

Agriculture and Open Space

There is an increasing awareness regarding the viability and sustainability of agriculture in the Hudson Valley. Today's farmers face many issues, including: escalating land values and taxes; rising fuel costs; increasing numbers of non-farm neighbors who may not appreciate the industrial characteristics of farming (such as noise, dust and hours of operation); relatively stable food pricing; and, of course, the weather. The good news is that many farmers in this region have adapted their business practices to maximize earning potential by participating in local and regional farm markets, establishing pick your own operations and creating value-added products to fill *niche* markets.

Farms are defining traits in a rural landscape, but certain types of agricultural operations require the most productive soils also known as Prime Farmland Soils. However, these Prime Farmland Soils are often the easiest to develop (including septic disposal system installation), because they are found on typically flat, well-drained areas, defined by rapid permeability. This also makes them subject to groundwater contamination. According to the Dutchess County Soil and Water Conservation District, Prime Farmland Soils in Southern Dutchess County which have been developed with residential uses served by septic disposal systems, have been subject to nitrate contamination, due to the inability of the soils to properly filter and renovate septic effluent.

Agricultural soils fall into two categories as described below and depicted in Figure 10.1:

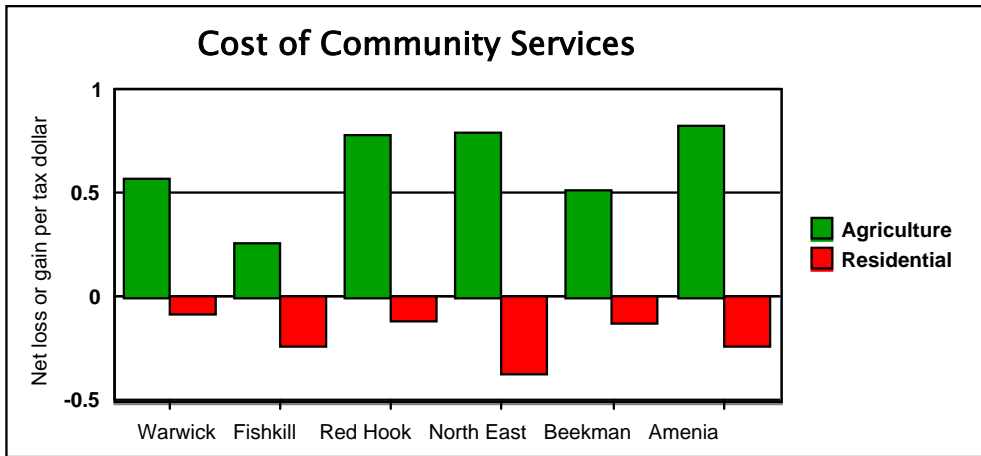
Prime: the United States Department of Agriculture (USDA) defines these as soils that best suited to producing food, feed, forage, fiber and oilseed crops. Prime soils produce the highest yield with minimal inputs of energy and economic resources, and farming these soils results in the least damage to the environment. These are USDA soil classes 1-3.

Statewide Important: These soils are important to agricultural in New York, but contain some properties that do not meet prime farmland criteria such as seasonal wetness, erodibility, limited rooting zone, etc. They can be farmed satisfactorily by greater inputs of fertilizer, soil amendments, drainage improvements and erosion control or flood protection. These soils produce fair-to-good crop yields when managed properly. These are USDA soil classes 4-6.

Agricultural soils in classes one (1) through four (4) are specifically identified on the SEQR Part 1 Environmental Assessment Form (EAF) for impact assessment purposes. In addition, the

Part 2 EAF also requires that construction activities include an assessment of environmental impacts on agricultural soils and agricultural lands, due to their importance to farming and potential future farming.

The role of agriculture has changed, but new and innovative strategies are emerging. The town is home to many acres of Prime Agricultural Soils and Soils of State-wide Significance. Once the soil profile is disturbed by construction or development, they can never be used again for agriculture. This is because the important characteristics of these agricultural soils are eliminated and future economic production not longer exists. A viable agricultural economy contributes to stable property taxes and local employment, supports the livelihood of local families, provides essential locally grown agricultural products (sometimes referred to as food security), and helps to preserve scenic roads, working landscapes and historic sites. As a ratable, farming is a preferred land use in terms of the cost of community services. Consistently, Cost of Community Services' studies, conducted throughout the Hudson Valley, demonstrate that operating farms demand less in services for every dollar of taxes that they pay, as shown in the chart below. In contrast, residential property requires more in community services for every



dollar in taxes paid. Thus, from a fiscal standpoint alone, farming is a vital component to the health of Rhinebeck’s economy.

Farming in many areas no longer takes on the traditional farmstead consisting of dairy cattle, meat production or food crops. Successful farmers have switched to *niche* markets to serve farmers markets, vineyards and winery production, and the vast demand for specialty food items in the New York metropolitan area. There are other alternatives available to existing farmers or to those who wish to enter a life of farming. According to a March 2005 report¹ on the benefits of renewable energy for New York State by the New York State Comptrollers Office:

By 2013, renewable energy production [including solar, wind and biomass from farms] in New York would create 15,880 new jobs. This figure represents only the direct jobs that could be created and does not reflect indirect job growth. The Office of the State Comptroller estimates that total job growth, including direct jobs, indirect jobs created in related industries, and job creation induced from expanded household spending, would be nearly three times greater—about 43,000 new jobs...Cultivation of energy crops offers an alternative to traditional farm crops. Energy crops are easier to grow, require far less work, improve the quality of the soil, and can be grown on land unable to support food crops. In addition, these crops, which include fast-growing switchgrass and poplar and willow trees, do not require tilling, and thereby protect the soil from damage and erosion. (An average-sized corn farm that is replanted with energy crops could save 66 truckloads of soil from erosion each

¹ *Energizing the Future*, Report 12-2005, www.osc.state.ny.us, (March 2005).

year.) These crops also have a deep root system, which enhances the structure of the soil (thereby preventing erosion), increasing the soil's organic content, and helping to filter chemical runoff from other farms before it can be deposited in waterways. Moreover, energy crops require far less fertilizer, pesticide, herbicide, and fungicide than traditional crops...New York is the third-largest dairy producer in the country, which makes the State well suited to take advantage of growth in the biomass industry. The combined animal and agricultural waste produced by both large dairy farms and small family farms are considerable. Even without including the use of animal waste, the U.S. Department of Energy estimates that New York's biomass resources are sufficient to supply 31 percent of residential electricity use. In addition, harvesting animal waste would not only provide a sustainable source of energy, but would also eliminate the expense and environmental impact of disposal. Furthermore, it would provide farmers and ranchers with yet another source of income.

A small village of 765 residents in Germany (Jühnde), uses the energy created from a biogas plant that is fueled by crops grown on just 370 acres of land. The total energy produced is 3.5 million kilowatts of power, which is far more than the residents consume annually. The excess electricity goes into the electric grid with the annual savings paid (\$280,000) to the farmers. In New York State, utilities are required to “buy-back” electricity created by wind, solar or biomass.

A farmer in Gap, Pennsylvania, just outside of Philadelphia, raises vegetables that supply about 20 restaurants around the city. He uses waste cooking oil (biodiesel), to power his truck to make the deliveries, to heat his home and to heat his greenhouse, which allows him to grow warm weather crops throughout the winter. Rudolph Diesel originally designed his engine to empower farmers more than 100 years ago, when cooking oil was more plentiful than diesel fuel made from petroleum.

Open space protection in the town should not come at a cost of excessive maintenance. If the land can be used wisely and effectively by farmers and others willing to work it in line with its full potential, rather than covering it with homes, lawns, and roads, then Rhinebeck should do all it can to ensure that sufficient areas of virgin soil (i.e. undisturbed by excavation or soil compaction) remain for active production, to preserve the rural character of the town, to provide employment, food security and environmental quality – including open space protection.

Vision: The rural, scenic, natural and historic character of the town should be protected.

Rhinebeck is renowned for its scenic beauty and bucolic open spaces, rural and historic character and outstanding quality of life. The town is also known for the care it takes to ensure that its nationally recognized resources are protected and preserved. We cannot preserve all remaining unprotected lands as open space, nor preserve, all at once, those lands which we can; however, in accordance with the mandate of an overwhelming majority of Rhinebeck residents, we must find ways to protect as many remaining open space lands as are necessary to maintain Rhinebeck's rural character, quality of life, scenic resources and natural environment.

Objective: *Continue good working relationships with local land trusts and preservation organizations to assist in preserving the natural, historical and cultural elements of the community, and cooperate with them on limited development techniques.*

Actions:

1. Work with Winnakee and other land trusts, with Hudson River Heritage, Rhinebeck Historical Society and other organizations to secure conservation easements on historic structures, historic facades, historic sites and landscapes, as well as open space, agricultural lands, trails, and other important environmental resources in the community.
2. Prepare and distribute to all landowners in the town, a brochure that explains the benefits of donating conservation easements – i.e., the federal and state income tax benefits on voluntary restrictions. Grant reduced assessments on encumbered property, in recognition of the elimination of the need for municipal and school services, for properties that will be preserved *in perpetuity*.
3. Work with developers or landowners who wish to sell their land for partial development, with preservation restrictions placed on the remaining open space. Design the development so that the limited number of home sites will not conflict with the resource (e.g. farmland, woodland, trails or other open space) that is being protected. Protect the land with a conservation easement held by a land trust.



Open space development on farms

Vision: *Lands suitable and necessary for farming, agriculture and forestry should be conserved.*

Without farms and forests we lose the rural and open space character of the town and much more: aquifer protection, clean air, pastoral landscapes, local food sources and local energy supplies, employment, and economic stability to name a few. With fuel prices increasing with no end in sight, it makes good sense to ensure we have as many local sources of food supply as possible. Good productive soil should continue to be used for production of food and fiber, not McMansions.

Objective: *Prime and important agricultural soils should be conserved.*

Actions:

1. Create an Agriculture Conservation Overlay Zoning District that regulates the development of prime farmland soils.
2. Operating farms that have prime agricultural soils should have a



Scholldorf Dairy Farm

- higher priority for the proposed Purchase of Development Rights program.
3. Create an Agriculture Advancement District and regulations that would allow the Town the right-of-first refusal for outright purchase or purchase of development rights from agricultural properties and to facilitate assistance to the property owner to seek alternatives to selling land for development.

Objective: *Preserve as many operating farms as possible.*

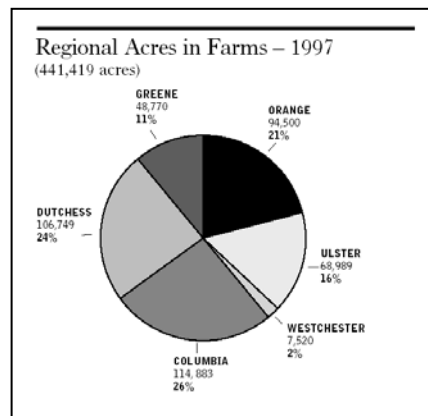
Actions:

1. Prepare and adopt an Agricultural and Farmland Protection Plan.
2. Encourage owners of historic barns to take advantage of New York State’s investment tax credits for their rehabilitation, which allows a credit of 25 percent of a taxpayer’s qualifying rehabilitation expenditures for any barn that is considered a qualified rehabilitated building. Encourage farmers and historic barn owners to take advantage of the New York State Barn Restoration and Preservation Program to help pay for the renovation of barns and other aging farm buildings which are at least 50 years-old, in order to preserve them as monuments to the state’s agricultural heritage. The \$2.0 million program will pay for as much as 80 percent of the cost of repairs, up to \$25,000 per project. Structures being improved for active agricultural use, that are visible from scenic roads; that are fixtures in the rural landscape, or that are on or eligible for the state and national Historic Registers will be given priority.

Objective: *Agricultural operations should be protected from disruptions or constraints associated with adjacent, non-agricultural development.*

Actions:

1. Adopt a local “right-to-farm” law designed to protect a farmer against regulations and private nuisance suits that would prevent the farmer from conducting normally accepted agricultural practices.¹
2. Amend the Zoning Law to require the placement of “Ag Notes” or “Forestry Notes” on subdivision plats, and as deeded declarations in the deeds of new residential lots approved within 2000 feet of a farm within an Agricultural District, or a forest being managed in accordance with § 480-a of the Real Property Tax Law, in all zoning districts where farming and forestry are permitted uses. The notes provide purchasers of land or dwellings in these areas with an affirmative notification of the benefits and potential nuisances associated with these important open space uses.
3. Require the use of buffer strips on all lands subject to development or re-development when they are adjacent to existing farming or forestry operations.



Objective: Non-agricultural activities in areas designated for agricultural and forestry uses should be clustered on marginal soils.

Actions:

1. Mandate the use of conservation subdivision for lands that contain important prime farmland and statewide significant soils. Likewise, reserve areas of mature forests for appreciation of nature and if feasible, for sustainable forestry

Objective: Incentives for landowners to maintain land in agricultural and forestry uses should be developed, keeping these land uses affordable so that new farmers can begin farming and more landowners can manage their forested areas in a sustainable fashion.



Sepasco Farm on Route 308

Actions:

1. Prepare agriculture and forestry-friendly Zoning Law revisions that allow landowners to engage in commercial activities that provide flexibility in the use of their existing buildings and lands, generating additional income.
2. Allow adaptive re-use of non-residential farm buildings in order to preserve them, subject to performance standards.
3. Allow passive and non-motorized outdoor recreational use of farms and forests for a fee (e.g., fishing, cross-country skiing, hunting, and limited special events) by special use permit.
4. Disallow large-scale events attracting mass gatherings on farms and in forests, limiting them solely to the Dutchess County Fairgrounds.
5. Permit such low- impact activities as small-scale sawmills, furniture making and other local wood-based industries, crafts and food processing on farms, subject to performance standards through the special use permit process (the purpose of which is to ensure impacts like traffic, noise, odors and outdoor storage create no adverse effects on the neighborhood).
6. Promote local farming operations by establishing such promotional/recreational activities as a bicycle tour highlighting farming operations, farm tours and harvest festivals, for example; also support the establishment of bed and breakfast operations on farms.
7. Encourage the use of existing silos as cell towers, and allow the construction of cell towers disguised as new silos and equipment shelters as farm structures on existing farms.
8. Require the use of cell towers camouflaged as trees in forested areas or other designs compatible with the surrounding environment.

Objective: Support the economic viability of farming and forestry, encouraging the continuation and diversification of agricultural and forestry activities.

Actions:

1. Enact local “Right-to-Farm,” Right-to-Market” and “Right to Practice Forestry” legislation identifying the importance of agriculture and forestry to the town’s economy and quality of life, its visual appeal and the social well being it generates. Clarify, in the legislation, that Rhinebeck encourages economically viable open space uses and urges understanding and cooperation with the necessary day-to-day operations involved with the farming and forestry industries.
2. Continue to support the Farmer’s Market within the village.
3. Explore the feasibility of an indoor farmers market at the Dutchess County Fairgrounds or other existing structures (like barns) in the town during inclement weather. The indoor market could serve nursery-based or cold storage-based agricultural activities, flower production, and food processing for entrepreneurs in the town and elsewhere in the Hudson Valley during the months when soils-based agricultural activities are not possible.
4. Encourage “agri-tourism.” Support continued production of a map listing farm stands, farm products and farms to visit.
5. Permit recreational uses of farmland and forested lands to strengthen the economic viability of these open spaces and ensure that soils supporting these activities are protected for future generations. Permit passive and non-motorized outdoor recreational uses on these lands which are clearly related to agriculture or the enjoyment of forests, nature and open space, and that coexist with agriculture or forestry.
6. Encourage pick-your-own” operations, road stands and farm markets, wineries, greenhouses, food processing facilities, inns, bed and breakfasts, and other low -impact endeavors to improve prospects for economic viability and to put accessory buildings to good use. Protect adjacent landowners and the town by permitting such accessory businesses only on the basis of the use of specially prepared performance standards.
7. Allow the on-site retail sale of farm and wood products produced on the site and amend the Zoning Law to expand the provisions allowing these uses.
8. Educate residents on the benefits of wood heating² as an alternative to the use of fossil fuels, providing that new wood stoves (that meet state and federal governments’ stringent air quality requirements) are used. Make the Zoning Law “forestry-friendly,” stressing that properly managed, sustainable forests to which no permanent damage occurs create a greater diversity of wildlife habitats.
9. Encourage cultivation of energy crops, which offers an alternative to traditional farm crops. Energy crops are easier to grow, require far less work, improve the quality of the soil, and can be grown on land unable to support food crops. In addition, these crops, which include fast-growing switchgrass and poplar and willow trees, do not require tilling, and thereby protect the soil from damage and erosion.
10. Encourage the School District and such local institutions as the Dutchess County Fairgrounds, Northern Dutchess Hospital, The Baptist Home, Daytop, Ferncliff Nursing Home and Astor Home, to purchase vegetables, fruits and other locally grown or produced farm products, and encourage the purchase of locally produced wood products.

*Every year, we burn
100,000 years of
ancient plant growth.
We’re fueling our
civilization with
ancient sunlight.*

Objective: Consider assessing the developed portion of cluster developments as the principal use, and the protected open space as lands set aside to encourage agricultural or forestry uses to be continued on the site.

Actions:

1. Work with the tax assessor to determine the feasibility of revising the town's assessment methods for priority farmland, forestland and other open space parcels.
2. Consider use of Agricultural Advancement District re-zoning, wherein the farm owner and the town enter into an agreement that provides the town with a right of first refusal to purchase a given property outright, or to purchase the owner's development rights³.

Objective: Work to ensure that the town's recent re-evaluation of property assessments will not adversely affect conservation, agricultural or forestry uses.

Actions:

1. Explore the feasibility of a "value and use" assessment for farmland, forestland and easements, rather than the current "highest and best use" assessment. While this concern is outside the authority of the town, urge the Town Board to explore this issue further with the County Legislature.

Objective: Rhinebeck's agricultural heritage should be preserved.

Actions:

1. Use SEQR to help protect the town's agricultural heritage.
2. Inventory all historic barns in the town, directing the Town historian to coordinate the activity, and provide educational materials and help to assist owners in preserving and protecting their barns.
3. Consider the effect of the loss of farm structures on the town's rural, historic and agricultural character during the application process for new development of properties that comprise such structures
4. Identify sources of funds for rehabilitating and adaptively reusing farm structures to aid in their preservation.
5. Encourage the School District to incorporate "Ag in the Classroom" in the elementary school, and to develop an agricultural and forestry education program for the higher grades. Such programs could serve to encourage young people to choose farming or forestry as an occupation, provide trained workers for local agricultural, forestry, and related vocations, and help to maintain the viability of open space.
6. Appoint an Open Space Committee to advise the Town Board on agricultural and forestry issues. The Committee would also serve as an active liaison between the town government and the farming and forestry communities, and would advise local landowners on available tax opportunities and on land use options for protecting farmland and forested lands. Charge the Committee with preparation of an Agricultural and Farmland Protection Plan and with providing educational programs on the values of farming and forestry to the schools and community.
7. Promote the use of best management practices for farms and forest management areas in the town.



Small-scale farming in Rhinebeck

8. Encourage farmers to establish Community Supported Agriculture (CSA) operations in the town. Publicize the tools that the US Department of Agriculture provides for farmers interested in starting up a CSA through its website at: <http://www.nal.usda.gov/afsic/csa/csafarmer.htm>.
9. Identify farmers who may be willing to establish a community garden for residents who may want to establish a vegetable garden, but lack the land to do so. Review public lands in the town (such as the Thompson-Mazzarella Park), which may qualify for establishment of a community garden (as defined in Article 2-c of the New York State Agriculture and Markets Law). Investigate other community gardens, such as the one in New Paltz created on village-owned lands, and use these as a model.

Vision: Open space and viewsheds, agricultural and forested lands, and gateways, should be preserved and protected as Rhinebeck’s housing stock is moderately expanded.

Residents of the town would benefit socially, environmentally, and economically from the conservation of open space. The President’s Commission on Americans Outdoors stated, “Across the country, when people were asked where they would prefer to live, work, shop, and recreate, they invariably select communities or neighborhoods that have an abundance of trees, open spaces, and uncluttered pedestrian ways. These preferences translate into clear economic terms: if a community is to succeed in attracting new residents and businesses, it must be concerned about its appearance, physical character, livability, and ‘feel’”.

Objective: Create an Open Space and Affordable Housing Committee to prepare an integrated plan for achieving the Town’s open space and affordable housing goals.

Actions:

1. Adopt an Open Space and Affordable Housing plan as an addendum to The Rhinebeck Plan², subject to Town Board review and approval.
2. Continue to work with Winnakee and other land trusts to acquire conservation easements on open space lands.
3. Preserve the traditions and values of The Dutchess County Agricultural Society, which advertises that the Fair is a celebration of Dutchess County’s farming traditions and values, by encouraging the Society to set aside a portion of the Fair proceeds to benefit farmers and preservation of farmland in Rhinebeck (the most directly impacted community with traffic, noise, etc.). This could be in the form of a surcharge on Fair attendees to be used as a source of revenue for the Open Space Fund. Explore this potential funding source with the Society and with the village, in accordance with New York State Law; seek amendments to NY State Law, if appropriate, to achieve this goal.

Objective: Amend the Zoning Law to require a specific percentage of land as open space in all developments.

Actions:

1. Increase the current open space minimums that exist under the Residential Cluster Development Regulations dependent on density. This will provide for a minimum lot size for safe septic systems, wells and privacy while creating maximum lot sizes that won’t intrude on rural lands. Change the terminology in the Zoning Law so that cluster developments are referred to as conservation subdivisions or conservation developments.
2. Require the use of building envelopes on conservation subdivisions as part of the four-step design process (described in Chapter 8), so that any change in placement of the building

² See Appendix 5.

envelope at the time of application for a building permit will require additional review by the Planning Board. Set conditions on the maximum limits of disturbance on each lot.

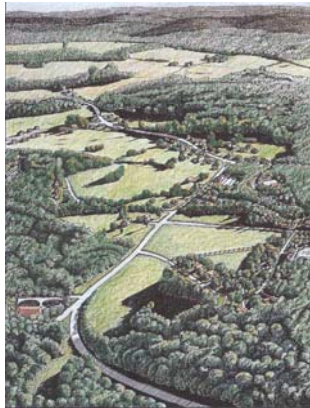
Objective: Promote conservation development to preserve open space.

Actions:

1. Designate conservation subdivisions as a permitted use, and conventional subdivision as a special use permit in the Zoning Law. Establish, as a condition for the special use permit, that conventional subdivision development will do no more harm to the environment of the site and community than would a conservation subdivision.
2. Work with local land trusts to secure conservation easements on all conserved lands in conservation developments.
3. Amend the cluster regulations in the Zoning Law to reflect the recommendations of *Greenway Guide A1* on conservation subdivision design.
4. Amend the current methods for density yield calculations in the town's Zoning Law to exclude environmentally sensitive areas such as wetlands, wetland buffers, steep slopes over 25 percent, and streams (areas not considered suitable for building development) in determining the number of lots to be subdivided. Apply the “net buildable area” calculation in determination of lot count in conservation or conventional development. This technique allows for a maximum density of development in the town and limits the overall “build-out” of house lots, thereby retaining rural character and environmental quality.



Conventional Subdivision



Conservation Subdivision

5. Encourage developers to provide common (shared) septic disposal systems in conservation developments and, if possible, allow the common conservation to be used for such septic systems. Encourage state-of-the-art sewage disposal systems such as reed beds and work closely with the Dutchess County Planning and Health Departments to encourage use of such innovative systems.
6. Amend the Zoning Law to make it clear there should be flexibility in lot sizes and the design of conservation subdivisions including both house lots and open space areas provided the open space is encumbered with conservation easements. The open space created in conservation subdivisions would not need to be owned communally, as they would be required to do under the present Zoning Law. This could include fee simple dedication to the town or to a private land trust, ownership by a homeowners association, or private non-common ownership within one or more large “conservancy lots” provided

the open space is permanently restricted from future development, an option that may be preferable for open space land that is intended for agricultural or horticultural use.

7. Allow for flexibility for all lots in conservation subdivisions so that minimum acreage is determined not only by well and septic system requirements but also with regard to protection of environmental resources and the preservation of the natural and scenic qualities of open lands.
8. Allow flexibility for flag lots and road frontage in conservation subdivisions to achieve the most appropriate use of open space and rural aesthetics on a parcel-by-parcel basis. The “four-step design process” described in Chapter 5 of the Plan should shape future subdivision design and development, not the numeric and other standards of the Zoning Law.
9. Allow flexibility in the ownership of open space areas (including private ownership shared by landowners in the subdivision), and other methods that would make it as uncomplicated as possible to advance conservation subdivision design and preserve open space.
10. Encourage the use of solar heat and electricity in development plans.
11. Plan for public hiking, biking, walking and cross-country skiing trails on common open space lands, which connect with other trail and open space projects. Support horseback riding trails, and discourage motorized vehicles on town-wide trail networks, and wherever feasible, make them accessible to the public.
12. Adopt Design Guidelines that incorporate patterns illustrating conservation subdivision design.
13. Amend the Subdivision Regulations to encourage all applicants for new subdivision development to view the Center for Rural Massachusetts’ 60-minute video, *Conserving Rural Character*. Purchase several copies of the video and provide an area for landowners and developers to view it.
14. Work with local land trusts to develop, hold, monitor and enforce conservation easements.

Objective: Promote the use of conservation easements⁴ and other mechanisms to acquire and preserve important open space lands, in perpetuity.

Actions:

1. Establish a Purchase of Development Rights Program (PDR)⁵ program in the town to protect open space *in perpetuity*, so that agriculture, open space, forestry, scenic viewsheds, gateways, water resources, biodiversity and wildlife habitat lands can be maintained in family farming and forestry, and/or forever preserved (shielded from development).
2. Establish a committee to: identify lands suitable for purchase of development rights (including those recommended in this Plan), to analyze the costs of such a program, and to make recommendations on an appropriate bond referendum to accomplish the program. New York State awards up to 75 percent of the cost of purchasing development rights on farms, and since 1996, the state has awarded nearly \$56 million to protect approximately 22,000 acres of farmland, statewide. In Dutchess County, the Open Space and Farmland Protection Matching Grant Program awards \$1.5 million each year for farmland protection, and Scenic Hudson has contributed \$3.32 million to preserve nine farms, totaling 1,393 acres.
3. Establish a Community Trust Fund using the fund as seed money to achieve the town's open space and affordable housing goals. Investigate the potential use of these, among other mechanisms to endow the fund:
 - a. Open space bond act⁶
 - b. Dedicated sales tax revenues
 - c. A two percent real estate transfer tax
 - d. Dedicated use of budget surpluses for open space
 - e. Dedicated property tax increase

- f. Contributions (Payments in Lieu of Taxes [PILOT]) from tax-exempt entities
 - g. Contribution, per admission ticket, from Dutchess County Fairground event participants⁷
 - h. Other local sources of revenue for acquisition of open space.
4. Secure conservation easements on all working farms in the town over the next five years.
 5. Set priorities for potential natural area preservation, including: large, contiguous parcels of open space; parcels on which property owners are interested in establishing voluntary conservation easements, or utilizing the PDR program; parcels adjacent to existing parcels already preserved; parcels around lakes, ponds, or water bodies; parcels with unique natural resources; parcels that are important for bio-diversity or significant habitats; parcels under development pressure; parcels that have historic and/or archaeological resources or scenic qualities; and parcels that can provide recreational opportunities.
 6. Consider hiring a professional grant writer to pursue funding available from county, state and federal government agencies for open space and recreational land acquisition, such as the County Farmland and Open Space Program, the State Purchase of Development Rights Program, the Federal Farmland Preservation Program, Federal Forest Legacy Program, Federal Wetlands Reserve Program, and Federal Land and Water Conservation Fund. Investigate all potential available sources of funding, described in the New York State publication entitled *Local Open Space Planning Guide*, including such private sources as the Scenic Hudson Land Trust. Work with Winnakee and other land trusts for information and guidance.
 7. Consider allowing the use of Transfer of Development Rights (TDR), a voluntary means of transferring development rights among two or more property owners, but within the overall density standards of the town's zoning regulations. Require conservation easements on such "donor" parcels, in order to ensure that they will remain open, *in perpetuity*.
 8. Work with Winnakee Land Trust and others to find ways for landowners to use limited development techniques, such as reduced densities in residential subdivisions, as an alternative to full build-out.⁸
 9. Adopt a town policy requiring an assessment of the conservation value of all town-owned lands or lands under its control, prior to either its potential development, transfer, lease, exchange or sale as "surplus," and seek advice from the Planning Board and CAC before taking action.

¹ A local right-to-farm law could also promote the importance of agriculture to the town's economy and quality of life, its visual appeal, and the manner in which farming generates social well being in the community.

² At one time, wood provided up to 90 percent of our energy needs. Wood is a form of solar energy; trees are renewable and can provide energy security versus dependence on imported and increasingly scarce fossil fuels.

³ The right of first refusal provides the town with the option to acquire the property on matching terms in any case where a sale for non-farm use is proposed. While the agreement remains in place, the town and the landowner explore preservation options, including purchase of development rights, transfer of development rights, fee simple acquisition and conservation subdivision.

⁴ Under New York State Law, conservation easements limit or restrict development, management or use of land for the purpose of preserving or maintaining the scenic, open, historic, archaeological, architectural or natural condition, character, significance or amenities of property.

⁵ A municipality can create a trust fund for the purchase of development rights (PDR) on lands designated for preservation or protection from development by offering incentives to developers to build

in designated growth centers in exchange for cash contributions or by using operating revenues, municipal bond proceeds, and/or county, state and federal program funds for such purposes.

⁶ The Town of Red Hook approved a \$3.5MM bond for agriculture and open space, and other Dutchess County communities are presently considering similar actions. 68 percent of Survey respondents are in favor of a bond issue in Rhinebeck with an additional 18 percent undecided.

⁷ This is a repeated suggestion of Visioning Session participants, as well as a “write-in” suggestion provided by a large percentage of survey respondents.

⁸ Full build-out occurs when all the developable land in the town has been consumed and converted to uses permitted under the current Zoning Law and other regulations.