan increasing more than 7% in the three years since the last census in 2000. This increase exceeds previous estimates of population growth by a wide margin.

Table 2.1 Milan Area Population Growth

TOWN	1990	2000	% Change	Est. 7/1/2003	% Change
Milan	1,875	2,356	25.7%	2,527	7.3%
Clermont	1,443	1,726	19.6%	1,798	4.2%
Pine Plains	2,287	2,569	12.3%	2,674	4.1%
Red Hook	9,565	10,408	8.8%	10,990	5.6%
Clinton	3,760	4,010	6.6%	4,168	3.9%
Rhinebeck	7,558	7,762	2.7%	8,118	4.6%
Stanford	3,495	3,544	1.4%	3,708	4.6%
Gallatin	1,658	1,499	-9.6%	1,471	-1.9%
TOTAL	31,611	33,874	7.2%	35,454	4.7%

Source: New York State Data Center web site, 10/28/2004
http://www.nylovesbiz.com/nysdc/popandhous/ESTIMATE.asp

The data in Table 2.1 represents census population and estimates; it does not fully account for the population of second home owners who reside elsewhere and are not counted in Milan's census statistics. This data also does not include the pending development in Town. In 2004 there was a dramatic increase in the number of applications for residential site approvals, from an average of under 20 a year over the last 10 years, and 23 in 2003, to 72 in 2004. This does not include any activity from the proposed (but not yet detailed) application expected from the Durst Corporation for the Carvel property, which at the time of initial announcement proposed 975 homes on the property, which lies along the border of Pine Plains and Milan.

The population density in Milan at the time of the 2000 census was approximately 65 people per square mile, the lowest in Dutchess County. When the population represented by second home owners is included, the density is approximately 80 people per square mile. New York State defines a rural community as one with a population density of less than 150 people per square mile. With appropriate land use controls, we can roughly double our population and remain "rural" by the state's definition. However, statistical analysis of population density is only one aspect of defining and protecting rural character.

3) Development patterns: Historically, Milan has been a rural town consisting of primarily farms and woodlands, with small areas of more compact development in hamlet centers located at key intersections. Agriculture's role in Milan's land use has diminished substantially and today few traditional farms remain. Residential development has shifted to the open countryside and away from the hamlet centers.

The Town Zoning Code encourages compact mixed-use development in the hamlets. Lafayetteville and Rock City were formerly centers with greater vitality than exists today: each can be revitalized with flexible planning and controlled development options. The proximity of Lafayetteville to the planned golf and recreation community on the former Carvel property and its location between the Taconic Sate Parkway and Pine Plains suggests growing pressure for hamlet development in the future. Effective planning in Rock City will require intermunicipal coordination and planning with the Towns of Red Hook and Rhinebeck.

4) Build-out analysis. Using 2003 data, the Dutchess County Environmental Management Council completed a build-out analysis for the northern Dutchess communities. Table 2.2 shows that Milan has over 9,800 buildable acres (buildable acres subtracts land that cannot be built on because it is protected, is

too steep or too wet, or for other reasons) spread across its various zoning districts. Using a standard 20% reduction to reflect the needed addition of infrastructure to support development, and to allow for odd lot size in some cases, the maximum number of potential new lots is then calculated by dividing the acres by the minimum lot size. In Milan's case, this would yield an additional 2,356 building sites.

Table 2.2 2003 Milan Build-Out Analysis

Zone	Min Lot Size	Total Buildable Acres	Minus 20%	Potential New Lots
A3A	3	4,587	3,669	1,223
HA	1	230	184	184
LC	5	58	47	9
R2A	2	631	505	252
A5A	5	4,299	3,439	688
TOTAL		9,805	7,844	2,356

Our current residential sites number nearly 1,100, so the total residential sites, if built out, would be approximately 3,450. If our density today is 65 people per square mile, this would suggest that Milan could grow to a density of around 200 people per square mile, not including second home owners; if they are included, the density rises to approximately 250 people per square mile. Of course, such build-out projections are theoretical and long-term. However, the magnitude of the build-out indicates that under our current zoning we would at some future time become a suburban community, no longer "rural"

5) Taxes. A Marist College study completed in 2001 for the Town of Unionvale, when reconstructed for Milan, shows that the town is well positioned in the efficient use of its tax base, compared to other towns in Dutchess County. A significant finding of the study was that such tax health is directly correlated with density of population in Dutchess County. As population density increases, there are more demands on town services. In their comments on the plan, many residents have expressed concern about the cost of property taxes in Town.

The significant driver of property taxes is the support of our school districts. Using state measurements that exclude debt service, transportation, and special education, the three school districts serving Milan have roughly the same cost of educating a child, around $7,000 per year. Red Hook has published a planning document for use with its municipal officials which states that a typical new home has 1.5 children, who cost the school district $10,350 each year. In Milan, a new house would have to be assessed at approximately $600,000 to provide that amount of tax revenue and break even on school taxes. Houses assessed at less than that add to the taxes paid by others in the school district. Rapid development of average-priced homes brings with it increased taxes to educate the added students. Rapid development also causes the need to build new school facilities and buy more buses, which is over and above the cost of education as defined above. Clearly, there is little a school district can do to control development—that power rests with the municipal officials in the Towns they serve. We see the impact of school taxes in Table 2.3 below.

Table 2.3 Town of Milan Taxes 1999–2004

	Year 1999	Year 2003	Year 2004	One-year Increase	Five-year Increase	% total 2004
Total tax levy	4,125,863	4,742,330	5,413,765	14.2%	31.2%	100.0%
County	680,417	565,164	689,923	22.1%	1.4%	12.7%
School	2,926,949	3,519,189	4,015,549	14.0%	37.2%	74.2%

Town & district	518,496	657,977	708,293	7.6%	36.6%	13.1%

There are essentially two ways to slow school tax growth. One relates to residential development. Rapid residential development brings large numbers of new students to the community, but the average new home pays less in school taxes than the cost of education. By slowing residential development, school taxes will rise less rapidly. On the other side of this equation is the addition of new, large-lot homes that more than pay their way in taxes.

A second way to influence residential tax growth is through added commercial development, which provides some additional tax revenue. However, it is important to understand the limited impact of commercial development on the tax base. The Red Hook School Board report highlights that the new Hannaford Market's annual taxes pay for the education costs of only 24 students. It takes a lot of commercial development to meaningfully affect taxes. Milan citizens have made clear that they do not want large-scale development and that they want to protect Route 199 from strip development. With the exception of the Route 199 corridor, the topography and road system of Milan are such that there are few areas of town that are conducive to commercial development.

6) New zoning concepts. A great deal of change is now underway across our county, state, and nation with respect to zoning regulations. Zoning grew largely out of the desire to manage the explosive suburban growth that occurred after World War II. What has been learned the hard way is that traditional zoning, which sets fixed lot sizes and uses in discrete areas of a municipality, causes sprawl, suburbanization, and destruction of our landscapes. The consequences of traditional suburban-style zoning do not contribute to our rural quality of life. New, more flexible approaches to the management of growth and development are gaining rapid acceptance, and can help us to maintain Milan as the rural residential community our citizens want for their future.

C. Goals and Visions

The following goals and visions for Milan's future growth reflect the values and priorities of the citizens as recorded at numerous workshops and forums:

1) Maintain the rural character of Milan.

Rural can be described as a landscape where the predominant feature is the natural environment such as open space, farmland, woodlands and water bodies, and the intrusion of development is minimal. In rural areas, population density is low and commercial and residential uses are concentrated in villages or hamlets. When the residents of Milan are asked what they mean by "rural," they have varying responses: To some it is open fields and active agriculture; to others it is forested slopes, undisturbed wetlands and ample wildlife habitat. To some, rural implies historical agricultural structures and fences along the road; to others, rural means dark skies at night, quiet and solitude. Most embrace all of these as elements of rural character. Protection of these natural resources is an important aspect of preserving Milan's rural character.

Relatively low population density is one element of rural character. New York State classifies rural as less than 150 residents per square mile. Milan, depending on whether "weekenders" are included, has a density today of 65 to 80 people per square mile, the lowest in Dutchess County. If full build-out were permitted, the Town would approach a density of 250 people per square mile, and much of its rural character would be lost. Milan has room to grow, but future density must be restrained if Milan is to protect its environmental resources and remain rural. Uncontrolled growth is the antithesis of rural character.

2) Remain (primarily) a Residential Community.

With its hilly, rocky terrain, large and numerous wetlands, and with only one major road (Route 199) on which commercial activity is feasible (and portions of that pass through sensitive environmental lands), there is consensus that Milan is not conducive to commercial and industrial development. People want to see Milan remain a predominantly residential community because the impacts of any substantial amount of highway business and light industrial activity will directly affect the quality of life in residential areas or will cause more intense development along Route 199 than is desirable.

The Town's two hamlets along Route 199, Rock City and Lafayetteville, are primarily residential, although they do have limited commercial mixed use. Lands off the highway have, in the past, converted from agriculture to open space (or remained undeveloped) due to the lack of prime farmlands and the difficult topography. Development of these lands, driven by the classic suburban zoning model that eats up space and creates sprawl, threatens the Town's vision of its future as a rural community. Keeping our rural land rural requires a change of development patterns in the Town. Milan must protect more of its open space and environmental resources, constrain the growth of residential units, and sensitively locate development if it is to maintain its rural character.

3) Enable small-scale and limited commercial activity.

The Town is not opposed to commercial activity; however, residents indicate a strong preference for commercial activity that serves the people of Milan. Focusing commercial activity in the mixed-use environment of the hamlets and in home-based businesses, with limited, well-designed highway business activity along Route 199, is consistent with the vision Milan residents have for our town.

4) Protect open space and natural resources.

Important elements in our rural character are the quality of our water resources and our natural landscape. Milan citizens want to see their environmental resources protected. Water resources and wetlands, open space, ridgeline vistas, steep slopes, and contiguous habitat protections are all highly valued. Frequently mentioned are dark skies at night and the quiet that still remain in Milan, but have vanished in other areas due to insensitive and uncontrolled growth.

5) Keep Milan affordable and accessible to current residents.

Three elements affect affordable housing:

1) The need to control property tax growth.
2) The need for senior living opportunities.
3) Availability of affordable housing.

These issues should complement one another in the Town's planning. Without large-scale commercial development, constraint on rising taxes (heavily influenced by school taxes and, in turn, by the expansion of moderately priced residential housing) depends on the development patterns permitted by the zoning and subdivision regulations adopted by the Town Board.

People in Town value a diverse community. It is important that the Town continue to provide the opportunity for moderate-income families to own homes in Milan; affordable housing to support young families and our municipal workforce is needed. Such housing opportunities can best be provided on smaller lots in traditional neighborhoods. Growth of this nature in compact small neighborhoods is

consistent with classic rural development patterns, which have unfortunately been lost in the zoning practices of the last half century. Milan is fortunate to be able to respond to and modify such development patterns for the future.

D. Summary

Milan today is at a crossroads. It is a rural and primarily residential community with significant natural assets. The Town's rural character is being challenged by growth, growth that has been significant over the last decade and, from current indications, is accelerating. The Town Board, in choosing to update the Comprehensive Plan at this time, has directed the community's attention to planning for the future and new directions to realize its goals and visions. The findings of the CPB's research and the directions embraced by our citizens have resulted in an integrated set of recommendations to accomplish the values and priorities of Milan residents. Subsequent chapters detail the CP recommendations, beginning with a chapter that outlines course changes in land-use management policies that will enable the Town to retain Milan's rural residential character.

Chapter Highlights:

If we are to protect our environmental resources—our water and wetlands, forested slopes, open space and scenic vistas—Milan must enact strong new environmental regulations and zoning changes. Under current zoning, rapid growth and increasing population density promote development patterns that threaten to create sprawl. The CP endorses current zoning that encourages compact development in Milan's small hamlets and recommends a new zoning concept -- planned purpose development -- to further the availability of senior and affordable housing, and the development of traditional walking neighborhoods. The CP also recommends creating a rural space overlay zone to require large-lot zoning with conservation subdivisions across the remaining rural residential landscape of Milan.

Course Changes for Milan

A. Introduction

Today the Town of Milan is faced with the dilemma of rapid and accelerating growth and land development, and the need to protect the town's natural resources and preserve its rural character. After careful study and analysis of modern techniques for managing growth and avoiding sprawl, the CPB recommends a number of initiatives and new zoning concepts, tailored specifically for Milan, that we believe will enable the Town to manage growth while maintaining our rural character. The proposed CPB initiatives will provide a diversity of housing opportunities and will permit reasonable residential growth and the development of small-scale commercial activity. The concepts discussed below are discussed more fully in later chapters.

B. Environmental Protection Regulations

The Comprehensive Plan Board endorses a science-based approach to the location of development in Town in a way that protects our environmental resources. We believe that doing so complements our ability to maintain the rural character so important to Milan citizens. (Recommendations regarding the protection of natural resources will be detailed in that chapter.) Two concepts new to Milan are important to mention here. First, the development of a comprehensive natural resource inventory will provide the scientific basis for the Conservation Advisory Council (CAC) to contribute to the Planning Board's subdivision and site plan review processes. The CAC will be able to better assess the environmental constraints of land proposed for development, particularly when clustering or conservation subdivisions are proposed. This provides another tool to aid in the protection of sensitive environmental or natural resources.

Second, the CPB recommends adoption of critical environmental areas, a concept enabled under the NYS Environmental Quality Review Act. When adopted through local resolutions, critical environmental area designations provide that special consideration be given to designated areas when development that could affect them is proposed.

C. New Zoning Concepts

The CPB recommends three new concepts to address the problems of traditional zoning practices and to provide more flexibility and direction to future development. Each will require further study to prepare and adopt new regulations.

1) Add a zoning classification for Planned Purpose Developments (PPDs) for three specific uses:

- senior living
- affordable housing
- mixed-use traditional neighborhoods focused in the historical hamlets.

Planned Purpose Developments can work to the mutual benefit of the Town, the residents, and a proposed sponsor. Today in Milan, however, no provisions in our zoning regulations provide the flexibility to reasonably accommodate such potential land uses. As proposed, Planned Purpose Developments would take effect only when a landowner, in concert with a developer, proposes one of the three planned uses listed above on one or more properties; the proposal must then meet with the Town's approval. Absent an initiative by a landowner to pursue a Planned Purpose Development, existing zoning remains in effect; the landowner's rights are in no way curtailed.

Under the concept of the Planned Purpose Development, the normal zoning regulations, while available as a guide, can be modified for purposes of greater design flexibility to meet the needs of the Town, the affected residents and the developer. Because of the importance of such developments to the Town, the CPB recommends that they be reviewed and recommended by the Planning Board for approval by the Town Board. Enabling legislation for the three types of Planned Purpose Development should incorporate criteria for consideration by the Planning Board and the Town Board in reviewing specific applications.

2) Create a Rural Space Overlay Zone to further limit the development of large undeveloped parcels. We recommend that all residentially zoned parcels of more than 20 acres, except those in the hamlet districts, be assigned to the overlay zone if not otherwise protected . Parcels in the proposed Rural Space Overlay Zone can still be subdivided with one subdivision for each 10 acres. The rural space overlay zone is intended to protect our environmental resources, avoid sprawl, and maintain the rural residential character of the Town.

The CPB proposes an overlay zone rather than simply rezoning to larger parcels throughout town. An overlay zone means we do not need to change our underlying zoning. It also protects small landowners' use of their property and allows them to subdivide for family members or other uses. Rather than focus large lot zoning in one area of town, the entire town benefits by maintaining some of the existing open space across town.

By creating a Rural Space Overlay Zone, the Town can also balance the compact development pattern in the two hamlet areas with limited density in most of the rest of the Town. This zoning provision, when coupled with conservation subdivisions, discussed below, will provide powerful tools to protect the natural resources and the rural character of the town, while also reducing the potential build-out and future density of Milan.

3) Incentive or bonus zoning is another concept that provides a tool for the Town to accomplish its objectives to provide housing for moderate-income families or for senior citizens. Incentive zoning allows large developers to have greater density on the property (consistent with good design and environmental constraints) in exchange for providing some units that can be sold or rented at a reduced cost. The CPB recommends that the Planning Board be given the authority to grant incentive zoning to developers proposing major subdivisions. In such cases, an agreed number of smaller or less expensive additional units (e.g., 10–20% of the total units) are built, with preference for buying or renting such properties going to municipal employees or to senior residents. Controls on future rents or sales prices can also be established.

These new zoning regulations can work together to form an integrated land-use management approach for the Town. For example, some property could fall in more than one zoning district –e.g. a hamlet district and a planned purpose development. When a developer agrees to meet the Town's specific objectives for a planned purpose development - senior or affordable housing, or creation of a traditional walking neighborhood -- the Town could relax appropriate zoning requirements that prevent such development under today's zoning.

Land use management has seen many innovations recently as communities strive to establish and protect their visions and goals. Regulations are developed to encourage new opportunities and to defend against new threats. The CPB recommends the Town be open to new and innovative land use practices to promote the goals of the Comprehensive Plan.

D. Conservation Subdivisions

The CPB recommends that the Town Board pass zoning and subdivision regulations that will require developers to protect our environmental resources and rural landscape through the use of conservation subdivisions. Under New York State law, conservation subdivisions are a form of clustering. The goal of a conservation subdivision is to site the development in ways that retain valued natural features of the land. Today, conservation subdivisions can be required by the Planning Board; they should be required for all development proposals in the proposed Rural Space Overlay Zone. Setting clear environmental standards in our Comprehensive Plan, Town regulations and Planning Board procedures will expedite the application process for developers who further the vision of Milan and plan their subdivisions accordingly.

E. Density Planning Guidelines

The Comprehensive Plan Board recommends that the Town establish a density benchmark as a guide for future planning and assessment of the effectiveness of the tools outlined. The U.S. Census can provide only an imperfect measure of the Town's actual developed status, since approximately 20% of the Town's population (weekenders and part-time residents) is recorded elsewhere in the census. If we are to use the Census as a measure of density, it would seem prudent to adopt a density benchmark of 120 people per square mile, about twice the population recorded in the 2000 census. The real population, in terms of housing developed, would bring the total population, including those not counted in the Milan census, to approximately 150 per square mile. Workshop feedback has strongly endorsed keeping the level below 150, including all housed populations, to preserve the natural resources and rural character of Milan. This density benchmark is intended only as a planning guideline. It is neither practical nor legal to legislate population size. Having a population benchmark in mind, however, can be useful for examining the effectiveness of zoning and land use decisions over time, and can inform future changes to the comprehensive plan.

F. Summary

This Comprehensive Plan is intended to serve the interests of all the citizens of Milan. The CPB developed these recommendations with the public's input in the plan process as well as from research into trends and conditions that exist today. Keeping Milan rural is the central priority of Milan's citizens, which relates very closely to the need to protect our environmental resources and open space.

To accomplish these, the CP proposes limiting development on large rural properties in Milan. The resulting large lots will be of high value, and will also pay relatively higher taxes for our schools and local governments, potentially reducing the relative burden on landowners with smaller properties. The plan also reflects residents' desire to live in a diverse community and for our current residents and their children to have an opportunity to be able to find and afford housing in Milan. Town government does not have the authority to control market prices, and today large lots are no longer affordable for many of the town's residents. Without large lots, however, we will sacrifice our rural residential character and the landscape that makes Milan unique and valued by its citizens. To balance this, therefore, it is imperative that the Town provide some small lot and multifamily housing that is affordable for people of moderate income. We believe this plan, when implemented, will provide the tools to make these goals possible.

Chapter Highlights:

The natural resources of Milan—its rocky slopes, water, wetlands, forests, and open space—are valued highly by Milan citizens; these same qualities drive its growth. To ensure that Milan does not sacrifice these unique qualities to overdevelopment by those who would wish to make Milan their future home, the CP recommends regulation of natural resources to protect them for future generations. These regulations address water and wetland resources critical to the quality of our rural water supply, and provide related protection from erosion of steep slopes and ridgelines. The completion of environmental studies and the adoption of critical environmental areas are recommended to better understand and protect our environmental jewels and strengthen the Conservation Advisory Council's guidance on the siting of future development.

Natural Resources

A. Introduction

The residents and landowners of Milan have consistently rated protection of the environment and maintenance of the rural character of the Town as interrelated and primary objectives for their Comprehensive Plan that will guide land-use regulation in the Town.

To better address environmental considerations, the Town of Milan joined the Greenway Compact in 2004. The Greenway Compact is a voluntary partnership between the Greenway Council and local communities. The Compact provides valuable guidelines and support for preserving natural resources. Among the guidelines are approaches for saving farmland from development, protecting wildlife habitat and avoiding habitat fragmentation, protecting stream corridors, and protecting wellheads and aquifers. In 2004 the Town also reconstituted an active Conservation Advisory Council. The CAC has served as the natural resources committee supporting the Comprehensive Plan review. In addition, they began to provide the Town Planning and Zoning Boards with their assessments and recommendations with respect to the environmental considerations of development and other initiatives in the Town.

B. Existing Conditions and Trends

In the past, environmental considerations have been incorporated into Town zoning and decisions on largely an intuitive basis. Much of the Town of Milan is hilly with steep slopes, rock, and shallow soils (see the description of Milan in the appendix, Physiographic Features, a revision of material from the 1986 Master Plan). The topography supports many perennial and seasonal streams; Milan is within the watershed of seven important streams that are part of the larger Hudson River watershed. In addition, the area contains large numbers of wetlands, many smaller than protected by the NYS DEC today. The Town does not have wetlands, stream, steep slopes or ridgeline regulations. Although parts of Milan contain harvestable woodlands, we lack controls on timber harvesting to protect sensitive soils and watersheds. According to a presentation by Red Wing Sand and Gravel, 1.1% of the Town contains accessible sand and gravel deposits.

Today, the only tool in Town zoning for the protection of sensitive environmental resources is the Land Conservation Zone, a designation that has been used to prevent development in some areas with sensitive water resources. This tool should be replaced by thoughtful and scientifically based water resources regulations in the Town. Only in recent years has the information required to more scientifically assess such factors become available with the expansion of GIS data and services through the Dutchess County Planning Department and the Environmental Management Council. Data reviewed on the DEC Environmental Navigator shows no hazardous waste sites or potential pollution sources in Milan other than the Town's active solid waste transfer station. Some citizens, however, registered concern regarding the dangers of extensive use of pesticides, fertilizers and herbicides.

To make more science-based decisions requires data. A natural resources inventory has not been completed for the Town; however, it has been initiated by the CAC with completion scheduled for fall 2005. It will provide robust scientific underpinning for environmental assessments and recommendations consistent with the requirements of the State Environmental Quality Review Act whenever Town boards make decisions. The Greenway Compact also provides guidance regarding the use of such data to protect the environment and manage growth consistent with its protection and the wishes of the citizens of the region.

The Town is a participant in the Wappinger Creek Watershed Management Council, recognizing the importance that Milan's watersheds play with respect to the water resources of our regional community.

Wetlands regulations have been adopted in many Dutchess County municipalities, in part to address the weakening of federal wetlands protection by the Army Corps of Engineers. In addition to a natural resources inventory, which is compiled largely from existing data, the National Wetland Inventory is a valuable tool for assessing wetlands. However, this has not been completed for the northern portion of Town, one of few such areas in Dutchess County. This data is particularly important if the Town is to have meaningful wetlands regulations. The Town's population relies on private wells. To maintain water quality, regulations to protect wetlands, streams, lakes, and aquifers are of critical importance for the Town. A further area, which has received little attention in the past, is the Town's biodiversity. The presence of threatened or endangered species and their habitat, and other biodiversity observations, need to be incorporated into the natural resources inventory.

C. Goals and Visions

The Community Priorities Survey conducted in the year 2000 demonstrated the high degree of support for environmental issues, with 88.9% supporting a requirement for developers to dedicate land to open space. The physical features of the Town listed in the survey were considered important to maintain by large majorities of the respondents (see appendix). This sentiment was reinforced in the May 2004 Public Workshops, in which the environment was the greatest concern of the participants. The rural character and environmental resources, including open space and wildlife habitat, were among the things most valued by residents.

Development of the Natural Resources Inventory will help bring more scientific considerations to Town zoning and land-use planning. The Comprehensive Plan establishes the foundation that can enable the Town to protect its environment and biodiversity and to encourage a meaningful and science-based role in support of the development of Town land-use regulations and decisions by the Town, Planning and Zoning Boards.

The Comprehensive Plan, when adopted by the town, can also establish the foundation for the protection of Critical Environmental Areas as defined by the NYS Environmental Quality Review Act. A Critical Environmental Area (CEA) is any area of the town that is of particular environmental, scenic, cultural, or historic importance, as designated by the Town, Planning, or Zoning Board. CEAs are a useful tool for identifying and protecting sensitive areas that should be examined carefully with extra concern for preservation when development is proposed.

The use of the Greenway Compact guidelines regarding development considerations, including the protection of dark skies, open space, green buffers, and a quiet environment will also assist the Town. The protection of the rural character most prized by Milan residents will be aided by knowledgeable use of a natural resource inventory including soil, slope, water resources, habitat and other maps by an involved and effective CAC.

D. Recommendations

1. Commit to the maximum extent possible to science-based decision making:
   - Require CAC review of all development proposals.
   - Integrate Habitat Assessment Guidelines into subdivision and site plan processes.
   - Participate on the Dutchess County Environmental Management Council and the Wappinger Creek Watershed Committee and involve them on significant projects for their guidance and advice.
2. Complete a Natural Resources Inventory for the Town as soon as possible and adopt associated maps as official maps of the Town for planning purposes.

3. Conduct, as soon as possible, a Town-wide habitat analysis and create a habitat map for the Town.
4. Establish, as soon as possible, which locations have particular environmental value or sensitivity and create an environmental overlay for the Town, to be adopted as an official town map.
   - Define and identify ridge lines.
   - Define and identify steep slopes.
   - Define and identify scenic roads and vistas.
   - Identify prime and important agricultural soils, as well as soils with significant development constraints.
   - Define and identify threatened, endangered, and rare species of local significance and their probable habitat.
   - Define and identify water resources.
   - Define and identify areas containing gravel and sand.
5. Manage development on environmentally constrained lands to preserve environmental values
   - Encourage conservation easements.
   - Utilize conservation subdivision (clustering) approach to preserve open space, protect more sensitive lands, and limit habitat fragmentation.
6. Protect environmental values by restricting development and use of sensitive lands and resources through:
   - Town water resources ordinances.
   - Ridgeline protection regulations.
   - Establish Critical Environmental Areas (soils, slopes, water resources, habitats, scenic, cultural and historical resources) in the Town Zoning Regulations.
   - Abolish or redefine the Land Conservation Zone, replacing the protection it was intended to provide by more specific and targeted environmental regulations.
   - Control logging and excavation through Town permits to ensure protection of sensitive lands, soils, and water resources.
7. Attach and emphasize the Greenway Compact Guidelines as an addendum to development regulations.
8. Encourage and support the CAC to advance community awareness and education to advance the environmental health and enjoyment of our citizens.
   - Encourage the use of organic pesticide, herbicide, and fertilizer alternatives.
   - Disseminate information on Milan's environmental values and opportunities.
9. Maintain aspects of rural character—dark skies and quiet—through application of Greenway lighting guidelines to all development and the establishment of noise ordinances.
10. Establish a trails committee or association to identify opportunities and create a plan to build an interconnected trail system. An ordinance to except trails from our current roadway widths will be needed.
11. Maintain sensitivity to local air quality issues; study the impact of outdoor burning and outdoor furnaces.
12. Participate as a SEQR interested party in development matters in other municipalities when they affect Milan.

E. Implementation Strategies

The following strategies will aid in the realization of cultural and natural resource objectives.

1. The CAC has obtained grant assistance to undertake the Natural Resources Inventory and will work with the Planning Board and the Town Board to fulfill the requirements to officially complete this work.
2. The CAC has obtained support for Biodiversity Training offered by the Hudson River Estuary Program and Hudsonia, and has a number of members trained to undertake habitat analysis mapping in the Town.
3. The CAC has obtained support from the Hudson River Estuary Program for a water resources study and hopes to obtain additional support from Dutchess County.
4. Funds will be required for the studies outlined, for the professional support to draft new regulations, and for community outreach. The CAC and the Town Board should avail themselves of any avenues of financial and professional assistance through grants or other support as are available through county, state, federal, or nonprofit organization resources.
5. The Town Board, Planning Board, and Zoning Board of Appeals should consult with the CAC whenever land-use decisions are considered to gain the benefit of their perspectives.

Chapter Highlights:

Milan is fortunate to have a number of buildings and historic vistas that date to the early history of the Town and are an important part of our rural heritage. Designation of the most significant of these as critical environmental areas will enable special consideration in our planning and subdivision processes. The CP also recommends a program of recognition be instituted for property owners who preserve historic buildings.

A. Introduction

To review the historical resources for the 2005 Comprehensive Plan, the Town Historian, Patrick Higgins, led a committee with Richard Plass and Tom Daily. They reviewed the recommendations and the status of 62 historic resources identified in the 1986 Master Plan, and concluded that the list did not represent a complete list of the homes that should appear on an inventory of historic homes. A decision was made to address important historic structures other than homes (with a couple of notable exceptions), and to document some of the historic areas remaining in Milan today. An assessment was also completed of Milan's cemeteries. The chapter on "Historic Resources" contained in the 1986 Master Plan remains a viable inventory for historic preservation in the Town and it is included in the appendix.

B. Milan Historic Structures

The following historic sites in Milan warrant special consideration as land use and development decisions are made to preserve the historic character of these sites for future generations.

1) The Lafayette House in Lafayetteville built in 1824 and was a hotel and a stage coach stop. Its historic fabric has been modified by various additions and renovations over the years. Some may have been completed without the appropriate permits from the Town.

2) The Rowe Church is a very significant building in the town for both its Greek Revival architecture and, along with the Rowe Parsonage, its continuing role as the last and only place of worship in Milan today. The founder, Johannes Rowe (Rau), purchased 911 acres of land in Milan in 1760. In 1800 he established a Methodist church in the town known as "Rowe Methodist Church." The original Rowe house was across from the church. Coupled with the Victorian Shelley home (1860) set back along Rowe Road, these structures complete a visual setting that is a most significant historic vista. This area deserves protection from encroaching commerce and modernity.

3) The Jackson Corners Store at Jackson Corners was established in 1773 by Hugh Rae, who was born in Ireland in 1741. He came to America in 1758; in 1767 he married Margaret Knickerbocker, the daughter of Peter Knickerbocker who owned the property where the store is located. Rae was a patriot, serving as Captain of the North East Company of the First Regiment in the American Revolution. He was a signer of a protest document against the English government in 1775. Due to Rae's involvement in the American Revolution, the store did a lively trade with the Continental Army—which nearly proved disastrous, as payment for provisions was made in Continental script. Over the years the general store served as a stage-stop, a hotel, a doctor's office, post office and polling place. "The Jackson Corners Association for Detention of Horse Thieves", still in existence, was organized in 1871, and held their early meetings in the store.

4) The Fulton Homestead. First owned by John Fulton, the deed was recorded October 12, 1795, before the founding of Milan; the homestead was in the Fulton family until 1933. Located on Fulton Homestead Road, a short dirt road that was originally part of Turkey Hill Road until the road was straightened, the classic home and barns are sited close to the road and provide an excellent perspective of Milan in its earliest days.

5) The Ruins of Shookville Church. The church was build by the Shook brothers in 1834 to serve the Milan community. The ruins are in very bad shape and are getting worse with each passing year.

6) The Wilcox House in Wilcox Park. The house was the residence of the Great Lady of Milan, Irene Wilcox. Mrs. Wilcox, in memory of her husband and her son who was killed in an auto accident,

bequeathed the house and land to Dutchess County. Contrary to her will, the house has fallen into decay. Mrs. Wilcox also donated to Milan its Town Hall and funds for its maintenance, as well as endowing the upkeep of the Rowe Church and numerous area cemeteries. Much of the character of Milan today is a tribute to her generosity.

7) Rock City Grange Hall. Now a commercial establishment, Sheep's Clothing, in Rock City, the Rock City Grange recently celebrated its 100th anniversary.

8) Milan Railroad Station. The Rhinebeck and Connecticut Railroad was incorporated in 1871. Thomas Cornell, owner of the Cornell Steamship Company and president of the Roundout and Oswego Railroad, devised a plan to transport coal from Kingston to New England. The coal would come across the Hudson River in barges to Rhinecliff; from there it would be transported by rail to New England. The route originated in Rhinecliff and swung north via Red Hook, then northeast to the Cokertown Station at Spring Lake Road. The next stop was Jackson Corners. The former railroad station is now a private house and stands on the banks of the Roeliff Jansen Kill east of Academy Hill Road. The old rail bed is still visible in the woods. It continued north to Columbia County and on to Connecticut. In 1874 it new line was already hauling freight and in 1875 it began a passenger service. The passengers claimed it went so slowly they could pick huckleberries from the bushes as they passed; thus the nickname The Huckleberry or Hucklebush Line. The line ceased operations in the early twentieth century.

9) Battenfeld's Greenhouses. In 1906, two immigrants from Germany, Fred and Frank Battenfeld, purchased a farm on Milan Hill Road and entered the violet business, an industry introduced to the Rhinebeck area in the latter part of the nineteenth century. By 1928, changing fashions brought a decline in the violet business. In 1930, the Battenfelds sold their farm on Milan Hill Road and purchased property on Route 199. They built greenhouses and switched from growing violets to anemones. They are one of the major growers of anemones today. In 1949, Richard Battenfeld, the present owner's father, also started a Christmas tree farm. The greenhouses and plantations are a prominent view along Route 199.

C. Milan Cemeteries and Archaeology

Milan's heritage is also represented by its cemeteries. Milan's cemeteries are scattered all over its landscape; some are backyard family plots. Many burial spots have been lost through the years; however, the major burial grounds in the town are known. These cemeteries reflect the history of the early residents of Milan and are a visible reminder of the continuity of time and institutions so important to a town's character.

1) Teats Cemetery. East of Shookville, abandoned but being maintained.
2) Shookville Cemetery. Beside ruins of the Shookville, abandoned but maintained.
3) Yoemans Cemetery. Lafayetteville, abandoned but being maintained by the town of Milan.
4) Indian Burial Ground. Jackson Corners, abandoned, not being maintained, status of deed not known.
5) Quaker Cemetery. Morehouse Lane. Now the property of the town of Milan, it is the burial site of the first supervisor of the Town of Milan, Stephen Thorn, and his wife.
6) Rowe Cemetery. Route 199, associated with the Rowe Church and still being used.
7) Milan Union Cemetery. Milan Hollow Road, maintained by a cemetery committee and still being used.
8) Ferris Cemetery. Ferris Lane, abandoned but on private property.
There are also many private burial spots in Milan that were used just for the immediate family.

The New York State Historical Society has identified the northwest corner of Milan as a site of archaeological importance. Lake Warackamak's name may reflect Native American history; it is so-

named on maps from the eighteenth century, long before Milan's founding. Arrowheads or points found in this area have been dated at around 3,000 years old. More work should be done to understand this history. Specific sensitive archaeological sites are not established at this time for Town planning purposes.

D. Historic Hamlets and Areas of Town

1) Lafayetteville. Among the first settlers in Milan was the family of Maltiah Bowman. They arrived in Dutchess County around 1780 and settled in what is now Lafayetteville, at the current intersection of North Road and Route 199. They were a prosperous family and built a house where the present Lafayette House now stands. The present Lafayette House was built in 1824 and was a hotel and a stage coach stop. In 1824 the Marquis de LaFayette visited the area and the hamlet took its name from LaFayette. It was a prosperous community, rich in trade; it remained that way until the railroads came to Pine Plains and the business followed the railroads.

2) Rock City. In 1799, John Travers purchased 129 acres of land in what is now Rock City. He built a grist mill there, and was later joined by Henry Travis, who built a saw mill. The population grew and so did business in the hamlet, located at the intersection of Route 199 and Route 308. It was originally known as Travers Mill until the name was changed to Rock City.

3) Jackson Corners. Jackson Corners was once a commercial crossroads at the junction of roads to the Hudson River, Taconic iron mines and Connecticut. It was a stopping point for the stage on the Nobletown Road and later a stop on the Rhinebeck and Connecticut Railroad.

4) Case's Corners. Formerly known as Milanville, it also was a busy hamlet. Stephen Thorn (the first Milan Town supervisor) owned a store and ran a post office there. In October 1818, he decided to change the name of the post office from West Northeast to Milan. (The origins of the name Milan are still unknown.) This area takes its name from a later merchant, Rensselaer Case, who ran the post office there in 1867.

5) Wildey's Corners. The Wildey family purchased one of the original lots, #19, from the Little Nine Partners patent, a large tract of land granted by the British Crown. James Wildey took possession of it in 1806. It remained with the Wildey family until sold by Emery Wildey in 1940. The original house, built in the early 1800s, remains occupied and represents a design style common at that time in the Milan township.

E. State Historic Markers

Four locations in Milan were recognized with New York State historical markers when this program was active. Noted above are three of them: the Jackson Corners Store, the Fulton Homestead, and the Indian Burial Ground. The fourth is Nobletown Road, which before 1798 ran from the post road in Livingston, through Gallatin and Ancram and into New England.

F. Previous Recommendations

The 1986 Master Plan recommended that the actions listed below be taken to preserve Milan's past. These items remain to be completed.

- Define a historic overlay district for the town.

- Amend land use regulations to include the protection of historic resources.
- Provide accommodations in Town Hall for the Town historian to store, access and utilize historic records.
- Continue the historic structure inventory work, using the Building Structure Inventory Form developed by the Division of Historic Preservation, New York State Parks, Recreation and Historic Preservation, or an appropriate Town form.

G. Goals and Visions

The citizens of Milan value their historic resources. In the 2000 survey, 88.1% of respondents indicated that "preservation of architectural character and historic places is important," and 85.9% said that it was "Most important/important" to maintain historic structures. It is important that Milan understands and appreciates its cultural and historic resources (e.g., structures, cemeteries, and historic sites, including Native American archaeology) and that the Town supports their protection and preservation through appropriate land use regulations.

H. Recommendations

1) Complete a historic structure inventory on historic homes as recommended and identified in the previous Master Plan.
2) Create a Historic Overlay District in the Town zoning regulations or incorporate historic structures into the definition of Critical Environmental Areas; display these sites on appropriate maps and provide guidance to the Planning Board regarding development in the vicinity of historic structures.
3) The Town Historian should explore avenues to maintain ruins of the Shookville Church and recommend appropriate action to the Town Board.
4) The Town should review the County's stewardship of the Wilcox House and take appropriate action to respect the requirements of Irene Wilcox's will.
5) The Town Building Inspector should review the status and use of the Lafayette House.
6) The Town Historian should initiate, as appropriate, steps for the Town to take over and maintain abandoned cemeteries.
   a) Teats Cemetery (maintained by Shookville Cemetery Committee, exposed in perpetuity)
   b) Shookville Cemetery (same, maintained by Shookville Cemetery Committee)
   c) Yoeman's Cemetery (abandoned but being maintained by town of Milan)
   d) Indian Burial Grounds (not being maintained, very small area, few stone markers)
   e) Ferris Cemetery (abandoned and on private property)
7) The Town should develop criteria for and establish a Milan Historical Site program to provide recognition to property owners who preserve historical properties and to provide special consideration regarding impact of surrounding development through the Historic Overlay District or Critical Environmental Area designation.
8) The Town should explore known information on archeological sites in Milan, and evaluate appropriateness of further archeological studies.
9) The Town should prepare a brochure on the history of Milan.

I. Implementation Strategies``

1) Seek grants or aid to assist in completing the historic structure inventory.
2) Use the historic structure inventory to prepare Historic District Overlay guidelines.
3) Provide office and dedicated storage space for Town historian.

4) Utilize town web site to expand awareness of Town history and seek materials and volunteers to assist the Town historian.
5) Seek grant moneys to complete a history of Milan booklet.
6) Seek grant moneys to conduct an archeological review of Town of Milan.

Chapter Highlights:

Milan has less infrastructure than many municipalities and benefits from a healthy tax structure typical of rural towns. Milan also benefits from significant outdoor recreation lands which are an important aspect of the Town's rural character. Access to these areas could be improved by creating trails and sidewalks. The maintenance of roads and capable fire and emergency services are important to the Town's citizens. The rising cost of school taxes is a significant concern. Compact development in priority growth areas and its possible implications for wastewater treatment needs and costs are also of concern. The historic small-lot development of Lafayetteville poses challenges that need community study and action to improve land use. Resolution will require the continuing involvement of citizens. A consistent theme from community feedback is the need for additional enforcement of existing regulations. Recommendations include actions to address the broad range of infrastructure issues.

Infrastructure

A. Introduction

This committee had a broad scope of topics to review and, of necessity, relied on the expertise of other town and area officials in the analysis of issues and development of recommendations. Topics covered included transportation, utilities, fire and emergency services, police, education, water supply, health care, recreation and waste management services.

Interviews were conducted during the course of the committee's research with Glen Butler, Highway Superintendent; Greg Becker, Chief of Fire/EMS; Jackie Reynolds, Chair of the Town Recreation Committee; and Lieutenant Gary Bashor, Dutchess County Sheriff's Department. For research on schools, the committee interviewed Joe Phelan, Superintendent, Rhinebeck Central School District, Sara Doar, President, Pine Plains Board of Education; and Susan von Reusner, Red Hook Board of Education. In addition, phone interviews regarding roads and transportation were conducted with the Taconic Parkway Authority, Dutchess County Highway Department, and the New York State Department of Transportation; phone interviews regarding utility infrastructure were conducted with Central Hudson, Verizon, and Frontier Communications. MCPSRB members also attended a Town Board committee meeting held with Time Warner and the New York Public Service Commission to explore the availability of cable for broadband service to the Town.

B. Existing Conditions and Trends

Milan is one of the least populated of the Towns in Dutchess County, with a low population density. The effect of this is felt in the organization of the Town's infrastructure and the availability of public services.

1) Roads. The extent of roads in Milan is largely unchanged since the Master Plan of 1986; only three miles of Town roads have been added since then. This in part results from a Town Board resolution opposing the creation of additional Town roadways. Numerous rural lanes, often with long driveways off the rural lanes, have been created, all of which are maintained privately and can be in various states of repair. At public hearings concern was expressed by Lafayetteville residents about the addition of new driveways onto North Road.

The biggest potential impact on roads in the Town is the proposed development of the Carvel property. Traffic count data is currently being gathered in conjunction with this project. It is important to note that preliminary discussions with planners for the Carvel project indicate they intend to utilize Milan's provisions for rural lanes and shared driveways to minimize infrastructure in the project. They will probably propose that Milan adopt through roads as town roads.

Several at-grade crossings on the Taconic State Parkway south of Route 199 have been eliminated to address safety concerns; there is community desire that the existing remaining crossings remain open. Many residents have expressed concern, however, about the potential impact and safety hazards of construction and through traffic to and from the Carvel project using Academy Hill Road to the Ferris Road crossing on the Taconic State Parkway. When the project gets underway these residents would like to see the median crossing at Ferris Lane and Wilbur Flats Road closed to address this concern. Other citizens, however, want to see the median crossing remain open to facilitate east–west access in the northern part of Town. An alternative suggestion was made in the public hearings to reduce weight limits on roads to eliminate truck traffic instead of closing the crossings. This suggestion, while a good idea on the small Town access roads in the area, does not address the volume of commuter traffic expected once the Carvel project is built. Also, a Carvel representative has indicated they may propose a redesign of the

Ferris Lane intersection to eliminate the through median crossing to eliminate truck traffic and discourage through traffic while keeping Ferris Lane open.

The Town Highway Department seeks to limit the width of Town roads to 18 feet as a traffic speed control mechanism. This is consistent with the recommendations of the National Institute of Home Builders, American Society of Civil Engineers, and Institute of Transportation Engineers, as detailed in a publication entitled *Residential Streets,* published by the Urban Land Institute. In addition to the effect on controlling speed, the 18-foot width reduces paving and snow removal costs while contributing to rural character.

At present there is no official road map of the Town; an official map should be created.

Available traffic count data was reviewed for County and State highways. In the table below, five comparable segments are displayed which provide insight into the changing traffic volumes since the 1986 Master Plan was completed.

Table 6.1 Milan Highway Traffic Counts

Road	Segment	Date	Adj. Avg. Daily Vol.	Peak Vol. (hour)
TSP	Rte. 199 to Columbia County Line	2001	4,786	436
TSP	Rte 199 to North Road	1998	5,063	448
TSP	Rte. 199 to Jackson Corners Rd.	1982	5,200	430
Rte. 199	TSP to CR50 (Mt. Ross Rd.)	2002	2,015	185
Rte. 199	TSP to CR50 (Mt. Ross Rd.)	1999	1,687	119
Rte. 199	TSP to CR50 (Mt. Ross Rd.)	1982	840	50
Rte. 199	Rte. 308 to TSP	2001	4,980	472
Rte. 199	Rte. 308 to TSP	1982	3,050	180
CR 56 (Turkey Hill)	Becker Hill to CR 54 (Milan Hill)	2001	510	41
CR 56 (Turkey Hill)	Mitchell Lane to CR 54	1984	268	
CR 56	CR 54 to Torre Rock Rd.	1999	425	35
CR 56	CR 54 to Torre Rock Rd.	1984	236	

Additional traffic count studies are underway, and considerable traffic data should be made available in the Environmental Impact Statement currently being prepared in conjunction with the Carvel development proposal. The limited data available at this time shows that traffic on the Taconic State Parkway (TSP) has changed little over the last two decades; traffic on Route 199 has increased dramatically on segments both east and west of the TSP (most rapidly—140%—on the segment east of the TSP toward Pine Plains); and traffic on two comparable county road segments has increased by 85%. Current and anticipated traffic volumes compare favorably when contrasted with similar roads in other areas of Dutchess County. The involved highway departments anticipate no required highway expansions in the foreseeable future.

The lack of public transportation noted in the 1986 report still exists. The low population density limits the feasibility of public transportation and forces reliance on the private automobile for transportation.

The accident report records for 2000 through 2004 shown in Table 6.2 were provided by the Dutchess County Sheriff's office. They do not include New York State Police accident reports, which would more

likely record incidents on Route 199. One observation that can be drawn from this data is that State Route 199, the most heavily traveled road in the Town, has the most accidents, followed by Turkey Hill Road. Notable also is the apparent increase in accidents due to collisions with animals, almost exclusively deer, although one turkey did sneak in there. The large majority of these accidents are one-car property damage accidents. There were no reported fatalities in this record, although there was one fatal accident at the corner of Milan Hill Road and Route 199 that was presumably reported by the NYS Police. The accident record is not complete. The County Highway Department reports that their consolidated reports are not up to date due to loss of responsible staff, and the NYS Police records are manual for the period in question, having been automated only in late 2004. The Sheriff's Department records are automated and represent most of the accidents on the county and Town roads. There is no history of repetitive serious accidents at any location that requires note in this Comprehensive Plan. However, citizen concern is noted with respect to the intersection of North/South Road and Route 199. Area residents have requested the installation of traffic control. Citizens have also expressed concern with excessive speed on many of the Town's state and county roads.

Table 6.2 Dutchess County Sheriff's Department Auto Accident Reports

# Accident	2000	2001	2002	2003	2004	Total Five years
Top Five	Rte 199 12	Rte 199 9	Rte 199 5	Rte 199 5	Rte 199 9	Rte 199 40
	THR 5		Acad H 4	Wilcox P 3	THR 3	THR 11
	South R 3		Cold Sp 3	THR 2	Wilcox P 2	Acad H 6
	Odak F 2		Milan H 3	Indian R 2		Wilcox P 6
	6 rds 1	8 rds 1	3 rds 1	6 rds 1	6 rds 1	Milan H 4
All except animal	28	17	17	18	20	100
All animal	8	16	12	16	24	76
Total Accident	36	33	29	34	44	176

2) Utilities. The significant land use devoted to utilities in the form of the Niagara Mohawk power distribution lines and Iroquois Gas Line should be noted, although they provide no services to Milan residents. Our primary providers—Central Hudson, Frontier and Verizon— report no service issues in Town and reflect the view that few service changes are expected, given the low population density of the Town. Central Hudson's data for residential electric customers indicates growth of 26.4% since 1984, the last year reported in the 1986 Master Plan. Residential service growth has accelerated in the years since 1999 and grew 6.4% in the four years to year-end 2003. The average annual number of commercial electric customers has grown by 15% (to 115) in the same four-year time period; service for industrial uses has not grown. Central Hudson reports that an additional power circuit will be needed if the Carvel project comes to fruition as proposed.

3) World Wide Web and Cable Service. Milan, given its low population density, is the only town in Dutchess County without adequate cable or DSL service. Some service exists in the areas of town adjacent to Red Hook and in parts of the area around of Academy Hill Road and Milan Hill Road. Providers do not anticipate this to change and are blunt in saying that service is demand/profit driven and the density of Milan does not support the extension of service. Population densities of less than 150 people per square mile are termed "rural areas" by the NYS Public Service Commission in their report "Rural Customer Access to Advanced Telecommunications Services" (February 2003). Milan's population density is approximately 65 people per square mile. Digital satellite connections are currently

the only high-speed telecommunications option available to most people in Milan. High-speed access is expected to increasingly be available in the years ahead through wireless or other new technology.

4) Fire and Rescue. The Milan Fire Department is an employee-owned nonprofit corporation serving the Town of Milan and limited adjacent neighborhoods. The Town is serviced under a contract negotiated with the Fire Department. The Fire Department has replacement schedules for its equipment. It is suggested that the Town engage with the Fire Department in a cooperative effort to plan for long-range requirements that can then be factored into annual budget plans for the Town. The Fire Department is concerned with lack of enforcement capability with respect to fire codes in the Town.

Emergency ambulance service is provided by the Fire Department and is supported solely by donations. One of the factors affecting the Fire Department is the demographics of the Town, with large numbers of weekend residents, often with expensive homes. Such residents, even when they become full-time residents, expect fast response typical of their more urban experiences and are less likely to volunteer for emergency response teams than traditional residents. The Fire Department is experiencing a decline in response levels to their solicitations for both funds and volunteers as the Town grows. Financial support levels and available volunteers are currently strategic, rather than operational, issues. Some neighboring towns are experiencing shortage of sufficient volunteers and are going to part-time professional service, which can be at considerable cost to the town.

5) Police. Milan currently receives police coverage from the Dutchess County Sheriff's office and from the New York State Police. The County Sheriff's office has a substation in Rhinebeck, which services the three towns in County Zone 1 (Red Hook, Rhinebeck and Milan plus Pine Plains west of Route 82). The County Sheriff's office has not grown over the last 15 years to keep pace with a growing population. Some local police forces in Dutchess County have expanded with their assistance; however, they remain on call in all jurisdictions except the City and Town of Poughkeepsie. Milan at one time had a police presence, as reflected in the 1986 report recommending the replacement of a police car. The establishment of a local police force is not recommended by the County Sheriff's office, given the need for specialized training and knowledge in today's environment. (the assistance and backup of more highly trained personnel is required for all but the simplest police matters). The Sheriff's office suggests continued oversight by Town officials to ensure that the County provides the resources necessary for coverage in the Town. One alternative to be considered if further police presence is required is a long-term contract with the Sheriff's Department for specified coverage.

Good emergency communication is an issue both with the Fire Department. and Sheriff's Department. They rely on cellular service for both emergency communications and for the functioning of the Auto Vehicle Locator system. The Sheriff's office indicates that there are some areas of Milan and other rural areas with spotty cellular service. A similar issue with the Fire Department exists relative to the ability to communicate with the Dutchess County emergency command center. The Town is currently pursuing a solution to this second communications weakness through installation of a transmitter on the Town's microwave tower off Woody Row Road.

6) Schools. Milan's educational needs are served by three public school systems: Red Hook Central School District, Pine Plains Central School District and Rhinebeck Central School District. School taxes continue to rise and are an issue for most Town residents. Rhinebeck CSD reports that their student population, while projected earlier in the decade to rise modestly, has been stable. Pine Plains CSD had little information to offer of assistance to planning activities, as they do not have demographic projections. Red Hook CSD has the greatest concern about growth. The Red Hook Board of Education has prepared materials discussing the importance of restraining residential growth and encouraging a strong commercial tax base as mechanisms to control the growth of school taxes. The cost of educating students, as measured by the state for the three schools, is about the same; however, these costs exclude special education expense, transportation, and debt service. The latter two drive school taxes when rapid

development causes the need for new schools or additions and additional bus routes. Further perspective on school taxes is addressed separately in a paper in the appendices.) Development is, in turn, a function of land-use decisions made by municipal officials. While Milan can control some of the increase in school taxes by restraint in residential development, school taxes are ultimately beyond the control of any one municipality when school districts draw students from multiple municipalities and counties, as is the case in the three school districts supporting Milan. This is an area where regional discussion and cooperation is important to the well-being of the citizens of each municipality.

7) Water and Wastewater Treatment Systems. Any water or wastewater system can become a burden to town taxpayers. In Milan there is only one small community water system, located on the Carvel property; their requirement for future water system development awaits the Carvel plan and findings of the environmental impact statement. Most Town residences are serviced by individual wells; the maintenance of clean water is a concern of the newly appointed Town Conservation Advisory Council. In some circumstances, common or shared systems may be appropriate to enable efficient development of clustered subdivisions. Given the lack of community water supply, it is important that adequate water is available to provide fire-fighting capability.

The potential need for central water or wastewater treatment systems in conjunction with proposed compact development in priority growth areas with planned purpose development is a controversial subject. Part of the concern is the cost of potential required connection to such a system. As pointed out in the Lafayetteville meetings, residential lots of less than one acre and commercial operations are not practical from a health and safety perspective without some type of central wastewater treatment system. Today many new technologies for small-scale wastewater treatment that have minimal aesthetic impact on the community are available. In many situations, such systems can be a more environmentally sound and healthy alternative to engineered septic or mound systems. More information should be provided by the Town, working with Dutchess County, to enable the community to weigh the benefits such systems could bring to land-use opportunities in the priority growth areas. In particular, it is recommended the Town explore the potential role of the Dutchess County Water and Wastewater Authority. The CPB understands that Dutchess County is willing to manage such facilities in municipalities, at least in some circumstances. The County's "Smart Growth Housing Task Force Report" of December 2001 recommended that: "The County should use funds from the Partnership for Manageable Growth to assist with the financing of water and/or sewer installation for moderately priced homes on small lots, townhouses or multifamily housing. The availability of water and sewer is essential to the development of moderately priced housing on small lots and this program will help municipalities bring such services to a site by providing matching grants for pre-construction/feasibility studies and construction projects."

8) Recreation. Milan is blessed with large protected state, county and Town lands for recreational purposes, including three state multiple use areas, a county park -- Wilcox Park -- and the Town Recreation Park.

Jackie Reynolds, Milan's Recreation Department Chair, reports that the Town Park has a Little League field and a softball field that are regularly used evenings during the spring and summer, principally by three leagues: Little League baseball, the Girls Taconic Softball Little League, and the Dutchess County Volunteer Firemen's Softball League. A basketball court is used for pickup games, and space is available for a volleyball court. There is a playground that gets limited use; its vitality would be enhanced by a new merry-go-round and a few unique pieces of equipment for variety. An obsolete merry-go-round has been removed and new playground equipment will be installed in 2006.

The surrounding larger towns where students go to school offer much competition that addresses recreational needs. The schools and larger towns have organized recreation departments and swim programs not available in Milan where youth tend to go to participate in recreational offerings with their schoolmates. Similarly little demand is noted in Milan for soccer fields and tennis courts—our citizens

tend to gravitate to surrounding towns for such needs and seem to find the resources adequate. An experiment is planned for winter 2005-6 to establish an ice skating rink at the Town Park.

Some comment however that we lack community activities for adults. In a meeting with Lafayetteville residents, interest was expressed in expanded facilities for tennis or paddleball, for swimming, and for a jogging track. Concern was also expressed about pedestrian and bike access to the Town Recreation Park due to the lack of sidewalks in the area. Residents also expressed interest in walking/biking trails in the area.

An active senior program provides activities for the older segment of the population, while a recently established 'Teen Night' program offers social activities that are designed to bring the youth across town from the various school districts together. The Town Recreation Committee is developing a Milan recreation strategy, a prime component of which will be activities for adults.

Recreational opportunities through offerings at county-operated Wilcox Park are another possible enhancement. This resource is used primarily by people from outside Milan, with little local outreach. Wilcox Park could offer swimming or naturalist programs aimed at local residents. The Park could be integrated into a Milan Community Day as a way of acquainting people with its resources.

While much outdoor activity is available in Milan, there are no established trails or linkages between protected properties that would enhance their use. There is considerable biking, particularly on summer and fall weekends, however, there are no established biking accommodations in Town.

C. Progress

Much has been accomplished since the last Master Plan in 1986. A maintenance and rehabilitation program was established for all Town roads and highway department equipment was upgraded. An expansive new addition has been added to Town Hall. The Town landfill was closed and a waste transfer station established, which appears to be serving town needs adequately.

One area of town, however—the old Lafayetteville village grid—is not conducive to effective land use and has many out-of-compliance road and property conditions. This area should be reviewed for potential redevelopment opportunities or revision of zoning.

D. Summary

In summary, external service providers view Milan as a low population density area with few issues or need. The infrastructure of the Town is typical for a rural town with low population density and rural topography. There are no public transportation, no community water and sewer services and no public schools located within its borders. Milan has excellent community and governmental facilities with limited but adequate active recreational opportunities and ample passive recreation opportunities. Some residents view service issues in a different light, as the low population density presents economic limitations with respect to fire and emergency, police, telecommunications and public transportation services. Of greater concern than the level of services, however, is the need for enforcement of existing regulations in all areas. This includes control of speeding on the highways, and enforcement of zoning regulations and building and fire codes.

There is recognition that growth can bring pressure on existing infrastructure and services. Balancing these pressures while managing the expectations of a growing community, many of whom come from more densely populated environments, will be the challenge for the coming years.

E. Goals and Visions

The CPB recommends that the Town adopt the following goals:

1) Ensure a high-quality level of community services consistent with a rural environment.
2) Anticipate the implications of growth on the adequacy of our infrastructure and services and identify any requirements.
3) Condition any approval of community water or waste water systems, such as might be needed in a planned purpose development, on long-term assurances that the Town will not become the manager of such systems and that they do not become a burden to future taxpayers.
4) Recommend those ongoing activities that can help ensure quality services and physical infrastructure of the Town.
5) Remain responsive to the citizens' desire and need to restrain the growth of taxes through effective expenditure and planning.

F. Recommendations

1) Create a list of all road and street names, including private roads, to be maintained in the Town Clerk's office; complete an official Town Map, designating State, County and Town roads, and indicating which roads are dirt, private, or seasonal roads. When adopted by the Town this map can form the base map for later use in establishing scenic road designations.
2) In the interest of public safety and service, initiate a review of Town regulations regarding residential access specifications—driveways, rural lanes, and roads—with reference to length, width, slope, materials and drainage.
3) Define criteria under which the Town will consider adopting new Town roads.
4) Refer any new Town roads created to the Town Historian for recommendation of a name in keeping with the area's historical context.
5) Encourage the State DOT and Taconic Parkway Authority to close the median crossings on Ferris Lane and Wilbur Flats Road to eliminate the danger and safety hazard of a high volume of traffic on small rural roads. Ready access for emergency crossing must be maintained, however. Should alternatives to closing the median crossing be proposed, evidence of effective traffic management using this alternative should be required before acceptance. Discourage other median closings that will primarily affect local citizen access to the TSP and east–west commutation in Town.
6) Complete a Town Recreation Strategy, with particular focus on addition of adult activities.
7) Establish a trails committee to examine trails and linkages opportunities within Milan and with regional connections. Negotiate with the Carvel project and New York State to establish a linear park from the Roeliff-Janson through Lafayette Multiple Use Areas for bicycle, roller blade and walking opportunities, eventually to connect to Lafayetteville, Wilcox Park, and Stissing Mountain recreation areas and to other destinations as the vision of a Town and regional trails network matures.
8) Encourage the county to establish bike paths on county roads throughout town. Link bike paths on county roads to trails.
9) Where they exist, retain the Town's dirt roads, and keep all Town roads narrow. Implement a scenic roads program to preserve the scenic vistas and dirt roads.
10) Encourage and pursue the expansion of telecommunications and broadband services to the Town, including extension from covered areas as they may be added, and as technological advances bring new options.
11) Expect the developers of the Carvel project to support the Town with regard to any infrastructure needs caused by development, including but not to limited to water and wastewater systems, solid waste management, fire and emergency medical services, road improvements and maintenance, and administration and enforcement costs incurred as a result of the development.

12) Explore further wastewater treatment system options with the Dutchess County Water and Wastewater Authority, and involve interested community members from the priority growth areas in discussions regarding any such proposed future systems.
13) When considering any Planned Purpose Development or conservation subdivision that may require community water or wastewater facilities, ensure that provisions are made for the developer to construct those facilities as part of the cost of the project, for owner or homeowner association maintenance, or for County assumption of management responsibilities.
14) Amend subdivision regulations to incorporate additional fire and emergency safety considerations, including, but not limited to, provision for dry hydrants and water impoundments.
15) Expand enforcement capabilities with regard to Town regulations, particularly building code, fire code, and zoning ordinances. Consider one full-time person as a generic enforcement officer.
16) Raise fees for Town services to support the resources required for Town administration and enforcement of regulations.
17) Incorporate capital requirements for new highway, fire and emergency equipment into the Town's annual budget cycle for the purposes of sound fiscal planning.
18) Establish a Town task force to investigate and propose steps to bring the old Lafayetteville planned community layout (both sides of the TSP) to a controlled resolution to facilitate future use and revitalization of the area.

G. Implementation Strategies

Most of the items recommended by the CPB are the responsibility of the Town Board to implement. Recognizing the limitations on the time of Town Board members, achieving these recommendations may best be accomplished by appointing special committees. For example, the Town Board can establish a Residential Access Committee, consisting of professional highway, construction, and fire department personnel, to review and make recommendations with regard to residential access and criteria for adoption of new Town roads. Other committees or task forces that could be formed include trails, the Lafayetteville grid issue, and other issues as noted above.

Many of these items require professional expertise. Seeking grants to provide professional consulting assistance for the drafting of pertinent regulations is advisable. The committees can also coordinate applications for grants, such as applications for National Park Service, TEA-21 and other grants available to facilitate trails development.

Chapter Highlights:

Residential development is at the core of the issues facing Milan. The Town's growth and its impact on environmental resources and rural quality of life are therefore central to this comprehensive plan. Historic growth at 25% per decade shows no sign of abating; in fact, it appears to be increasing. Existing zoning is inadequate to prevent sprawl. Rapid population increases cause significant pressure on our schools and taxes. However, large-lot zoning, taken alone, only causes sprawl to eat up the landscape faster, and large-lot zoning is not affordable to many in the community today. The CP incorporates tools to expand housing diversity and affordability, particularly for senior citizens, for young families, and for those with moderate incomes who cannot afford large-lot housing. Housing on smaller, more affordable lots and multifamily units are important elements of this effort. The plan also recommends tools that enable the Town to manage growth in a controlled way while protecting our environmental resources and our rural residential character. The tools proposed will make more compact development possible in Milan's historic hamlets through the adoption of a planned purpose development concept. This concept applies only when willing owners propose development that the Town finds consistent with its objectives. Across the balance of the town, the CPB proposes a Rural Space Overlay Zone that, when coupled with a requirement for siting homes in conservation subdivisions, will protect our environmental resources, prevent sprawl, provide a restraining effect on small landowner property taxes, and limit future growth in town—all consistent with maintaining our rural character. The intent of these proposals is to put Milan's future in the hands of Milan's people, not in the hands of outside developers leaving with their profits at the community's expense.

Residential Development

A. Introduction

The 2000 Town Values Survey clearly revealed the residents' vision of the future of Milan. Open space, forest, agricultural lands, and scenic beauty were most important resources for the Town to protect. This puts the residents' priorities on a collision course with the effects of projected population growth and residential construction. To accommodate the anticipated growth, and at the same time preserve Milan for future generations, zoning and land use regulations must be implemented to slow residential build-out to manageable levels. If growth is allowed to spiral out of control, the quality of community life becomes diminished.

Housing criteria should reflect the goals of the community. The people of Milan want to preserve the unique environmental values and rural character of the area. Protecting open space is an integral part of maintaining Milan's rural character. The key issues facing our community are a function of population growth. Growth affects all aspects of Town planning and operations: transportation, housing, community services, commercial development and the general quality of life. How we manage it will shape the composition and quality of Milan for generations to come.

B. Existing Conditions and Trends

1) Population. The population of the mid-Hudson Valley has increased about 1% per year over the last 50 years, according to Michael DiTullo of Mid-Hudson Pattern for Progress. Dutchess County has actually grown faster than that and Milan much faster. Although Milan's population growth has been erratic over the last century, since 1960 the population growth rate of the Town has increasingly exceeded growth in Dutchess County. As seen in Table 7.1 below, reflecting decennial census data, the population growth rate in the 1990s was three times the County's growth rate.

Table 7.1 Population By Decade 1900–2000

	Milan		Dutchess County	
Year	Population	Growth Rate	Population	Growth Rate
1900	950		81,670	
1910	893	-6.0%	87,661	7.3%
1920	704	-21.2%	91,747	4.7%
1930	622	-11.6%	105,462	14.9%
1940	695	11.7%	120,542	14.3%
1950	806	16.0%	136,781	13.5%
1960	944	17.1%	176,008	28.7%
1970	1,322	40.0%	222,295	26.3%
1980	1,668	26.2%	245,055	10.2%
1990	1,895	13.6%	259,462	5.9%
2000	2,356	24.3%	280,150	8.0%

Source: U.S. Census Bureau

Over the decade of the 1990s, Milan, with its small population base, has been the fastest growing town in Dutchess County, growing at three times the rate of neighboring towns. Increases of this size threaten to rapidly change the rural character of the Town. As shown in Table 7.2, Census Bureau estimates for 2003 again show Milan to be the fastest growing of its neighboring towns.

Table 7.2 Population In Neighboring Towns

TOWN	1990	2000	% Change	Est. 7/1/03	% Change
Milan	**1,895**	**2,356**	**24.3%**	**2,527**	**7.3%**
Clermont	1,443	1,726	19.6%	1,798	4.2%
Pine Plains	2,287	2,569	12.3%	2,674	4.1%
Red Hook	9,565	10,408	8.8%	10,990	5.6%
Clinton	3,760	4,010	6.6%	4,168	3.9%
Rhinebeck	7,558	7,762	2.7%	8,118	4.6%
Stanford	3,495	3,544	1.4%	3,798	4.6%
Gallatin	1,658	1,499	-9.6%	1,471	-1.9%
Total	31,611	33,874	7.2%	35,454	4.7%

Source: U.S. Census Bureau

Most population estimates available for the Town and Dutchess County have actually been too conservative. Projections by Claritas Inc., and Cornell Institute for Social and Economic Research for Milan and Dutchess County report population projections that have been significantly exceeded in their early years. The only population estimate that appears at all reasonable is the U.S. Census estimate for Milan for 2003, which shows growth estimated at 7.3% for the 3 years since the last census. (see Table 7.3). (The 2000 census showed that such annual population estimates were significantly understated in the 1990s.) Extended over the decade, this would produce growth of over 25%, faster than the decade of the 1990s, bringing Milan's population to nearly 3,000 in 2010. Even this level of growth may prove conservative, given known subdivision activity in Milan.

Table 7.3 Milan Population Projection

	Milan		Dutchess County	
Year	Population.	Growth Rate	Population	Growth Rate
1960	944		176,008	
1970	1,322	40.0%	222,295	26.3%
1980	1,668	26.2%	245,055	10.2%
1990	1,895	13.6%	259,462	5.9%
2000	2,356	24.3%	280,150	8.0%
3-Year Population Estimate				
2003	2,527	7.3%	290,805	3.8%
10-Year Population Projection				
2010	2,975	26.3%	317,550	13.3%

Source: U.S Census Bureau populations and estimates; mathematical projection

Projecting Milan's rate of population increase over the last 40 years to the year 2030 (see Table 7.4) would roughly double Milan's current population to nearly 5,000, approaching the upper level of the State's density classification of a rural community; including part-time residents would likely exceed it.

Table 7.4 Milan Long-Range Population Projections

Year	Population.	Growth Rate
1960	944	
1970	1,322	40.0%
1980	1,668	26.2%
1990	1,895	13.6%
2000	2,356	24.3%
3-Year	Population	Estimate
2003	2,527	7.3%
10-Year	Population	Projection
2010	2,975	26.3%
2020	3,719	25.0%
2030	4,648	25.0%

Source: U.S Census Bureau populations and estimates; mathematical projections

New factors are emerging that could greatly increase Town growth. Many of these were unforeseen when the last comprehensive plan was completed in 1986. There has been very substantial growth in lower Dutchess County, particularly along the Taconic Parkway corridor. The amount of land available for future development and housing to our south has been significantly reduced, thus making the more open undeveloped land in Milan a logical target for population growth in the region. An additional factor that could never have been anticipated was the events in New York City on September 11, 2001. There has been a significant exodus from the city to all points north since that occurrence. Once considered off the beaten track and remotely located, Milan now sits squarely in the bull's-eye of regional expansion. Past comprehensive plans and current zoning laws had no way to anticipate the onslaught of development and population growth Milan now faces. When judging population projections, this new high-growth reality must be taken into account.

2) School-Age Children. One of the impacts of rapid growth is the increase in school-age children as young families establish residence in the Town. Generally, new homes tend to have more school-age children than existing homes. That impact is seen for Milan in the 1990–2000 Census data. While the Town population increased by 24.3%, the number of school-age children (ages 5–17 census categories) increased by a huge 77% in the decade. This contrasts with a 21.3% increase in these age groups in Dutchess County. Though we are not able to break this data out by the three school districts that serve Milan, the population in the Pine Plains and Rhinebeck schools have not seen the growth that Red Hook has experienced; it is expected the largest number of these children attend the popular Red Hook Central District schools.

3) Part-time Residents. Milan has always had a significant population of weekender and part-time residents that goes uncounted in the survey due to the number of "seasonal, recreational, and occasional" use residences in the Town. Of the 1,090 housing units in the 2000 census, 177 of the 208 reported as "vacant -- for seasonal, recreational or occasional use" were part-time residences. This is an increase since 1990 of 108 such units. Between 1990 and 2000 Milan had a 157% increase in the number of part-time residences, as compared to a 54% increase over the same time period in all of Dutchess County. Because some part-time residents choose to report Milan as their permanent address, the total number of part-time residents is probably higher. Part-time residents must be incorporated into density considerations to evaluate growth in the Town accurately.

One factor in examining the impact of population trends is the fiscal benefit of these part-time and weekend residents, who represent some 15–20% of our dwelling units. They pay full Town and school taxes, yet most of them never use the schools and may require fewer Town services than full-timers. The appeal of Milan to many of its weekend residents is the rural atmosphere, natural beauty and open, undeveloped spaces. If Milan's population were to grow to a point where it no longer had these characteristics, the Town would presumably lose its appeal to many weekenders. This could add significant strain on the schools and Town services as part-time residents leave and full-time homeowners with children move in.

4) Residential Build-Out. Surveys consistently indicate that the number-one goal of Milan residents is to maintain the Town's rural character. New York State defines "rural" as having a density of less than 150 people per square mile. Currently, Milan's population density is 65; when seasonal residents are factored in, the figure jumps to 80. To understand the possibilities of growth under Milan's current zoning, consider the 2003 Build-Out Analysis (Table 7.5 below). It shows a building potential of 2,356 new lots in Milan. Multiplying this by 2.62 (current average residents per household) plus the current population yields a future population potential of 8,529 people, which would bring the number of residents per square mile to 236. At that point, Milan will have become another suburban community. One indicator of the growth surge in Milan is the number of subdivision applications approved: 28 in 2003 and 72 in 2004.

TABLE 7.5 2003 Milan Build Out Analysis

Zone*	Min. Lot Size	Total Buildable Acres**	Minus 20%**	# Pot. New Lots
R2A	2	631	505	252
A3A	3	4,587	3,669	1,223
A5A	5	4,299	3,439	688
HA	1	230	184	184
LC	5	58	47	9
TOT		**9,805**	**7,844**	**2,356**

Source: Dutchess County Environmental Management Council, 2000, updated 2003

*R2A, Low-density residential zoned to permit 2-acre building lots
A3A, Agricultural land zoned to permit 3-acre building lots
A5A, Very low density agricultural land zoned to permit 5-acre building lots
HA, Hamlet district zoned to permit 1-acre building lots
LC, Land conservation district zoned to prohibit residential construction.
**Total buildable land excludes environmentally and administratively constrained land that cannot be built on; the 20% reduction to that is an attempt to reduce the total buildable by a factor to reflect the need for infrastructure, odd lots sizes and preference of some residents for larger lots.

5) Housing Availability. The 2000 census recorded 1,090 housing units in Milan: 697 (67.9%) were owner-occupied, with 15 vacant and for sale only; another 185 (21%) were renter-occupied, with a vacancy rate of only 0.5%. Data for the 208 vacant homes at the time of the 2000 census shows 177 of them to be for seasonal, recreational or occasional use, representing 16.2% of Milan's housing. Excluding these "vacant" homes, Milan has a very tight housing environment with a vacancy rate of only 2.8%, in contrast to 3.6% in Dutchess County.

According to the Milan assessor's office, 670 parcels are assessed at $250,000 and under, with 243 of those at $150,000 and under. There are 30 improved parcels (with houses) assessed at $75,000 and under (although the condition and marketability of these is questionable) and 30 mobile homes. The median

mortgage is $1,124 and the median rent $675. The 2000 census reported 29 apartments with rents under $500/month. This data suggests that there is a significant amount of moderately priced and affordable housing in Milan. The assessor reports, however, that homes coming on the market sell for well above assessed value in most cases, despite recent significant increases in full assessment values.

6) Housing Prices. The picture painted by residential sales is very different than the assessor data. In a 2003 article, Michael DiTullo of Mid-Hudson Pattern for Progress stated that Dutchess County's real estate market value had risen by more than 50% since 1999 due to both population increase and lack of supply.

In Milan, the assessor reports that the median selling price for a home increased from $178,000 to $258,000 between 1999 and 2003, an increase of 44%. Recently available data for 2004 shows a further jump of 23% to $317,500; a five-year increase of 78%! Of 57 total homes sold in Milan in 2004, there were only five homes that sold for under $150,000, and only nine under $200,000. The average selling price was $412,200. When reviewing similar data for the County, the Dutchess County Smart Growth Housing Task Force report concluded that "we are beginning to have a disconnect between the housing needs of many of our residents and the housing we are building."

7) Affordable Housing. At the time of the 2000 census, the average household had 2.62 persons, with median household income of $54,491 and mean household income $65,250. Almost one-third of the households in Town had an income of less than $35,000. In 1999, 10% of households and 4.8% of families had income of $15,000 or less, with 17 families (2.8%), and a total of 105 individuals (4.6%), at or below the poverty level. These rates are lower than comparable figures for Dutchess County, with 5.0% and 7.1% respectively.

Dutchess County's Smart Growth Housing Task Force report, issued in 2001, states, "Considering the significant increase in median sales prices in the past two years, the median income household can no longer afford the median priced home . . . ."

The Task Force also reports that, county-wide, 7.3% of the population in the year 2000 had not lived in Dutchess County one year earlier. This significant influx of people is higher than surrounding counties. One of the confounding factors in Milan is that house sales include many to weekenders and part-time residents who are not included in the population and income statistics.

Randall Arendt, in the book, *Rural by Design*, cites the level for affordable housing as a mortgage payment that is no more than 30% of the average household income. He does not include property taxes and other home ownership costs in the 30%; many other experts believe it is important to include these costs in any calculation of total housing cost used to assess affordability. Formulas that include property taxes bring the "affordable" home prices, in the case of a Milan home in the Red Hook school district in 2004, to $237,000. To look at the median household in this same way, only half of households could afford a house valued above $198,000. As noted above, only nine of 57 homes in 2004 sold below this level.

As Arendt states: "The grim reality is that housing is not affordable to many people unless they already own a home, which they can trade for another. Without home equity, a family trust fund, or two very good salaries, most people these days are not able to qualify for home mortgages. In many parts of the country, house price inflation has clearly outpaced salary increases, widening the affordability gap for every year that passes." While the numbers do not indicate an affordability crisis in Milan, concern is expressed by some that housing in Milan appears to be increasing in cost beyond the means of those at the median household income level. Certainly for those at lower income levels, the issue is a growing problem, deserving of attention in Town planning.

A very different definition of affordable housing is provided in the book *Well Grounded: Using Land Use Authority to Achieve Smart Growth*, by John Nolon, Director of Pace University's Land Use Law Center. It defines "affordable housing" as "Housing developed through some combination of zoning incentives, cost-effective construction techniques, and governmental subsidies which can be rented or purchased by households who cannot afford market-rate housing in the community." One of the virtues of this definition is that it recognizes two important factors: (1) the Town cannot determine the market value of housing in the community, however, (2) there are actions the Town can take when planning for the future to help provide some level of affordable housing. In this plan we refer to affordable housing in the context of people's ability to obtain housing, and to actions the Town can take to ensure there is a level of housing available to moderate-income households earning less than the median household income.

8) Senior Housing. Although Milan has a slightly lower percentage of senior citizens than does Dutchess County overall, with 264 people aged 65+ in the 2000 census (11.2% of the population), it is well-known that baby boomers will soon swell the seniors' ranks. While many residents indicate they would like to stay in Milan as they age, they cite the lack of any senior housing in Milan and concerns with the rising cost of taxes. Thirty-seven percent of the 2000 survey respondents mentioned the need for senior housing. Today's Milan seniors are outspoken in voicing a desire to see some sort of affordable senior housing.

9) Historic Housing. Over 85% of Milan residents have indicated that it is important to maintain historic structures. Little progress has been made in this area since the 1986 Master Plan recommendations were published.

10) Multifamily Housing. Milan permits two- and multi-family housing across its primary zoning districts. While small multifamily structures are endorsed in this plan as one of our affordable housing solutions, surveys and conversations with Town residents reveal that large multifamily housing (apartment buildings) is not desirable and should not be encouraged. These buildings are inconsistent with the rural character of the Town.

11) Mobile Homes. Allowing mobile homes in the Town was viewed as negative by over 72% of the residents in one Town survey, who also felt their placement should be restricted to designated areas in Town. The CPB has concluded that mobile homes should be allowed as per current regulations as an available affordable housing option; however, mobile home parks should not be allowed in future zoning regulations.

C. Goals and Vision

If Milan is to implement the vision and overriding wishes of its residents it must sensibly control the number and location of new lots and devise a better way to approach development. The current zoning and land-use regulations, if left unchanged, will result in a suburban, built-out Milan in the future, like most other communities in Dutchess County. If Milan's residents value rural atmosphere, uncongested roadways, and forests and fields not ravaged by 21st century sprawl, then new, innovative zoning regulations must be implemented.

All surveys (the 1986 Master Plan survey, the Town's 2000 questionnaire, and Comprehensive Plan outreach discussions) indicate that the paramount goal of Milan's residents is to KEEP MILAN RURAL. Milan's citizens want to retain the rural character of their Town and to protect the environmental and scenic resources that make Milan a unique residential community. Today, rapid growth threatens those values. Dr. John Nolon, Director of the Land Use Law Center at Pace University, recently commented on the crisis of neighborhood character erosion and land disappearance: "The crux of the issue comes down to local zoning laws that define how land can be used. The laws simply must be changed" (*Poughkeepsie Journal,* February 27, 2005).

The CP recommends zoning changes that would help make the future vision of Milan's citizens a reality. The CPB took into consideration the impacts rezoning would have on all landowners, balancing the rural quality of life so appreciated by Milan's citizens, the financial impacts with respect to property values and taxes, and the need to provide affordable housing for a diverse population.

The Need for New Zoning

Milan's zoning cannot stay the same and protect the Town from the encroachment of suburban sprawl and the degradation that sprawl brings to the scenic and natural environment. Fortunately, the Town still has time to make the zoning changes that can stop sprawl before it starts and allow the Town to retain its rural residential character.

The most important step is to change zoning to create larger lot development, utilizing conservation subdivision design consistent with Greenway Compact guidelines. This will protect the environmental assets of Milan, maintain open space, and help keep population growth to a density that is consistent with retaining rural character. Large lots are attractive to weekenders, but Milan does not want to become a community of just part-time residents. The residents of the Town also want to maintain moderate-income housing and provide some affordable housing to create a diverse community and allow housing alternatives, particularly for seniors and public sector employees. Many communities today are pursuing modern versions of traditional development patterns that enhance compact residential centers while taking steps to preserve open space in the surrounding rural environment.

Many of the principles and ideas discussed by the CPB in meetings and in this document fall under the general heading of "smart growth." Dr. John R. Nolon describes smart growth as "the designation by local governments of specific areas for mixed-use development and higher density development and the designation of other areas for the conservation of open spaces and natural resources. That would include regulations that guide development into the designated development areas and away from the conservation area. . . . Smart growth contrasts with conventional local zoning, which normally lays out a grid-like pattern for the remaining open space development in the community calling for relatively low density single use development." A smart growth approach is to identify and protect open space areas the Town sees as critical.

The criteria can be environmental, as in wetlands, wildlife and watershed protection; aesthetic, as in scenic open views, protecting ridgelines or a particular landscape element; and/or economic, as in protecting agricultural lands. The Town should make it a priority to find additional ways to protect its open space.

1. Rural Space Overlay Zoning: A Tool for Smart Growth. We propose the creation of a Rural Space Overlay Zone (RSO). The new zone will substantially reduce the number of future subdivisions and new homes that can be developed, thus protecting the environmental resources of the Town and managing density growth to preserve rural character. A number of alternative methods to implement this recommendation were examined by the CPB; all propose to limit subdivision on included properties to a maximum of one lot for each 10 acres. The alternatives considered include the following:

> A) Basic 10-Acre Overlay. All parcels equal to or greater than 10 acres are zoned for subdivision into a number of lots not to exceed one for each whole 10 acres (e.g., 25 vacant acres = subdivision into two lots; 55 vacant acres = five lots, etc.).
>
> B) 10 Acres with Minimum of One. The same as above, but with the provision that no parcel over 10 acres that exists today would be prevented from any further subdivision. This eases the impact on properties between 10 and less than 20 acres, which otherwise would not qualify for

further subdivision under the basic formula above. Under this alternative, no property owner with more than 10 acres would be precluded from all future subdivision of the property.

C) 10 Acres with a Transition Provision for Parcels Greater than 10 but Less than 20 Acres. The same as the first scenario, except that someone owning less than 20 acres would be allowed to develop the first 10 acres of the property under today's existing zoning. This is another way to ease the impact of prohibiting building on an already developed parcel, and of easing the impact on smaller landowners holding between 10 and 20 acres. The practical effect for properties included in the overlay zone is to increase the number of allowable subdivisions. By zone, the number of additional lots would be four in R2A, two or three in A3A, and one in A5A.

For each of the three scenarios above, the Rural Space Overlay Zone (RSO) would cover 80% of the residentially zoned acreage, yet affect only 25% of the properties in Milan.

D) 10-Acre Overlay on Parcels of 15 Acres or Larger. In this scenario, instead of putting all parcels over 10 acres in the RSO, all parcels over 15 acres go into the zone. (For the purposes of this scenario, the "minimum of one" in scenario B above is also assumed.) This moves the impact to fewer parcels (17% of properties) and covers 72% of the acreage available for residential development.

E) 10-Acre Overlay on Parcels of 20 Acres or Larger. The same concept as D above, but moving the cutoff for inclusion in the RSO higher. This provides yet another way to ensure that no parcel that can today subdivide is prevented from doing so in the future. Even fewer parcels would be included in the zone—198 or 12% of the parcels—and less total land would be covered—65% of the Town's residential acreage.

Details and explanation of calculations for all alternatives and with varying assumptions are included in the appendix to the plan. Using the formula developed for the CPB analysis produces approximately the same number for build-out of today's zoning as does the EMC projection cited earlier in this chapter (see Table 7.6 below).

These alternatives produce varying levels of total residential properties projected at full build-out. The total build-out under the Rural Space Overlay ranges from a low of 859 additional lots in the Basic overlay to 1,347 additional lots in the Ten-Acre Overlay with the provision that owners with property between 10 and less than 20 acres can develop the first 10 acres under today's zoning (scenario C). We provide these alternatives for the Town Board's use in crafting the proposed Rural Space Overlay Zone. Each of the alternatives will make a substantive contribution to the protection of Milan's natural resources and preservation of rural character.

The CPB recommended option B, the 10 Acres with Minimum of One subdivision described above. While there was public support for the CPB's report and the RSO, a number of citizens commented on their concern that property owners be able to subdivide to provide lots for their family. The Town Board has concluded that option E, the 10 Acre Overlay on Parcels of 20 Acres or Larger provides the best balance of benefits with relative conformance to the density benchmark discussed in Chapter 2. The Town Board prefers this alternative because:

- It provides subdivision alternatives to all current landowners, either under current zoning or the proposed RSO.
- It approximates the number of potential subdivisions and build-out that reaches the density benchmark the CPB suggested, roughly doubling Milan's population.
- It is readily understandable.
- It is easier to administer than some other alternatives.

The CPB also considered the alternative to increase the minimum lot size for all zones in Town except the hamlets. Such an approach would increase significantly the number of nonconforming, and thus unbuildable, lots in Town. The impact on small landowners would be substantial. This approach would also fail to deal with the issue of sprawl, and would simply force the same amount of development to chew up larger portions of the landscape.

An additional alternative was proposed by the 2005 Town Board in their modified plan. They proposed to implement an RSO at 30 acres, but to allow the first 30 acres to be developed under existing zoning -- i.e. 3 or 5 acre lot size. While they provided no analysis of the impact of their proposal, examination by the Planning Board and further analysis using the model developed by the CPB found that future build-out would significantly overshoot the density benchmark, and the reduction in potential subdivision would not justify RSO implementation.

The 20 acre alternative will therefore be used for demonstration and discussion of the impact of the Rural Space Overlay Zone (RSO). The point of this analysis is not to be precise with the numbers, as they are theoretical and only as good as the underlying assumptions. The purpose of providing them is to give people a sense of the impact that such a rezoning proposal can have in the long term.

First, it is important to understand that the RSO, in the 20 Acres alternative (scenario E), covers all properties in the residential zones greater than 20 acres, except hamlet zones (HA) and land that is not otherwise protected (state-, county-, and Town-owned, utility-owned, cemeteries and churches, and land protected by conservation easement or other perpetual use). In Table 7.6 below, the number of maximum potential additional lots projected is derived by calculating the number of parcels in each zone by size, and multiplying by the number of subdivisions possible under the theoretical maximum in the zone. For example, a parcel with 8.5 acres in the A3A zone would be entitled to one additional subdivision (one lot exists, an additional lot is allowed for a full three acres, permitting one additional lot; there is insufficient land to meet the requirements for a third lot). The same calculation would be made for a parcel of 55 acres in a 10-acre zone: one lot exists, four more can be created. (These calculations are not shown here, but are in the appendix.)

In alternative E, the total number of lots is then reduced by 23%, an assumption made to estimate the impact of land that is unbuildable due to environmental constraints; this factor matches closely the EMC analysis cited earlier in Table 7.5. The total number of lots is further reduced by an assumed 20%, as was done in the EMC analysis, to reflect the needs for infrastructure, odd lot sizes, personal preference, etc.

The results of these calculations are in the right column in Table 7.6 below, and can be contrasted with the additional lots produced using the same formula for today's zoning. Instead of creating a maximum potential build out of 2,345 more lots in Milan under today's zoning, the number using the RSO would be reduced to 1,067.

Table 7.6 Milan Build-Out Under RSO (20 Acres) v. Existing Zoning

	Existing Zoning			RSO		
Zone	# Lots Max Pot Lots Exist	Minus 23% Environment Constraints	Minus 20% Infrastructure & Other	# Lots Max Pot RSO	Minus 23% Environment Constraints	Minus 20% Infrastructure & Other
A3A	2103	1619	1295	475	366	293
A5A	1544	1189	951	101	78	62
R2A	101	78	62	28	22	17
LC	6	5	4	2	2	1
HA	54	42	33	54	42	33
RSO		0	0	1024	788	631
TOT	3808	2932	2345	1684	1297	**1037**
		EMC 2003 =	2356		% Reduction =	-55.8%

This is not the whole story. There are undeveloped lots in town today that can be developed, and there obviously are existing homes. The total number of homes in Milan under existing zoning (using the same methodology to reduce the maximum possible undeveloped lots by 23% for environmental constraints and 20% for other factors), yields a total of 3,579 potential residences. The future maximum potential number of homes under the RSO (see Table 7.8 below) would be 2,271, a reduction of 36% from today's zoning. Using the average number of people per household from the 2000 census -- 2.62 -- this manages total Town population to a future level of approximately 5,950 people, versus 9,377 under today's zoning. The population density using RSO works out to be 165 people per square mile, as contrasted with 260 under existing zoning.

Table 7.7 Potential New and Total Homes in Milan Under Existing Zoning

	Developed Residential Lots Existing	Potential Building on Undev Lots Exist	Potential Additional Residences Lots Exist	Potential Total Residences Exist Zoning
A3A	599	106	1295	2000
A5A	325	99	951	1375
R2A	18	4	62	84
LC	3	2	4	9
HA	66	12	33	111
RSO	0	0	0	0
TOT	1011	223	2345	**3579**
			Pop(x 2.62)=	9377
			density =	260

Table 7.8 Potential New and Total Homes in Milan Under RSO 20 compared to Existing Zoning

	Developed Residential Lots Existing	Potential Building on Undev. Lots RSO	Potential Additional Residential Lots RSO	Total Potential Residences RSO	# Potential Additional Res. RSO v. Existing	% Increase Lots/Zone
A3A	572	106	293	971	399	70%
A5A	287	99	62	448	161	56%
R2A	18	4	17	39	21	117%
LC	3	2	1	6	3	100%
HA	66	12	33	111	45	68%
RSO	65	0	631	696	631	
TOT	1011	223	1037	2271	1260	125%
			Pop(x 2.62) =	5950	% Pop. reduction=	-36.5%
			Density =	165		

The maximum potential distribution of homes by zoning district under the RSO is shown in Table 7.8 above. All zoning districts display a healthy increase in the number of homes for the future, an important consideration for those concerned about their children's ability to afford a home in Milan in the future. The largest number of potential future homes (631) will be on the 65% of the land represented by the RSO. These lots when developed can be expected to carry tax assessments that will ease the tax burden on smaller property owners. To complete this summary of the RSO and how it operates, Table 7.9 is provided to permit a comparison between the results calculated for the five alternatives and compared to existing zoning.

Table 7.9 Comparison of RSO Alternatives and Existing Zoning

	# Lots in RSO	*% Tot. Res. Lots in* RSO	*% Res. Land in* RSO	*Potential Max Homes*	*Potential Population*	*Max. Pop. Density*
Existing Zoning	***0***	***0***	***0***	***3579***	***9377***	***260***
Basic RSO (10)	*416*	*25%*	*80%*	*2080*	*5450*	*151*
RSO Min. of One	*416*	*25%*	*80%*	*2099*	*5499*	*152*
RSO Dev. 10 acres	*416*	*25%*	*80%*	*2242*	*5874*	*163*
RSO Over 15 Min. of One	*274*	*17%*	*72%*	*2159*	*5657*	*157*
RSO Over 20	**198**	**12%**	**65%**	**2271**	**5950**	**165**

One of the advantages of the RSO is that it is distributed throughout the town, providing open space and environmental benefits in all areas of Milan. Subdivision and construction on lots of less than 20 acres is not affected by this overlay zone. Of 1,705 total parcels in Town, 1,507, or 88%, are not affected by this proposed zoning change. This proposal enables the Town to protect its environmental resources and preserve rural character. It does so without affecting the majority of property owners while it protects smaller landowners and preserves their interest in subdividing.

Two other potential sources for more housing are not included in the projections above. The Town contains 282 unimproved and nonconforming (i.e., too small for the zoning district in which they are located) lots. Of these lots, those existing on county maps prior to the introduction of zoning in 1976 can, under Milan's zoning code, be developed. Many of these 282 lots will not be buildable, or will not predate zoning. Some small number, however, such as those created many years ago in the Carvel development, will be buildable. Also, the Planned Purpose Development tools proposed in the plan could result in additional dwelling units in Town. As was noted at the beginning of this analysis, *the point is not to be precise with the numbers, as they are theoretical and only as good as the underlying assumptions. The purpose is to give people a sense of the impact that such a rezoning proposal can have in the long term.*

A note of caution is appropriate with respect to the assumptions used in the above analyses, particularly with respect to the 23% reduction for environmental constraints. As fewer lots are allowed on large properties, it is likely that buildable land for the allowed number of units will be found and reductions for environmental constraints will therefore in reality be less than for smaller lot zoning. It is recommended that annual assessments of actual experience be completed by the Milan Planning Board to evaluate the effectiveness of this zoning technique relative to the benchmark density.

Some citizens have expressed concern that multi-dwelling unit parcels that preexist zoning, could be severely restricted from further subdivision. It is not the intent of the RSO to create an unreasonable burden in such special circumstances, which will be limited. When implementing this zoning, flexibility should be permitted to avoid rigid application in such special circumstances

With respect to the impact of the RSO on land values, a number of local real estate professionals have indicated that large-lot subdivisions tend to maximize land returns to the owners. Recently in Milan several builders have been in front of the planning board asking to combine smaller lots into larger ones because they are worth more. Also, large-lot land prices can be expected to increase as people see that Milan is protecting the rural and environmental character of the Town. The natural outcome of this is that larger lots can expect to see assessments increase as properties sell and new market values are established. Assessment increases on large residential properties have the effect of reducing the relative tax burden across other property holders.

The CPB suggests that all properties within the rural overlay be evaluated for environmental restraints when proposed for development. Offering builders the option to either complete a conventional subdivision plan as the basis for establishing the number of homes able to be sited on a property or to use a net buildable acreage formula can work to the builder's advantage by maximizing the building lots permitted, or by expediting the approval process before the Planning Board. Applying this scientific approach to site assessment fosters the adoption of conservation subdivisions (a form of cluster development that incorporates environmental considerations). Such conservation subdivisions, discussed below, will permit the siting of homes on less than 10 acres, while preserving more environmentally sensitive lands and open space to protect Milan's rural character.

The Rural Space Overlay Zone, when coupled with conservation subdivisions, provides powerful tools to accomplish the central comprehensive plan objectives defined by Milan's citizens: To maintain Milan's rural residential character and to protect the natural resources and scenic beauty of the Town.

2. Conservation Subdivisions. Conservation subdivision is a process that assesses environmental constraints and evaluates available developable land to enable construction of housing in a way that best accomplishes the conservation and open space objectives of the community. Conservation subdivision allows somewhat higher housing density on a portion of a parcel in exchange for greater preservation of undeveloped space and protection of natural areas.

Dr. John R. Nolon of Pace University Land Use Law Center states that "development should fit into its natural surroundings, rather than becoming a dominant element in the countryside." To this end, a plan to subdivide should be reviewed to "identify and maintain the essential open space system of each location. Cluster subdivisions, with smaller average lot sizes, will preserve the important natural characteristics of the site and forever provide residents with a more rural setting than a conventional subdivision. Some sites will be more complicated than others, but identifying whether the site is part of the Town's open space system is the necessary first step in fitting it in.

Once site characteristics are fully understood, then suitable areas for development are delineated. Within these areas, house lots and roads are located. Only as a last step are the lot lines drawn in." A town can allow for low-density conventional development but also require conservation subdivisions under specified conditions. Towns must set guidelines for the type and amount of land (typically 30–50%) that goes into open space in any subdivision; this approach avoids protecting only narrow strips of land. Milan currently requires that at least 40% of the total area being subdivided be reserved as permanently protected open space; the CPB believes this should be maximized whenever possible and should be substantially higher than 40% for conservation subdivisions.

Conservation subdivisions must be reviewed and approved according to zoning regulations, which could allow for incentives that grant density bonuses when conservation easements and open space protections are used.

We recommend that Greenway Compact Guidelines and the applications of the four-step approach outlined in *Rural by Design* by Randall Arendt be used to achieve this goal. These four steps are:

1. Identifying conservation areas
2. Locating house sites
3. Aligning streets and trails
4. Drawing the lot lines

Conventional zoning has been referred to as "planned sprawl." It results in a strip development process that sites subdivisions along existing roadways with separate driveways; it denies scenic open spaces to the residents of a community by putting them behind backyards. In contrast, conservation developments utilizing interior streets or shared driveways protect the viewshed and provide necessary wildlife habitat. Conservation subdivisions contribute to better land use and develop less land, while allowing the same number of housing units that would be permitted under conventional subdivision ordinances. As a result, landowners and developers are not penalized financially for using a conservation subdivision strategy. This approach is particularly appropriate in rural areas that wish to remain rural while accommodating additional growth; conservation subdivisions place development in less sensitive areas and preserve forested land, steep slopes, wetlands and valuable landscape features. This development approach can also save the developer and the Town infrastructure costs by reducing the length of roads and utility lines to new developments; the cost for site development, particularly for infrastructure can be considerably lower than for conventional development. Towns can require developers to submit both a conventional and a conservation subdivision plan so that the Town and the developer, working together, can identify areas in a site that might fit the Town's designation for open space, environmentally sensitive areas, unique landscapes or other preservation criteria. Milan should require that developers submit both types of plans.

Randall Arendt, in *Rural by Design*, states that "there is a growing body of evidence that property values actually tend to increase as a result of the provision of open space within and around developments." Often, cluster subdivisions have been described as "golf course communities without the golf course." According to Arendt, "In a research project conducted by the Center for Rural Massachusetts, it was found that homes in a cluster subdivision appreciated 12.7 percent faster than similar homes in subdivisions without open space over a 21-year period."

3. Hamlet Districts. The residents of Milan want housing that is affordable for both the young and the old to remain available to the broad cross-section of our population. Today, more compact development is encouraged in the hamlets of Rock City and Lafayetteville. Both areas are located on our primary east–west transportation corridor. Both hamlets have lost the vigor of their earlier days and would benefit from revitalization. They both can play a key role in providing a balanced housing inventory for Milan's current and potential residents, while the town overall retains the rural character and quality of life so appreciated by Milan citizens.

Recommendations of the Dutchess County Smart Growth Housing Task Force state: "Many municipal zoning ordinances are exclusionary, making no land available for homes on small lots, town houses or multi-family housing. Local municipalities should review and change their master plans and zoning ordinances to provide land for such housing. Ideally, such land would be allocated adjacent to existing population centers, services and water and/or sewer."

Fortunately, Milan's Zoning Code already establishes the hamlets as areas whose purpose is consistent with these smart growth recommendations. The hamlet district "purpose" reads:

> The Town of Milan recognizes the unique historic and architectural character of its unincorporated hamlet areas and wishes to preserve and enhance the hamlet centers of Lafayetteville and Rock City through the establishment of a Hamlet (HA) Zoning District. It is the intent of this zoning district to:
> 1. Encourage the development of traditional mixed-use hamlets that will serve as focal points of community life for residents.
> 2. Provide areas where residential, commercial and office uses can be intermingled and mutually supportive.
> 3. Avoid strip commercial development
> 4. Maintain and accentuate the historic character of the Town by encouraging development which adheres to the existing historic, architectural and cultural fabric of the hamlet and incorporates historic design principles.
> 5. Promote a wide range of housing opportunities for Town residents by providing options to single family housing.
> 6. Diversify and strengthen the Town tax base by promoting commercial uses.

Milan's hamlet areas are intended to provide a range of housing opportunities that are more affordable due to smaller lot size and more compact development. They are also intended to encourage mixed use, small commercial activities where they can serve a neighborhood. In Milan's case, the hamlets provide the balance to meet the needs of the broad cross-section of today's and future residents, and make it possible to reduce the density of development across the larger rural landscape of Milan.

Unfortunately, however, current zoning standards for the district do not provide the flexibility to enable the hamlets to play their intended role in town. For example, multiple dwelling units require substantial acreage to compensate for their density and setbacks from the road do not permit commercial sidewalk access

4. Planned Purpose Development. To enable the hamlet areas to develop in the ways outlined in zoning, and consistent with smart growth principles, flexibility in zoning is required beyond that in today's code. To accomplish this flexibility, the CPB developed a new zoning concept called a "planned purpose development" (PPD). The PPD is a more specific form of "planned unit development" found in some zoning codes, but tailored to Milan. When a PPD area is established, the Town permits builders to apply for modifications to zoning that allow greater creativity in planning and designing developments in specific situations.

The Smart Growth Network defines a PUD as "Provisions (which) allow land to be developed in a manner that does not fit into the use, bulk, and open space requirements of any of the standard zoning districts. The PUD allows greater flexibility and innovation than conventional standards because a planned unit is regulated as one unit instead of each lot being regulated separately."

According to John Nolon's book *Well Grounded*, this type of "zoning provision permits large lots to be developed in a more flexible manner than is allowed by the underlying zoning; may allow developers to mix land uses, such as residential and commercial . . . to develop the parcel at greater densities, and with more design flexibility than is otherwise allowed in the underlying zoning district." On the other hand, as Nolon points out, "such provisions often require developers to compensate for the impacts of their projects by setting aside significant and usable open space, providing infrastructure needed to service the development, or offering other community facilities and services." Such provisions can provide a platform from which to meet both the developer's objectives and the interest of the Town and the residents in a cooperative fashion.

The CP recommends that PPDs be allowed only for specific purposes -- to create senior housing; to enable the flexibility necessary to encourage affordable housing; and to permit the development of a traditional walking neighborhood.

A. Senior Housing. As was noted earlier, there is a lack of senior housing in Milan. The Town has attempted to address this need in the past through provisions for accessory apartments, ECHO housing, and limited multiple family structures. We support the continued use of these strategies with somewhat more flexible conditions for the establishment of accessory apartments, as discussed below. However, we believe that in our aging society, we need to do more. Thus the CPB recommends some senior housing units as a planned purpose development alternative, with set-asides granting first priority to Milan residents who might wish to relocate to such housing. Most logically these would be in the hamlet areas (where small, service oriented, mixed use commercial development can locate in close proximity to housing) but could be located elsewhere in town. In such areas, multiple unit housing (owned or rental) can be constructed that is easy to maintain, and in ready contact with the surrounding community without vehicle access.

Current zoning only permits one use that is specific to senior housing – 'Nursing or convalescent home.' However, today's seniors are much more healthy and active than seniors in the past, they are living longer, and they have a wide variety of interests. There are many new alternatives for senior housing such as Over 55 Active Communities, Senior Cooperative Communities, Senior Cottage Communities, Traditional Assisted Living, and Greenhouse Assisted Living. As "boomers" age there will be additional ideas and opportunities developed. At this point, no one knows which alternatives are suitable for Milan, which approaches the seniors would like to see developed, and where they should be located. Milan should be prepared to consider any serious application to construct appropriate scale senior housing that is proposed by means of a PPD.

B. Affordable Housing. The Milan community is a diverse mixture of citizens: Long time residents and new arrivals, children and seniors, full time residents and weekenders, farmers and executives, landowners and renters, and a variety of religious, ethnic and cultural backgrounds. This diversity is

critical to the social health of the community. However, this diversity can not be maintained if the cost of housing rises beyond the means of many of its citizens. The current housing market is rapidly driving up the cost of housing beyond what many people can afford. Using the US Department of Housing and Urban Development's affordability formula[1], the Milan median household income of $54,491 per year, and taxes and overhead typical to the Milan area, the maximum affordable home price for the Milan median income household is $143,813. Based on 2004 housing sales, only 5 homes sold for less than this price therefore 91% of the homes were out of reach for the median income family. This presents a particular problem to young families seeking to obtain their first home.

Current zoning permits multifamily dwellings, accessory apartments, and mobile homes. These offer affordable housing alternatives and the CPB recommends they remain in the zoning code with amendments where appropriate. The CPB further recommends that incentive zoning be considered as another way to increase the stock of affordable housing. However, considering the small size of the Town and the housing market pressures outside the Town, there is not much the Town can do to directly affect housing prices.

Across the country there is private sector interest in providing affordable housing. There are many varied approaches taken by these for-profit ventures, such as cottage communities, mixed use areas, and clustered communities, and there are new approaches constantly being developed. If there is to be any significant impact on affordable housing in Milan it will most likely be the result of private investment. But at this point it is not known which alternatives would be suitable for Milan, which approaches the citizens would like to see developed, and where they should be located. For this reason the CPB recommends a PPD for affordable housing to enable the Town to consider any serious proposal.

C. Traditional Walking Neighborhood. In *Well Grounded,* by Dr. John Nolon, a traditional walking neighborhood is discussed as one that provides for pedestrian-friendly mixed-use areas, with buildings that face the street and are located at maximum rather than minimum setbacks to bring them close to sidewalks. Such centers are within walking distance of residential areas providing a diversity of housing types. They offer an excellent opportunity to create "flex housing" -- two-story, street-front buildings with a small commercial space on the ground floor and housing above. Traditional walking neighborhoods are typically viewed as having a radius from the center of ¼ to ½ mile, approximately a 5-10 minute walk. The Town owns land at the intersection of South Road and Route 199; a small unused portion of this site could serve as a catalyst for the development of such an area.

Today, the minimum lot size in a hamlet is one acre. To permit development on lots of less than one acre would require construction of expensive water treatment facilities, the cost and maintenance of which the Town is unable to bear. Making an agreement with a developer, however, who will construct a water treatment system and/or construct a number of affordable units as part of a planned purpose development, provides a viable way forward. The planned purpose development options described above can provide a needed degree of flexibility. Such agreements can and should specify a number of units reserved on a priority basis as the Town desires -- for example, for seniors or as affordable housing for municipal or emergency service employees. Current zoning does not allow for the sort of multiple unit housing necessary for senior housing. However, individual or small group senior housing in a compact planned purpose development would be appropriate, and should first be made available to current Milan residents. Allowing zoning flexibility -- always consistent with the larger interests of the Town and its residents -- will enable new types of carefully planned development. The Town need only allow such projects in cooperation with a responsible developer willing to comply with the Town's approach and serve Town interests while serving his own.

[1] See "Affordable Housing in Milan: Is It Possible with Current Zoning", 7-13-05, L Kingman, in Appendix)

Regulations will need to be developed to implement the planned purpose development concept as part of Milan's Town Code. These regulations should be developed through public dialogue with the residents of the hamlets and the Town, and criteria for the use of the Planning Board and Town Board when considering a planned purpose development application should be established.

5. Affordable Housing Options and Incentive Zoning. As noted above, affordable housing is a problem in Milan, as it is in many areas in Dutchess County. Milan residents want to see diversity in housing available in Town. Current zoning regulations already allow for affordable housing types that are in keeping with the rural residential character of Milan. These include multiple-family homes, accessory apartments and mobile homes. The CPB concluded that we should retain quality mobile homes as a housing option in the Town, despite some contrary views, as one mechanism to provide affordable options. Residents make clear, however, that mobile home parks are in not in keeping with the vision of Milan for the future. In addition to the existing options, the CPB recommends that the Town adopt incentive zoning or density bonuses and other appropriate techniques and use its influence in connection with future planned purpose development proposals and conservation subdivisions to expand the availability of affordable housing. Allowing developers of large projects a modest percentage of bonus units could, over time, modestly increase the stock of affordable housing.

The above zoning proposals will lead Milan to a responsible, balanced land-use plan that respects the interests of homeowners and honors the wishes of its residents to avoid sprawl and suburbanization, to protect the Town's natural resources and to provide more affordable housing options for seniors, young families and those of moderate income. The proposed Rural Space Overlay Zone is identified on a map contained in the appendix, as is a map depicting the ¼ and ½ mile radii from our two major hamlet intersections.

6. Additional Zoning Proposals. In addition to these major changes in Milan's approach to zoning, the CPB recommends changes to zoning in a number of other areas.

A. Rezoning of parcels adjacent to the Lafayetteville hamlet. The CPB recommends that the small parcels along North Road and east of the Taconic State Parkway be zoned hamlet. We recommend that the large parcel east of North Road that was previously zoned R2A and apparently rezoned through a map error in 2003 to A5A, be returned to its original R2A classification. These rezoning actions are wholly consistent with concepts of a compact, mixed-use area that could evolve to become a traditional walking neighborhood and support some senior and affordable units.

B. Accessory dwelling units (ADUs). An ADU is created by converting part of, or adding onto, an existing detached single-family home, or by converting part of or all of a secondary building (garage, barn, etc.) into a residential housing unit on the same building lot.

ADUs help maintain a balanced approach to housing needs. Flexibility in accessory housing should be allowed while protecting the rights of neighbors, as well as the interests of Town residents. Generally, current regulations regarding accessory apartments achieve that balance and should remain unchanged. However, the committee would like to ease the burden that a five-year waiting period for converting existing nonresidential building to accessory apartments status (200 1E) can entail. We are concerned, however, that such apartments not become common and used as a form of rental housing. For this reason, the CPB recommends that accessory apartments require that either the principal dwelling or the accessory unit be owner-occupied on a continuing basis as a condition of granting and renewing special-use permits for these units.

Multiple dwellings of up to four units should be encouraged only in the designated PPDs of Town. An accessory apartment should be permitted.

C. Conservation homesteads. In return for protecting a very large lot with a conservation easement in perpetuity, the owner may be permitted to construct a very limited number of additional secondary dwellings. Such secondary dwellings are another avenue through which affordable housing can be provided while moderating tax increases.

D. Historic houses. Milan needs to take more action to preserve its historic housing. A 1981 Department of Interior directive states, "The historic buildings in a community are a tangible link with the nation's past that help provide a sense of identity and stability that is often missing in this era of constant change. Preservation is an anchor that keeps communities together and reestablishes pride and economic activity." Preserving what historic structures we have should be part of a long-term sustained effort to conserve Milan's rural character. Successful protection of the Town's heritage will benefit residents in the long term, as recognized by other municipalities' comprehensive plans. These structures provide a physical and psychological link to our past, educational benefits, tourism, and increased property values over time.

Milan should encourage those owning historic homes or considering buying one to maintain period authenticity in the outward appearance of their homes, and make such owners aware of the 1980 New York State Register of Historic Places. Restrictions on historic properties listed in the NYS register as opposed to the federal register are minimal; federal income tax credit for costs of substantial rehabilitation, and wider access to funding from various sources, are benefits of such listing.

Summary

Managing residential development in a way that preserves the unique natural resources of the Town and maintains our rural character in the face of rapid and accelerating growth is a central challenge facing Milan. Our fellow citizens have told us how important this is to them, and the CPB has proposed some novel and far-reaching zoning changes that we believe balance the interests of all of Milan's citizens. The Comprehensive Plan includes proposals to protect broad expanses of rural landscape and sensitive environmental lands, while permitting the Town to roughly double its population in the future. The plan ensures that provision is made for affordable housing for moderate-income residents and provides tools that can expand the availability of housing for seniors and young families. These proposals also respond to the anxiety that many residents have regarding taxes, especially school taxes, by creating high-value properties that will contribute substantially to Milan's tax levy and help restrain the growth of taxes for smaller land owners.

D. Recommendations

1. Implement a rural space overlay zone to manage density and control growth in Milan, preserving the rural residential character and environmental resources of the Town.
2. Amend the Zoning Code to adopt conservation subdivisions as a tool to protect open space and other environmental resources of the Town.
3. Request an annual Buildout Report from the Planning Board - in consultation with the Tax Assessor's Office, and Building Inspector - to monitor the effectiveness of zoning and subdivision regulations in managing the growth of Milan, and to make suggest zoning code changes as required.
4. Allow for planned purpose developments (PPDs) in designated areas of Town to better accommodate specific Town needs.
5. Encourage neighborhood participation in further planning for the hamlet areas. Adopt incentive zoning or density bonuses to stimulate additional housing alternatives for moderate-income families and seniors.
6. Amend the Zoning Code to permit the granting of a variance for conversion of an accessory structure to an accessory apartment in less than five years upon demonstration of use for immediate family members in need.

7. Amend the Zoning Code to limit the number of multi-family dwellings to no more than two units with the exception of future PPD areas.
8. Permit conservation homesteads with secondary homes subject to the normal subdivision process requirements, in return for agreement to extinguish subdivision rights on very large properties.
9. Continue acreage requirements established in the current zoning code for apartments, except in conjunction with a PPD.
10. Offer developers the opportunity to submit a conventional subdivision plan or accept a net buildable area formula as the base for establishing the number of lots permitted in conservation subdivisions when they are required by the Planning Board.
11. Create a Milan Historic Register and explore mechanisms to preserve historic structures; encourage listing on the NYS Register of Historic Places.
12. Eliminate zoning that allows mobile home parks.

E. Implementation Strategies

Managing density is a central strategy of this Comprehensive Plan. Preserving the rural residential character of Milan and protecting its natural resources can only be accomplished by new directions in town planning and zoning. Continuing review of the effectiveness of the measures outlined and the enforcement of regulations should be a primary focus of the Town's administration. Additional funding will be required to complete the work associated with the development of new zoning concepts; the Town Board should pursue available avenues to obtain such funding under the Quality Communities Program, the Clean Air/Clean Water Bond Act, Transportation Enhancement Act, Greenway Compact and other grant programs to implement the recommendations regarding housing and residential opportunities. Further detail regarding the implementation of these recommendations is provided in Chapter 9, Land Use Plan.

Chapter Highlights

Milan citizens embrace commercial activities that support the needs of the Town and its citizens. The Town's topography, established transportation patterns and the environmental sensitivity of areas along the main transportation corridor make Milan less conducive to commercial enterprises than most communities. Milan's citizens are not willing to sacrifice the rural residential character and environmental resources of the Town to embrace sizable commercial operations. They strongly wish to avoid strip development along our primary artery, Route 199. The existence of a floating light industrial zone, with the potential for industrial uses in family neighborhoods, is rejected by Milan's citizens. The CPB recommends removal of this zone in the Town's code and the elimination of any industrial uses not consistent with the rural residential character of the Town. Critical recommendations regarding commercial activities in Milan include support for home businesses, retention of existing highway business zoning along Route 199, and encouragement of small, mixed-use development in the hamlet district areas.

Commercial Development

A. Introduction

The Town of Milan has limited commerce, with commercial uses concentrated on Route 199 and home-based businesses scattered throughout the Town.

This portion of the Comprehensive Plan reviews commercial uses and locations in order to provide guidance for future commercial development in Milan. Surveys and workshops have guided the Committee on Commercial and Economic Development to review the commerce desired by residents and examine the types and scale of businesses appropriate to our infrastructure, tax posture, and essential small town character.

B. Existing Conditions and Trends

Milan has always been a rural community. Residences dot a wooded countryside interspersed with scenic open fields from farmlands. In the past a number of small hamlets served as centers for limited business and services rather than one major population concentration or a single identifiable town center. Today, Rock City and Lafayetteville remain recognized mixed-use hamlets with some limited commerce.

Milan is predominantly a residential community; less than one percent is zoned commercial. It has a dispersed population, which depends upon the automobile for employment and services. The people in Milan do not look to the Town to provide economic opportunities and services. While Milan has a very low unemployment rate, only a small percentage actually works in Town. This reflects the growing trend of people being willing to commute longer distances for the enjoyment of living in a rural setting. The 2000 Census showed that 1.9% of our labor force was unemployed, 11.6% worked in Town, 85.8% commuted by car or truck, 3.1% by public transportation, 5.8% by walking, and the remaining 5.3% worked at home. Towns to the east (Pine Plains) and to the west (Red Hook and Rhinebeck) provide services, commerce, and schools. Major shopping centers exist further to our west (Kingston) and south (Poughkeepsie).

Because of our rugged, hilly terrain, our road system consists mainly of winding country roads, with two exceptions: Route 199, the east–west state road that bisects Milan, and the north–south Taconic State Parkway. Route 199 carries regional traffic east to Pine Plains and west to Red Hook, Rhinebeck and Kingston (the road has historically been the main east–west road in northern Dutchess County). Travelers exit the Taconic Parkway at Route 199 and pass through Milan on their way to Rhinebeck and points west. Consequently, the majority of "brick and mortar" enterprises that exist in Milan are concentrated on that corridor.

Presently, the commercial health of some stores and shops along Route 199 is not good. In recent years many have changed ownership or gone out of business. Some existing commercial uses disregard current zoning ordinances and contribute to the general visual chaos that uncontrolled growth engenders. The road is one of the most prominent open spaces in the Town and is, for most travelers, their only contact with Milan. Scenic views, a major wetland and pristine undeveloped open spaces lie alongside negligent parcels. The Town has initiated a process to bring offending businesses into compliance with our regulations, which should be completed. Much of the existing commercial business on Route 199 pre-existed the enactment of the zoning ordinance. Significant areas sit astride a wetland and aquifer that feeds the Sawkill River. Inappropriate growth along the length of Route 199 could lead to the endangerment of water resources, the loss of scenic views, and the spread of unwanted strip development.

Milan maintains a healthy tax status compared to other towns in Dutchess County, according to the Marist study cited in Chapter 2. The revenues that support our rural infrastructure and services do not come directly from a significant commercial tax base. This sound fiscal condition is partly due to other revenue streams, but more significantly is due to the concurrence of healthy real estate values, a low population density, and a rural economy that does not make sizable demands on the Town's infrastructure and services. In this community, tax revenues from commercial properties are not the most important benefit to the Town. Commercial operations and employment opportunities that are in harmony with Milan's natural resources and rural character are preferred. These operations help to maintain property values without increasing our expenses and so contribute more to our economic well-being than large or sprawling commercial or industrial enterprises.

C. Goals and Visions

Goals and visions for commercial development derived from public input include the following:

- Prevent commercial strip development on Route 199.
- Restrict commercial development to designated areas.
- Discourage large retail and industrial businesses.
- Encourage home-based businesses.

1. Retail and service business. Consistent with present zoning, citizens welcome small-scale, locally owned, service-oriented enterprises in designated areas that serve the needs of Milan's population, travelers, and tourists. They oppose fast-food formula businesses and large shopping outlets or other establishments that invite high automobile or truck traffic. Both big-box and chain stores are inappropriate in the eyes of Milan residents. According to the National Trust for Historic Places (NTHP), a typical locally owned business returns about 60% of its profit to the community where it exists. Entrepreneurs own homes in the community, pay local taxes, hire local workers, and work with other local businesses. On the other hand, a typical chain store returns only about 20% of its profits to the community. An analysis for "big box" superstores shows that 92–95% of their profits leave the community. Distant shareholders and remote corporate franchises siphon off the profits. Financial, advertising, maintenance, and general services are farmed out. At the same time, the local community is expected to subsidize such stores by extending town services and facilities to them.

2. Light Industry. Industrial uses should be of a type and scale appropriate to our Town. Appropriate uses would be custom-made furniture, pottery, and clothing, artisan-style bakeries, nurseries, etc. This is not currently supported by our zoning ordinances, which defines light industry more broadly to allow larger-scale operations with a wider impact on neighbors and community character. An excellent demonstration of public sentiment was the recent overwhelming opposition that was engendered in 2002 when the Town Board considered a request to change the zoning of a large parcel of land in order to introduce a gravel mine to a residential area of town away from our major highways. Residents with children living in the areas along the proposed truck routes and a school bus driver expressed deep concerns for the children's safety from large gravel trucks using narrow roads not appropriate for industrial traffic (the proposed mine is in an area where a smaller mine already exists). Noise, dust, and vibrations from the mine and heavy truck traffic would greatly degrade the quality of life for those living in the vicinity of the mine or along the truck routes. People throughout town became involved as the issue grew, with the realization that because our present statutes allow a Floating Light Industrial Zone, such an operation could crop up in any residential neighborhood. At numerous Town Board meetings a majority of citizens objected to the proposed mine location and the Floating Light Industrial Zone. Petitions, many letters to the Town Board and to local newspapers followed, and the mining question became a major issue in the 2004 local elections. The citizens have made it abundantly clear that they do not want a Floating Light Industrial Zone, which has the potential of locating industrial uses in residential areas.

This floating zone makes property owners near open land uneasy and residents want the assurance that residential areas are safe from industrial neighbors. Subsequent surveys and workshops reinforced the views that Milan's light industrial operations must be separate from residential neighborhoods and that such uses be of a size and nature that do not strain our infrastructure, present a danger to our citizens, emit noxious fumes, create excessive noise or traffic, compromise our environment, or are otherwise incompatible with our rural and residential way of life. The CPB's recommendations for changes to uses are included in appendix C for the Town Board's consideration.

One of those recommended use changes is the elimination of additional mining in Milan. The 1986 Master Plan encouraged the establishment of a floating light industrial zone to allow gravel mines. This was at a time when such mines were owned by and served the local community. Current commercial gravel mining operations are on a large, regional scale and only incidentally serve the local community. The noise, dust, and disruption to the residents' quiet enjoyment of their property, and the potential loss of property values, make such operations unprofitable to the local community.

On April 26, 2005 consultants representing Red Wing Sand and Gravel made a presentation to the CPB at its scheduled meeting, indicating the location of gravel deposits in Milan and requesting that this land be zoned to allow gravel mining. (See meeting minutes in the appendix.) Approximately 35 Milan residents attended the presentation. Sixteen residents made comments recommending that additional gravel mining not be allowed in Milan. No one spoke in favor of allowing gravel mining.

3. Agriculture. Approximately 82% of the land in Milan is devoted to agriculture, forest, recreation, or other public open space uses. Agricultural zoning, which provides an area where residential uses and agriculture can coexist, must be preserved: once changed it would never be restored. To protect our rural atmosphere and heritage, an overwhelming percentage of respondents in our surveys favored the promotion of agricultural uses in our town. Likewise, the mission statement of The Northern Dutchess Alliance (a consortium of northern Dutchess municipalities, business groups and community groups) reads "Local land use planning should include mechanisms for protection of agricultural lands and preservation of open space, and promote compact development." Our remaining dairy and crop farms, our orchards, greenhouses, and nurseries, our tree, sheep and horse farms, are all integral to Milan's rural character.

4. Home Business. Working at home can save commuting and child care costs, and give those who might be unable to work outside of the home (such as single parents, the elderly and the disabled) an opportunity to earn a living or supplement an income. Home businesses keep Milan affordable for some of its long-time residents, according to an informal review conducted by the committee. Telecommuting is a growing trend and Milan is the perfect setting, although there is a need for more high speed internet alternatives. In keeping with its rural residential nature, home businesses in Milan should be governed by well-crafted zoning regulations so that they have minimal impact on their neighborhoods.

5. Commercial Development along Route 199. Commercial development on this road preceded zoning controls in Milan and is located in various areas along its length. Current zoning allows some commercial use in the hamlets of Rock City and Lafayetteville and in the Highway Business (HB) zones located midway between the hamlets and at the intersection of 199 and the Taconic. Other commercial uses that preceded zoning are grandfathered into the residential and agricultural zones.

The Greenway Compact contains guidelines for development and preservation of open space, and under the heading of "Countryside," they recommend maintaining the open rural character of the landscape and preventing strip development from lining the roadways. Surveys and workshops identified the prevention of strip development along this corridor as one of the major issues the Comprehensive Plan was asked to address.

By confining the HB zone to its present limits, as shown in the Rte. 199 commercial zones map, it is possible to halt strip development and protect critical environmental areas and viewsheds. At the same time, by intelligently directing future commercial growth to small mixed use areas where traditional walking neighborhoods may develop, and by establishing commercial design standards, we are preparing conditions that welcome and foster locally owned businesses appropriate for our town.

6. Hamlet Areas and Planned Purpose Developments (PPDs). In our surveys and public meetings, citizens expressed a strong desire to confine commercial development to designated areas. The consensus from our planning process is that the people of Milan want to retain the rural residential character of Milan, with limited small-scale commercial activities distinctly separate from the forested slopes, open fields, unobstructed vistas, dark skies at night, and the quiet of their community.

In addition to the strongly felt quality-of-life issues, in purely practical terms, rural localities such as ours are disproportionately affected by the high cost of sprawl. Except for one small community water system on the Carvel property, Milan citizens depend on individual wells and septic systems. There is limited commercial traffic on our secondary roads. We do not have sidewalks or streetlights. Commercial growth that is confined to specific areas will enable Milan to retain its rural character and at the same time avoid future infrastructure costs to the taxpayer (lights, roads, etc.).

Commercial development is naturally attracted to higher trafficked intersections, higher density zoning and proximity to other larger developments (whether in our town or nearby). The idea of creating a town center was recommended by the 1986 Master Plan and reviewed again in 2000. The 1986 Master Plan recommended that the center be located in Lafayetteville, traditionally a center of commerce for the Town. The idea of a town center was studied by a different Comprehensive Plan Committee in 2000. Lafayetteville was cited then as a viable location for such a center and further study was recommended (see appendix). Involvement of the hamlet community and other town citizens in study of options and planning for growth in both Lafayetteville and Rock City remain an important element of the Town's comprehensive plan. Future options for the hamlets will be enhanced by the adoption of Planned Purpose Developments (PPDs) described in Chapter 3, Course Changes for Milan, and Chapter 7, Residential Development. PPDs, when implemented can provide a community with benefits such as a walkable mixed-use community of residential and commercial uses, senior housing, infrastructure improvements, parks, trails, open spaces, active and passive recreational opportunities and other physical, social and cultural amenities.

Lafayetteville offers the potential of a viable center for Milan. There are large public and private contiguous parcels nearby which are relatively free of development, situated on or near to natural crossroads (Route 199, North Road, South Road, and the Taconic) and in proximity to the Carvel project. The hamlets are already zoned for mixed use. Lafayetteville has the largest concentration of people in Milan as well as the highest density zoning. It is also in need of revitalization, particularly in the bankrupt and never completed planned community area which predates the construction of the Taconic Parkway. It could benefit from the incentive zoning inherent in the PPD concepts.

Likewise, Rock City is situated at the confluence of three towns (Milan, Rhinebeck and Red Hook) on two major roads (Route 199 and Route 308). Milan should work with the other municipalities to guide potential development in and around the Rock City hamlet.

Creating another high-density area and spreading commercial uses to other locations in Town is neither recommended nor desired.

7. Design Guidelines. In order to maintain our rural character, enhance our natural environment and keep Milan unique, design guidelines are necessary for new and renovated commercial properties. We

must continue to enforce existing ordinances and to explore new ones. In 2004, Milan joined the Greenway Compact. At a minimum, the Town should use the Greenway design guidelines for commercial development when reviewing and approving projects. We already have specific requirements for signage in our zoning code; these should be reviewed to insure that commercial signs are harmonious with Milan's rural setting. Additional guidelines in our code should be developed to provide standards and regulations to insure that commercial properties conform to our rural character.

D. Recommendations

1. Review and amend commercial uses in Table A Schedule of Use Regulations with regard to community preference surveys, traffic volume and safety, and environmental sensitivity. (The appendix contains a suggested use table prepared by the committee for guidance in amending the zoning code.)

2. Review and amend commercial uses in Table A Schedule of Use Regulations with particular consideration for the appropriateness of light industrial uses, which no longer "float" but must co-exist harmoniously in commercial or mixed-use areas.

3. Review and amend area, yard, coverage, and bulk requirements, as well as performance standards for manufacturing and light industrial uses with regard to community preference surveys, traffic volume and safety, and environmental sensitivity.

4. Define home businesses and draft zoning laws that focus on controlling any negative impacts these occupations might have on their neighborhoods.

5. Limit the Highway Business Zone on Route 199, which sits astride the wetlands and aquifer at Milan Hill Road, to existing zoned lots. Do not allow additional lots in this area or commercial usage through use variances. Future commercial development and improvements on these lots should be required to maintain appropriate buffers to protect the wetlands and aquifer.

6. Encourage mixed-use residential and commercial development in the hamlets that will support walkable neighborhoods.

7. Engage the residents of Rock City and Lafayetteville in continuing discussions on the long-term planning and development of the hamlets.

8. Protect the value of residential properties abutting commercial uses by adding requirements to the performance standards of Highway Business Districts and Hamlet Zones that minimize the impact businesses have on homes nearby. Standards should address limiting and concealing exposed on-site storage and lighting that does not extend into residential areas. Allowable noise levels and hours of operation of businesses should be addressed to mitigate their effect on abutting residential properties.

9. Eliminate the Floating Light Industrial Zone and eliminate Light Industry (LI) as a separate category. However, the LI area, yard, coverage, bulk requirements, and performance standards that are appropriate to the designated commercial areas should be retained and applied to all commercial enterprises. Those standards that are not appropriate to the designated commercial zones should be amended.

10. Establish a Planned Purpose Development zoning classification to enable the Town to respond to opportunities for mixed-use walking neighborhood development.

11. Review current design guidelines and revise as required to insure that the design addresses Milan's unique character. Use the Greenway Compact guidelines as a basis for all commercial development and improvements. The following elements should be reviewed and addressed:

    a) Building area
    b) Landscaping
    c) Signage
    d) Roof pitch
    e) Materials for façade
    f) Lighting
    g) Style of buildings (i.e., contextual architecture in keeping with the historical character of the area)
    h) Guide for plantings
    i) Parking areas, size and location
    j) Outside storage
    k) Buffers between commercial and residential zones
    l) Enforcement

(Recommended design guides that the CPB finds appropriate for Milan are in the appendices.)

12. Prevent strip development by designating Route 199 a Scenic Roadway in our Zoning Code and naming it to provide local identity, pride, and perhaps to honor one of the Town's notable families or events. The open spaces between Lafayetteville and the Highway Business district should be identified as scenic areas. This would allow the Town Board to designate them as Critical Environmental Areas (CEAs) under SEQRA 617.4(h). These procedures will help guide development as well as gain leverage with the State Department of Transportation.

13. Ask Red Hook and Pine Plains to join in the development of a Corridor Management Plan for Route 199 as the first step in applying for status as a "New York State Scenic Byway."

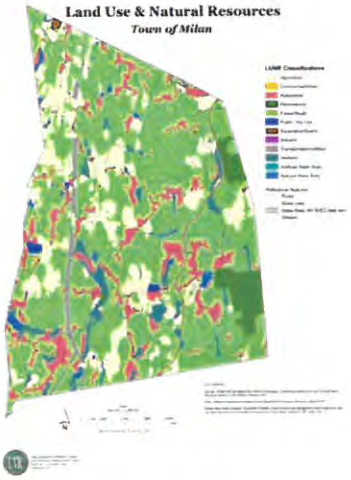
E. Implementation Strategies

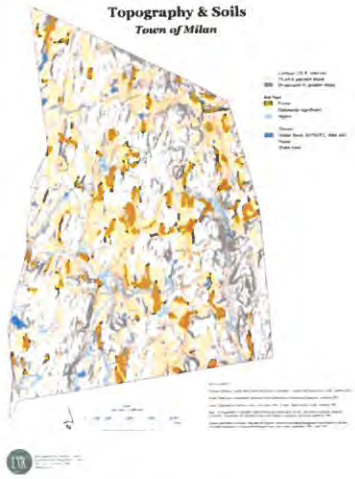
After the adoption of this Comprehensive Plan, a committee of citizens from Milan should study and recommend specific changes in the zoning to develop the recommendations set forth in this chapter. Guidance from the Planning and Zoning Boards and town planner will be both needed and sought.

The residents of Lafayetteville and Rock City should be engaged in additional long-term planning for development of their neighborhoods.

Two intermunicipal committees should be formed: one among Pine Plains, Red Hook, and Milan to establish a Corridor Management Plan for Route 199 and the other among Rhinebeck, Red Hook, and Milan to explore possibilities for development in the area of Rock City.

9. Land Use Plan





Chapter Highlights:

A Comprehensive Plan can set the direction for the Town for the future, but it is only effective in doing so when the Town Board adopts the Plan recommendations and follows that with the enactment of implementing regulations. Each step of the way requires the formal input of the public in hearings and the consideration of environmental consequences under New York State's Environmental Quality Review Act. The plan took a great deal of work to prepare; however, in a sense, the real work must now begin . . . and as outlined, there's a lot to do.

A. Introduction

1. The Lay of the Land

The land that is contained within the jurisdictional boundaries of Milan has existed, virtually unchanged, for eons. The natural elements of wind, rain, and snow, together with the plant life, very slowly and relentlessly made small changes in the face of the land as the centuries passed. Wildlife and native peoples lived and died for countless generations and made no permanent mark on the land. Then, less than four hundred years ago, Western Europeans began settlement of the area now known as Milan. Trees were cut and rocks quarried for homes and outbuildings. Forests were cleared for crops and grazing. Streams were dammed for mills. Roads were constructed between the settlements. The land began to be altered with hand tools and manpower. The population was sparse and the changes small, but the alterations were more drastic than those that nature had worked over the past millennia. The population grew steadily and, with the Industrial Revolution and the invention of power equipment, the pace of clearing and building accelerated. The automobile required the paving of roads and enabled the population to grow as residents could be employed much further from home. Milan was set on a course of growth and increasing development that continues unabated today.

The Town of Milan is a gem of natural beauty located in northern Dutchess County between the towns of Red Hook and Rhinebeck on the west, and Pine Plains on the east. It shares an agricultural heritage with its neighbors but its steep slopes and thin soils limited the success of its farms. Although there are two small hamlets today, there has never been a population center of any significance and the Town has historically had the lowest population density in Dutchess County.

The towns of Rhinebeck and Red Hook prospered from their location on major water, rail, and road routes connecting Albany and New York City. The current Route 9 is the former Albany Post Road stage route that has existed since colonial times. Milan was isolated from major transportation routes until the building of the Taconic State Parkway, a WPA project and part of Roosevelt's New Deal in the 1930s. Terminating in Milan at Route 199, the TSP was a major transportation artery that went nowhere and banned commercial traffic. With trucking prohibited, Milan did not realize the significant commercial growth that usually accompanies a major transport terminus and trans-shipping point. A large number of gas stations, motor courts, and diners sprang up to serve the folks that traveled Route 199 to continue their trip to or from Albany. But this transient traffic did not provide any significant or permanent boost to the economy of Milan. Some of the buildings are still in use today but many are now residences.

When the TSP was completed to the NYS Thruway it provided a scenic route for passenger traffic from the New York metropolitan area to the New England and Adirondack recreation areas. Today the TSP serves as a major commuting route for those people that want to live in the rural splendor while they continue to work in the metropolitan area, 70 miles to the south.

In the late 1990s the Mid-Hudson Valley grew in popularity as a center for recreational and cultural activities, especially the towns of Rhinebeck, Red Hook, Kingston, and Woodstock. The Town's natural beauty, rural character, proximate location to neighboring attractions, and easy access from the south drew many second-home buyers from the New York metropolitan area and today nearly 20% of the housing stock is held as second homes. During this same time period, southern Dutchess County experienced a marked increase in new homes as people moved north from the metro area, seeking a better quality of life and a lower cost of living. The September 11, 2001 tragedy in New York City sparked an unprecedented growth of new homes in southern Dutchess that has been moving northward at an unwavering rate. This growth has reached Milan. Many residents have recently received solicitations from out-of-state firms to sell their property. Out-of-state real estate developers have been searching the Town tax rolls for parcels for large-scale development. The Town assesses property at true value and

maintains a 100% equalization rate, yet land consistently sells at multiples of its assessed value. During calendar year 2003, the Town Planning Board reviewed seven subdivision proposals for a total of 28 new lots, of which 21 lots were within three major subdivisions. In 2004 the Planning Board reviewed 12 subdivision proposals for a total of 72 new lots, of which 64 lots were within eight major subdivisions. This is a 300% year-to-year increase of lots in proposed major subdivisions. In addition, the Durst Corporation has proposed a 2000+ acre golf resort for the area that includes 400 acres in Milan.

Milan's natural beauty derives from dense wooded slopes, rolling hills, sweeping vistas, and numerous watercourses. This is a fragile and easily damaged beauty because of the steep slopes, thin soils, distant views of the Catskill and Berkshire mountains, and pervasive wetlands. When Milan's Zoning Code was adopted in 1975, it was respectful of the natural environment and natural habitats. Since then much more has been learned about the natural environment of Milan and its limited ability to support development, even at the Town's lowest residential density of five acres. Ironically, the fragile natural features that are the heart of the beauty and rural character that draw people to the Town can easily and irretrievably be destroyed and lost forever by misguided development.

The Comprehensive Plan Committee chartered the Conservation Advisory Council to perform a natural resources inventory for the Town to identify the areas most appropriate for development and the areas that must be protected from development. This inventory will be considered together with other information and requirements to design a blueprint for future growth in the Town. There will likely be substantial areas that must be protected from development while other areas will be suitable for various development densities, including possible growth centers, mixed-use districts and traditional neighborhoods. The allowable uses of any area should be compatible with the social, cultural and historical character of the area and closely tied to the natural features of the land and the types of development it can reasonably sustain.

2. The Hierarchy of Land Use

A) *The Comprehensive Plan* provides the "architecture" for land use in the Town. The Comprehensive Plan documents the Town's vision and goals for land use and sets out specific recommendations.

In Chapter 2, the Town's visions and goals are listed as:

1) Maintain the rural character of Milan
2) Remain (primarily) a Residential Community
3) Enable small-scale and limited commercial activity
4) Protect open space and natural resources
5) Keep Milan affordable and accessible to current residents

Chapter 3 establishes the importance of environmental protection and introduces new zoning concepts, such as Planned Purpose Development, the Rural Space Overlay Zone, and Incentive Zoning, as tools to enable the realization of the Town's goals by means of the Land Use Regulations.

Land Use Regulations are the laws developed to implement the requirements of the Comprehensive Plan. These regulations are designed to ensure that the day-to-day land-use decisions of the Town's boards and officials are consistent with, and in support of, the Comprehensive Plan's visions and goals. The most common land-use regulations are the zoning code, zoning map(s), and the subdivision code, but they can also include regulations for ridgelines, wetlands, steep slopes, timber harvesting, excavating, etc.

B) The land-use regulations are implemented through land-use *Boards and Officials*. Examples are the Planning Board, Zoning Board of Appeals, Building Inspector, and Zoning Enforcement Officer. Each of

these entities is authorized by Town Law to be responsible for enacting and enforcing specific sections of the land-use regulations.

C) Land-use *Processes* are the recognized mechanisms for the implementation of land-use regulations. To subdivide a lot, the owner would apply to the Planning Board and follow the subdivision process. To build a house, the applicant would apply to the Building Inspector for a building permit and follow the permitting process.

D) *Enforcement* is the foundation of the land-use hierarchy and absolutely critical to achieve the vision and goals of the Comprehensive Plan. All of the regulations, processes, boards, and officials are of questionable value if the regulations are not practically enforceable or if the Town is unwilling or unable to provide the enforcement resources or funding. Before any land use regulation is enacted into law, at least three questions must be answered:

1. Is this regulation enforceable?
2. What is the enforcement mechanism and how is it funded?
3. Will it be enforced?

If there are not satisfactory answers to all three questions, the law should not be enacted.

3. The Requirements

By New York State law, all Town land-use regulations must be supported by the Comprehensive Plan. Each chapter of the Comprehensive Plan documents the vision and goals for its area of interest and provides recommendations and suggested implementation strategies. The land-use regulations are drafted consistent with the Comprehensive Plan. The visions, goals, recommendations, and implementation strategies of all the chapters are considered together to draft a comprehensive set of land-use regulations.

In addition to the requirements of the Comprehensive Plan, the land-use regulations must not be in conflict with federal, state or county laws and should recognize the Greenway Design Guide and other appropriate and voluntary guides.

B. Existing Conditions And Trends

1. Current state of zoning & subdivision regulations. Nearly all of Milan's current land-use regulations are contained within the zoning and subdivision codes. In general, these codes are quite comprehensive, clearly support the goals of the current and proposed Comprehensive Plans, and have some provisions that make them unique when compared to neighboring towns, such as accepting conservation easements and authorizing the Planning Board to require cluster development under specified conditions.

Although the codes have served the Town well, there are some deficiencies that need to be addressed. First, there are a number of inconsistencies and errors that were likely introduced as the codes were iteratively updated and amended over the years. Second, there are areas of land-use regulation, such as Planned Purpose Development, that were not identified as requirements in the current Comprehensive Plan that must be added. Third, existing portions of the codes must be updated to meet the changing local requirements in such areas as protection of natural resources.

It is not intended to scrap the current codes and draft new ones from scratch. They are well understood and the deficiencies and contradictions are known and can be easily fixed. The current codes will serve as a serviceable foundation for the new land-use requirements and enable a smooth transition to the new regulations by the boards and officials.

The current zoning districts are:

HA	Hamlet - Rock City and Lafayetteville
HB	Highway Business – designated commercial lots adjacent to Route 199
R2A	Residential 2 Acre – Low density residential district
A3A	Agricultural 3 Acre – Low density mixed residential and agricultural
A5A	Agricultural 5 Acre – Very low density mixed residential and farming
LC	Land Conservation – Preservation of environmentally constrained land
LI	Light Industrial – Floating district for light industrial uses

This Comprehensive Plan recommends:

- Eliminate the LI district and move acceptable light industrial uses into the commercial use category.
- Eliminate the LC district and replace it with a series of comprehensive overlays of areas of environmentally constrained development such as wetlands, steep slopes, viewsheds, thin soils, etc., in order to guide development and provide more flexibility than the current LC restrictive definition.
- Keep the HA district and designate specific areas for potential future priority growth and senior housing.
- Keep the R2A district and restrict it to the currently designated locations.
- Keep the A3A and A5A districts.
- All lots within the HA, R2A, A3A, and A5A will be subject to the Rural Space Overlay Zone when adopted if they meet the RSO criteria.
- Keep the HB district but do not add more lots to the district and remove lots that are environmentally unsuitable for commercial development.

There are a number of known errors on the current zoning map; these should be corrected.

2. Development pressures. During the late 1980s some large subdivisions were approved in Milan. The housing market was cratered by the recession of the early 1990s together with significant cuts in IBM employment. Consequently, most of these new lots were not developed and remained vacant until very recently. The prosperity of the late 1990s, the emergence of telecommuting and flexible work schedules, and the shock of 9/11/2001 spurred a wave of interest in purchasing primary residences and second homes in the Mid-Hudson Valley. This wave has moved steadily northward and is lapping at Milan's door.

Milan's ecology is complex and rarely is a parcel suited for conventional subdivision development. However, many developers press to develop subdivisions with the same rapidity and minimal environmental review they have experienced in some other Dutchess County communities. The Planning Board needs a full complement of land-use tools to ensure that all development conforms to the visions and goals of the Comprehensive Plan.

C. Goals and Visions

This Comprehensive Plan brings together Milan's goals and visions for Natural Resources, Historical Resources, Residential Development, Infrastructure, and Commercial Development. The role of the land-use plan is to develop a comprehensive set of regulations that realizes all these goals.

The Comprehensive Plan identifies many goals. The practical limitations of resources and funding require that the recommendations be implemented on a schedule determined by the priority of each recommendation. Three timeframes are envisioned for implementation:

1. Immediate. A number of actions are urgent to accomplish in 2006 following adoption of the Comprehensive Plan. The Town has extended moratoriums which are due to expire in February and June on the floating light industrial zone and major subdivisions which are due to expire in October and December, respectively. The revision to the zoning code to eliminate the floating light industrial zone and selected light industrial uses needs to be done before February. The proposed rural space overlay zone needs to be implemented before July 2006, when a number of large major subdivision applications are expected. To support the goals of maintaining rural character, protecting natural resources, and implementing the rural space overlay zone, it is critical that the provision for conservation subdivisions is adopted and that a revision of the subdivision regulations is completed. These items are noted with a single asterisk * in the list of recommendations below.

2. Near term. Other important items should be accomplished in the near term, 2006. Many of these actions complement the Immediate items noted above and should be adopted as soon as the work can be completed. These include such items as the completion of the natural resources inventory, the adoption of water resources regulations, ridgeline regulations, critical environmental areas, and other zoning map updates and revisions, including priority growth areas and planned purpose development. These items are shown with a double asterisk ** below.

3. Medium priority. Items to be accomplished as they can be undertaken in conjunction with the above priority items, or as the work can be completed over the next two to three years. These items are shown with three asterisks *** below.

4. Other. Items that are important but which should be implemented as time and resources permit so as not to delay the adoption of higher priority items. These items are shown with four asterisks **** below.

D. Recommendations

The visions, goals, and requirements of the Comprehensive Plan must be realized as Town laws and regulations so they can be effectively administered by the Town boards and officials. There are five areas that need to be addressed:

1. Land Use Maps
2. Conservation Advisory Council
3. Zoning
4. Subdivision
5. Enforcement

1. Land Use Maps. The land use maps are critical to the planning and permitting processes. They will be an essential resource to assist the Planning Board members when they evaluate new subdivision and site plan applications, especially when conducting the mandated NY State Environmental Quality Review.

They will also be valuable to the Building Inspector as he reviews new building applications to ensure appropriate structure siting. The maps must include all of Milan. Recommended deliverables are:

a) A zoning map revised to correct past errors and minimize upzoning hardship while minimizing potential new lots.*
b) Maps to identify environmentally constrained land areas (e.g., constrained soils, agricultural soils, wetlands, old-growth forests, steep slopes, ridgelines) **
c) Habitat maps **
d) Official map of all public and private roads including a comprehensive list of all road names **
e) Maps to identify sensitive archeological areas and historic sites ***
f) An "ideal" land use map based upon the above maps and additional information ***
g) Map of proposed green corridors–e.g., trails and wildlife migration ****

2. Conservation Advisory Council. Environmental considerations are critical when processing most land use applications, such as subdivisions and site plans, especially when conducting SEQR. Early CAC involvement helps flag potential problems and impacts and enables a smoother process to the benefit of both the Town and the applicant. The CAC advice can be especially important when significant environmental impacts may exist and a positive declaration of significance is warranted. Their science-based approach provides a solid fact-based recommendation that the lead agency can use to expedite a satisfactory solution.

> The CAC should be actively involved in the review of every application before the Planning Board that requires an environmental assessment. *

Most of the new environmental regulations and overlays will apply to individual home construction as well as subdivisions and site plans. SEQR does not apply to single home projects. The first step in building a new home is to obtain a building permit from the Building Inspector. The Building Inspector's permit checklist must now include review for location in a regulated area, such as the Ridgeline Overlay. The builder will have to comply with the requirements of these regulations. Because of the uniqueness of many situations, the CAC will need to be consulted to recommend a solution.

> The CAC's role in the Building Permit and Certificate of Occupancy processes must be defined in Town law. **

3. Zoning.

a) Zoning districts:
   1) Add Rural Space Overlay Zone *
   2) Review and revise existing districts including the Land Conservation District. **
   3) Add Planned Purpose Developments–Senior Housing, Affordable Housing, and Traditional Walking Neighborhood **
b) Create new zoning district map(s) *
c) Route 199
   1) Prevent strip development.*
   2) Designate scenic and historic sections as CEA's. **
   3) Rezone environmentally constrained HB lots. **
   4) Partner with Red Hook and Pine Plains to develop a Rte. 199 Corridor Management Plan.***
   5) Nominate Route 199 as a "New York State Scenic Byway." ****
d) Minimize the impact of commercial uses on residential properties.
e) Revise and amend zoning code.
   1) Add Conservation Subdivisions. *
   2) Add Zoning Incentives for subdivisions *

3) Add Rural Space Overlay. *
4) Correct existing errors, omissions, and inconsistencies. **
5) Revise the table of permitted uses and bulk and area table. **
6) Review/revise Sign regulations. **
7) Remove from Zoning the current provisions no longer supported by the Comprehensive Plan, e.g.:
    - Light Industrial District – Floating Zone *
    - Mobile Home Developments **
8) Formally integrate Greenway Design Guidelines into code. **
9) Review/revise regulations for commercial uses in hamlets **
10) Add Planned Purpose Development. **
    - Define categories
        - Senior Housing
        - Affordable Housing
        - Mixed Use Traditional Walking Neighborhood.
    - Define Town Board and Planning Board approval processes.
11) Add Ridgeline controls and overlay district. **
12) Add Water resources controls and overlay district. **
    - Add guides for chemical fertilizers, herbicides, insecticides, and fungicides. ***
13) Add Light pollution controls. **
14) Add Steep slopes controls and overlay district. **
15) Add Logging and land clearing controls. **
16) Add Excavation controls. **
17) Add Scenic resource protection and overlay district. **
18) Revise Accessory Apartment regulations. **
19) Review/revise Parking regulations. ***
20) Add Home business regulations. ***
21) Add Conservation Homestead Regulations. ****

f) Environmental regulations
1) Integrate the CAC into environmental review processes. *
2) Critical Environmental Areas **
    - Define local process to establish.
    - List registered Critical Environmental Areas in zoning appendix.
    - Define relationship to non-SEQR processes (e.g., building permits).
3) Use Part 2 of the SEQR EAF to determine impact on growth and character of the community and address mitigation of any significant impacts to cost or quality of services **
4) Identify Milan amendments to the NYS environmental review process (SEQR). ***

4. Subdivision.
a) Integrate the CAC into environmental review processes. *
b) Require applicants to submit both conventional and conservation subdivision plans. *
c) Add early (sketch phase) public information sessions. *
d) Move start of environmental considerations to front of process. *
e) Update access specifications (roads, common drives, and driveways). *
f) Establish formal fire and emergency services review of subdivisions. *
g) Add a "net buildable area" process optional alternative for determining maximum lots permitted. **
h) Formally integrate Greenway Design Guidelines into code. **
i) Establish road naming process for Town and private roads. **

5. Enforcement.
   a) Establish post-approval subdivision monitoring and enforcement backed by appropriate bonding requirements.*
   b) Review and revise fee schedules to support needed enforcement **
6. Town of Milan Code.
   a) Assess the costs of regulatory administration and ensure that fees and assessments are set accordingly.*
   b) Add noise and hours of operation for commercial uses. **

E. Implementation Strategies

The recommended regulations, maps, and processes must be developed for Town Board review and approval. These materials will be developed by the Town Planner, the Town Planning Board Attorneys, and other professionals as required. Where appropriate, members of the Planning and Zoning Boards and CAC will contribute as well as other Town officials, such as the Building Inspector, ZEO, Town Highway Supervisor, etc. Knowledgeable residents will also be asked to participate, especially as members of focused task committees and as reviewers. Outside agencies, such as DC Planning and the Pace Land Use Law Center, will be asked to participate as appropriate.

The cost of developing these regulations and any associated studies and materials, can be considerable. Grants are available from private, non-profit, and government sources to defray the costs of development of the regulations and ensure quality results. The Town should identify appropriate grant resources and proactively pursue funding for critical projects and goals.

It may be possible to develop some of these regulations as discrete pieces while others will have to be developed as part of a comprehensive effort. Changes to the zoning regulations, as a minimum, must be thoroughly reviewed within the Town, referred to DC Planning and the Planning Board, referred to adjacent towns (where appropriate), and presented at a public hearing before the Town Board can vote for adoption.

Time and timing will be critical factors in adopting the highest priority items before the moratoriums expire later this year. This will require careful planning and coordination of all proposals, focused reviews, and short review cycles in order to complete the high-priority items.

Town of Milan Comprehensive Plan

Appendix A: Maps of the Town of Milan

January 2006

Table of Contents: Maps

Town of Milan

Aerial Map of Milan

Tax Parcels and Protected Lands

Land Use and Natural Resources

Topography and Soils

Water Resources

Historical Sites

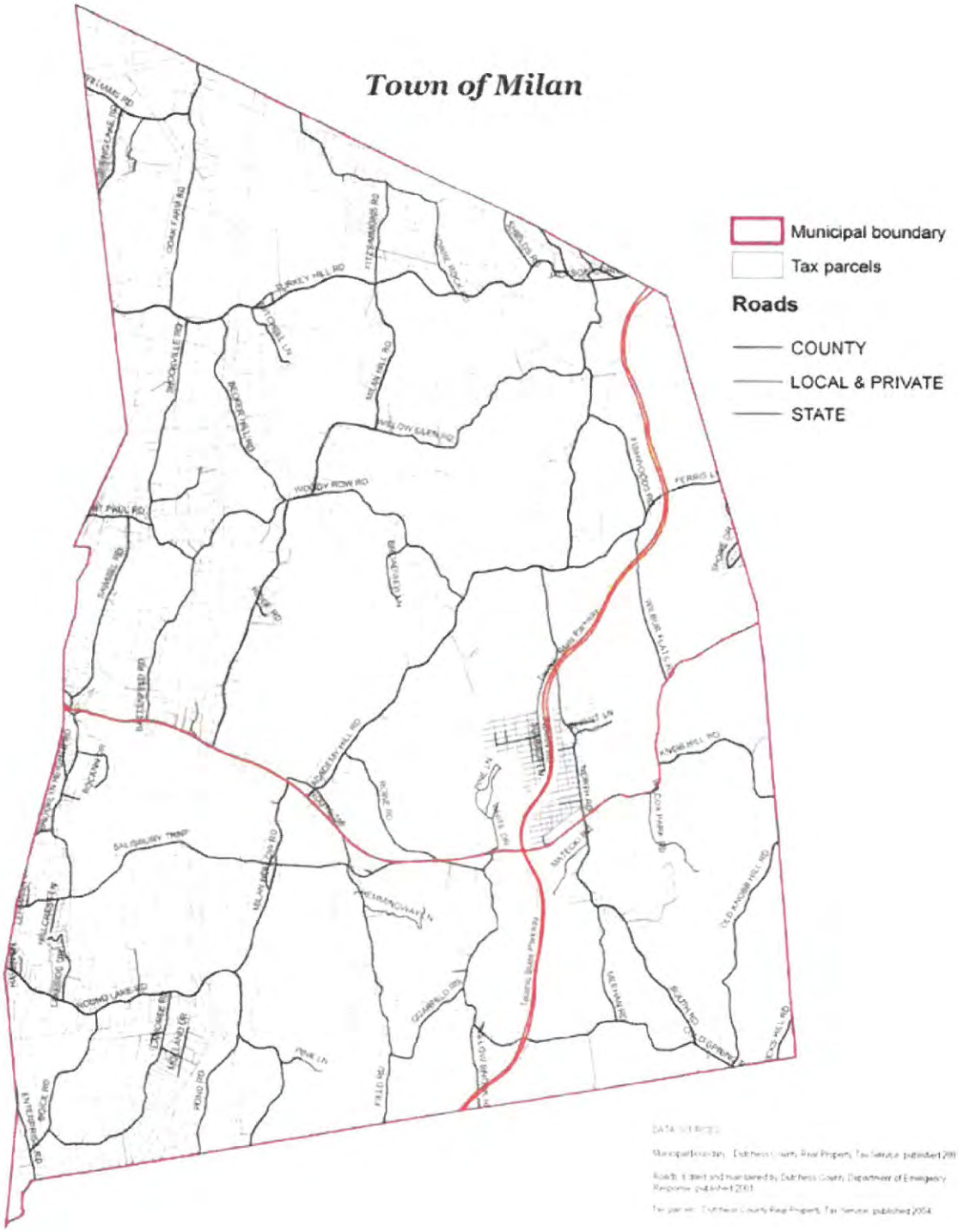
Roads and Infrastructure

Proposed Rural Space Overlay

Route 199 Corridor

Current Zoning -- Town of Milan

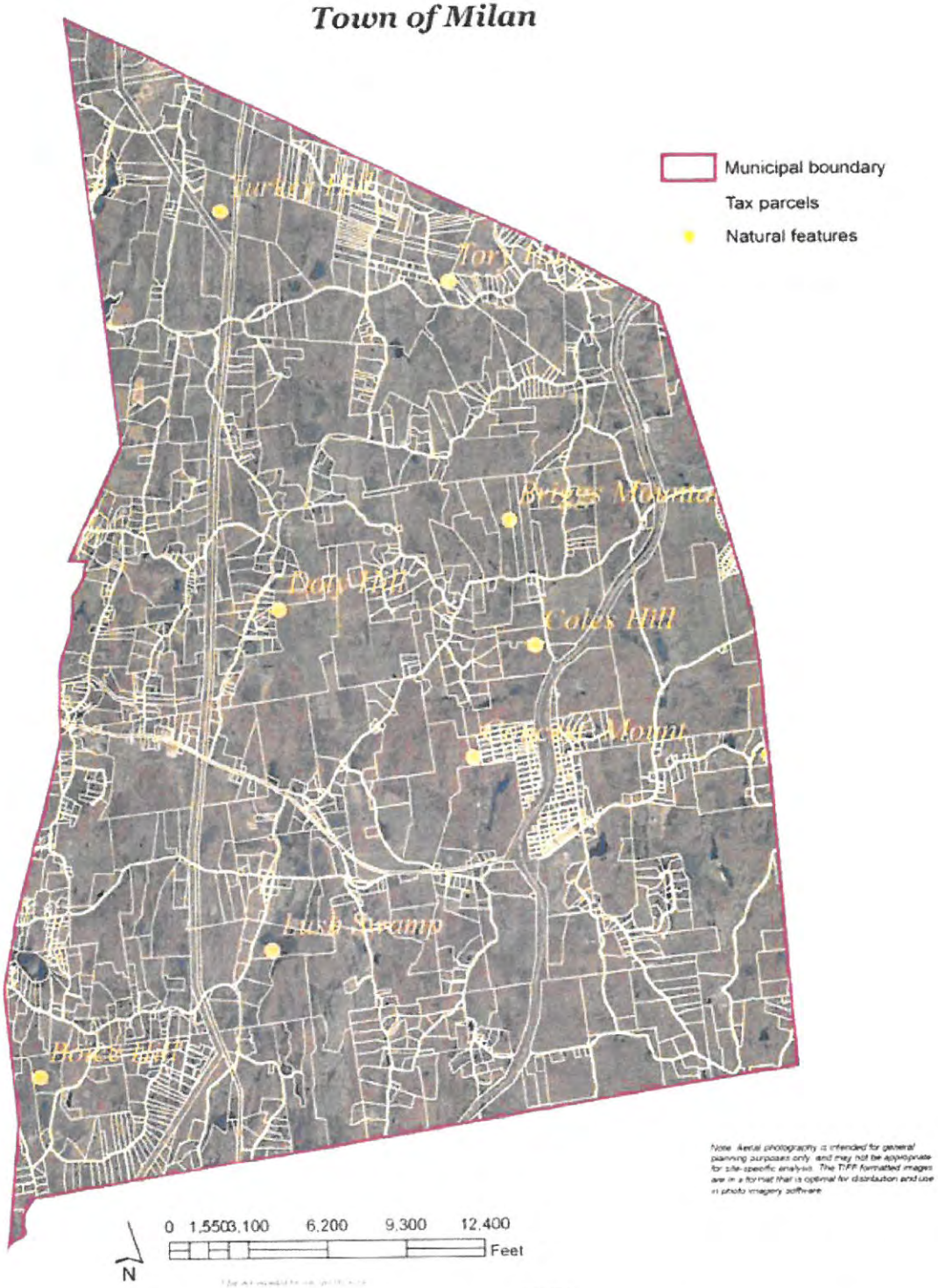
Town of Milan



0 3,600 7,200 10,800 14,400 Feet

N

Town of Milan



Note: Aerial photography is intended for general planning purposes only, and may not be appropriate for site-specific analysis. The TIFF formatted images are in a format that is optimal for distribution and use in photo imagery software.

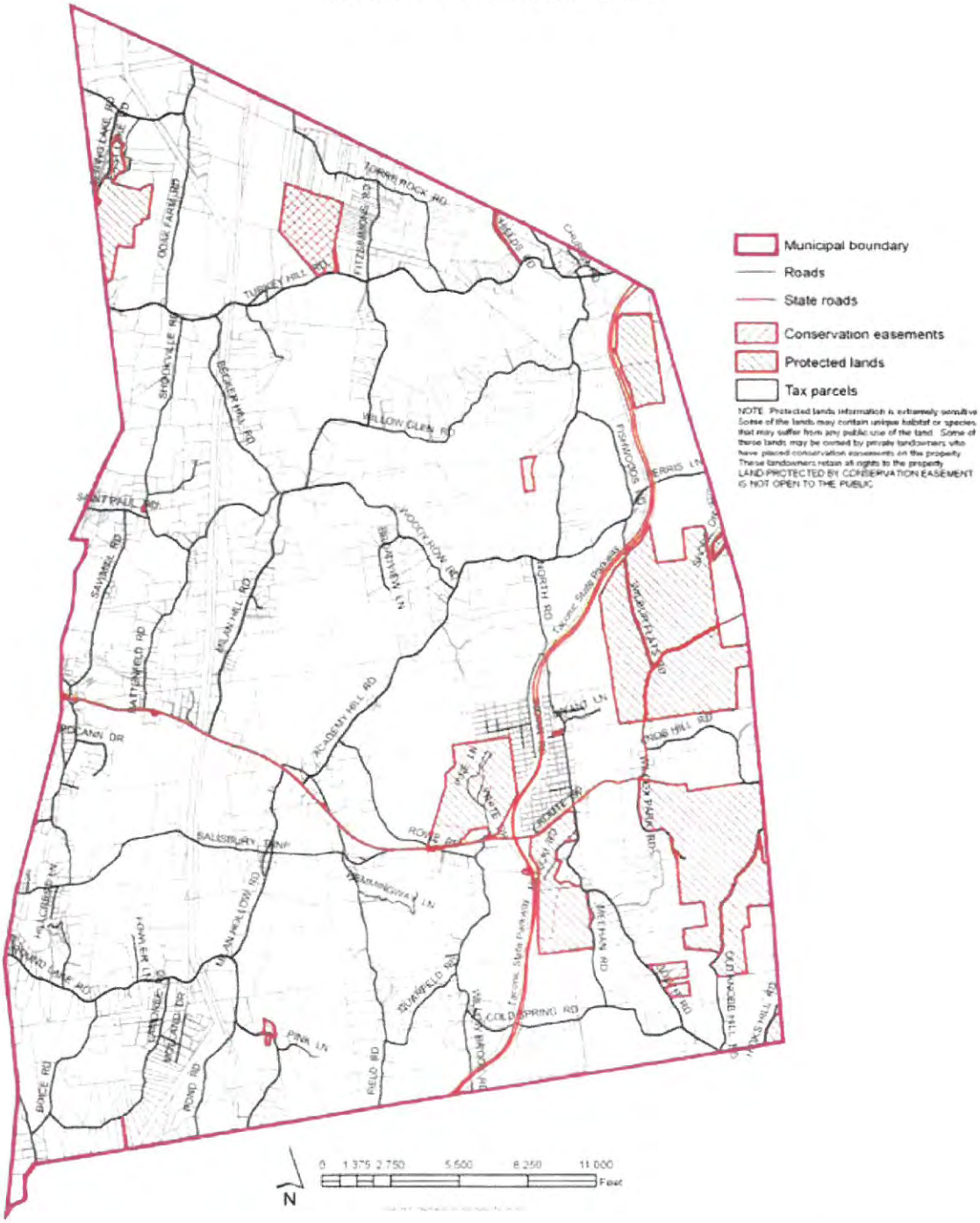
DATA SOURCES:

Aerial photo: Originated by ASI & Sanborn, published 2006. TIFF formatted year 2006 color aerial photos of Dutchess County. The resolution of the imagery in Optical Experiment 7.1 is rated with a horizontal accuracy of 3.27 feet. This high resolution allows detail as fine as mailboxes and individual colors.

Municipal boundary: Dutchess County Real Property Tax Service, published 2007.

Natural features: This is features are part of the Geographic Names Information System (GNIS). Developed by the U.S. Geological Survey in cooperation with the U.S. Board on Geographic Names (BGN). GNIS contains information about physical and cultural geographic features in Dutchess County, both current and historical but not including roads and highways.

Town of Milan
Tax Parcels & Protected Lands



DATA SOURCES

Municipal boundary: Dutchess County Real Property Tax Service, published 2001

Protected lands: Originated by Dutchess County EMC, published in 2004, using the RPS4 database and tax parcel boundaries from Dutchess County Real Property Tax Service. Includes data created by Dutchess Land Conservancy, published 2001 (if properties with conservation easement).

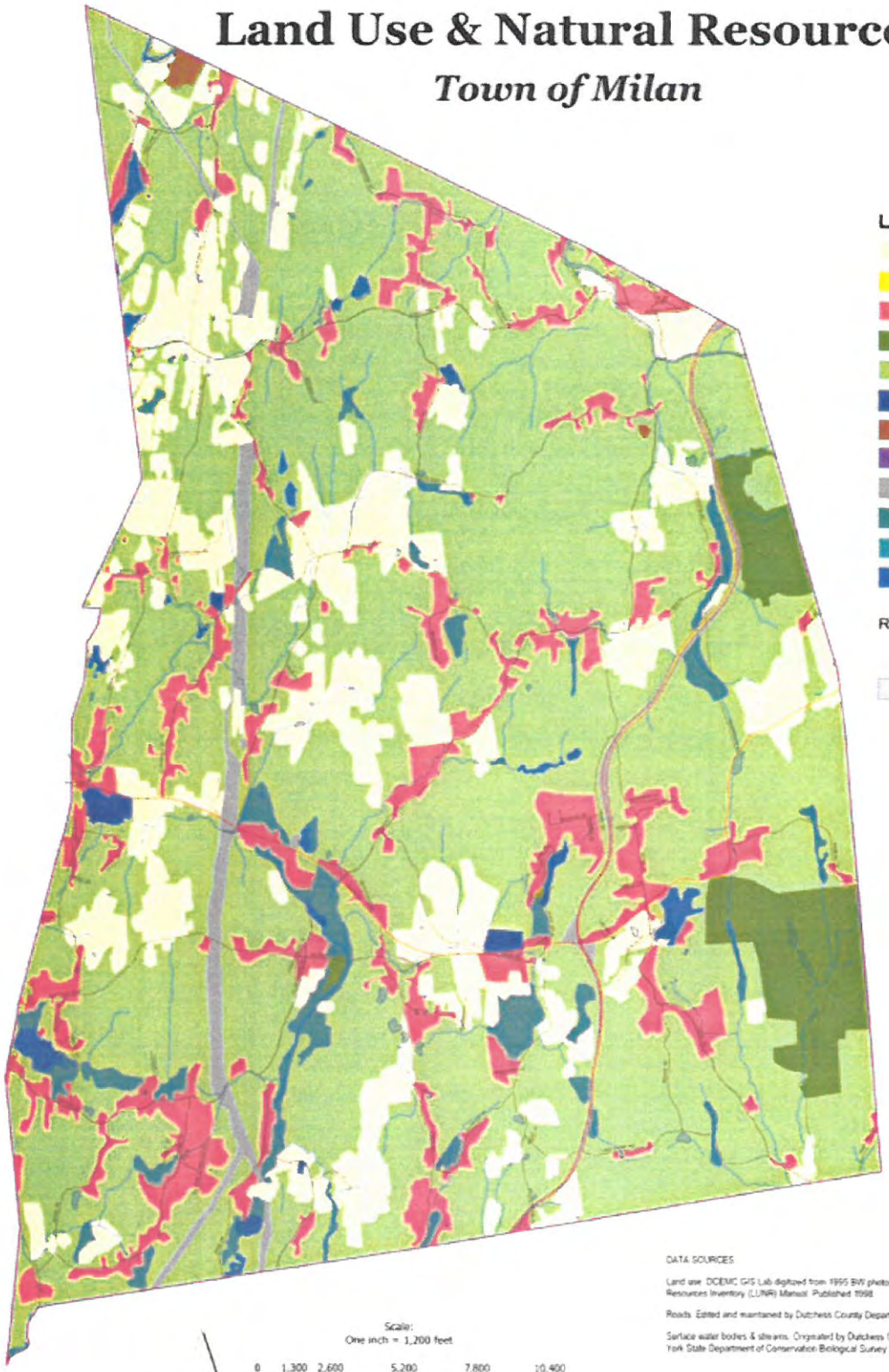
Roads: Edited and maintained by Dutchess County Department of Emergency Response, published 2001

Tax parcels: Maintained by Dutchess County Real Property Tax Service, published May 2004

EMC
Map prepared by Dutchess County Land Resource Management Center
[illegible]
Dutchess, NY

Land Use & Natural Resources

Town of Milan



LUNR Classifications

- Agriculture
- Commercial/Urban
- Residential
- Recreational
- Forest/Brush
- Public: Any Use
- Excavation/Quarry
- Industry
- Transportation/Utilities
- Wetland
- Artificial Water Body
- Natural Water Body

Reference features

- Road
- State road
- Water Body (NYSDEC data set)
- Stream

Scale:
One inch = 1,200 feet

0 1,300 2,600 5,200 7,800 10,400 Feet

N

Map not intended for site specific work

DATA SOURCES

Land use: DCEMC GIS Lab digitized from 1995 BW photography. Classification defined by the Land Use and Natural Resources Inventory (LUNR) Manual. Published 1998

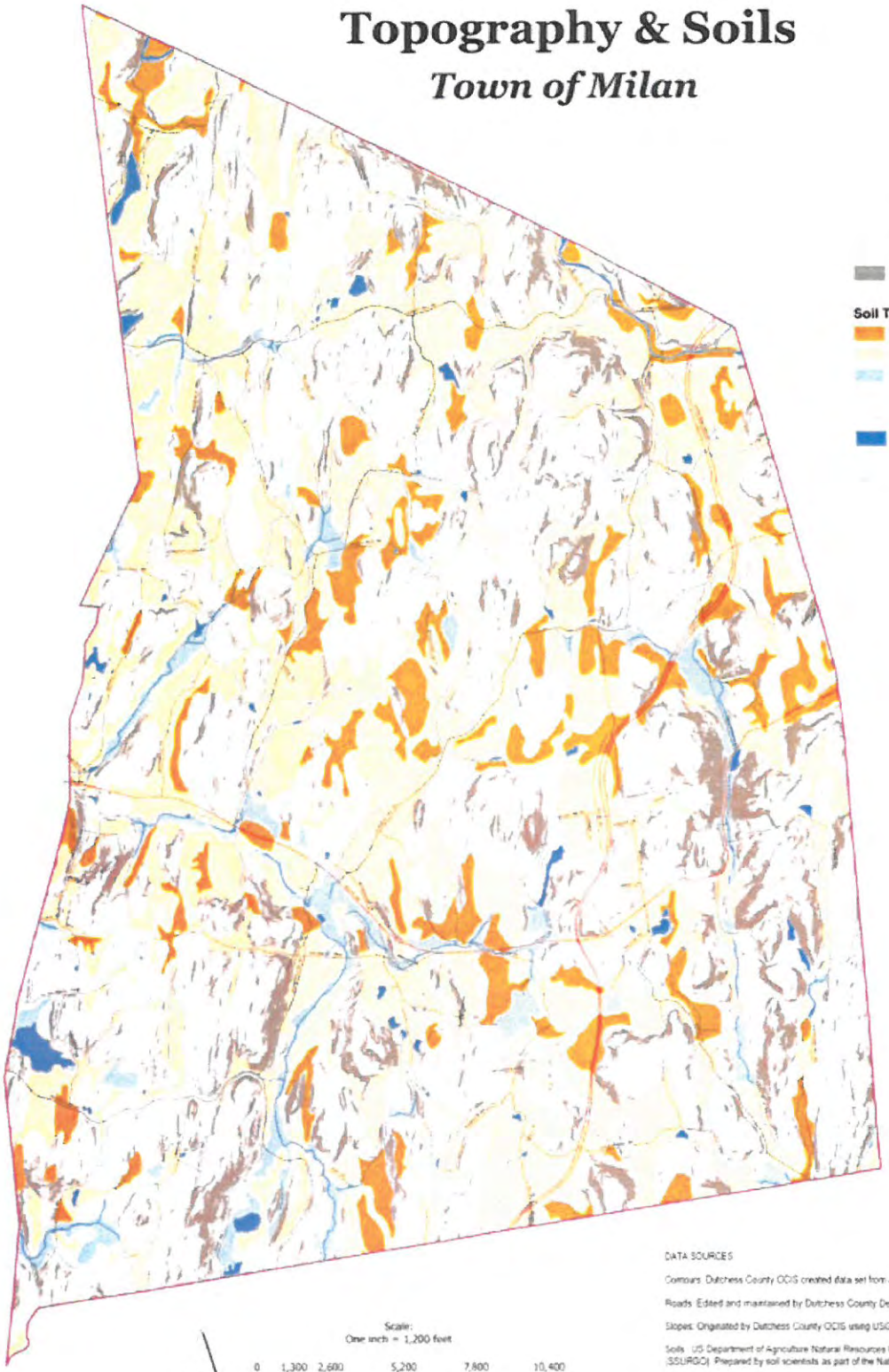
Roads: Edited and maintained by Dutchess County Department of Emergency Response; published 2001

Surface water bodies & streams: Originated by Dutchess County Environmental Management Council based on the New York State Department of Conservation Biological Survey Series Maps, published in 1991, edited 1999.

Map prepared by Dutchess County
Environmental Management Council
GIS Lab - November 2004
Millbrook, NY

Topography & Soils

Town of Milan



Contour (10 ft. interval)
15-24.9 percent slope
25 percent or greater slope

Soil Type
Prime
Statewide significant
Hydric

Stream
Water Body (NYSDEC data set)
Road
State road

Scale:
One inch = 1,200 feet

0 1,300 2,600 5,200 7,800 10,400 Feet

N

Map not intended for site specific work

DATA SOURCES

Contours: Dutchess County OCIS created data set from a seamless 10-meter DEM obtained from USGS, published 2004

Roads: Edited and maintained by Dutchess County Department of Emergency Response, published 2001

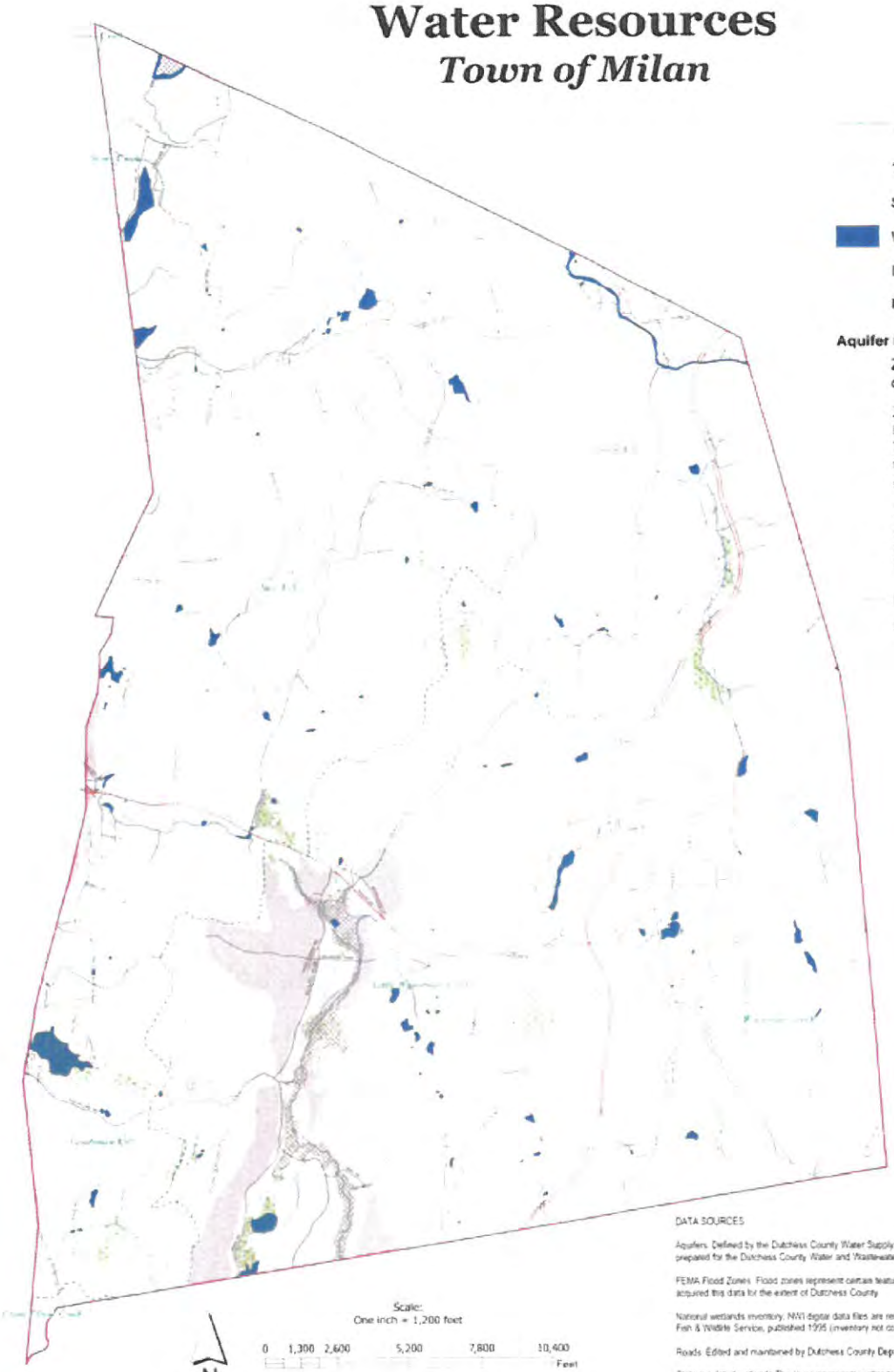
Slopes: Originated by Dutchess County OCIS using USGS 10-meter digital elevation model, published 2003

Soils: US Department of Agriculture Natural Resources Conservation Service, Soil Survey Geographic Database (SSURGO). Prepared by soil scientists as part of the National Cooperative Soil Survey, published 1998

Surface water bodies & streams: Originated by Dutchess County Environmental Management Council based on the New York State Department of Conservation Biological Survey Series Maps, published in 1991, edited 1999

Map prepared by Dutchess County
Environmental Management Council
GIS Lab - November 2004
Millbrook, NY

Water Resources
Town of Milan



Watershed boundaries

100-year flood zone (FEMA)

Stream

Water body

National wetland

NYS DEC wetland

Aquifer Protection Areas

Zone 1, permeable deposits directly overlying the aquifer

Zone II, less permeable deposits located upgradient from the aquifer. These areas contribute recharge to the aquifer through both overland runoff and through ground water flow.

Zone III, these areas contribute to a stream, which may subsequently be induced to contribute to the aquifer through infiltration.

Road

State road

Scale:
One inch = 1,200 feet

0 1,300 2,600 5,200 7,800 10,400 Feet

N

Map not intended for site specific work

DATA SOURCES

Aquifers. Defined by the Dutchess County Water Supply Protection Program report by Horsley, Witten, and Hegemann, Inc. prepared for the Dutchess County Water and Wastewater Authority, 1993

FEMA Flood Zones. Flood zones represent certain features of FEMA's Flood Insurance Rate Maps (FIRM) product. DCEMC acquired this data for the extent of Dutchess County

National wetlands inventory. NWI digital data files are records of wetlands locations and classifications as defined by the U.S. Fish & Wildlife Service, published 1995 (inventory not completed for northern portions of the town).

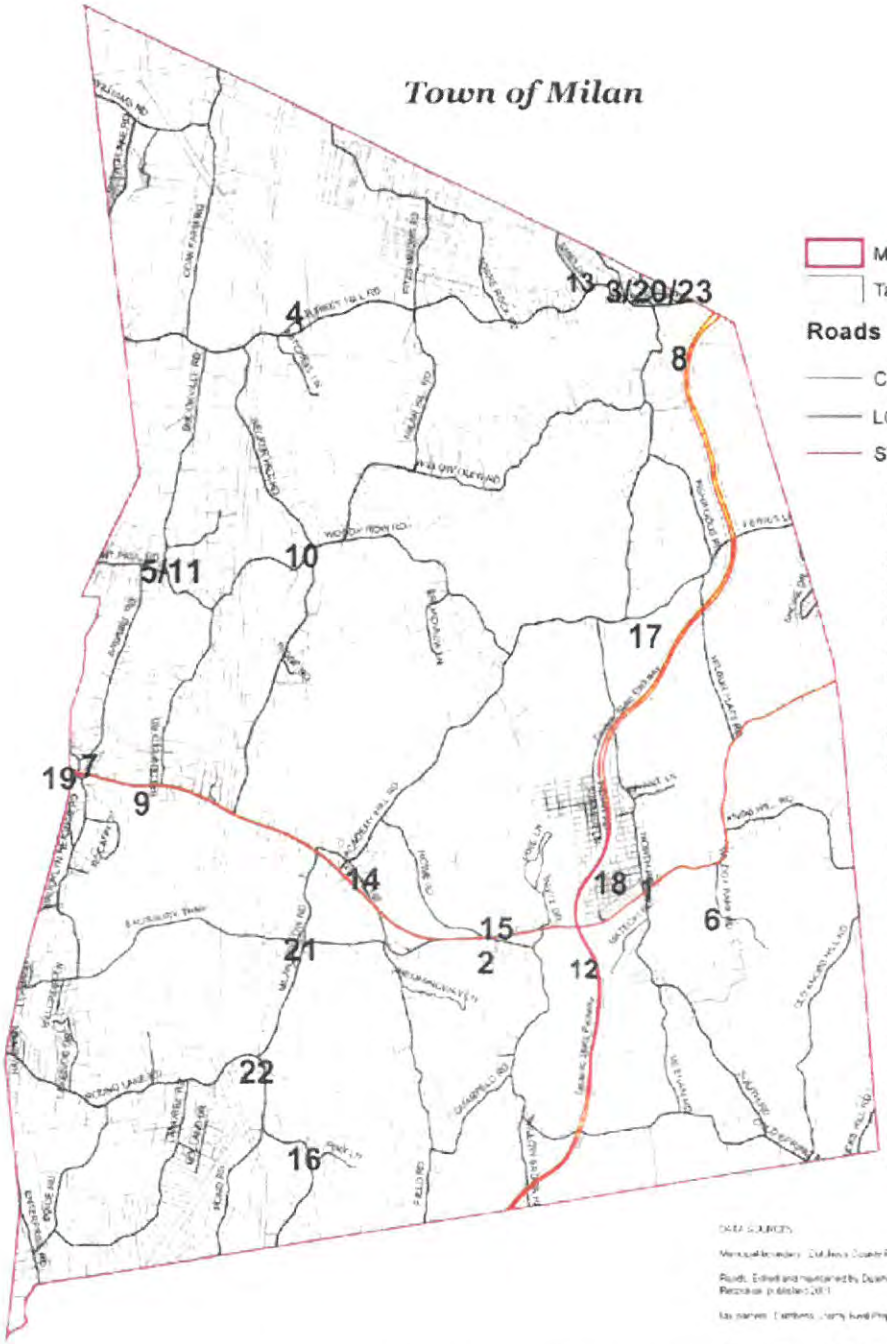
Roads. Edited and maintained by Dutchess County Department of Emergency Response, published 2001

State regulated wetlands. This layer represents wetlands regulated by the NYS Department of Environmental Conservation. The data set is based on official New York State Freshwater Wetlands Maps as described in Article 24-0301 of the Environmental Conservation Law. These data are not a legal substitute for the official maps. Published 1999.

Surface water bodies & streams. Originated by Dutchess County Environmental Management Council based on the New York State Department of Conservation Biological Survey Series Maps, published in 1991, edited 1999

Watershed boundaries. DCEMC delineated and digitized from USGS Digital Elevation Model and USGS topographic maps. Portions of the boundaries developed by NYC Department of Environmental Protection. Published July 2004

Map prepared by Dutchess County
Environmental Management Council
GIS Lab - November 2004
Millbrook, NY



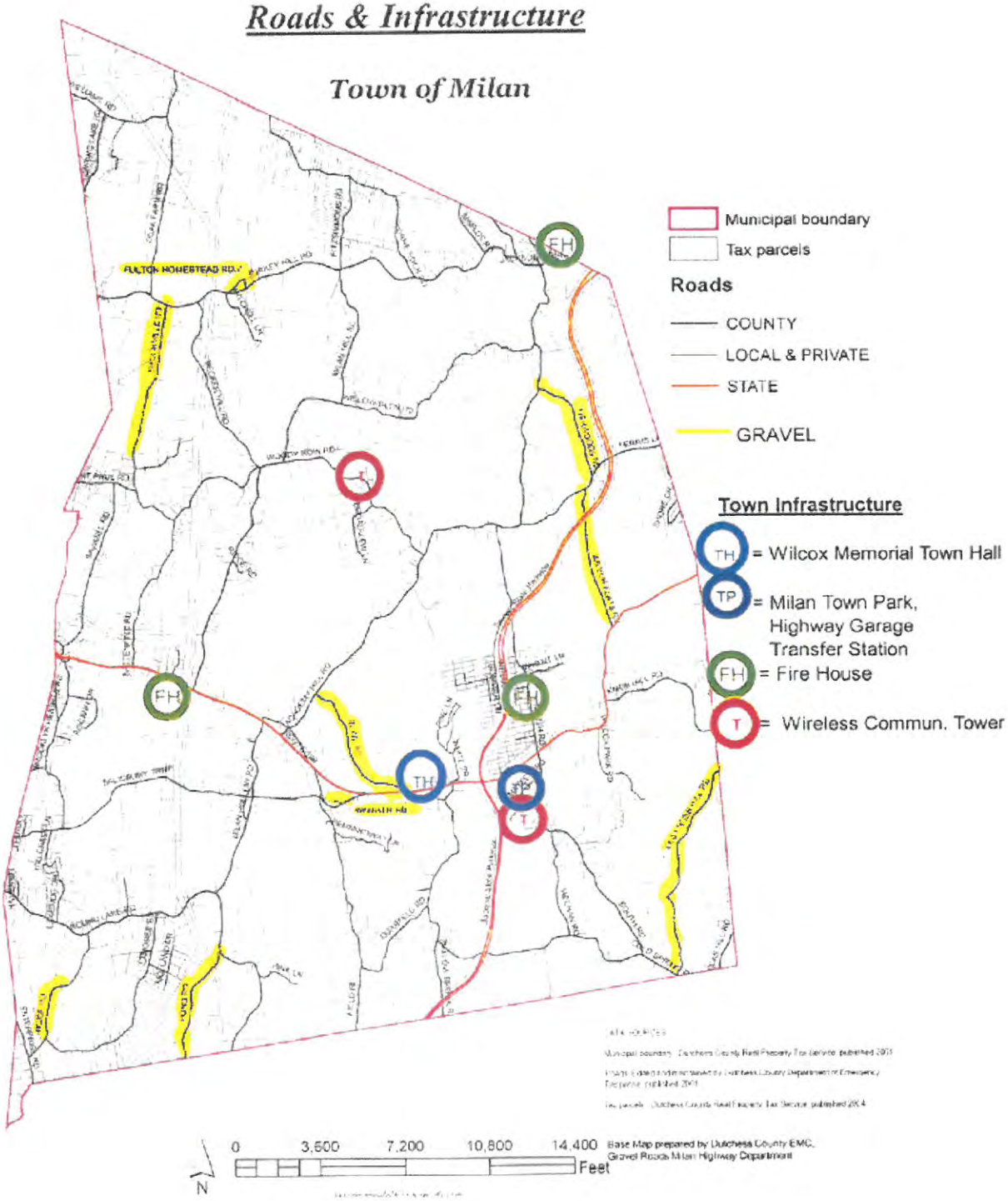
Historical Points

1. The Lafayette House
2. The Rowe Church
3. The Jackson Corners Store
4. The Fulton Homestead.
5. The Ruins of Shookville Church
6. The Wilcox House in Wilcox Park
7. Rock City Grange Hall
8. Milan Railroad Station
9. Battenfeld's Greenhouses
10. Teats Cemetery
11. Shookville Cemetery
12. Yoemans Cemetery
13. Indian Burial Ground
14. Quaker Cemetery:
15. Rowe Cemetery.
16. Milan Union Cemetery
17. Ferris Cemetery:
18. Lafayetteville
19. Rock City
20. Jackson Corners
21. Case's Corners
22. Wildey's Corners
23. Nobletown Road Historic Marker

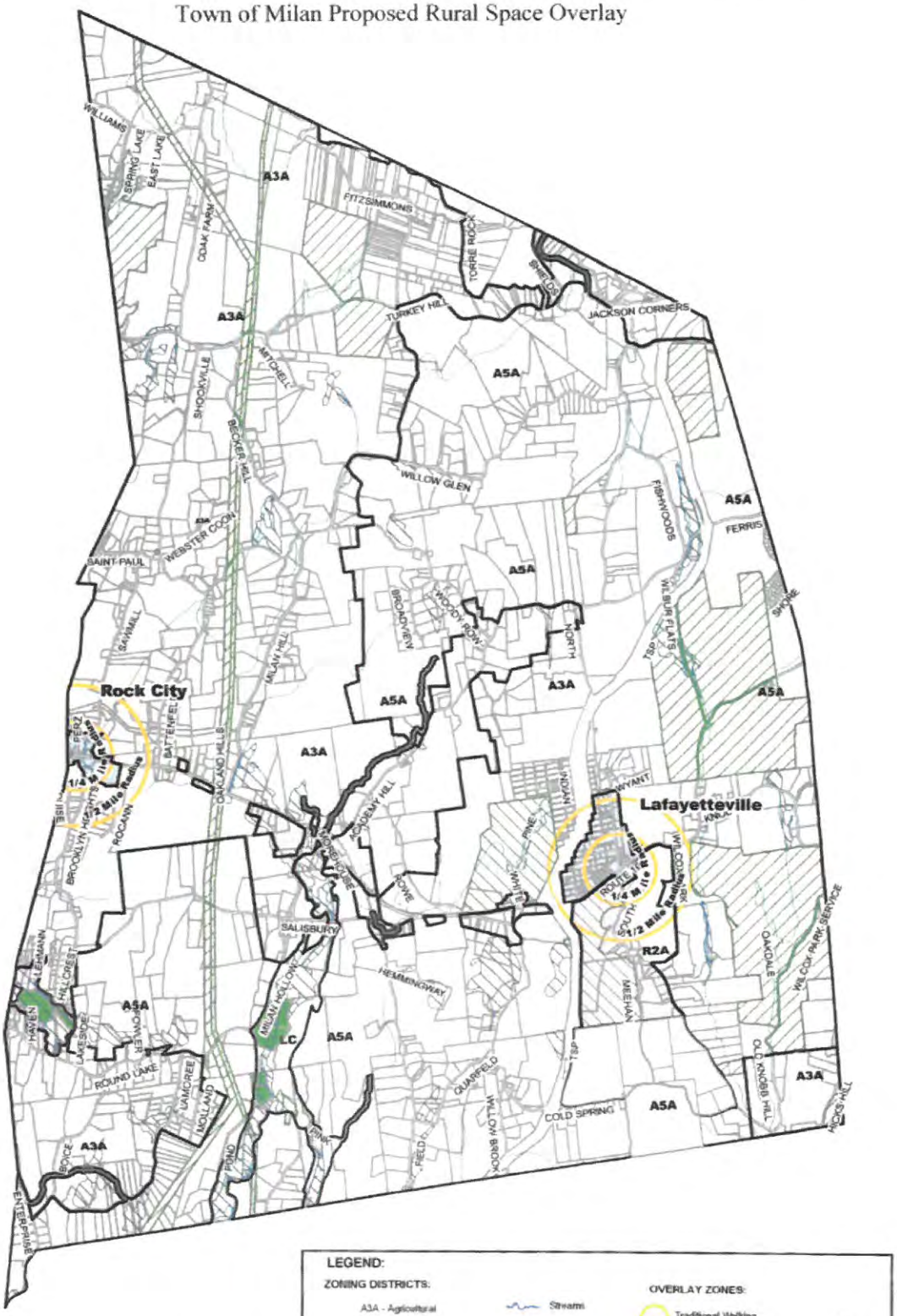
Base Map prepared by Dutchess County EMC.

Roads & Infrastructure

Town of Milan

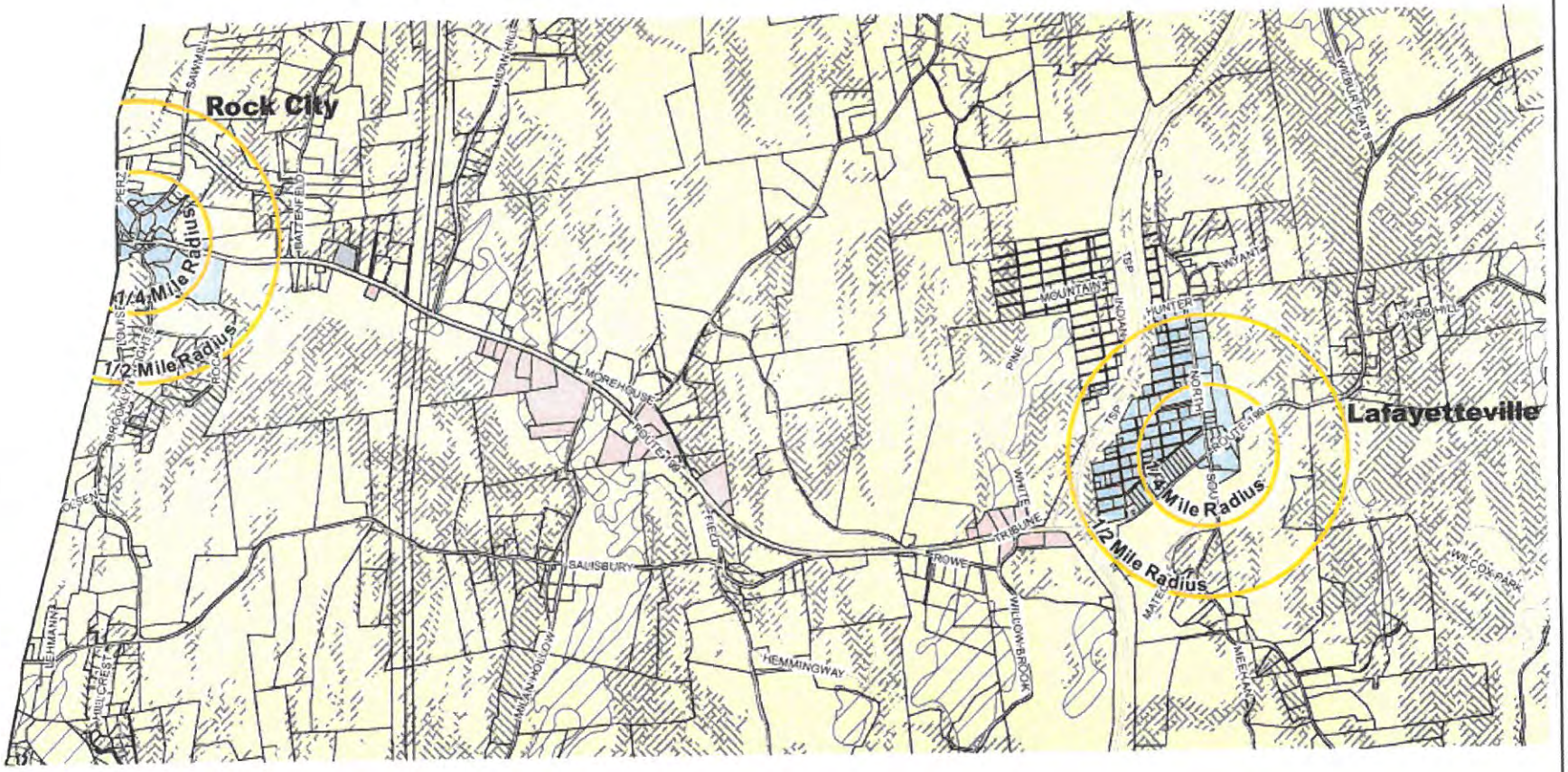


Town of Milan Proposed Rural Space Overlay



Dutchess County Dept. of Planning & Development
Zoning Districts from Official Milan Zoning Map Dated 2004.
Streams, Waterbodies & Wetlands from NYSDEC.
Tax Parcels from Real Property Tax Agency Current May 2005
Scale 1 Inch = 5417 Feet
Not To Be Used for Site Specific Work.
December 2005

Town of Milan
Route 199 Corridor



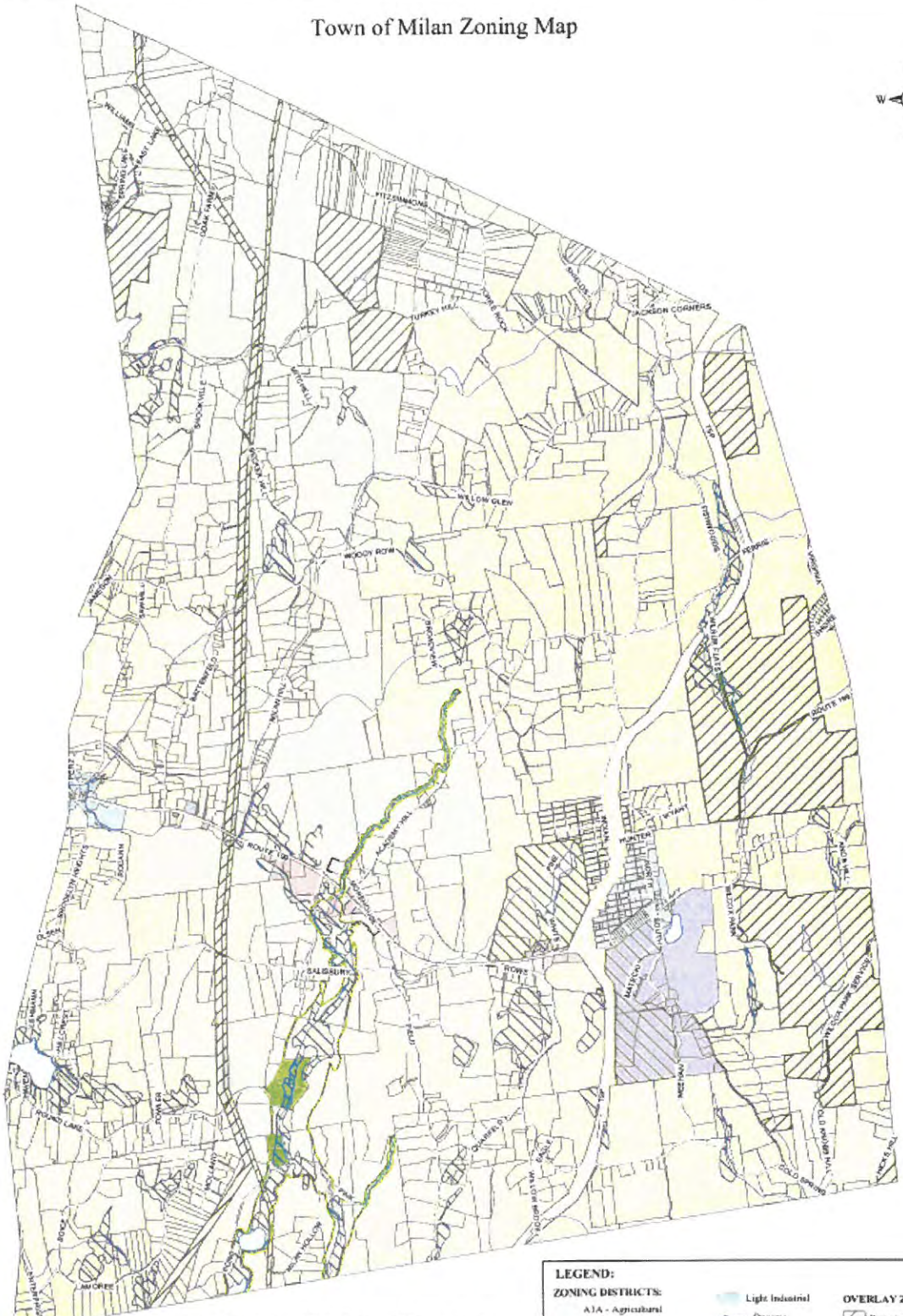
Dutchess County Planning and Development Department.
Zoning: Town of Milan 2004
Real Property Tax Agency Tax Parcel Current April 2005
Dec Wetlands Derived from Official NYS Freshwater Wetlands Maps: NYSDEC, 1999.
Map Is Not To Be Used for Site Specific Work.
December 2005
Scale 1 Inch = 2,916 Feet

Legend

Zoning

- HA - Hamlet
- HB - Highway Business
- LI - Light Industry Floating
- Parcels
- Traditional Walking Neighborhood Guides
- DEC Wetlands
- Steep Slopes 15 to 24
- Steep Slopes 25 & Above

Town of Milan Zoning Map



Dutchess County Planning and Development Department.
Zoning Distirct from Official Milan Zoning Map Dated 2004.
Streams, Water Bodies:& DEC Wetlands from NYSDEC .
Tax Parcels from Real Property Tax Agency Current May 2005
Scale 1 Inch = 5000 Feet
Map Is Not To Be Used for Site Specific Work.
January 2006

LEGEND:

ZONING DISTRICTS:
- A1A - Agricultural
- HA - Hamlet
- HB - Highway Business
- LC - Land Conservation
- R2A - Low Density Residential
- A5A - Very Low Density Residential
- Light Industrial
- Streams
- Water
- NYSDEC Wetland
- Parcel Boundary
- LC - Land Conservation Boundary

OVERLAY ZONES:
- Protected Parcel
- Public/Semi-Public Parcel

Town of Milan Comprehensive Plan Process and Materials

Appendices Available at Wilcox Memorial Hall

Appendix B: Public Particpation in the Plan Process

Public Participation and Surveys

Reports Mailed to the Community

Appendix C: Background Materials by Report Chapter

Appendix D: Comprehensive Plan Board Records

Meeting Agendas

Meeting Minutes

Written Reports to the Town Board

Appendix E: Materials Subsequent to Comprehensive Plan Board Submission

Transcripts & Minutes of Town Board Hearings

Other materials