

**DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT
(DGEIS)**

Proposed Adoption of Comprehensive Plan Update

**Lead Agency:
Town of Kent Town Board
Town Hall
25 Sybil's Crossing
Kent Lakes, New York 10512
Putnam County**

**Contact Person:
Kathy Doherty, Supervisor
(845) 225 – 3943**

**Prepared by:
BFJ Planning
115 Fifth Avenue
New York, NY 10003**

**Applicant: None
Direct Action by Town Board**

Date DGEIS Accepted: _____
Date of Public Hearing: _____
Closing Date of Comment Period: _____
Web address for electronic copy of this DGEIS:
www.townofkentny.gov

TABLE OF CONTENTS

1.0	EXECUTIVE SUMMARY	4
1.1	Introduction	4
1.2	Description of the Proposed Action	6
1.3	Significant Impacts and Mitigation Measures	6
1.4	Alternatives	6
1.5	Required Reviews and Approvals from Local, County and State Agencies	7
1.6	Involved and Interested Agencies	7
1.7	Actions Recommended in the Comprehensive Plan that may Require Their Own Site-Specific SEQR Processes.	8
1.8	Parallel SEQR Process for Recommended Zoning Amendments	8
2.0	PROPOSED ACTION: COMPREHENSIVE PLAN ADOPTION	9
2.1	Planning History	9
2.2	Public Needs and Benefits	9
2.3	Goals of the Plan	10
2.4	Recommendations	11
3.0	ENVIRONMENTAL SETTING, POTENTIAL IMPACTS, AND MITIGATIONS	12
3.1	Environment	12
3.2	Land Use, Zoning and Town Character	15
3.3	Population	18
3.4	Transportation	19
	<i>Town of Kent, Putnam County</i>	2
	<i>DGEIS: Proposed Adoption of Comprehensive Plan Update (August 11, 2008)</i>	

3.5.	Economic and Housing Development	20
3.6	Community Services and Facilities	21
4.0	OTHER ENVIRONMENTAL IMPACTS	24
4.1	Irreversible and Irretrievable Commitment of Resources	24
4.2	Unavoidable Adverse Environmental Impacts	24
4.3	Growth-Inducing, Cumulative and Secondary Impacts	24
4.4	Energy Use and Conservation	25
5.0	ANALYSIS OF ALTERNATIVES	26
5.1.	No-Action Alternative	26
6.0	SUBSEQUENT SEQR ACTIONS	27
7.0	ACKNOWLEDGMENTS	28
	APPENDIX A: COMPREHENSIVE PLAN RECOMMENDATIONS	29

1.0 EXECUTIVE SUMMARY

1.1 Introduction

The Town of Kent proposes to adopt an updated Comprehensive Plan and associated Amendments to the Zoning Code. The proposed plan and amendments are based on planning principles that reflect a town wide perspective on the most appropriate uses, management and policies.

The potential impacts resulting from this action are analyzed in this Draft Generic Environmental Impact Statement (DGEIS). This DGEIS was prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617). The Town of Kent Town Board is the Lead Agency for this environmental review, and other interested agencies have been notified of the environmental review process.

Two Concurrent and Related SEQR Actions

Under SEQRA, a "Generic" EIS, or GEIS, is prepared when a proposed action represents a comprehensive program having wide application and defining the range of future projects in the affected area. The revised Comprehensive Plan is an area-wide policy document, not a development application or development project. It includes the adoption of general policy initiatives to guide and facilitate the desired future development of the Town of Kent. However, the revised Comprehensive Plan does contain specific recommendations for changes to the Zoning Code. A related project action is the adoption of amendments to the Zoning Code, in response to some, but not all, recommendations in the Comprehensive Plan. The Town Board intends to adopt those zoning amendments concurrently with adoption of the Comprehensive Plan. The potential impacts related to the proposed zoning changes are also subject to SEQR and will be analyzed in a DGEIS separate from this DGEIS on the Comprehensive Plan. The adoption of the proposed zoning changes, a legislative action, is also a generic action, not site-specific, and does not directly result in physical changes to the environment.

Generic Nature of the EIS

A generic EIS, according to New York State Department of Environmental Conservation (NYS DEC) SEQR handbook, is "a type of EIS that is more general than a site-specific EIS, and typically is used to consider broad-based actions or related groups of actions that agencies are likely to approve, fund, or directly undertake... A Generic EIS differs from a site or project specific EIS by being more general or conceptual in nature, often addressing issues through hypothetical scenarios. The broader focus of a generic EIS also aids in the identification and analysis of the cumulative effects of a group of actions or a combination of effects from a single action."

The EIS which follows is a GEIS because it addresses a broad program of land and water use policies, plans and specific recommendations. Its purpose is to provide an analysis of the general implications of the total program and a basis for evaluating the impact of future actions which may result from it. The DGEIS is intended to provide members of the Town of Kent Town Board, the public and interested agencies with an understanding of the type of potential environmental impacts (beneficial or adverse) that may be associated with approval of the proposed Updated Comprehensive Plan. An important aspect of the environmental review process is that it incorporates public review and commentary into the decision-making process.

The analyses presented herein are based on reasonable assumptions as to the practical impact of proposed zoning code and policy changes. While the plan provides specific recommendations for changes to the Zoning Code, the plan does not propose specific development proposals. To the greatest extent possible, the DGEIS presents a comprehensive assessment of the Proposed Action and associated actions to identify potentially significant adverse impacts, develop or identify areas requiring practicable mitigation and consider alternatives that avoid or reduce identified impacts.

SEQR Steps

The steps in preparing this GEIS are:

- **Determination of Significance** - a determination that the recommendations made in the Comprehensive Plan may have significant impacts on the environment. For this Proposed Action, the Lead Agency issued a positive declaration.
- **Scoping Document** - a presentation of all topics to be covered by the EIS, approved by the Town Board and subject to public input. The scoping process for the Proposed Action did not anticipate any adverse and significant environmental impacts.
- **Draft GEIS (DGEIS)** – a draft document published by the Town of Kent Town Board for public and agency review and comment.
- **Public review** of at least 30 days, including a public hearing at which any individual, group or agency may comment on the DGEIS. Please note that the Lead Agency is authorized to conclude the SEQR process at this point, depending on the spoken and written comments received during the public review period. The Lead Agency may issue a negative declaration, stating that the DGEIS has shown that the environmental impacts are beneficial and/or can be mitigated.
- **Final GEIS (FGEIS)** – incorporating into the GEIS relevant comments and responses, if any, by the Lead Agency and the public made during public review of the DGEIS.

- **Findings Statement** – issued by the Town of Kent Town Board as Lead Agency no sooner than 10 days after publication of the FGEIS, considering the relevant environmental impacts presented in the GEIS, weighing and balancing them with social, economic and other essential considerations, providing a rationale for the agency’s decision, and certifying that the SEQR requirements have been met.

1.2 Description of the Proposed Action

The Comprehensive Plan update is organized into eight chapters which set out the existing conditions as well as opportunities and constraints that face the Town on a range of issues. Chapter 8 of the Plan provides a set of goals to guide the Town in its future development. The Plan concludes with guidance on its implementation, in addition to recommendations for a number of potential zoning map changes.

1.3 Significant Impacts and Mitigation Measures

It is anticipated that the most significant impact resulting from the adoption of the updated Comprehensive Plan and Zoning Code amendments will be a beneficial one, protecting the rural character and environmental quality of the Town of Kent. The scoping session did not anticipate any adverse and significant environmental impacts. There is the possibility of an adverse secondary impact: the continuation of the current upward pressure on the sale price of homes within the town, over the long run. As density decreases and more land is needed to generate a buildable lot, the market pricing of homes is expected to continue to trend upward, putting homes outside the reach of some home buyers. Aside from this secondary impact, the major direct impacts of the adoption of the updated Comprehensive Plan are expected to be beneficial. Thus, mitigation measures are not necessary.

Beyond the scope of this DGEIS, specific projects and actions are anticipated or recommended by the Comprehensive Plan. The environmental impacts of these specific projects or actions, whether beneficial or adverse, will be evaluated as part of site-specific environmental reviews conducted of each particular individual action as they come forward for implementation. See also Section 1.7 below.

1.4 Alternatives

The alternative considered is the No Action Alternative, which assumes no updates or amendments to the current Comprehensive Plan and Zoning are adopted. Through the scoping process, no other alternative to the Plan as presented was put forward.

1.5 Required Reviews and Approvals from Local, County and State Agencies

Required Reviews and Approvals

- Town of Kent Town Board: Approval
- Town of Kent Planning Board: Review and Recommendation
- Putnam County Planning Department: State-mandated General Municipal Law Section 239-m Review

1.6 Involved and Interested Agencies

Involved Agency

The adoption of the Comprehensive Plan is a direct action undertaken by the Town Board in accordance with section 272-a of the Town Law. The only agency with jurisdiction to adopt a municipal plan is the Town Board and therefore it functions as the lead agency for purposes of SEQR and this GEIS. There are no other agencies or entities with jurisdiction.

Town of Kent Town Board
Town Hall
25 Sybil's Crossing
Kent Lakes, New York 10512
Putnam County
Contact: Kathy Doherty, Supervisor

Interested Agencies

The following are the two interested agencies that the Town Board also wished to be consulted:

Town of Kent Planning Board
Town Hall
25 Sybil's Crossing
Kent Lakes, New York 10512
Putnam County
Contact: Arthur Singer, Chairman

The Town of Kent Conservation Advisory Committee
Town Hall
25 Sybil's Crossing

Kent Lakes, New York 10512
Putnam County
Contact: George Baum, Chairman

Putnam County Department of Planning
40 Gleneida Ave.
Carmel, New York 10512
Contact: John C. Lynch, Director of Planning

1.7 Actions Recommended in the Comprehensive Plan that May Require Their Own Site-Specific SEQR Processes.

The recommendations proposed in the Comprehensive Plan may result in environmental impacts but only when a project or activity is initiated, whether by private or public action. All development within the town is subject to site-specific SEQR reviews, administered typically either by the Planning Board or by the Town Board, as lead agency. Future action by the Town Board to adopt regulatory controls recommended by the Comprehensive Plan may also be subject to SEQR. See 1.8 below for SEQR actions on the first round of zoning recommendations that the Town Board intends to adopt concurrent with adoption of the Comprehensive Plan.

1.8 Parallel SEQR Process for Recommended Zoning Amendments

The plan's SEQR process will proceed simultaneously with a separate SEQR process on major zoning amendments recommended by the draft plan. This DGEIS focuses on the plan overall and on non-zoning recommendations.

2.0 PROPOSED ACTION: COMPREHENSIVE PLAN ADOPTION

2.1 Planning History

Kent has prepared two municipal plans in the past, one in 1973 and one in 1989 which focused on goals based on recent town growth. In August of 2005, Kent updated Chapter 3, The Environment of the 1989 Plan. The Town began to look at its residential and non-residential zoning in 2006, with the 2006 DOS Zoning Project of Route 52, Route 311, and Ludingtonville Road. This study recommended zoning changes that would encourage economic development, recognize prevailing residential patterns and meet environmental concerns. In the fall of 2007, the Town Board formed a Special Review Board to update the Comprehensive Plan in response to growth and integrate all zoning changes into the plan.

This DGEIS has been prepared to evaluate the consequences of Town Board adoption of the proposed Comprehensive Plan, separate from the selected proposed zoning amendments which the Town Board anticipates adopting concurrently with the Plan. A separate DEIS will be completed on the proposed zoning amendments.

2.2 Public Needs and Benefits

All Comprehensive Plans must be updated to reflect changing goals, objectives, and conditions, and to provide for current and projected needs. Kent has prepared two municipal plans in the past, one in 1973 and the most recent updated Comprehensive Plan was adopted by the Town of Kent in 1989. The updated Comprehensive Plan proposed before the Town Board, and the associated zoning amendments, have recommendations and policies that would bring it in line with the Town's vision for its future and the maintenance of its rural character.

The most significant beneficial impact is anticipated to be a greater degree of protection from inappropriate development and other human activity to land with environmental features. This will have the result of lowering residential density compared to the development potential inherent in the zoning regulations as they are now.

The updated Comprehensive Plan aims to balance the need to increase the tax base to lessen the burden on property owners, most of whom are homeowners, with protection of the natural environment from inappropriate development. Kent's population continues to grow slowly. The in-town job potential is growing even more slowly. Thus, new development will be over the coming years less apparent than the last thirty years. This puts greater pressure on the Town to ensure that the remaining new development be the best possible: properly located, well-designed, and protective of surface and groundwater.

Development of residential, industrial and commercial uses is placing severe pressure on the available water supply, watershed surface water resources and character of the town. Kent's unique character, geography, hydrology and location in the Croton Watershed

impose distinct limitations on the design and intensity of new development. Conversely, this development imposes on the natural carrying capacity of the town's and watershed's natural resources. The Town Board needs to determine the correct balance of reasonable growth and enhanced public health, safety, and welfare.

The benefit of adopting and implementing the plan will be set policies addressing the needs of Kent residents, as the Town continues to grow. Based upon updated demographic and land use studies, as well as recent community participation, the 2008 Comprehensive Plan presents recommendations for future actions regarding residential, commercial, and industrial development, open space, transportation, community facilities, cultural resources and social and economic policy.

2.3 Goals of the Plan

The goals in the updated Comprehensive Plan guide Kent in protecting and enhancing its social, economic, and environmental resources. They provide a total context within which decisions on specific future actions can be made.

- The town intends to exercise good stewardship of its surface water and groundwater. Wetlands, lakes, and reservoirs should be protected. Stormwater runoff should be controlled. Steep slopes should be protected from over-development and erosion.
- Town residents desire more local parks, hiking trails, and bicycle routes.
- Kent's rural character should be protected through judicious acquisition of more dedicated open space and improved connections among open space, parks, recreation areas, and hiking trails.
- Kent's historic character should be protected, including structures, sites, stone chambers, and scenic roads.
- New housing development should produce dedicated open space where possible and ensure appropriate development based on soil carrying capacity.
- New economic development should be concentrated in eastern Kent based on updated zoning and will adhere to published design guidelines.
- The Kent Town Board intends to prepare and adopt a series of official documents to modernize its land use planning actions: amended zoning and subdivision regulations, a parcel-based zoning map, an official map, a Recreation and Open Space Plan, and an open space map.
- The Kent Town Board intends to adopt a Capital Improvement Program, with an initial focus on road maintenance, parks and trail creation, and intersection and infrastructure improvements listed in the Revitalization Study. The intent of the CIP

should be to provide public services and infrastructure in good working order and in a fiscally sound manner.

2.4 Recommendations

See Appendix A for the full list of planning policies and actions presented in the Comprehensive Plan.

3.0 ENVIRONMENTAL SETTING, POTENTIAL IMPACTS, AND MITIGATIONS

This section examines the potential impacts of the revised Comprehensive Plan on the existing environment and evaluates whether there are any circumstances under which a potentially significant adverse impact would result and mitigation measures be necessary. References to specific sections of the Comprehensive Plan are used to avoid repetition.

Given the generic nature of the action, the analysis that will be performed in each of the following sections will generally be qualitative in nature. A discussion of existing conditions, potential impacts and mitigation measures, if necessary, is included for each section.

3.1 Environment

Chapter 2 of the Comprehensive Plan discusses the environmental features of Kent including topography and slope, groundwater and surface water resources, wetlands and soils. This chapter also includes environmental constraints regulations and planning policies. The environmental impacts of these policies are expected to be positive. Adoption of the Comprehensive Plan will not result in any immediate changes to the soils, water, ecology, or air within Kent. As a framework for future development, the proposed changes are in fact more restrictive than the existing laws, and therefore, favorable towards the environment. In all areas of analysis, adoption and implementation of the proposed revised Comprehensive Plan are expected to have a beneficial effect on the environment.

A. Topography

Existing Conditions

In general, topography in Kent is rocky and steeply sloped and Western Kent in particular has areas of significant relief, or slopes in excess of 25% grade. Western Kent possesses the Taconic Range of the Appalachian Mountains. Fahnestock State Park near Kent/Putnam Valley boundary has an elevation at its highest point of approximately 1,200 feet above sea level, dropping to approximately 900 feet at Canopus Lake. (See Figure 2.1 Topography Map).

Potential Impacts

The Comprehensive Plan includes policies and actions designed to minimize erosion and protect environmentally sensitive steep slope areas (see Policy 1 in Appendix A). The policies relating to Steep Slope Protection include a Hillside Protection Ordinance, which has three options for guiding potential development to address the visual impact of development on steep slopes: Hillside Protection Regulation, Ridgeline Protection Regulation, and discount on the area of land in any site which is located on steep slopes in the calculation of total developable area. The plan indicates that there will be continuing pressure for residential development on heavily sloped sites, as most readily

developable sites have already been built upon. Over-development on slopes can cause negative environmental impacts such as topsoil and vegetation loss, and increase run-off and drainage. In addition, uncontrolled development can have a negative effect on the visual character of the Town. Therefore, it is crucial for Kent to have development controls in place to protect the steep slopes. All of these development controls are expected to have a positive effect on the topographical resources in Kent.

Mitigation

The Kent Comprehensive Plan policies and actions are designed to protect the natural environment and environmental quality. As a result, a positive impact on geology, topography and soils is anticipated, and no mitigation measures are required.

Beneficial impacts are anticipated; no mitigation measures are required.

B. Groundwater and Surface Water Protection

Groundwater and Surface Water: Existing Conditions

Kent possesses numerous lakes and waterbodies that make up its character as a community. The primary surface water features in Kent are Boyd's Corner Reservoir, a portion of the West Branch Reservoir, Lake Carmel and several other lakes and ponds that have shaped the Town's development. (See Figure 2.2) These waterbodies also function as a critical element in New York City's drinking water supply, comprising part of the Croton System. (See Figure 2.3) As a result of Kent being in the Croton System, the New York City Department of Environmental Protection (NYCDEP) has made major land acquisitions. All Kent residents rely on groundwater wells for their individual or community potable water supply; there is no public central water supply system.

Potential Impacts

The Groundwater Protection and Management measures recommended in the plan as Policy 2 are in line with the Putnam County Groundwater Protection and Utilization plan recommendations designed to protect drinking water sources. This includes identifying a permanent source of potable water for the residents of Lake Carmel and purchasing land, so that a community system can be provided and individual wells discontinued.

The plan recommends considering a soils capacity formula, net buildable area requirement, and septic check-out for lakefront lots. The carrying capacity formula is derived from the Putnam County Groundwater Protection and Utilization Plan. It refers to the carrying capacities of various soil types and sets forth a scientific rationale for increasing the minimum lot area based on the soils' ability to adequately treat septic waste before discharge to an aquifer. Adoption of these new regulations would have the positive effect of encouraging residential development that is tailored to the ability of a site(s) to accommodate proposed improvements while protecting vital drinking water supplies and limiting land disturbance that may increase erosion and sedimentation.

Another recommendation that supports protecting the groundwater and surface water of Kent is the Septic System Ordinance. The ordinance would involve periodic septic tank pumping to reduce the risk of septic failure and consequent damage to water resources,

along with septic check-out at the time of sale, and homeowner education. The minimization of septic failure will have a positive effect on the environment of Kent.

Finally, the Plan highlights the need for Stormwater Management. This includes limiting impervious surfaces, specifically regarding open space, recreation, and road standards. This is a beneficial policy to Kent's environment because it prevents stormwater run-off in order to protect the groundwater and surface water and wetlands of Kent.

Mitigation

The Comprehensive Plan policies and actions are designed to protect the natural environment and environmental quality. As a result, a positive impact on surface waters and groundwater resources is anticipated, and no mitigation measures are required.

Beneficial impacts are anticipated; no mitigation measures are required.

C. Wetlands Protection

Wetlands: Existing Conditions

Section 2.3 describes the wetlands in Kent. Wetlands are protected at the federal, state and local level. Wetlands over 12.4 acres in size are mapped and protected by the New York State Department of Environmental Conservation (NYSDEC). Any construction activity that might have an impact on these wetlands (excavation, filling, building, obstructions, potential pollution sources etc.) is regulated, whether or not the activity occurs in the wetland itself or on land adjacent to the wetland. State designated wetlands in Kent are shown on Figure 2.2. (This map is not an official regulatory map – for accurate delineation of the wetland boundaries refer to the New York State DEC regulatory Freshwater Wetland Maps.) The State designated wetlands are shown in Figure 2.2.

Potential Impacts

The Plan proposes that Kent follow its own Wetland Regulations that are in place in the Town code. To ensure that this takes place, the plan recommends the appointment of an Environmental Code Inspector who will oversee the wetlands regulations. In addition, the plan recommends the revision and simplification of the Town's wetland regulations so that permits are issued by a single approving authority in all cases.

The proposed policy recommendations on wetlands are expected to have a positive impact on surface and groundwater resources. The added protection of wetlands would have a further beneficial impact on vegetation and wildlife, as less land would be subject to disturbance of natural plant and animal habitats as a result of development.

Finally, Policy 5 of the Comprehensive Plan recommends that Kent should prepare a Natural Resource Inventory of the town's habitat and species. The data would be incorporated into a GIS layer, and used for open space and subdivision planning. This policy is expected to have a positive impact on the town's environment.

Mitigation

The Comprehensive plan policies and actions are designed to protect the natural environment and environmental quality. As a result, a positive impact on geology, topography and soils is anticipated, and no mitigation measures are required. Beneficial impacts are anticipated; no mitigation measures are required.

3.2 Land Use, Zoning and Town Character

A. Land Use and Zoning

Existing Conditions

Chapter 3 of the Comprehensive Plan discussed the Land Use, Zoning, and Town Character of Kent. Kent consists of 36.11 square miles of land and 4.58 square miles of water. The land use pattern of Kent has been dictated by its natural features.

Kent's zoning is described in Section 3.2. The Town of Kent has six zoning districts: four residential zones, one commercial zone, and one industrial zone. Kent has over 90 percent of its land zoned for some form of residential use. Housing density is highest around Lake Carmel along Route 52 and lowest in the hilly western part of Kent. Commercial areas are located in the eastern section along Route 52, which runs north and south. The intersections of Farmer's Mill Road and Route 301 and Peekskill Hollow Road and Route 301 in western Kent are zoning commercial. Industrial zones are mapped in the northeastern section of the Town near Interstate 84, however only a few industrial uses exist and it is mostly residential uses. See Figure 3.1 Existing Zoning Map.

Potential Impacts

Policy 1 of the land use and zoning chapter recommends applying the carrying capacity formula to all residential zones, as proposed in the Putnam County Groundwater Protection and Utilization Plan. This will protect Kent's natural features and rural environment, but may create higher housing costs due to higher demand because of reduced density.

As a result of the 2006 DOS Route 52, Ludingtonville Road, and Route 311 Study, there are a number of proposed rezoning recommendations including:

A new district, Towner's Road Overlay District, is created. Along Towner's road in the south of the town, the C district would be altered to an R-10 base district with a Towner's Road Overlay District covering all lots with frontage on Towner's road. The zoning text for this district would include design standards and a requirement that a commercial use must have frontage on Towner's road. This Overlay District provides for the particular mixed use character of this street, with commercial uses – mainly neighborhood retail interspersed amongst residential uses.

Eliminate the PRD district, with the exception of the Fairways, Sparrow Ridge, and Kent Manor subdivisions. The PRD zoning would be maintained for Fairways and Sparrow Ridge subdivisions because they are largely built-out in accordance with approved PRD plans. The PRD zoning for Kent Manor would be maintained due to on-going litigation.

The CRD Conservation Residential Subdivision should be implemented. Any proposed subdivision on large lots should be prequalified (required) for an open space conservation layout.

Other recommendations under the land use and zoning policy include leaving the C district in place as mapped at the intersection of Route 301 and Richardsville Road. If requested, the Town Board should favorably consider creating a new C district near the firehouse on Route 301, as part of a large residential subdivision application. Also, at the intersection of Farmers Mills Road and Route 301/Miller Hill Road, the existing C district is mapped in three of the four quadrants of the intersection. The C district should be remapped to retain commercial zoning only on the one quadrant that has the least environmental and historic constraints. The plan recommends redrawing the C district boundary to include just the northwest quadrant to avoid infringing on the historic cemetery.

Section 3.5A discusses the zoning changes related to economic development, including changes to the Industrial and Commercial districts.

In addition, the plan recommends that an inventory of remaining vacant and underbuilt lots with lake frontage that are currently permitted to double their density, to determine if a decrease in allowed density is necessary. This would entail increasing the minimum lot size for lakefront lots to conform to the base zoning.

Mitigation

All the recommendations pertaining to land use and zoning are designed to preserve and enhance the natural environment and Town character of Kent through existing development. The rezoning recommendations are themselves intended to be mitigation for past inappropriately scaled development and development insufficiently protective of the natural environment. The overall pattern of predominant residential land use, at a variety of densities, interspersed with limited commercial development will remain intact. A secondary adverse impact is possible as a result of the recommended changes in development controls: continued upward pressure on the sale price of homes within the town. As density decreases and more land is required to generate a buildable lot, the market pricing of homes is expected to trend upward, putting homes outside the reach of some home buyers. The plan proposes a housing assessment to determine the need for affordable housing to address this concern.

Impacts of specific actions recommended by or permitted under the Comprehensive Plan, whether beneficial or adverse, will be evaluated as part of the site-specific environmental review of each particular action.

B. Open Space

Existing Conditions

Section 3.3 describes the open space of Kent, which includes watershed lands owned by New York City Department of Environmental Protection (NYCDEP) and Greenways (See Figure 3.2). These are the planned Northern Putnam Greenway (recreation corridors in Kent) and the Hudson River Valley Greenway, which is a program that funds and provides technical assistance for greenway projects.

The Watershed lands were purchased by the NYCDEP to protect New York City's drinking water supply. The watershed lands consist of 114 properties totaling nearly 6,000 acres in Kent. Not only are these watershed lands a primary component of Kent's overall open space, they are just over one-fifth of the town's total land area. Open space has become one of the town's major land use categories. On a case-by-case basis, the city is opening some of these watershed lands for recreation. If a property is small or can only be accessed over private property or rights-of-way, the city will not open it for public access. Large properties with safe access are usually opened. The 1997 MOA also stated that established recreational uses, including fishing, hiking, and hunting, will be allowed to continue on newly acquired fee property, subject to rules and regulations adopted, or permits issued, by NYCDEP provided that they neither threaten public safety nor threaten to have an adverse impact on water quality.

Potential Impacts

Policy 2 of Chapter 3 of the plan takes a regional and local approach regarding open space. The plan recommends regional planning with County officials regarding the Greenways Program and updating the 1988 Putnam County Comprehensive Open Space Plan. Locally, the plan proposes to amend the subdivision regulations to create Conservation Residential Subdivisions (CRDs) aimed at preserving meaningful open space.

Policy 3 outlines the Biodiversity Study to be used as a Planning Tool, for the site specific SEQR process and by the Planning Board when determining meaningful open space dedication.

Given that the updated Comprehensive Plan policies and actions are designed to protect and enhance the Town of Kent's rural character and scenic quality, beneficial impacts are anticipated to result. Both of these policies regarding open space would have a positive affect on the town's environmental resources.

Mitigation

Beneficial impacts are anticipated; no mitigation measures are required.

C. Historic and Scenic Assets

Existing Conditions

Section 3.4 describes the historic, cultural and scenic assets of Kent (See Figure 3.3 Scenic and Cultural Resources Map). These assets include historic structures, corbelled stone chambers, non-abandoned remnant roads, paper roads, and Scenic Byways that display Kent's unique character. The historic structures define Kent's past and can be used to attract tourism to the Town.

Potential Impacts

Policy 4 of Chapter 3 of the Comprehensive Plan is aimed at protecting the historic and scenic assets of Kent. This policy covers compiling a complete historic structures survey, which would require the Planning Board to refer to it when reviewing site plans and subdivisions. The plan recommends that Kent sponsor a scenic byway project and finish the current paper road project to ensure at a low cost a valuable conservation, scenic, and recreation asset.

Policy 4 also recommends that The Town Board should adopt the Route 52 Gateway and Corridor Beautification Plan prepared by Insite Engineers. When reviewing site plan and subdivision applications, the Planning Board should adhere to the design recommendations in the Route 52 Corridor Plan. Over time, the look of new and expanded businesses, their signs, landscaping, and parking areas will contribute to a large overall improvement to Kent's main corridor.

The Policy and objectives set forth to fulfill the protection of historic and scenic assets of Kent will be beneficial to the Town. The updated Comprehensive Plan policies and actions are designed to protect and enhance the Town of Kent's rural character and scenic quality; beneficial impacts are anticipated to result. Both of these policies regarding open space would have a positive affect on the town's environmental resources.

Mitigation

The Comprehensive Plan policies and actions are designed to protect and enhance the Kent's unique scenic quality. As a result, a positive impact on scenic resources is anticipated, and no mitigation measures are required. In addition, Kent's historic and scenic assts can be leveraged to attract tourism and economic development to the Town.

Beneficial impacts are anticipated; no mitigation measures are required.

3.3 Population

Existing Conditions

Chapter 4 of the Comprehensive Plan outlines Kent's demographic trends and characteristics, focusing on information relating to population, race, and ethnicity, household information, income, educational attainment, labor force participation, and place of work. It explains the existing conditions, recent past trends and likely future

scenarios. Most households in Kent are married couple families with a larger household size than the national average. Overall Kent's growth is small compared to surrounding communities. Every race, except for American-Indian, grew in size between 1990 and 2000 censuses, albeit marginally. The portion of the population under 18 decreased and the 65 years and over group increased. The decreasing number of school children and the increasing number of retirees is likely to continue.

Potential Impacts

The population chapter of the plan focuses on the demographics of Kent. These demographic findings dictate the policy in Kent. Therefore, due to the decreasing number of school children and the increasing number of retirees, Kent must plan accordingly. The increase in the retiree population has implications for housing needs, particularly affordable housing.

Mitigation

The plan proposes a housing needs assessment to determine the need for affordable housing due to the increasing retiree population and the potential increase in housing prices as a result of the potential reduction in density if the carrying capacity formula is adopted and the PRD zone designation and Lakefront Zoning are eliminated.

3.4 Transportation

Existing Conditions

Chapter 5 of the Comprehensive Plan describes Kent's transportation system which is comprised of highways, streets, and a bus system. The Taconic Parkway cuts through the northwestern corner of Kent and Route 84 traverses the northeastern section, both running in a north-south direction. (See Figure 5.1) An analysis of traffic accident data for the Town over the past number of years has indicated a number of apparent problem areas. These include the intersection of Route 52 and Towners Road, Route 31, Ludingtonville Road, and Farmers Mills Road. There are also a high number of accidents at the intersection of Route 301 and the Taconic State Parkway and Farmers Mills Road.

Potential Impacts:

The planning policies recommended by the updated plan for transportation are administrative in nature rather than capital improvements or major expansion of the existing road network. These include the adoption of a Capital Improvement Program, Official Map, and Access Management Plan for Route 52. The recommendations to improve major intersections and requiring road connections between and within subdivisions will have a beneficial outcome to Kent's transportation system. The elimination of the I Industrial District along parts of Ludingtonville Road will avoid increases in truck traffic, while the proposed IOC zoning will lead to truck and car traffic increases but in areas immediately near the I-84 interchanges and thus avoiding the local road network. These recommendations will increase the health, safety, and welfare for Kent's residents.

Mitigation:

No worsening of traffic conditions as a result of the plan is anticipated, therefore no mitigation is needed.

3.5. Economic and Housing Development

A. Economic Development

Existing Conditions

Kent's economic development has centered on the eastern portion around Lake Carmel and Route 52. Kent is largely a bedroom community compared to neighboring towns, with the largest employer being the public school system. As a result, Kent's operating budget is almost exclusively dependent on residential taxes and taxes on raw land for support of its community services. The land purchased by New York City to protect its watershed has not become tax-exempt, as the city has agreed to pay property taxes for twenty years after purchase. However, Kent should plan for a future time when the property becomes tax-exempt to avoid straining the town's balance between services and tax revenue.

In 2006, Kent undertook a zoning study to amend town regulations controlling development on Routes 52 and 311 and Ludingtonville Road. The 2006 Zoning Study proposes new zoning for increased economic development while meeting environmental concerns within a context of responsible development. Chapter 6 of the Comprehensive Plan incorporates the 2006 zoning recommendations relating to economic development.

Potential Impacts

The economic policies recommended in the Kent Comprehensive Plan are partially in response to the time-limited tax payment period negotiated with NYCDEP to determine and implement effective measures to enhance Kent's tax base. The plan also proposes to implement recommendations from the 2006 Zoning Study. This includes:

Redraw and re-purpose the I Industrial District, Creating a New Mixed Use District. The boundaries of this district would be redrawn more tightly, to encompass a few existing non-residential uses and land with real non-residential development potential. The new district IOC Industrial Office Commercial District would allow a mix of light industrial, office, and commercial development. Development could be stand-alone buildings, or industrial or office parks, if sufficient land is assembled. Strict performance and design standards would be part of the zoning text.

The Commercial District is reshaped to be smaller and concentrated, and design guidelines are created.

These recommendations will have a beneficial impact on Kent because the Town wants to exercise its fiscal responsibility towards taxpayers by encouraging appropriate commercial development, in addition to protecting its natural features.

The Kent Comprehensive Plan recognizes that the Town's natural, cultural, and historical assets are an opportunity for tourism and recommends attracting tourism by allowing bed and breakfasts by the zoning code.

Mitigation

The Kent Comprehensive Plan policies and actions are designed to enhance the Town's economic development potential. As a result, a positive impact on economic development is anticipated, and no mitigation measures are required.

B. Housing Development

Existing Conditions

Section 6.5 describes the housing development potential in Kent. As of the 2000 census, there were 4,868 units in Kent, of which 88% were single family detached homes. Since 1989 plan, there was an increase of 468 units in Kent. This is a moderate change compared to its immediate neighbors. The decreasing numbers of school-aged children and the increasing numbers of retirees have implications for housing needs.

Potential Impacts

Housing Development is the subject of Policy 2 in Chapter 6 of the Kent Comprehensive Plan. This policy includes incorporating a soils carrying capacity formula to determine actual lot sizes in all residential districts, the consideration of a mixed use overlay district, elimination of the PRD in certain areas, and amending the subdivision regulations to create a CRD Conservation Residential Subdivision district. All of these objectives will protect Kent's natural features and rural environment, but will create higher housing costs due to higher demand.

Mitigation

All of these recommendations of the Comprehensive Plan will have a positive impact on Kent's environment, except for the potential higher housing costs. Therefore, the Housing Need Study is proposed to determine affordable housing need and best methods for producing lower cost housing, given Kent's environmental and regulatory constraints.

3.6 Community Services and Facilities

A. Recreation

Existing Conditions

Kent contains a number of recreational facilities, detailed in Section 7.3 in the Comprehensive Plan (See Figure 7.2). These include two Town parks, one County park, seven State recreation facilities open to the public and the Madden Outdoor Education Center which is operated by the Putnam/ Northern Westchester Board of Co-operative Education Services (BOCES). The New York City Watershed Lands are part of Kent's recreation areas and are open for low-impact recreation use with a permit.

This section also describes the Old Roads and Paper Roads program being led by the Kent Conservation Advisory Committee to retain town ownership of old roads that have

fallen into disuse and keep them as a valuable conservation and recreational asset. In addition the CAC is proposing a network of Recreation trails that utilizes the old roads.

Potential Impacts

Policy 1 of Section 7.8 discusses recreation. There is a demand for recreation facilities, due to an increase in residential development and changing demographic trends. In response, the plan recommends producing a long-range (20 year) recreation plan. This plan would inventory existing recreation facilities, establish existing and future needs, and prioritize implementation actions, laid out in the Town's capital budget. Another recreation goal is enhancing the town's pedestrian and bicycle trail system.

The impacts of undertaking a long-range recreation study and enhancing the local pedestrian and bicycle trail system are primarily beneficial. More recreation and open space would be available to town residents and visitors, a public good for which the community has expressed support. There would also be one-time costs associated with the studies and the necessary regulatory actions. There would likely be regular operating costs.

Mitigation

No significant adverse environmental impacts related to recreation are anticipated as a result of adoption and implementation of the revised Comprehensive Plan. The policies will have a beneficial impact on public recreation and open space access opportunities. The capital and operating costs would be borne by the town's budget, subject to Town approval.

B. Municipal Services

Existing Conditions

Chapter 7 of the Comprehensive Plan describes the public services and facilities in Kent. The chapter details the emergency services, such as the Police Department and Fire Department (District 1 and District 2). The new municipal complex contains the Town Library, Town Hall, and Police Department on one campus on the east side of Route 52, and the Fire Department on the west side. A map of all municipal services is shown in Figure 7.1 Public Services and Facilities.

The Comprehensive Plan outlines Kent's Infrastructure and Utilities in Section 7.5. It details the two water districts and a sanitation district. There are no sanitary sewers in Kent.

Potential Impacts

Policy 2 discusses the municipal services recommendations for emergency services, youth and senior citizen services, infrastructure and utilities, municipal buildings and land, capitol budget and taxing districts. The major recommendations of this section include construction of a new recycling center and prioritizing finding land for the construction of a new Town Garage due to environmental concerns on the current site. Site specific SEQQR will be required when the land is identified.

The recycling center has been a volunteer effort, and has had virtually no impact on the town budget. The impact of a new recycling center thus is unknown at present, since basic questions about location, size, responsibility, and municipal involvement are unknown. If needed, a site-specific SEQR analysis can help to determine the alternatives and their costs and benefits. The new Town Garage, similarly, has not progressed beyond the discussion stage, so no impacts are known. For this too, a site-specific SEQR analysis can help to determine the alternatives and their costs and benefits.

Mitigation

No significant adverse environmental impacts related to municipal services are anticipated as a result of adoption and implementation of the Comprehensive Plan. The Comprehensive Plan will have a beneficial impact on public facilities and services. As a result, no mitigation is necessary.

4.0 OTHER ENVIRONMENTAL IMPACTS

4.1 Irreversible and Irrecoverable Commitment of Resources

There is no significant commitment of resources anticipated resulting from the adoption of the revised Comprehensive Plan and associated Zoning Code amendments. The primary resources utilized during the preparation and adoption of these updated documents includes man hours and paper for printing.

4.2 Unavoidable Adverse Environmental Impacts

No unavoidable adverse environmental impacts are anticipated from adoption of the revised Comprehensive Plan, which has been prepared to guide future development in accordance with sound land use and environmental management practices. Future specific proposed actions will be subsequently reviewed under SEQR to evaluate possible impacts and will be subject to local, state and federal environmental protection regulations.

4.3 Growth-Inducing, Cumulative and Secondary Impacts

The policies of the revised Comprehensive Plan are not anticipated to induce growth beyond what the Town considers a desirable and appropriate level. In fact, the Plan is sensitive to growth with respect to its effect on natural and manmade resources and the provision of public services and infrastructure needs.

While the Comprehensive Plan does allow for growth, implementation of its recommendations would not increase residential development densities above the levels allowed by current zoning, nor would it have a residential growth-inducing impact on the Town in comparison with land use regulations already in place. It should be noted that decreasing density is a tool to reduce the negative impact on the environmental constraints posed by the topography and water resources in the Town of Kent. Although the local population could increase with the development of vacant sites within the Comprehensive Plan area, such an increase is not expected to result in significant adverse environmental impacts, due to proposed development protection measures presented in the revised Comprehensive Plan and Zoning Code. The type of development proposed is designed to generate fewer adverse environmental impacts than previously suggested high density developments.

The Comprehensive Plan does encourage commercial development. The plan identifies the best locations for such growth, and provides concepts for shaping that growth. These concepts cover the mixture of land uses, minimum lot sizes and density, design controls, identifying supportive public infrastructure (such as sidewalks and integrated stormwater management), and using the SEQR process to streamline good development. The

cumulative and secondary impacts of inducing commercial growth are anticipated to be more jobs and tax revenue.

4.4 Energy Use and Conservation

The proposed update to the Comprehensive Plan aims at reducing development's impact on Kent's water and land. This is likely to reduce energy use overall by homeowners and is intended to encourage land and resource conservation. There will be no significant adverse impact on energy use and conservation.

Furthermore, the Comprehensive Plan advocates the promotion of sustainable building practices and "green" building design to create healthier and more resource-efficient models of construction, renovation, operation, maintenance and demolition. The Comprehensive Plan in Planning Policy 1: Zoning Code Update of Housing and Residential Zoning recommends providing property owners and local builders a guide to "green" building (energy-efficient) building practices. Also, Policy 2: Other Municipal Services recommends that the Town construct new municipal buildings in energy-efficient ways, using the LEED program or a comparable standard.

As a result of these measures, the use of energy is likely to be positively affected by adoption and implementation of the Kent Comprehensive Plan.

5.0 ANALYSIS OF ALTERNATIVES

5.1. No-Action Alternative

The Town Board is under no legal obligation to approve the revised Comprehensive Plan. Thus the No Action Alternative represents the option of not adopting the proposed plan. Without the update, the Town would continue to be subject to the 1989 Master Plan and existing zoning conditions. The existing zoning is less stringent, which may lead to new development having potential adverse environmental, economic, social, and transportation impacts. The no-action alternative is put forward here as required by SEQR. However, Town Board does not consider no-action on policy guidance to be realistic or provident. A great deal has changed in Kent since 1989, the date of the current master plan, with respect to the need for environmental protection: the Croton Watershed Memorandum of Agreement, updated watershed regulations, and the extensive land acquisition program undertaken by New York City to protect its watershed. Thus, the proposed Comprehensive Plan necessarily addresses watershed protection issues and sustainable economic development issues that were unforeseen in 1989.

The Town Board intends that it and all other local boards with land use oversight shall be guided by an updated municipal plan that balances environmental awareness and tax generation. Thus during the scoping process, no other alternative than the required no-action was put forward for consideration in this DGEIS. .

The proposed plan was carefully designed to appropriately balance the needs of the Town with effective, yet flexible controls which would promote development while assuring the maintenance and promotion of the public interest in areas such as residential and economic development, in addition to the protection of the scenic and historic resources, and critical natural and environmental resources.

6.0 SUBSEQUENT SEQR ACTIONS

None of the recommendations proposed in the Comprehensive Plan will directly lead to beneficial or adverse impacts, until private development or public action occurs. All development within the town is subject to site-specific SEQR reviews, administered by the Planning Board as part of its regular review of subdivision and site plan applications.

As noted earlier in the DGEIS, certain of the proposed zoning code amendments are proposed for adoption concurrently with adoption of the updated plan. Those proposed amendments are subject to a separate SEQR process.

This document is the generic assessment of environmental impacts likely to result from the adoption and implementation of the proposed revised Comprehensive Plan and associated Zoning Code amendments. In accordance with 6 NYCRR Part 617.10, this DGEIS sets forth specific conditions under which future actions will be undertaken or approved, to assess site-specific impacts that have not been adequately addressed or analyzed in the Generic EIS.

Following the adoption of the updated Comprehensive Plan and associated Zoning Code amendments, all actions coming before the Town Board, Planning Board and Zoning Board will be required to follow the SEQR process according to whether they are Type I, Type II or Unlisted actions.

Type I actions include those actions and projects that are more likely to require the preparation of an EIS. No SEQR determination of significance, EIS or findings statement is required for actions which are Type II as they are actions which have been determined not to have a significant impact on the environment. According to Section 617.4 (a) (1) of Title 6 of NYCRR, the Type I list is not exhaustive of those sections that an agency determines may have a significant adverse impact on the environment and require the preparation of an EIS. However, the fact that the action or project has been listed as a Type I action carries with it the presumption that it is likely to have a significant adverse impact on the environment and may require an EIS. An Unlisted action refers to an action that does not meet or exceed the thresholds contained on the Type I list and is not contained on the Type II list. An unlisted action requires a determination of significance and may require the preparation of a draft EIS.

A Type I Action being reviewed under SEQR in an Environmental Impact Statement will have a significantly narrower focus than this generic EIS, which has a broad focus and is more conceptual in nature. An EIS for a specific project will be site-specific, providing a detailed analysis of anticipated environmental impacts of that specific development.

7.0 ACKNOWLEDGMENTS

1. Town of Kent Comprehensive Plan, 1989
2. Putnam County Groundwater Protection and Utilization Plan, 2004
3. 2006 DOS Zoning Project of Route 52, Route 311, and Ludingtonville Road
4. NYS Department of Environmental Conservation, Division of Environmental Permits.
"6NYCRR Part 617 State Environmental Quality Review."
5. NYS Department of Environmental Conservation SEQR Handbook.
6. Code of the Town of Kent, NY

APPENDIX A: COMPREHENSIVE PLAN RECOMMENDATIONS

8.3 Recommendations

The following summarizes all recommendations in the plan.

ENVIRONMENTAL PROTECTION

Planning Policy 1: Steep Slope Protection

Establish appropriate development controls to avoid environmental degradation of steep slopes.

Hillside Protection Ordinance. In addition to the existing Steep Slope and Erosion Control Ordinance, the town should further guide potential development and address the visual impact of development on steep slopes. The recommendations are:

- **Hillside Protection Ordinance.** This would limit the percentage of an area which could be disturbed significantly and would regulate the cutting and filling required to place development on hillsides. Such a regulation is particularly important for commercial areas in which large level areas are required for both the building footprint and parking. Finished grades could also be addressed by such a regulation.
- **Ridgeline Protection Ordinance.** This could take the form of a ridge overlay district or ridge zoning ordinance. This would limit or prohibit building on or near a ridgeline.
- **Discount the area of land on any site which is located on steep slopes in the calculation of total developable area.** For example, if only 25-50% of steep slope areas were included in the calculation of developable area, for a property containing 10 acres of steep slopes, only 2.5 – 5 acres would count toward the allowable density of the parcel.

Tree Preservation, Protection and Clearance Ordinance. A draft Tree Protection Ordinance for the Town of Kent has been circulated internally. The recommendation is to strengthen the proposed ordinance to include commercial tree clearance and to require that for commercial clearance a 20-foot buffer of trees should be retained along the boundaries of the site.

Rock Outcroppings. Rock outcroppings are an intrinsic part of Kent's character and contribute significantly to the visual impression one forms while traveling through the town. The town should explore how other similar towns regulate the destruction of rock outcroppings to determine the best practice for Kent.

Planning Policy 2: Groundwater and Surface Water Protection

Groundwater Protection and Management Measures. Kent should implement a Groundwater Management program with a Groundwater Protection Ordinance in line with the recommendations of the Putnam County Groundwater Protection and Utilization Plan. The recommendations for areas with high density usage of individual wells and septic systems are:

- Evaluate both groundwater and surface water resources. Implement a program of well water quality sampling to confirm groundwater potability.
- Prohibit lawn irrigation from groundwater sources.
- Prohibit the filling of pools using any on-site domestic well.
- Protect all well fields by a minimum 100 foot buffer.
- Encourage measures to enhance local recharge, including installation of roof-drain dry wells and in-garden recharge areas, disconnection of drainage conveyances that pass over porous soils, and replacement of paved areas (impervious surfaces) with porous surface grading.
- Distribute educational materials to landowners. These can encourage water conservation techniques and address proper disposal for many household chemicals, discourage chemical lawn uses, and discourage use of septic systems for any compounds other than human wastes.
- Protect the recharge areas at the two existing community water system wells. The primary recharge area of wells completed in bedrock formation (i.e. drilled into soil rock) will include all land within 200 feet of each supply wellfield and all areas up-gradient of the well through which water flows in one year toward the well, and not less than 500 feet up-gradient from the well.
- A permanent source of potable water for the residents of Lake Carmel should be identified and land purchased, so that a community system can be provided and individual wells discontinued.

The recommendations for improved land use review process are:

- Examine the Putnam County Groundwater Plan recommendations regarding the land use review process and implement as appropriate.
- Examine the list of permitted uses and existing allowable development densities for areas not served by central sewage disposal and water supply facilities against those contained in the Groundwater Plan in any revision of the zoning code.

- Adopt an overlay district for all residential districts with environmentally protective standards. The district should cover three aspects: 1) a soils carrying capacity formula, 2) net buildable area requirement, and 3) septic check-out for lakefront lots.
 - The county's Groundwater Plan includes recommendations for regulating development densities based on the aquifer recharge characteristics of soil hydrology, and for uses that should be regulated by permit in the interests of protecting groundwater quality. Minimum lot sizes should be linked to the capacity of site soils, topography, and wetlands to support one single-family dwelling. Adoption of a carrying capacity formula for determining minimum lot size for new lots might eliminate the need for the existing Environmental Rectangle regulation.
 - The net buildable area requirement would require each new lot to show that sufficient unencumbered land existed on the lot (free of wetlands, wetland buffer, or very steep slopes) so that the household can enjoy use of their site without encroaching on protected areas.
 - The septic check-out regulation is described below under Sewage Disposal.

Sewage Disposal. There are no public sewage systems in Kent at present, and none are likely. Thus the recommendations focus on maintenance of functioning septic fields and protection of surface water.

- Enact a Septic System Ordinance. This should apply to the entire town, but is especially critical in areas around the lakes. The ordinance would have the following components:
 - Require periodic septic tank pumping so as to reduce the risk of septic failure and consequent damage to water resources. In the region, the Town of Lewisboro has a useful model that Kent should consider.
 - Require Septic Check-Out: When a structure is proposed for expansion, the owner would be required to verify the septic field location, the tank would have to be examined, and the site would have to have an area set aside for 100% expansion once the original field fails.
 - Homeowner education.
- Investigate the Massachusetts, Title V program for usefulness to Kent and in particular to the lake communities. This is a septic system program that uses Innovative/Alternative (I/A) on-site systems for existing failed systems. I/A systems are not conventional systems, and can perform better than conventional systems when they are used in compliance with Title V regulations. The program also requires certification upon sale of the structure that the septic system has been inspected and functions.
- Implement the recommendations of the 2002 Princeton Hydro *Water Quality Report for Lake Carmel*.

- Eliminate weeds and eutrophication problems in all waterbodies in Kent.
- Amend the local building code to require low-flow fixtures in new construction and remodeling, throughout the town.

Impervious Surfaces. The recommendations are:

- The Watershed Regulations stipulate that the construction of an impervious surface within 100 feet of a watercourse or wetland, or within 300 feet of a reservoir, reservoir stem or controlled lake, is prohibited, with certain exceptions. The Planning Board needs to be cognizant of these buffers in the assessment of any application.
- Produce and adopt an accurate map of the waterbody and wetland buffers as set down by the Watershed Regulations, with the assistance of NYSDEC, to increase awareness of the regulations.
- Review and revise road standards to incorporate the goal of reducing impervious surfaces.

Wetlands and Soils. The recommendations are:

- Bring the regulating of wetlands into accordance with the town code by the appointment of a Wetlands Inspector and Conservation Commission.
- Revise the town code, Chapter 39A relating to Freshwater Wetlands in order that only one authority is responsible for the issuance of permits.
- Identify the wetlands that promote aquifer recharge and ensure their protection under law.
- Appoint an Environmental Code Inspector to proactively endeavor to anticipate and forestall violations of the town's environmental laws.

Stormwater Management. The recommendations are:

- Minimize the area of impervious surfaces in recreation and open space areas. Within subdivisions, open areas should be designed to serve as filters, buffers, swales, wet and dry ponds and detention and retention areas. Public open areas such as parks and playgrounds can be designed to filter polluted runoff from adjacent impervious areas.
- Implement stormwater management processes to limit peak runoff flows and to limit turbidity discharges.

- Implement the Stormwater Management Program by 2008. There should be particular attention paid to erosion and sedimentation controls, and phosphorus restrictions. Adopt a homeowner education program as part of the overall program.
- Create standards for retrofitting existing commercial properties so that they as they come forward for expansion or other development activities, the Planning Board can use site plan approval to ensure that economic development and surface water protection is achieved.

Planning Policy 3: Impact of Other Towns' Development

Kent and its neighboring towns continue to experience development pressure. Development in neighboring towns along Kent's border can have potentially negative effects on Kent, in terms of both visual character and environmental quality. Where development on the town's border is expected to have an impact on the town, the town's Planning Board should insist on being a co-lead agency under SEQRA.

- Apply to be a co-lead agency under SEQRA for any development on Kent's border which is expected to have an impact on the town.

Planning Policy 4: Enforcement

Kent uses a traditional enforcement model for violations of its codes. The town should consider augmenting this approach with enforcement that encourages compliance. The traditional method assesses fines for violations, and relies on the court system and judges to compel compliance. For small infractions, the town could issue a remedy order (such as for raked leaves dumped in a wetland). This would be followed by a ticket, a small fine, and a date by which the violation must be remedied. If the violation remained, then the fine would be increased.

Planning Policy 5: Natural Resource Inventory

Kent should pursue a grant for preparing a Natural Resource Inventory of the town's habitats and species. The data should be incorporated into a GIS layer, and used for open space and subdivision planning.

OPEN SPACE

Planning Policy 1: Cooperation with County and Regional Efforts

- Coordinate with County officials in the Greenways Program and in any updating of the 1988 Putnam County Comprehensive Open Space Plan.
- Coordinate with the Hudson River Valley Greenway to develop a greenway program in Kent.

Planning Policy 2: Open Space Inventory

- Create an Open Space Committee charged with identifying land with open space potential, and prioritizing open space dedications.

Planning Policy 3: Subdivision Regulations Update

- Amend the subdivision regulations to create Conservation Residential Subdivisions (CRDs), aimed at preserving meaningful open space.
- Standards for the layout of open space subdivisions (conservation residential subdivisions, CRDs) should draw upon the planning process developed by Randall Arendt and the National Lands Trust.
- Discuss acceptance, ownership and/or management (stewardship) of dedicated open space and conservation easements with a third party, such as Putnam County Land Trust.
- Investigate the sunseting (expiration) of existing site plan approvals and subdivision plats if unbuilt, so that they can be brought up to the modern code before construction begins.

Planning Policy 4: Biodiversity Study as Planning Tool

- During SEQR for site plan or subdivisions, the Scoping Session should require a site-specific biodiversity analysis as part of the environmental impact analysis. The applicant should use the Hudsonia project and relevant DEC standards as the basis for the site-specific analysis.
- The Planning Board would assess the offer of dedicated open space (from site plans or subdivisions) against the value of the land as demonstrated in the biodiversity

study, the ecology of the larger landscape (land outside the site that supports the species in question), and town goals of preservation of habitat and connectivity.

- All biodiversity data gathered as part of development applications should be entered into a town-wide GIS database.

HISTORIC AND SCENIC ASSETS

Planning Policy 1: Historic Structures Protection

- Compile a complete historic structures survey in cooperation with the Kent Conservation Advisory Committee, the Kent Historical Society and the Putnam County Historical Society.
- Support the Kent Historical Society and Kent Conservation Advisory Committee in their efforts to develop and protect the town's scenic and cultural resources.

Planning Policy 2: Stone Walls and Stone Chambers

- The Planning Board should make every effort to ensure that stone walls and stone chambers these are preserved when reviewing site plan and subdivision applications, by 1) requiring applications to show the location of stone walls on plans, 2) limiting the number of driveway cuts and 3) by drawing lot lines to correspond to stone walls.
- The town highway department should avoid 1) widening roads where there are stone walls, 2) undercutting walls during road cleaning and scraping, 3) widening drainage ditches, or 4) removing stones that fall into the road.
- If a wall falls down in a town right-of-way, road crews should leave the stones on the property near the wall remains.
- Consider requiring a permit for rebuilding or removing existing stone walls or building new stone walls along roadways and along the perimeter of a property. The review process should include setback and height requirements that would make new or rebuilt walls conform to historic precedents.
- The Planning Board could ask the KCAC for input during site plan and subdivision reviews. If a proposed development site has a stone chamber, the Planning Board can then work with the applicant to keep it intact.

Planning Policy 3: Scenic Byways

- Involve the Kent Conservation Advisory Committee as an advisory review board for potential scenic road designations.
- Enact a scenic road preservation law recognizing the special character of these roads and accepting lower design standards.
- Implement traffic calming techniques to discourage vehicular traffic yet encourage pedestrian and bicycle use.

- Ensure that design and maintenance standards are in place, particularly in relation to stormwater management on dirt roads. Refer to such guidelines as *Recommended Practices Manual: A Guideline for Maintenance and Service of Unpaved Roads* which is available on the Environmental Protection Agency (EPA) website and *The Massachusetts Unpaved Roads Best Management Practices Manual*.
- Ensure that safety standards are in place. For example, speed limits should be lowered for potentially dusty and bumpy roads, and special signs should be erected alerting drivers to the scenic road and lower speed.

Planning Policy 4: Historic, Paper, and Non-abandoned Remnant Roads.

- Legally resolve encroachments on non-abandoned remnant and paper roads to ensure the town's clear ownership of these roadways.
- Incorporate the results of KCAC's non-abandoned remnant roads and paper roads survey on the official town map or open space map. This will ensure that site plan and subdivision applications before the Planning Board and all road improvements undertaken by the town government conform to the preservation goal.

Planning Policy 5: Gateway and Corridor Beautification

- The Town Board should finish and adopt the Route 52 Corridor Plan.
- Incorporate into the municipal capital budget recommended major improvements, such as the intersection and infrastructure improvements.

TRANSPORTATION

Planning Policy 1: Municipal Focus on Long-Range Planning

- Develop a Capital Improvements Program for the timely improvement of local roads.
- Adopt an official town map that shows all roads, and any proposed roads. Augment the map as needed with all parks and open space parcels, and any proposed acquisitions.
- Adopt an access management plan for Route 52 to limit the construction of new curb cuts (driveways) and require curb cut consolidation and access between adjacent parking lots.
- When new subdivisions are proposed, the Planning Board should require road connections between and within subdivisions where possible. Shared driveways and flag lots should be discouraged.

Planning Policy 2: Road and Intersection Safety

- Work with the State to improve the capacity of major intersections such as Route 301 and the Taconic State Parkway and Route 52 and Route 311.
- Identify and correct sources of vehicle conflict, to reduce the number and severity of accidents.

ECONOMIC DEVELOPMENT

Planning Policy 1: Zoning Code Updates

- Implement recommendations from the 2006 zoning study, as updated in this plan:
 - Create the new IOC district, repurposing and redrawing the I Industrial district.
 - Remap the C Commercial district.
 - Eliminate the PRD Planned Residential Development district.
 - Create a mixed-use overlay district.
 - Create a Towner's Road overlay district
- Prepare a GEIS for the economic development areas.
- Adopt design guidelines for new and expanded commercial development along Kent's major arterial roadways such as Route 52 and throughout all commercial areas in the town, including Towner's Road.
- Leave the C district in place as mapped at the intersection of Route 301 and Richardsville Road.
- If requested, the Town Board should favorably consider creating a new C district near the firehouse on Route 301, as part of a large residential subdivision application.
- Remap the C district at the intersection of Farmers Mills Road and Route 301 to just the northwest quadrant.

Planning Policy 2: Municipal Focus on Business Recruitment and Expansion

- Create a capital budget, to include gateway, infrastructure, and roadway improvement recommendations in the Revitalization Study.
- Use the time-limited tax-payment period negotiated with NYCDEP to determine and implement effective measures to enhance Kent's tax base. Aim to diversify the tax base by attracting consumer goods and services, office buildings, and light industry.
- Develop an economic development advisory committee to act as an advocate and recruiter for economic expansion in the Town and to work with the county to implement an economic development program.
- Attract tourism to historic, natural, and cultural sites.
 - Allow bed and breakfasts.
 - Encourage the state to maintain the two state parks, Fahnestock and Wonder Lake, at high quality.

- Implement the hiking and bicycle route recommendations in Chapter 7.0 to attract more tourism and recreation visitors to Kent.

HOUSING DEVELOPMENT and RESIDENTIAL ZONING

Planning Policy 1: Zoning Code Update

Throughout the plan, there are recommendations that would affect the zoning code regulation of housing development. These are:

- Leave the residential district base zoning as is.
- Create a mixed-use overlay district for residential districts, applicable to parcels with existing limited commercial uses that would allow some expansion of the commercial activity.
- Amend the subdivision regulations to create a CRD Conservation Residential Subdivision district, requiring a maximum set-aside of 20 percent of the lot area as open space.
- Eliminate the PRD district, while grandfathering as a legal conforming use the existing Fairways and Sparrow Ridge subdivisions built according to PRD controls in the southeast corner of Kent.
- Adopt a soils carrying capacity overlay district for all residential districts to determine actual lot sizes in all new subdivisions.
- Study the creation of family-compound subdivision regulations that would permit under certain limited circumstances more than one primary residential structure on an undivided lot.
- Amend the home-based businesses section of the zoning code for greater flexibility and more stringent renewal and inspection requirements.
- Inventory remaining vacant and underbuilt lots with lake frontage that are currently permitted to double their density, to determine if a decrease in allowed density is necessary. This would entail increasing the minimum lot size for lakefront lots to conform to the base zoning.
- Provide information to property owners and local builders, a guide to “green” building (energy- efficient) building practices.

Planning Policy 2: Housing for Senior Citizens and the Workforce

The decreasing numbers of school-aged children and the increasing numbers of retirees is likely to continue. The increase in the retiree population has implications for housing needs, particularly affordable or lower cost housing, since retirees are more likely to live on fixed incomes, begin to have greater medical costs, and live in poverty or have significantly lower household incomes. Finding local affordable housing is a problem for many Kent homeowners as well, especially those at the lower end of the income scale.

- Prepare a Housing Need Study to determine affordable housing need and best methods for producing lower cost housing, given Kent's environmental and regulatory constraints.
- Amend the accessory units ordinance to allow more such units where environmentally feasible.

PUBLIC SERVICES AND FACILITIES

Planning Policy 1: Recreation

The recommendations are:

- Prepare a long-range (20-year) recreation plan. At minimum, the plan should cover active and passive recreation, and indoor and outdoor facilities and programs. Plan recommendations should be part of the town's capital budget. An expansive version of the recreation plan would consider parks, other trails and recreation paths, non-abandoned remnant roads and paper roads, open space, and street trees.
- The Conservation Committee could be charged with the creation of a natural resource inventory map and an Open Space committee could be created by the Town Board and charged with the development of the open space map. The natural resource inventory and open space maps should be created in GIS format. This information would identify and prioritize future passive and active recreational areas of the town. Funding and planning mechanisms could be created to provide recreational staff support and equipment. The Town of Kent Land Trust could be created to actively pursue properties prioritized for recreational purpose and funding mechanisms such as grants and partnerships to acquire these parcels.
- Evaluate appropriate bonding mechanisms to finance needed additional municipal facilities, such as an indoor recreation center.
- Work with the Carmel Central School District to implement expansion plans for their facilities for recreational purposes, as a short-term measure to provide necessary recreation.
- Establish a Recreation Director with professional staff as part of an enhanced Recreation Department.
- Minimize reliance on tax revenues for the financing of public facilities. Encourage the use of public-private financing mechanisms for expansion of public facilities.
- Enhance the town's pedestrian and bicycle trail:
 - Implement the Kent portions of the county Greenway system.
 - Designate Route 301 and Route 52 as a bicycle route, connecting Carmel and Kent.
 - Support the KCAC's paper roads program.
 - Support the KCAC's work to create a recreation trails network in Kent, using the suggested Highlands Trail Extension from from the Hudson River to Connecticut.
- Use Integrated Pest Management on town recreation fields and lawns.

Planning Policy 2: Other Municipal Services

Emergency Services

- Examine local construction codes to augment fire safety in commercial buildings by requiring sprinklers.

Youth and Senior Citizen Services

- Encourage the development of child and adult day care facilities in Kent.
- Evaluate appropriate bonding mechanisms to finance needed additional municipal facilities, such as the completion of the town hall complex with a senior citizen center.

Infrastructure and Utilities

- Ensure that minimum lot standards in the zoning regulations depend on sewer avoidance: all new lots should be sufficiently large to accommodate septic fields, using the proposed carrying capacity formula overlay district.
- Construct a new recycling center for the exchange of materials which would reduce solid waste.

Municipal Buildings and Land

- Construct new municipal buildings in energy-efficient ways, using the LEED program, or a comparable standard.
- Prioritize finding land for the construction of a new Town Garage due to environmental concerns at the current site.
- Inventory all small parcels owned by the town to determine which can be returned to the tax rolls.

Planning Policy 3: Capital Budget and Taxing Districts

- Institute a municipal Capital Improvement Plan program.
- Identify areas of town where specialized infrastructure is needed, and establish taxing districts to provide maintenance and improvement. These areas may include fire districts, where provision of firefighting water is critical, and stormwater management districts where the town (and not the homeowners association) maintains the components of the stormwater management infrastructure to ensure lake water quality.

8.4 Plan Implementation

A necessary first step in putting the Comprehensive Plan to work for Kent is its adoption as official town policy by the Town Board. Once adopted, there are five standard methods that New York municipalities use to ensure that the comprehensive plan is realized. The plan will largely be implemented through changes to land use controls, necessary capital improvements, cooperation with other government agencies or departments, continuing planning, and private development.

Land Use Controls

This plan recommends improvements to Kent's existing land use controls. Development controls give a comprehensive plan its teeth. The adopted plan is a firm foundation supporting specific provisions of the regulations. It is not desirable or possible to regulate completely all aspects of land development. However, the creation and strengthening of land use controls – such as zoning, site plan and subdivision review, and environmental protection ordinances are necessary. A balance must be made between maintaining flexibility and initiative for the property owner and sustaining the public interest in land development that furthers public goals.

Capital Programming

The ways in which and the places where Kent spends public revenue in the public interest, and the standards to which these improvements are built, have a large effect on the town's character and future development. Kent's greatest public improvement tends to be focused on its roads. This should be expanded to cover stormwater management actions, lake protection, parks, recreation, and senior citizen facilities, open space acquisition, and gateway and intersection improvements.

Kent should evaluate capital improvement plans in light of this plan's recommendations. The capital budget program is a systematic scheduling over a (typically) five year period and projection of various necessary public works and land acquisitions. The process of preparing a capital program, the resulting document, and, of course, the improvements themselves are important tools in implementing the comprehensive plan. Each year, the capital and budget program is revised if priorities or conditions have changed and funds are dedicated for the next fiscal year, with the capital program extended into that year. In this way, the multi-year time period is a rolling period, with new projects coming on line as others earlier in the cycle reach completion.

Such a program is indispensable for a sustained capital improvement effort. It allows for a continuous update on municipal needs without allowing the revision process to stall the improvement planning and scheduling. In this way, Kent knows its capital commitments for five years into the future and can plan the financing in an orderly way. It also stabilizes the rate structure by spreading improvement costs systematically over a period of years.

Cooperation with Other Government Agencies and Departments

Kent has two state highways and several county routes running through the town. When possible, the town should work with the state and county to improve safety and efficiency. With regard to groundwater and surface water protection, Kent's partners are the county and New York City. Cooperation among these entities will help the town to protect its water resources and residents' quality of life.

Continuing Planning

Some of the plan's recommendations are preliminary: they require that Kent study a problem and its solutions in depth before a final recommendation can be pursued. This plan cannot anticipate all new needs for continuing planning; Kent can expect that new problems or opportunities will arise during the next ten years before the comprehensive plan is updated. The Town Board, the Planning Board, the town's other boards and advisory groups, and its informed and active citizens will ensure that planning for Kent continues.

Town Law §272-a(10) provides that the Town Board must include in the comprehensive plan the maximum intervals at which the plan should be reviewed. Kent will endeavor to review and update its adopted plan every ten years.

Private Development

Kent's comprehensive plans have correctly assumed that the great bulk of development in Kent has been and will continue to be carried out by private individuals and organizations. Therefore, it is private action that is the most important element in developing the community, guided and regulated by the town. The comprehensive plan, zoning and subdivision regulations, environmental protection controls, and the town offices which administer these regulations, cannot compel development of a particular site for a particular use. However, the plan can provide an orderly framework for private development and related municipal service facilities. The plan therefore helps private enterprise in determining the right type of development and the proper place for it. Where there is a good town plan, and it is followed on a continuing basis, private enterprise has a more reliable foundation upon which to plan and build. This not only encourages good development, but also helps to accomplish some of the specific recommendations of Kent's comprehensive plan.