

SHAPING SUCCESS
DESIGNING THE FUTURE OF QUEENSBURY

TOWN OF QUEENSBURY
COMPREHENSIVE PLAN



Adopted
August 6, 2007



**Town of Queensbury, New York
2007 Comprehensive Plan**

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Introduction

On many levels, the Town of Queensbury is a success story. From the rural beauty of the Adirondacks to the quiet neighborhoods to the buzz of commercial and industrial activity – Queensbury is in demand as a place to live, work and play. The community is in a truly enviable position in upstate New York.

However, this success has exacted a price. Traffic congestion is an increasing problem and it has become difficult to walk in many parts of the town. Large parking lots have changed the natural environment. The sprawl of malls, shopping centers, and subdivisions has reshaped the community's traditional rural character.

To balance growth and character, in 2005 the Town of Queensbury decided to reexamine its vision for the future and map out a path to achieve that vision. The exercise took the form of updating the 1998 Comprehensive Land Use Plan. The operating principle behind this plan has come to be known as "Shaping Success." This concept recognizes the town's economic vitality and quality of life as well as recognizing that the form of these achievements needs improvement. The goal is to devise a plan that moves Queensbury closer to what the community desires: economic health, walkability, environmental protection and good quality of life issues.

The Comprehensive Planning Process

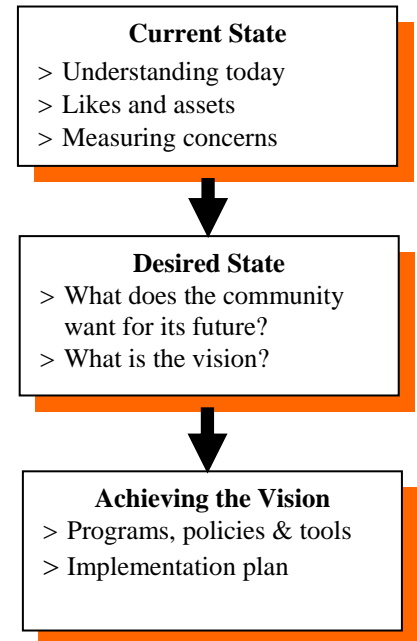
Similar to families planning to buy a house or take a vacation, or just as businesses plan for profit and growth, communities must plan as well. Community plans include factors such as population growth, economic growth, roads, community character, property values, tax base, schools, environmental protection, transit, recreation, pedestrian safety, sewage disposal, and water supply. These are some of the “ingredients” of a comprehensive plan.

The comprehensive planning process begins by understanding the present issues and conditions, gauging the likes and dislikes of the community, and measuring their concerns. Once these issues have been clearly identified, the plan looks ahead and asks what the community wants to see in the future. What is its vision for itself? Lastly, the Comprehensive Plan lays out the way to achieve this vision and creates an action plan for implementation. The plan to get from “here” to “there” may include devising new policies, incentives and / or regulatory revisions.

The Town of Queensbury began the comprehensive planning process early in 2005. The town hired Saratoga Associates to assist the Planning Ordinance Review Committee (PORC). The PORC, working with the town’s community development department, was made up of current planning and zoning board members. The PORC held committee meetings throughout the comprehensive planning process. All committee meetings were open to the public and a portion of the agenda at each meeting was devoted to public comment.

In addition to the PORC meetings, the committee reached out to the public on other occasions. The results of the public meetings described below can be found in Appendix D of this plan.

Issues Identification Workshop – This workshop introduced the community to the comprehensive planning process. In addition, participants worked together to define the town’s strengths and identify issues that should be addressed in the plan. Over 35 people attended this workshop in October 2005.



Community members expressed their vision for the future of Queensbury during a series of public meetings and workshops

Visioning Workshop - Participants were asked to take part in an image preference evaluation. Thirty-three images were shown illustrating various styles and types of commercial development, housing, streetscape and public spaces. Participants were given a scorecard and asked to rate each image on a scale of 1 to 7. A score of 1 indicated that the image was undesirable or inappropriate while a score of 7 indicated that the image was very desirable or appropriate for Queensbury. A facilitator initiated a discussion about the positive and negative design characteristics of each image with the participants. Later in the meeting, attendees were divided into groups to brainstorm ideas for the town and draw them on Queensbury maps. A facilitator worked with each group, and reported the group's ideas to the entire workshop audience at the end of the evening. Approximately 57 people attended this workshop in November 2005.



The Focus Groups allowed the public to concentrate on specific topics: housing & neighborhoods, protection of special places, economic development, and commercial development.

Focus Groups – Although similar to the visioning workshop, the four focus groups allowed the public to concentrate their concerns and desires. The focus group topics were “Protection of Special Places & Resources” and “Housing & Neighborhoods” held in December 2005, and “Commercial Development” and “Economic Development” in January 2006. After an introduction to the topic participants were divided into smaller groups to discuss the topics in detail and brainstorm ways to relate them to Queensbury. Facilitator's results of each group were reported back to the audience at the end of each meeting.

First Townwide Meeting – The purpose of this townwide meeting was to solicit public input about conceptual plan recommendations. Potential recommendations were presented by topic area. After the presentation of one or two topic areas, the facilitator paused and solicited feedback from the public. An audience count found 77 people in attendance.

Second Townwide Meeting – The purpose of this meeting was to review the important and potentially controversial pieces of the draft plan and allow the public to comment. Public turnout was only about 20 residents and landowners. However, the small size of the group allowed the members of the Planning and Ordinance Review Committee to constructively engage the community. Questions were answered and a series of issues resulted that the Committee dealt with at its regularly scheduled meeting later in the month.

The information obtained from the public meetings and workshops was invaluable during the planning process. In addition, the written comments and email messages received from stakeholders became part of the discussion while crafting the plan recommendations.

Vision and goals

Vision without action is a daydream. Action without vision is a nightmare.

Japanese Proverb

There are two extremes to poor planning. Some communities dream about what they could be, but never muster the resources or political will to move toward that dream. Others try to act – without a vision – and find themselves dissatisfied with the result.

The Queensbury community, in devising its plan began with a vision for the future – a guiding statement from which goals and recommendations flow and against which all actions must be tested.

Queensbury's Comprehensive Vision

The Town of Queensbury is a beautiful community in the foothills of the Adirondack Mountains, with panoramic mountain views, a thriving business base and independent citizens who live in harmony with nature, value open space, and welcome visitors who come to recreate.

A good place to live, the Town of Queensbury offers an excellent quality of life for families, that features public safety, clean water, pure air, a variety of housing options, excellent schools, a growing library, state-of-the-art health care facilities, community-minded businesses of all sizes from all sectors, parks, bike paths and an impressive array of museums, arts organizations and historic preservation initiatives.

As a community, we strive to protect and encourage neighborhoods that promote relationships, healthy lifestyles and community involvement. We endeavor to balance the needs of our growing community with local and regional economic development initiatives, which can support our town-wide goals.

Queensbury's Comprehensive Plan Goals

From the vision statement flows a number of goals that the community sets for itself as a way to achieve that vision. They are listed below in no particular priority.

Protect important natural areas and viewsheds in the town, especially unique landforms, ridges, and slopes. Promote the protection of natural resources such as the water, air, Critical Environmental Areas and wetlands.

Increasing development in Queensbury does not have to equal a loss of open space, views, or community character. Cutting-edge planning techniques allow communities to experience economic development without losing the features that make them distinctive. In fact, protecting and enhancing natural resources and viewsheds is economically beneficial as well as environmentally sound. The open spaces and scenic vistas that make Queensbury unique can be preserved and used as an asset to continue to attract residents and businesses and preserve the quality of life of existing residents.

Develop an economic program that reflects the community's land use goals while keeping up its tax base and job opportunities.

Queensbury has all the ingredients for continued economic success. The town's success so far means that it can focus its efforts to attract businesses that contribute to the community's vision for its future. A municipal or regional economic program should not allow every project into town, but only quality projects that invest in Queensbury over the long-term and reflect the goals of the Comprehensive Plan.

Maintain safe and stable neighborhoods for all residents.

People want to live in neighborhoods – and residents are Queensbury's most important assets. By definition, neighborhoods are districts or areas with a distinctive characteristic and a place where there is friendliness between its residents. Maintaining safe and stable neighborhoods includes factors such as increased walkability, affordability, and access to local services.

Create design standards for architecture and site layout that move the town towards realizing its vision.

The look, feel and functioning of a community directly impacts its long-term viability. Quality businesses and skilled workers want to be in distinctive

Design standards can help rebuild community character and create pedestrian friendly places.



(Top) Developers retrofitted a strip mall in Mashpee, Mass. to create a new town center. (Bottom) In Lee, Mass. developers created a new pedestrian-friendly outlet mall that fit the traditional character of the Berkshires.

places. Architectural design and site layout standards are one of the most effective tools that municipalities have to ensure they remain interesting places to live, work, and play. Queensbury, a highly desirable community, will have little problem finding quality developers willing to invest in maintaining a distinctive character. They recognize that such a strategy only protects their investment.

Promote pedestrian and bicycle friendly residential and commercial design for new and redevelopment projects. Rebalance design, in general, to concentrate on people and walking rather than cars and parking lots.

Pedestrian-oriented design strengthens the fabric of communities and maintains a quality of life that is attractive to residents and visitors alike. Non-walkable communities are increasingly becoming a health issue in this country as our citizens gets heavier and heavier. Constructing areas that focus on walking and biking, rather than purely on driving, relieves traffic congestion and makes a community safer. This, in turn, helps the municipality to attract residents, visitors, jobs and development. The existing north-south bike path is a first step towards achieving this goal and a great foundation for building more connections throughout the town.

Expand the network of bicycle and pedestrian trails. Increase public access to other recreational areas.

Natural amenities such as open space and waterfronts are in high demand for residential development. However there is not enough waterfront or nature preserve to border everyone's property. Linking people to natural amenities, including the Rush Pond area, Glen Lake, Sunnyside Lake, Lake George and the Hudson River, will help to attract new businesses and residents as well as boost some areas of tourism. This network will help increase the pedestrian connectivity between existing neighborhoods, which residents describe as very important.

Require more connections within and between residential neighborhoods and commercial corridors.

The suburban pattern of dead-end streets and isolated residential subdivisions feed all traffic onto major roads causing congestion. Opening up connections in different places offers a way to lessen congestion, especially for local residents. In addition, the more interconnected the network, the easier it is for people to use alternative ways of getting around such as walking or biking. Creating these connections will allow neighbors to meet, will create safe and

efficient ways to and from commercial areas, and will increase the quality of life for residents.

Create mixed-use neighborhood commercial centers.

Access to services is an important factor in quality of life. As communities such as Queensbury grow, the need for such neighborhood commercial areas grows. Residents who must get in their car to buy a gallon of milk or get a cup of coffee add to local traffic congestion and regional air pollution. It costs community members time and increases aggravation. Having such services within a walk or short drive will increase quality of life dramatically.

Eliminate the visual clutter of signs in commercial corridors.

Community residents have called signage in commercial areas of Queensbury “stressful”. Very quickly in dense commercial areas, signs get out of control, as businesses feel they must fight harder and harder for visibility. Sign design guidelines that control the size, height, lighting, location, and overall appearance of signs used on storefronts and for general advertisement purposes (billboards) can reduce this visual clutter – making the community a more pleasant place to visit and live.

Establish a clear, predictable and timely review process that makes it easy for applicants to understand and adhere to community design standards. Enforce these standards vigorously.

Clear, strong, and evenly enforced rules benefit many sectors of the community. Communities and their residents benefit from the certainty that clear, well-enforced development rules offer. At the same time, developers save time and money if they know upfront what a community demands of them, rather than going back and forth with planning and zoning boards for approvals. Clear standards also help the approval process by eliminating the need for interpretation or personal opinions on development projects that may differ from the overall goal of the community or the developer.

Work with the public school districts that serve Queensbury as well as Adirondack Community College to secure and enhance the educational opportunities that contribute to the town’s success.

A strong economy demands an educated workforce. Colleges and public schools provide the skills that people need to hold quality jobs in today’s economy. Queensbury is fortunate to have Adirondack Community College. By offering a superior education at a fraction of the cost of private or state

schools, Adirondack Community College provides an important service to new students as well as working residents wishing to enhance their careers. In addition, these collegiate institutions are drivers of the micro-economy around them. Many communities find that bringing institutional services, such as bookstores and food sales off campus, into the community benefits local merchants from the increase in customers and local residents by increased variety.

Encourage inter-municipal cooperation on issues of joint concern, such as: efficient cost-effective delivery of services, environmental protection, and regional economic development initiatives.

Economic development and environmental protection are not issues that can be practically tackled by individual municipalities. With its proximity to both the Capital District and the Adirondack Park, Queensbury is in a potential leadership position to work on both issues with surrounding communities. Realizing that regional partnerships is one of the most beneficial and practical ways to stabilize municipalities and secure their future is a first key step towards realizing the community's goal of a better, improved Queensbury.

Planning Recommendations

A. Neighborhoods

New homes, new subdivisions and new neighborhoods are the most visible aspect of Queensbury's growth. From 1990 to 2000, the number of homes in Queensbury grew 16 percent, much higher than the state's 7 percent growth rate or Warren County's 10 percent rate. From 2000 to 2005, the median price of homes jumped 64 percent in Queensbury.¹

Creating housing choice is an important part of creating a vibrant community. Different people require different housing types, especially as the population ages and the workforce demographic shifts. In communities this often means encouraging diversity in terms of unit size, pedestrian amenities, nearby services, and prices.

The recommendations in this chapter focus on the following community goals.

- > Promote pedestrian and bicycle friendly residential design for new and redevelopment projects.
- > Require more connections within and between residential neighborhoods.
- > Maintain safe and stable neighborhoods for all residents.

Queensbury has different residential areas. Some, around the town's border with Glens Falls, are dense and reflect urban neighborhood characteristics. Others, throughout the center of the town, are more suburban in nature. Finally, there are areas in the west and north that retain a rural look.

Three residential areas of Queensbury today



Dense



Suburban



Rural

¹ See Appendix A - Inventory for a more complete picture of changes in Queensbury housing.

For planning purposes, the town was divided into three planning areas that reflect these current characteristics. *Neighborhood residential* areas surround the border with Glens Falls with denser neighborhoods. *Moderate residential* is essentially the next ring out. Its growth reflects a more suburban pattern of development – heavily reliant on the automobile. The *Rural Residential* areas occupy the western and northern parts of town – areas that still reflect the rural heritage and natural environment. These planning areas are illustrated on the Planning Recommendations Map.

The recommendations for Queensbury neighborhoods are, therefore, divided into three categories, one for each planning area described above.

Neighborhood Residential Planning Area

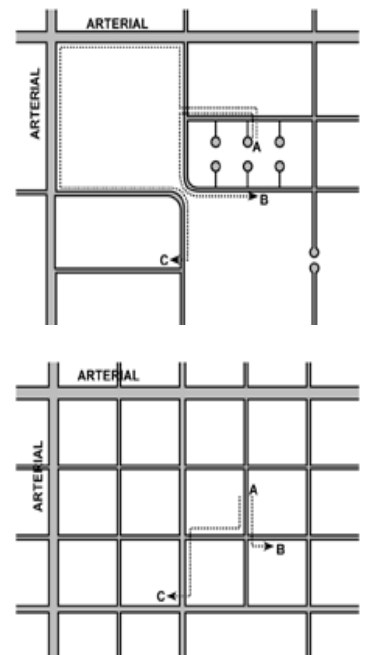
The Neighborhood Residential Planning Area surrounds the town's border with Glens Falls, extends east to the Kingsbury town line just south of the Warren County Airport, and goes west to the Adirondack Northway (I-87). The planning area is mostly within already designated water districts and partly within existing sewer districts. Density and walkability characterize much of this area.

There is little room within the planning area for new large-scale development, so these recommendations apply to individual home constructions and major renovations and redevelopments, as well as new housing subdivisions.

Recommendation A.1

The existing street grid pattern should be strengthened in the neighborhood residential planning area.

Since the creation of communities, grid patterns have proven a most efficient way to organize transportation. This is especially true in denser areas, where the grid creates connections between different neighborhoods and serves many purposes. Walking is more interesting when pedestrians can vary routes. Residents who walk get to know those in their neighborhood, therefore building a safer community. School children can find safe ways to schools, recreational activities and their friends without having to walk or bike along major arterials. A street grid tends to calm traffic in the neighborhoods as drivers slow down at repeated intersections. In cases of an emergency, buildings have more than one avenue of access. Travel distances for cars are reduced and traffic congestion is eased.



(Top) Travel distances increase, congestion grows as all traffic funnels onto major roads and safety declines with isolated subdivisions and dead-end streets.

(Bottom) A traditional grid pattern allows for more direct connections to places and more alternative routes for drivers and emergency vehicles.

Recommendation A.2

In neighborhood residential areas, allow two-family homes in neighborhoods and multifamily dwellings where appropriate in scale or form, mostly likely along the major roads. Allow in-law apartments in neighborhood residential areas.

This area is the most connected to public water and sewer, so the community should encourage density here. Density, if done well, offers the housing choice that is an important driver of vibrant communities.

Increased density should not fundamentally alter the current characteristics of the neighborhood. Only one- or two-family homes should be allowed on most residential streets. Simple design standards will reinforce the walkability of the area and protect the existing ‘look and feel’ of the neighborhoods. In addition to requiring sidewalks, the code might require new homes build garages behind or to the side of residences, and set build-to lines. Multifamily dwellings should be allowed only on bigger streets and the design standards should mirror those found in the Main Street Plan.

In-law apartments carved out of a home or garage help keep extended families together, and continue to stabilize a healthy neighborhood. Today, many seniors prefer to age in the communities where they spent most of their lives. However, a large home on a suburban lot might require too much upkeep for an empty nester and be too isolating, as aging homeowners need to curtail car use.

Recommendation A.3

In the neighborhood planning area, require developers to provide parks, trail connections and other greenway features in significant subdivisions.

A pocket park offers a small open-space/recreational amenity that is more passive in nature and designed to serve a specific residential development or neighborhood. The park may have a few benches or a small playground, but it is not designed for activities such as ball playing. Its role is more as a meeting place serving residents in a quarter to a half-mile radius. The park’s size could range from ½ acre to two acres.

The pocket park should be well connected to the neighborhood via sidewalks and may provide entry to a townwide trail system. No provision for automobile parking is required – or even desired. The pocket park should be visible from nearby residents or other users for greater security.

Moderate Density Residential Planning Area

The Moderate Density Residential Planning Area occupies the middle portion of the town. It arcs around the Traditional Neighborhood Planning Area from the Hudson River to the Kingsbury line. It extends out just past West Mountain Road to the west and just north of Glen and Sunnyside Lakes.

Houses in this area, as well as the size of the lots on which they sit, can be described as suburban. Many have beautiful views and continue to be in quiet neighborhoods. Much of the area is served by public water; public sewer is also available. However, substantial portions of the area have neither.

Most residents depend on their automobile to get anywhere – near or far. Most residential developments are isolated from one another and often from neighboring commercial developments as well. Without that connectivity, each residential or commercial subdivision dumps all of its traffic onto a handful of large collector roads, contributing to major traffic congestion. Walking is often difficult because of traffic, lack of sidewalks and other safety concerns.

Recommendation A.4

In the moderate density residential planning areas, require new subdivisions to make or plan for connections to adjacent properties, and develop a plan to increase automotive and pedestrian connections between existing subdivisions.

The advantages of greater connectivity are numerous for both cars and pedestrians. These include:

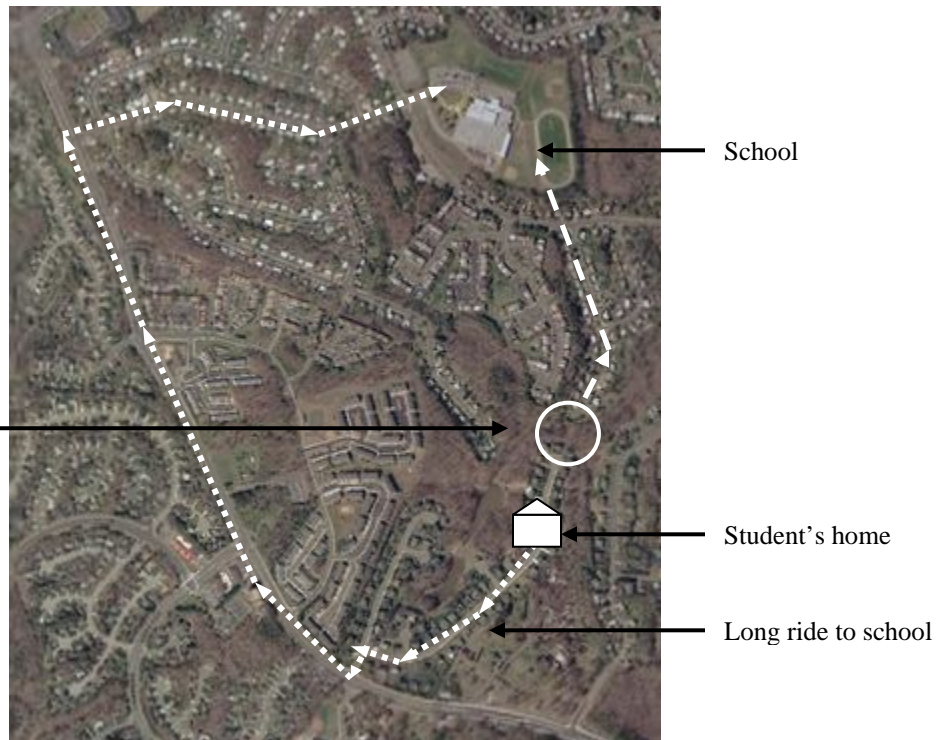
- > Reducing traffic on major roads
- > Providing more direct driving and walking routes
- > Improving emergency vehicle access
- > Reducing infrastructure and public service costs
- > Allowing walkers and bikers a variety of safe routes, not on major roads

New subdivisions should be required to create road connections to neighboring projects. If that is not practical, new subdivisions should provide for future road connections by preserving a right of way.

The Missing Link

In this example, a suburban student must take the long way around, probably by bus, to get to school. With one simple connection, the trip becomes a short drive – or even safely walkable – for lots of students.

Connecting this missing link between dead ends would allow a shorter, safer route to school.



One way to achieve this

goal is for the town to adopt an Official Map marking existing and future streets, highways, parks, drainage, and other physical features. Provided for by NY State Law, the Official map provides a foundation for the town to base decisions and policies such as preserving rights of way in subdivisions, providing appropriate locations for parks, drainage facilities, or providing new roads. Developers must adhere to the official map when planning new projects and provide for roads or rights-of-way for future roads.

Any new automobile connections must be accompanied by specific and extensive traffic calming interventions to mitigate the possibility of increased traffic on some residential streets. Such techniques would include but are not limited to keeping streets narrow, providing traffic bumps, pedestrian islands, crosswalks, curves, bike lanes, and, of course, sidewalks. Without such mitigating interventions, automobile connections should be minimized. Cooperation with highway and fire departments is necessary to accomplish these goals.

Despite the advantages that connections bring, it is not practical or even necessary to force every residential subdivision to open up roads to its neighbors. Rather, it is important to establish the right connections between the right places. Sometimes those connections might not even be for cars. Pedestrian and bike connections can achieve many connectivity goals at a fraction of the cost. The town planning staff should create a plan that maps out possible ways to connect existing subdivisions.

Recommendation A.5

Developers should be required to provide sidewalks in all new subdivisions in the Neighborhood Residential planning areas. Sidewalks should be encouraged in all other residential areas where conservation subdivision design is required. The town should install sidewalks as it rebuilds roads in the moderate density residential area.

As described above, sidewalks are an important amenity desired by residents. It is not practical to retrofit them into existing subdivisions. However, new subdivisions and road reconstruction could provide ways to achieve large portions of a pedestrian network that will start to interconnect with each other over time.

The Town of Queensbury should prioritize which existing roads should be retrofitted with sidewalks. Priorities should include: routes to school, roads with heavy traffic, and roads near natural pedestrian amenities (e.g. shopping). The New York State Department of Health estimates that one-in-three children are obese or overweight. New federal guidelines urge children to exercise 60 minutes per day, yet fewer than one-in-four kids get even 20 minutes – and about another quarter report no significant physical activity per day.

One source for information to encourage children to walk to school is the National Safe Routes to School Program. The program promotes walking and biking to school through four programmatic approaches – the construction of new sidewalks is part of only one avenue. The *Encouragement Approach* uses events and contests to entice students to walk and bike. The *Education Approach* teaches students important safety skills. The *Engineering Approach* focuses on creating physical improvements around schools, reducing vehicular speeds and establishing safer crosswalks and pathways. The *Enforcement Approach* ensures drivers obey traffic laws.



(Top) A pedestrian connection bridges two project areas on Bay Road, Queensbury.

(Bottom) A pedestrian path between two houses adds a link to the local street grid in Saratoga Springs.

Recommendation A.6

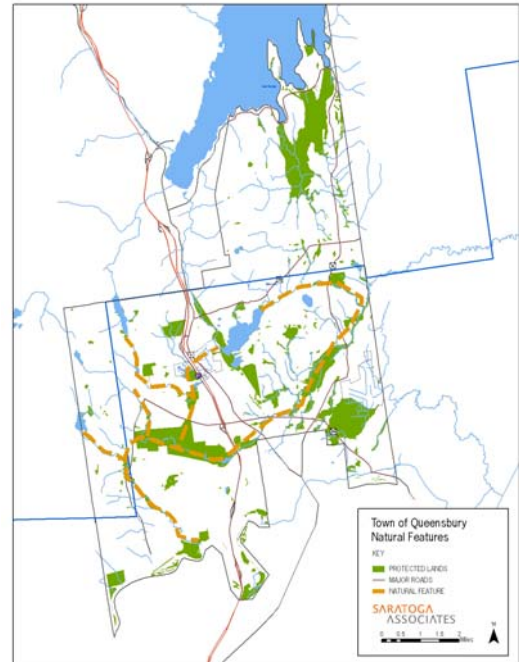
In the residential planning area, all new residential subdivisions should be required to be conservation subdivisions – an improved form of cluster design.

The advantages of a conservation subdivision coincide closely with goals described by the Queensbury community. Large swaths of meaningful open space are preserved for the community. In general, some of conservation subdivision advantages include:

- > Open space conservation for the community
- > Natural resource protection
- > Reduction in construction costs by minimizing road and utility infrastructure requirements
- > Reduction in amount of impervious surface, which leads to reduced stormwater runoff, better stream protection, and easier compliance to federal and state rules.

Unlike a traditional clustered subdivision, when designing a conservation subdivision, a planner or landscape architect first identifies the areas to be preserved. As stipulated in the current town rules, environmentally sensitive areas, such as wetlands or steep slopes, will not be counted in a projects density calculation. At a minimum these open space conservation areas should comprise 50 percent of the entire subdivision and be largely contiguous. In order to make the conservation areas across the town, they need to be organized. In Queensbury, designers can organize and site plan reviewers can test open space along the following possible themes:

- > The network of water-related features in the central part of town. (This is more fully described the Natural Environment chapter and outlined to the right.)
- > Open space priorities described in the Town's Open Space Plan.
- > Other town recognized parks, recreation areas, trails, etc.
- > Rural, lake or other stream vistas



With those conservation areas set aside, the second step in designing a conservation subdivision involves laying out house locations to maximize the

value of the project to the homeowners and the community. Homeowners in the subdivision will want to enjoy the scenic vistas or privacy of wooded areas. The public may want their viewscapes maintained, trails preserved or waterways buffered.

Next the roads and trails are laid out with an eye to minimizing the amount of expensive and environmentally unfriendly roads as well as utility and other infrastructure runs. Finally lot lines are drawn.

Conservation Subdivision Design



A comparison of a conventional subdivision (left) with a conservation subdivision (right). In both cases, a total of 16 residential lots were created. A conservation easement ensures that the open land preserved as part of the conservation subdivision (right) cannot be further subdivided or developed in the future. *Source: Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks (1996) by Randall Arendt.*

A conservation subdivision can be organized around and protect a townwide network of water features.

A conservation subdivision requires smaller lots, but allows all homeowners to enjoy the conserved lands and /or views.

A conservation subdivision preserves the town's rural character from the public road.

A conservation subdivision requires less roads and infrastructure and is less expensive to build.

Conserved areas could be conveyed to and managed by the Town, or could be managed by a homeowners association, which could ideally allow for public access. Alternatively, the lands might be part of private lots, with conservation easements. These may or may not allow for public access, but will require the land remain undeveloped. Important lands can be deeded to the town for preservation and public enjoyment.

Recommendation A.7

In the moderate density residential area, maintain a moderate density of one unit for every two acres. Provide a density bonus for developers who connect their projects to public water and sewer.

The density of the planning area should be one unit for every two net developable acres where public sewer and water are not present. This aids in the safe and efficient operation of septic systems.

In locations where public sewer and water do exist, one unit per acre would be appropriate. Rather than create another zoning district, which would shift with the growth of the sewer system, developers able to connect to water and sewer (or who pay to run the pipes to their project) would be awarded a density bonus that allows them to develop up to a total density of one unit per acre. It is an incentive program. Developers that do not want to connect to the sewer and water infrastructure do not have to, but they are limited to one unit per two acres. Having more homes to sell will reward those that choose to connect to public water and sewer. The bonus is made more enticing because, with the required conservation subdivision design, the cost of laying the pipes within the project is minimized.

Rural Residential Planning Area

The rest of the town falls into the third area, known as the Rural Residential Planning Area. This planning area reflects a more rural feel with larger lots, open space, scenic vistas, and thick vegetative buffers. Most of it is located within the Adirondack Park. This portion of the community is highly valued for its rural character, which not only contributes to the high quality of life for town residents, but also makes it economically attractive to visitors. The goal of these recommendations is to perpetuate the connection residents have with their natural surroundings and protect the rural landscape.

Recommendation A.8

Maintain a rural density in the rural residential planning area. Provide density bonuses for certain community amenities.

In the Rural Residential Planning Area, densities should be one house per ten acres. However, multiunit developments that use conservation subdivision design (required under Recommendation A7.) may increase density to one house per five acres. A density limit will be set at three dwelling units per ten acres when designed with a conservation subdivision and amenities are provided, such as public access to open space.

Recommendation A.9

Require conservation subdivision design for multi-unit projects that organizes open space around the protection of rural character in the rural residential planning area.

As described in the Moderate Residential section, conservation subdivisions allow developers to maximize return, homeowners to maximize quality of

life and long-term value and the community to protect special resources. In the Rural Residential Planning Area, an important organizing factor for the preserved areas of a conservation subdivision could be the protection of rural character. Each conservation subdivision in this residential area will be required to retain a minimum of two thirds of the property as permanent open space to enhance the rural nature of its surroundings.

Recommendation A.10

In the rural residential planning area, provide guidance to developers and planning board members so that the goal of site plan review for multi-unit residential development is the protection of rural character. Enact zoning regulation for individual home that specify such things as setbacks and general lot locations, which will preserve rural character. Clearly define in the zoning code what constitutes unbuildable land.

All homes should undergo a site design process and the planning board should work with the builders to achieve the following goals:

- > Minimize impact on rural characteristics such as fields and forests
- > Protect the views of the public
- > Protect the privacy of neighbors
- > Conserve existing land forms and features and minimize grading / filling
- > Preserve existing woodlands as buffers from public roads and neighbors
- > Create buffers of native vegetation to protect views from public roads
- > Preserve mature trees
- > Minimize the impact of off-street parking, garages, and carports
- > Restrict building on steep slopes
- > Avoid locating structures that create a silhouette against the sky when viewed from public ways
- > Roof ridgelines should generally follow the slope of the terrain

Recommendation A11

Responsible and appropriately scaled composting of appropriate organic waste materials should be encouraged in all residential areas.

Composting of organic waste is a responsible way for property owners to reduce their solid waste disposal costs and also create their own valuable mulch and soil amendment. Residential composting efforts should be encouraged in a manner that is not detrimental to adjacent property owners or the neighborhood.

Recommendation A 12

The Planning Board should require detailed Good Neighbor Plans for commercial projects.

Currently the Planning Board may ask applicants to submit a Good Neighbor Plan. This should be required of all commercial projects. The ordinance should be reviewed to include a greater range of quality of life issues (such as noise and light) in the plan. The goal of this plan is to make sure that some seemingly incompatible uses can actually work together. However, the Planning Board and town staff need to make sure that plans are created and enforced.

Recommendation A13

The Town Board should evaluate creating a one thousand (1,000) foot buffer zone along the Adirondack Northway (I-87) within which new residential subdivisions would be prohibited.

Residential development in close proximity to the Northway is generally considered to be unsafe and unhealthy (especially for children), and exposes those living there to noise, hydrocarbon pollutants, dust, other particulates, vibration and potential hazardous material situations.

Minimizing the Visual Impact of Buildings

Provide Buffering from Public Roads

A thick vegetative screen can hide limited development and help maintain a community's rural character.



Roof ridgelines should follow the slope of the terrain

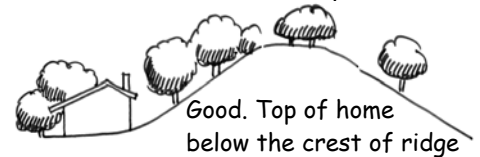
Houses should hug the landscape and follow the terrain. This will help them keep a low profile and reduce their visual impact from a distance.



Good. Home hugs terrain.



Bad. Home stands up and out.



Good. Top of home below the crest of ridge



Bad. Home visible against sky

Avoid creating a silhouette

Structures should be kept off of ridgelines and slopes where they might create a silhouette against the sky.

B. Natural Environment

Reconnecting the residents of Queensbury with the natural environment has been an important issue raised repeatedly during public meetings. The desire has been described in terms of maintaining rural character, protecting views, and preserving the quality of air and water. Environmental sustainability goes hand-in-hand with economic sustainability. Factors such as quality-of-life, property values, commercial desirability and tourism are directly related to environmental protection.

The recommendations in this chapter focus on the following community goals:

- > Protect important natural areas and viewsheds in the town, especially unique landforms such as ridges and slopes. Promote the protection of natural resources such as the water, air, Critical Environmental Areas and wetlands.
- > Expand the network of bicycle and pedestrian trails. Increase public access to recreational areas.

Recommendation B.1

Use water and other townwide natural features as an organizing theme for development.

The Town of Queensbury hosts an extensive water and wetland network. These play important environmental roles (e.g. drinking water, flood control or wildlife habitat) as well as important economic and social roles (e.g. tourism or recreation). Some areas, such as wetlands and stream corridors, may be protected by building restrictions. While seeming like a limiting factor, such rules force a community to think about economic, environmental and social values over the long term.

In Queensbury, the community has already discussed and described the importance of these features in its 2003 Open Space Plan, which is included as Appendix B of this document. That plan recognizes that “open spaces are an important part of the history, culture, and character of the town.” Much of the natural features network shown on the following page mirrors closely the Open Space Opportunities described in the Open Space plan. The following areas within Queensbury are part of this network:

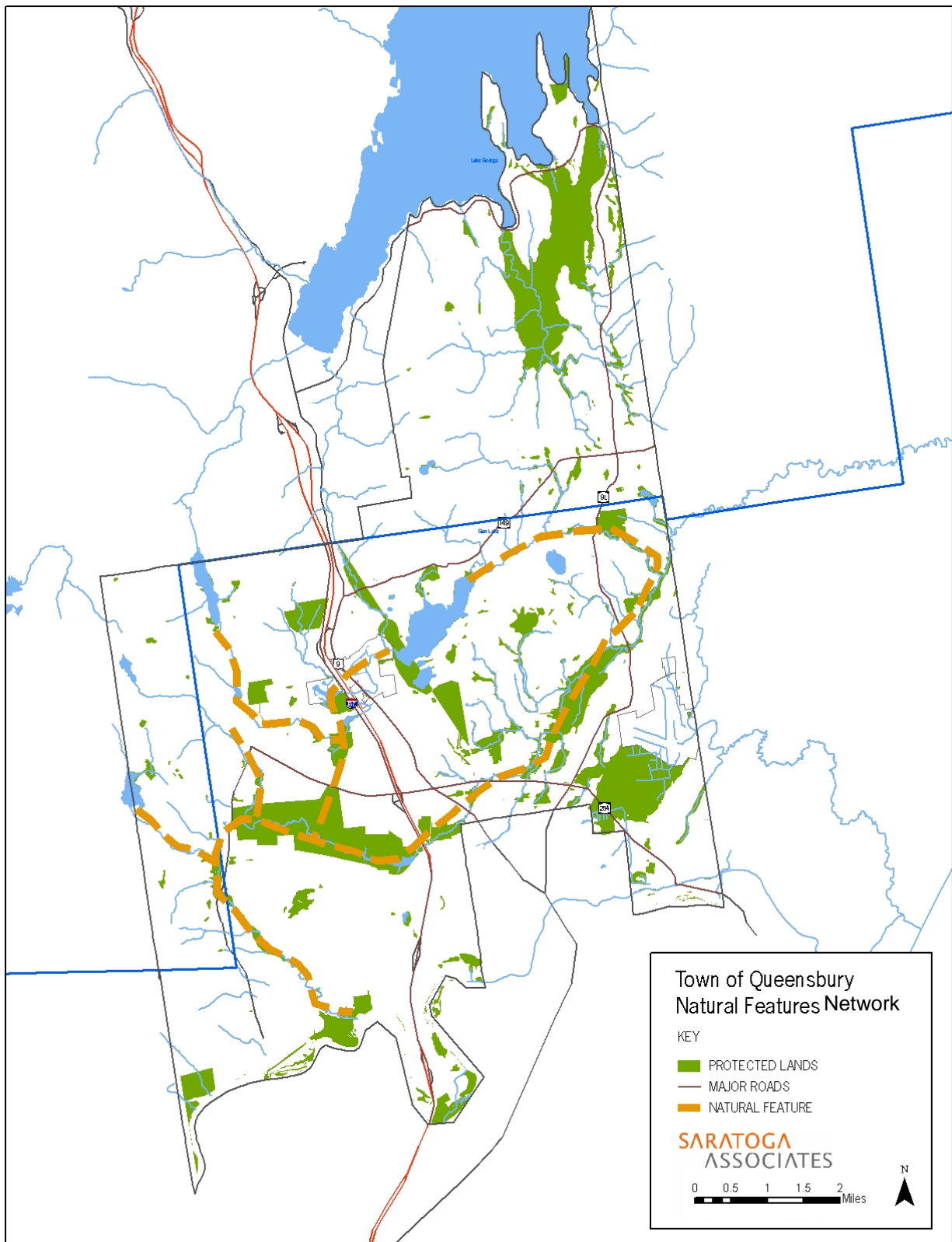
- > City of Glens Falls Reservoir and Watershed
- > Rush Pond Area
- > Halfway Brook

- > Glen Lake Fen, Glen Lake and Sunnyside Lake
- > Big Cedar Swamp Area

Recommendation B2

Amend all local storm water management regulations to address the impacts of both post-development run-off volumes and types.

Current storm water regulations require that post development run-off volumes not exceed those found in the pre-development conditions. This does not address, however, the potential adverse effects of changes in the type of run-off – for example sheet flow versus point flow. Changes in the type of post-development run-off can create as adverse impacts as increases in the volume of run-off.



As shown on the map, these features form a natural “network”. This network could serve as an organizing element across the town and give officials on the planning boards, town staff, and developers a common theme for the design of conservation subdivisions and other community amenities. It would guide the zoning board as to whether certain variance requests are appropriate. This does not mean that a network of trails should link these features, though that is an option and is already happening in some places. Rather, the natural network shown on the previous page provides a backbone along which development can be organized.

How might this work? Take the example of a residential project that is designed along conservation subdivision² guidelines. Within such a subdivision, important environmental features are identified and protected. Too often, however, the conservation designer of each project decides on important features on their particular site in isolation. A common natural features network allows designers to consider town-wide environmental concerns and not just focus on site-specific features. In Queensbury, such enhancements might include, but are not limited to, putting open space directly along natural features to buffer them or using the open space to provide a view of the natural feature from public ways.

Recommendation B.2

Establish an open space preservation program.

Stemming directly from the previous recommendation, as well as Queensbury’s 2003 Open Space Plan, the town should develop a long-term open space preservation program. Such a plan could consist of two phases. Phase 1 would provide the Town with a complete inventory of its farmland and open space resources leading to the creation of the *Lands of Conservation Interest* Map. Phase 2 would focus on developing a local, long-term preservation mechanism utilizing techniques such as outright acquisition, purchase of development rights (PDR), and donation of land or conservation easements. The Open Space Committee would implement the plan.

The Phase 1 *Lands of Conservation Interest* map would build on the work done in the 2003 Open Space Plan and create a map of the community’s open

² A conservation subdivision design requires identifying important environmental features (open space, scenic views, shorelines, etc.) first and clustering structures to protect those. See page 21 for a full description.

space. It would show the location of various categories of open space in the community, how those resources relate to one another as a network of open lands, and the relationship to developed areas of the community. Opportunities for linkages in the form of paths and trails through the community are also described.

As a tool, the *Lands of Conservation Interest* map can assist the Town Planning Board, developers and the public in guiding growth in a manner consistent with the Town's Comprehensive Plan by providing improved knowledge about a site that will be developed: What are the open space resources on the particular site? Where are these resources located? And how do they relate to the larger open space and recreational vision for the Town? This information can be used to guide the project design and approval process in ways that are more sensitive to the unique features present on the proposed development site.

Once important land is identified, Phase 2 of the program would require a commitment to conservation. Outright town purchase of land is one option, especially when public access is desired. Another technique for large-scale preservation is the Purchase of Development Rights (PDR). Under a PDR program, the town would purchase the development value of specific parcels of land from willing landowners. The cost of doing this depends on the specific parcel. It is calculated by determining the current appraised value of the property and its appraised value as open or agricultural land without development potential (i.e. with the development rights extinguished). The difference between these two is the value (cost) of the development rights. Conservation easements are utilized to ensure that once the development rights have been extinguished, the land remains undeveloped in the future.

In addition to outright acquisition or PDR, other techniques could be included in this program, such as: donation of conservation easements (perhaps through increased educational efforts in partnership with a local land trust), or a term easement / tax abatement program (a means of conserving, for a period of years, smaller "open space" parcels - the longer the agreed-to term of the easement, the greater the tax abatement).

Recommendation B.3

Consider the creation of a town fund for open space conservation.

Most of the community benefits outlined in Recommendation B2 will not be free. Many communities create a fund to pay for open space preservation. Several avenues exist to get money into that fund above and beyond money raised through grants that are typically targeted for particular parcels.

The quickest and least complicated method is to set aside general funds on an annual basis. Communities also issue bonds to purchase land or conservation easements. For example, in Saratoga Springs, New York, voters approved a \$5 million bond to fund open space conservation – a tax increase of \$35.75 per year on the average house. Finally, residents can vote to raise money through a real estate transfer fee. This system imposes a small fee on real estate sales; that money is dedicated to open space preservation. This situation is particularly elegant given that development funds the preservation of rural character. At this time, the state legislature must pass a bill allowing each community to put the matter before the voters.

Many communities find that an investment in open space pays over the long term. Studies show that for every dollar raised in property tax, residential land uses \$1.15 in services, while open space only costs \$0.59. These figures are national averages and show the relative expense of developed lands.

Recommendation B.4

Expand the network of non-vehicular trails and connection, for example the Rush Pond trail system development plan. This recommendation echoes portions of the Town's 2003 Open Space Plan and endorses those previous findings.

Open spaces and natural resources such as wetlands and stream corridors contribute to the quality of life in a community and also serve an important function in maintaining a healthy environment by providing wildlife corridors, flood control, and buffers to sensitive areas. Access to these areas is an important recreational amenity for town residents and visitors. Queensbury already has an excellent non-vehicular path running north and south. Other paths should be developed off of this spine to allow a more comprehensive access to natural areas and recreational trails.

A trail system for pedestrians and bikes is under development for the Rush Pond Area – an opportunity recognized in the 2003 Open Space Plan, which urged an interpretative trail system linked to the school campus. The four proposed phases of the project include linking Fox Farm Road to Gurney



The Rush Pond area provides an opportunity to expand the trail network in Queensbury – an important environmental and economic asset.

Lane, and then connecting to the existing bike north/south bike path. The third phase pushes a network of pedestrian trails into nearby neighborhoods and, finally, uses the Niagara Mohawk right of way to link the Rush Pond area to the southern part of town.

At public meetings, residents also spoke of the need to map out and create an east/west bike and pedestrian trail across the town. Another proposal includes creating a canoe trail along Halfway Brook from the town's east border to the Glens Falls watershed area. Although some of the brook may not be navigable now, it should be investigated. Many communities find rediscovering their waterways economically and environmentally valuable.

In addition, the 2003 Open Space Plan and the 1998 Comprehensive Land Use Plan recognize Big Cedar Swamp and the Lake George Wild Forest Area as opportunities for passive recreation. According to the 2003 Open Space Plan, the 900-acre Big Cedar Swamp wetland supports more than 149 species of plants and animals, five of which are designated species of special concern by the New York State Department of Environmental Conservation. The previous plans envisioned a nature trail and boardwalk that could serve as a learning opportunity. The Lake George Wild Forest Area is ecologically significant as well with large areas of wetlands, marshes and species of biological significance. Public access, with sensitivity to the ecosystem, is encouraged. Access to Dunham's Bay, Lake George, and Sandy Bay are possible through coordination with New York State. Partners, such as adjoining landowners and conservation organizations, should be asked to participate in the preservation of these areas.

Recommendation B.5

Work with the City of Glens Falls to investigate avenues to develop an appropriate land use management plan for the Glens Falls watershed areas.

Glens Falls, which was part of Queensbury until 1908, owns approximately 4,000 acres in the Luzerne Mountain ridges and around its reservoirs. These properties serve as a protective buffer for the water bodies that are part of the city's water supply system. The upper watershed area includes several ponds and impoundments surrounded by forests. City ownership has protected this area of natural beauty as an important amenity for area residents. It has become a *de facto* nature preserve.

Already the two municipalities have joined together to seek state funds to develop a management plan. Whether or not that effort to raise funds proves successful, Queensbury and Glens Falls should continue working on such joint investigations and planning in the watershed area.

Discussions between Queensbury, the City of Glens Falls and other interested parties should continue to focus on protecting the water supply as well as future land use management options for the land as a passive recreation area.

Recommendation B.6

Conduct research to re-evaluate the environmental health of Glen and Sunnyside Lakes. Determine a fiscally prudent course of action to correct any problems.

The town should re-examine the health of Glen and Sunnyside lakes to assure that recent development or aging septic systems have not impacted water quality. In 1998, the Glen Lake Watershed Management Plan determined that Glen Lake, by and large, was in acceptable environmental health. However, they also found that domestic wastes were reaching the lake from some residences. In addition, stormwater runoff nutrient had reached a level of concern. Both lakes should be investigated as to their health and required corrective action related. If quality has become unacceptable, then remediation needs to take place. Remediation could include, but is not limited to, restricting development, restricting sources of non-point source pollution, requiring septic system upgrades, extending sewer lines to these areas, etc.



Sunnyside Lake

The Town of Queensbury already has regulations in place for shoreline setbacks; however natural buffers should also be required. Natural buffers include indigenous vegetation to reduce the amounts of runoff into surface water and to further stabilize the shoreline from erosion. The buffers would also serve as a natural screen between homeowners and visitors.

Recommendation B.7

The Town Board should reactivate the dormant Open Space Committee or create a new advisory committee to manage certain recommendations of this comprehensive plan and the Town's Open Space plan.

Re-establishing some form of a Conservation or Open Space Committee would help Queensbury fill the critical niche of promoting collaboration and coordination that links complementary programs and people at the local level.

The committee members, at various times, would act as facilitators and educators. As facilitators, committee members would provide administration and expertise in order to assist others in achieving their environmental goals in the community. As educators, committee members will provide outreach to the public and stakeholders, and explain the costs and benefits of environmental programs in terms of environmental principals, community goals, and resources. Furthermore, committee members would identify and publicize other environmental issues and meaningful opportunities for local action. Working with the Town Board, they would seek funding for open space efforts.

Recommendation B.8

Create a waterfront overlay district to govern residential development along the shores of Queensbury's lakes and ponds.

Part of the character of any community, which is endowed with such grand natural resources as Lake George, Glen Lake and Sunnyside Lake, is a view of the lake. Unfortunately, public access to the lakes, both physical and visual, is often lost as landowners develop bigger and bigger homes on the waterfront. This is the case in Queensbury.

Before granting permits along the water's edge, the planning board should have a set of rules in the code to measure the quality of the development. It should take into account such things as the following:

- > Protect water quality
- > Promote walkability
- > Reduce visual shoreline clutter from the water
- > Preserve water views from public ways
- > Preserve open space
- > Protect the environment

Recommendation B.9

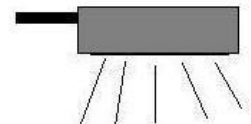
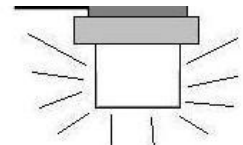
Require all new and replacement lights conform to "dark sky standards." Existing fixtures will have to be replaced after a 7-year amortization period.

There are many needs for lighting in our communities including yards, driveways, sidewalks, roads, parking lots and buildings. However, the impacts of this lighting often extend beyond the boundaries of what needs to



Visual access to the water preserves the rural character for all residents.

Lighting Fixture Basics



A bad fixture (top) allows light to trespass onto neighboring properties and escape upwards causing glare in the night sky. A good fixture (bottom) prevents light from escaping and focuses it where it is needed.

be illuminated. The lighting that “trespasses” onto other properties causes glare for neighbors, wastes energy and blots out stars in the night sky. In terms of business lighting, the desire for increasing visibility can also cause a “light war” where competing businesses need big and showy displays to remain visible in a cluttered commercial landscape.

New England Light Pollution Advisory Group and the International Dark-Sky Association describe four distinct guidelines for good lighting.

- > Provide adequate light for the intended task, but never over-light.
- > Use fully shielded fixtures to keep light in the intended area.
- > Install lights correctly to maximize their effectiveness on the targeted property and minimize adverse effects on neighbors.
- > Use high-efficiency lamps.

The Town of Queensbury already has basic guidelines in its code for good lighting. This recommendation calls for revising those as needed and extending them across all land uses. New fixtures must comply with dark sky standards. All replacement fixtures must comply with dark sky standards. Existing, non-compliant fixtures should be re-aimed to minimize upward glow and trespassing glare. All existing, non-compliant fixtures should be replaced after a seven-year amortization period.



The energy wasted by bad outdoor lighting becomes evident in this nighttime satellite picture.
(Source: International Dark Sky Association)

Recommendation B.10

Incorporate green policies into as many aspects of Queensbury town business as possible making the community an environmental role model.

Individuals, businesses and municipalities find that incorporating environmentally friendly policies into their day-to-day operations saves money as well as reduces energy consumption and pollution. Going green is often good for the town coffers as well as the town's environment. The Town Board, perhaps through a Conservation Committee, should investigate and adopt policies that reduce consumption, waste and energy usage. As with any plan, goals (such as energy reduction targets) should be set to measure implementation success. Some possible policies that other communities have adopted include the following.

- > Buy hybrid powered cars and vans for town business
- > Install energy efficient fixtures in town hall
- > Purchase 100% post-consumer waste recycled paper products
- > Require new construction and rehabilitation projects be LEED-certified³
- > Determine which toxic chemicals used by various town departments could have a more benign (and often more cost-effective) substitute
- > Research and determine ways to reduce water usage at all town facilities and parks
- > Investigate ways to fund the installation of solar panels on town buildings and reduce energy consumption and costs
- > Find ways to recognize and reward town employees who find ways to save money by instituting environmentally friendly policies
- > Research ways to encourage new private construction to become more environmentally friendly

³ LEED certification indicates that the construction of a building is done in an environmentally-friendly manner both in terms of materials used as well as long-term maintenance.

Recommendation B 11

Make more locations along water accessible to the public.

Access to water is an important asset to the residents of Queensbury, however private development has made it more difficult. Particular locations along water routes or on lakes and ponds should be made more accessible to the public, including consideration for public beaches. The Town's 2003 Open Space Plan (attached under separate cover in its entirety as Appendix B) recommended investigating opening more public access to Lake George at Dunham's Bay and Sandy Bay. Public access along the banks of Halfway Brook, as well as the possibility of a water trail on the Brook should also be investigated.



Private beach along Lake George.

Recommendation B 12

Noise should be an important factor in zoning rules.

Noise is an important quality of life issue that deserves the attention of the community. Noise can be generated by things like cars, radios, truck brakes, and commercial establishments. The town should consider enacting a noise ordinance. In addition, the Planning Board should consider noise as a quality of life issue when reviewing applications.

This should be one important criteria as applicants must face review under the Town's Good Neighbor Plan.

Recommendation B 13

The Board of Health should investigate the feasibility of requiring a septic system test when properties in Critical Environmental Areas change hands.

The integrity of septic systems is crucial in protecting water quality in Critical Environmental Areas. The Town should investigate whether it is practical (fiscally and environmentally) to require some kind of septic system test at the time properties in Critical Environmental Areas are transferred from one owner to another. The goal is to make sure that these systems will provide adequate environmental protection in these areas.

Recommendation B14

Add additional protection to Critical Environmental Areas by requiring site plan review by the Planning Board for all uses that either involve the expansion or relocation of a structure, any decrease in permeable area, or any increase in floor area ratio.

The current level of regulatory review is not adequately protecting the environmental resources the CEAs are intended to defend.

C. Neighborhood Commercial Centers

Neighborhood commercial areas provide for the every day needs of nearby residents. They provide these services in a structure and with a site layout that is compatible with surrounding areas. Small retail stores and services are encouraged to locate within these nodes. Building footprints and overall square footage remain low and buildings will be no higher than two stories.

The four areas that fall under the category of Neighborhood Commercial Centers are the:

- > Intersection of Bay Road and Route 149
- > Intersection of Ridge Road and Route 149
- > Intersection of Aviation Road and Dixon Avenue and within walking distance of the Queensbury School Campus
- > Intersection of Ridge Road and Sunnyside Road at Oneida Corners.

This chapter's recommendations are guided by the following goal:

- > Create mixed-use neighborhood commercial centers.

Recommendation C.1

Review and improve design guidelines in design areas

Design guidelines have been established for the two Neighborhood Commercial Centers on Route 149 to promote an Adirondack style of development. This includes façades of stone or log and pitched roofs. Outside lighting should point down and not stray beyond the borders of the property. Signage should be subdued and not interfere with the rural character. Building heights should be limited to three stories.

The third Neighborhood Commercial Center, at Aviation Road and Dixon Avenue, has a denser setting. Buildings should top out at two stories. Their design should more reflect their location closer to the center of town and Glens Falls. Parking lots should be behind buildings. Sidewalks linking the shops to the school should be installed and well-maintained. The recently constructed office complex offers an example of the size and style of buildings appropriate to the area.

The fourth Neighborhood Commercial Center is located at Oneida Corners, the intersection of Ridge Road and Sunnyside Road. Local history is the organizing factor in this area. The town is currently considering establishing the Oneida Historic & Cultural Center in this area. The design of the rest of



Design standards should reflect the character of the surrounding area, either an Adirondack theme or an urbanized Glens Falls theme.



The brand new office complex in the Aviation Neighborhood Commercial Center offers good ideas for other new development in the areas. Parking is behind the building. The front door opens to the street. A sidewalk will be installed.

the areas should reinforce this historic nature. Buildings should address the street and have sidewalks to increase walkability.

Recommendation C.2

Implement pedestrian safety measures

Three of the four Neighborhood Commercial Centers are located in rural areas, where the installation of large sidewalk networks is unlikely. However, each Neighborhood Commercial Center should be walkable within its own boundaries. Prominent crosswalks located at appropriate intersections, especially as the areas continue to build out, will allow this to be achieved. Parking lots should be behind buildings and within them pedestrian walkways and other such improvements should be required. In addition, smaller buildings should be oriented to the street.

The fourth Neighborhood Commercial Center on Aviation Road is in a dense residential setting. Plus, it is located within walking distance to the schools. Therefore it should have sidewalks within the Neighborhood Commercial Center, immediately around it, and completely connecting it to the school campus for student safety reasons.

Future planning of trail networks should look for ways to link all of the Neighborhood Commercial Centers to surrounding residential areas as well as the rest of the town. This can be achieved through a combination of sidewalks, paved paths and nature trails.

Recommendation C.3

Create a Neighborhood Commercial Floating District.

The creation of a Neighborhood Commercial Floating District will allow the town to address the future needs of residents as residential areas continue to grow. The floating district will allow flexibility to create new neighborhood commercial centers where previously they would have not been feasible. The same design standards and guidelines would be applied within these districts to retain a sense of uniformity as well as safety and aesthetics.



Design standards in Neighborhood Commercial Areas should ensure that signs, lights and buildings are appropriate to the residential neighborhood character.

D. Commercial Corridors

The commercial activity in Queensbury is clearly a success story. The retail and office establishments generate sales tax revenues with relatively few services required from the town. They provide jobs and services to local residents and attract visitors with their disposable income. Queensbury has become a valuable place for the private sector to invest.

At the same time, this success has exacted a price on the community. Traffic congestion is an increasing problem and it has become difficult to walk in many parts of the town. Large parking lots have changed the natural environment. And the growth of buildings, malls and shopping centers have dramatically altered the community's character.

The Town of Queensbury is a very desirable location for commerce. Establishments come here because there is a strong market and they are able to generate revenue. The money made in the private sector translates into significant revenues for public sector operations. Warren County has the highest sales tax revenue per capita in all of New York State. In addition to a strong revenue stream, the town can leverage that desirability and use it to reshape its commercial corridors. In essence the town now has the upper hand. If Queensbury asks for a higher standard of commercial development, developers will adhere. It should also be noted that certain uses, incompatible with its goal and surrounding neighborhoods, will not be allowed in certain commercial areas.

The look of a community is fundamentally crucial to its economic success and the quality of life of its residents. As the commercial districts are the most visible face of the town, it is these areas that require the greatest attention in terms of creating a "look and feel" for the community. Residents have stressed the desire that commercial areas be walkable and better reflect the Queensbury character.

At the same time Queensbury asks for higher standards in terms of community design, it can allow market forces to dictate the uses in these areas. This kind of form-based zoning is more efficient since the community need only establish and administer broad categories of uses allowed within the commercial corridors. It is also friendlier to business since they can understand before they spend any money exactly the form their buildings and site design must take – and then not worry that a particular use be allowed or restricted forever.

Each corridor covered in this section has a distinct set of factors influencing it. Route 9 North is populated largely by outlet malls and is an important rural route to Vermont. It also hosts county facilities. Route 9 South and Quaker Road West are the focus of very intensive development with large malls and shopping centers surrounded by acres of parking lots. Bay Road and Quaker Road East are less dense and have a different flavor.

The recommendations presented here focus on the following goals:

- > Create design standards for architecture and site layout that move the town towards realizing its vision.
- > Require pedestrian and bicycle friendly residential and commercial design for new and redevelopment projects. Rebalance design, in general, to concentrate on people and walking rather than cars and parking lots.
- > Require more connections within and between residential neighborhoods and commercial corridors.
- > Eliminate the visual clutter of commercial corridor signage
- > Develop an economic program that reflects the community's land use goals while keeping up its tax and job base.

Recommendation D.1

Require large new commercial development and major redevelopment projects to be walkable and built to "town center" scale.

Communities need not sacrifice their small town character and identity to attract a commercial tax base. Design guidelines should be instituted to make sure that buildings, streets, sidewalks and parking areas are appropriately sized, landscaped and laid out. In the end, property owners and businesses find that creative planning to protect community character raises the value of their investment by making them stand out in the marketplace.

Commercial developments should be built or rebuilt with streets that connect to the surrounding residential and retail areas. Along with these vehicular ways, sidewalk networks should be extensive throughout commercial areas. Large parking lots are discouraged. Rather, parking should be scattered behind and on the side of development parcels instead of in front, facing an external street.

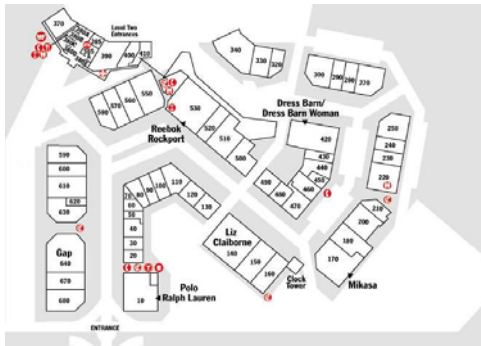
Enhancing the shopping experience



Mashpee Commons

Mashpee, Massachusetts

Developers transformed a strip mall into a town center for the community and a lucrative retail destination for chain and local stores.



Lee Outlets

Lee, Massachusetts

In creating a walkable shopping experience, designers used the scale and design of a Berkshire village as the setting for an outlet mall.

Source: Site drawings from company websites. Photos: Saratoga Associates.

Two developments in Massachusetts provide examples of how communities have allowed creative developers to build pedestrian friendly shopping districts. These examples provide illustrations of site design. Mashpee Commons in Cape Cod and the Prime Outlets in Lee put pedestrians ahead of automobiles. They are designed to make shopping by foot easy and pleasurable. Built over an old strip mall, Mashpee Commons creates a new downtown for a community that had no center. The outlet “mall” in Lee is designed to mimic a New England Village. Parking is allowed on the streets and in smaller lots scattered around the development.

The Mashpee Commons project is the most famous. The 30-acre parcel contains 100,000 square feet of retail space, about 25,000 square feet of restaurant space, 36,000 square feet of offices and a 13,000 square foot theater. Different size shops and restaurants are built right up to the sidewalk. Over 800 parking spaces are spread amongst "on-street" parking places in front of the establishments or in a series of smaller lots that ring the development.

Customers can find most of the national chain stores available at typical malls and strip centers, such as Star Market, Stop and Shop, CVS, Banana Republic and Talbots. The developers try to reserve one third of the space allocated to national chains, another third to regional retailers and the rest are local "mom and pop" operations.

The design code for the project also enhances walkability. All new buildings must come up to the sidewalk with front doors and major windows addressing the street and not the parking lots. On street parking is allowed within the development and combined with street trees create a pedestrian friendly envelope for shoppers meandering along the sidewalk. The project has become so successful that, according to the developer's planner, it has convinced some chain stores to look beyond suburban malls for their customers.

Recommendation D.2

Establish architectural standards that require new buildings to move toward the creation of a distinctive Queensbury community.

The Town should be clear from the beginning of the development process what is expected of the developer regarding building design. Given the size and diverse nature of Queensbury, the community should consider two different characters. The northern, more rural parts could reflect the Adirondack nature of the region. The southern portions and more developed corridors should reflect the look of Glens Falls.

Examples of Architectural Standards in upstate New York



(Top left) Dunkin Donuts
in Rensselaer,

(Top right) Gas station in
Saratoga Springs

(Left) Rite Aid Pharmacy
in Lake Placid with an
“Adirondack Style.”

Building height restrictions will also vary by commercial neighborhood. In some places, such as Main Street, minimum heights will also be established for new buildings.

Route 9 North – one to two stories

Route 9 South – one to four stories

Quaker Road West – one to three stories

Quaker Road East – one to five stories (depending on location with an eye toward blocking large industrial uses behind them)

Bay Road – one to two stories

Main Street Buildings must be a minimum of two stories and a maximum of three stories.

Dix Avenue – two to three stories

Recommendation D.3

Parking lots should be placed behind buildings so that buildings address the streets. Eliminate minimum parking requirements and require shared parking. Require vehicular and pedestrians connections between adjoining projects and establishments.

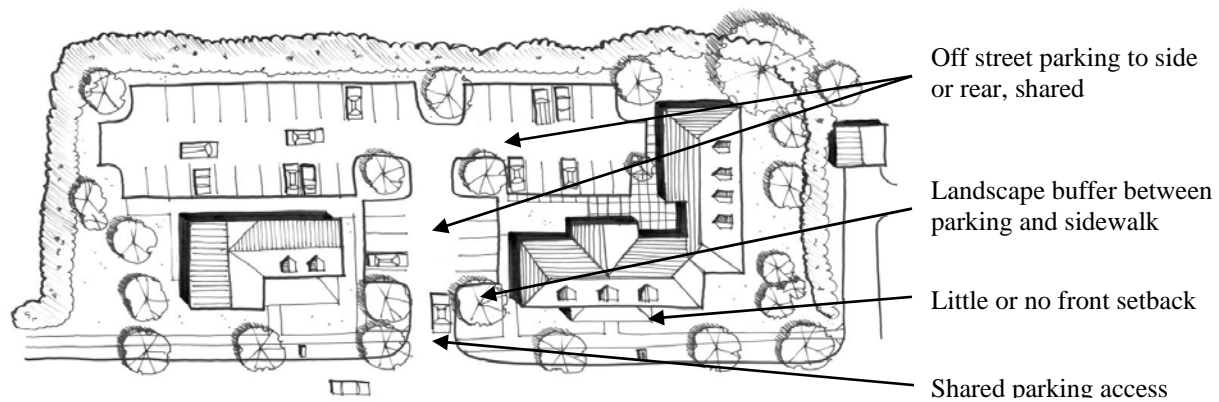
Refocusing commercial activity as a relationship between people and stores rather than cars and stores is the main objective of this recommendation. Parking lots in front of commercial and multi-unit residential structures strip a community of the character found in its buildings. In addition, large asphalt areas make it uncomfortable for pedestrians to walk from shop to shop and destroy the distinctiveness of the shopping experience.

Rather than demand minimum spaces for commercial developments, parking regulations should discourage large parking lots that remain empty most of the time. The rules should also make shared parking mandatory whenever possible. Shared parking lots are crucial to reducing the number of curb cuts, which create pedestrian/vehicle and vehicle/vehicle points of conflict.

Shared parking allows adjacent property owners share their parking lots and reduce the overall number of spaces. Shared parking is not a new concept, having been used extensively in traditional commercial nodes and downtown settings for decades. Today it is being used more and more in new developments to better manage road access, traffic congestion and accident rates.

The most effective way for a town such as Queensbury to achieve shared parking is through a contractual arrangement between adjacent property owners. As part of the review process, Queensbury will have to make sure that the first property owner to develop provides an easement that spells out the parking requirements when an adjacent property is developed. After redevelopment has reshaped many commercial areas, the town may want to consider creating parking districts where all users have access to all spaces and not just those on adjoining parcels.

In addition to shared parking, the town should limit the number of curb cuts on major roads. This helps avoid excessive turning motions that snarl traffic and create increased chances for accidents.

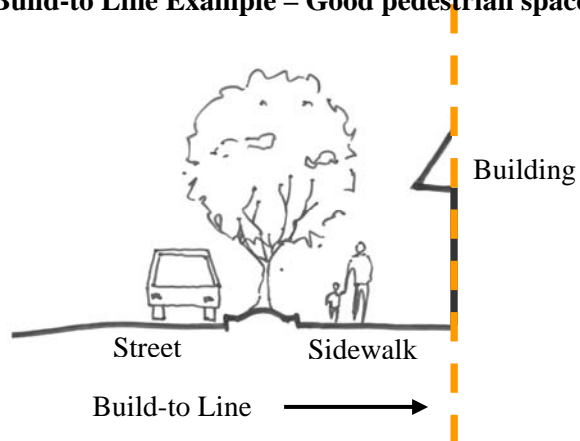


Recommendation D.4

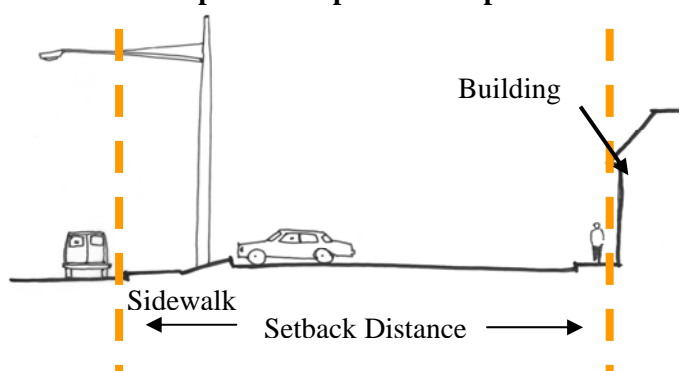
Regulate the outdoor display of merchandise on landscaped areas within 50' of the edge of the paved surfaces of Route 9 and Route 254.

Disorderly or improperly placed outdoor merchandise displays can harm property values, create an unattractive and business climate, and threaten the public health, safety and welfare when it affects the visibility of traffic on the main roads and in individual driveways

Build-to Line Example – Good pedestrian space



Setback Example – Poor pedestrian space



Recommendation D.5

In the Bay Road Professional Office and Quaker Road East Commercial Areas parking should remain behind buildings, but setbacks should reflect the more rural nature of the areas.

These two areas are less dense and the standards imposed on these areas should reflect that. Parking lots should remain behind buildings, but the setback would be larger allowing for green space in front of buildings. Sidewalks would neither run directly along the road nor in front of buildings. Instead it would take the form of a rural path. Rather than concrete, the path could be asphalt, which has a more rural character. The path would run in front of buildings and connect to other pedestrian networks.



Recommendation D.6

Implement the design recommendations of the Main Street Plan. Continue the same design theme along Dix Avenue in southeastern Queensbury.

Queensbury has already gone through the process of developing a Main Street Redevelopment Plan. Improvements to the State Route 254 Corridor, or Main St., were established to create a clearly visible gateway to the Town of Queensbury.



The major elements of the design portions of the plan, which are already laid out in the zoning code, include making it a more pedestrian friendly environment with a continuous sidewalk system, crosswalks at key intersections, vegetated medians and turning lanes where appropriate. The initiatives include street trees, ornamental plantings and buffers, street furniture, different pavement textures, and properly scaled ornamental lighting. Existing buildings will be replaced over time and will be constructed along a “build-to” line that will bring them closer to the road. Two and three story brick faced buildings will evoke the upstate New York Main Street style and create a distinctive shopping experience.

Buffered setbacks can preserve rural character and provide an opportunity to create pedestrian paths. Above are two illustrations from Saratoga Springs of how two hundred feet of wooded buffering can hide a major development, which can be seen below.



Dix Avenue forms another, less utilized, eastern gateway to Queensbury. Here, too, the opportunity exists to create a distinctive experience along a main road. The goal is to create a commercial center that could serve the densely settled neighborhoods as well as nearby industrial and office uses. It would help create a vibrant neighborhood in this corner of Queensbury as the

town seeks to attract industrial and high-tech establishments to the surrounding industrially-zoned land.

Recommendation D.7

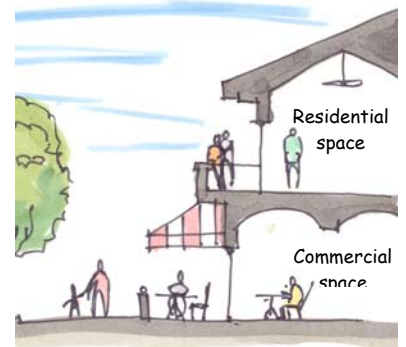
Alleviate the impacts of minimum lot requirements for commercial and office uses by adjusting setbacks.

In an effort to ease traffic, many communities mistakenly try to spread uses out. That ends up being counterproductive, as it requires shoppers to drive rather than walk between uses. In commercial corridors as intensively developed as those in Queensbury, the goal of creating walkability is best served by increasing density. Allowing more buildings in commercial areas will help reduce demand for them in residential and rural areas. Making the side setback requirements more lenient will allow for the desired commercial and office development in this area.

Recommendation D.8

Allow the Commercial Mixed-Use Areas on Main Street and Dix Avenue to host denser and more varied housing than is found in other parts of Queensbury. However, residential uses should not be allowed on the first floors of buildings along streets.

Offering housing in the traditionally commercial core will more efficiently use the land there. And a variety of uses – residential commercial, open space and institutional – is vital to any vibrant community. Such a community provides opportunity and convenience. A mixed-use community enables a resident to walk from their home to the corner to pick up some bread, grab a cup of coffee, or rent a movie. It increases the customer base for shops and services in the districts. This also offers a chance vary the style and price of housing in the Town of Queensbury. These areas would provide an opportunity for housing in the form of apartments or multi-family housing. These smaller units, located close to services and the Northway, might be attractive to the technology workers the region hopes to attract. It also allows the opportunity for seniors to remain in the community and age in place, especially as walking becomes more important to them than driving. Since much of the land in these corridors is occupied with commerce now that the transition to a more pedestrian friendly environment can occur as infill. By controlling the size and design of the commercial establishments, less land need be wasted on buffering between uses; in fact, some housing styles will mesh nicely with the commerce. Housing styles that would be appropriate to



Mixed-use districts benefit from a variety of uses within as well as between buildings.

this area include apartment buildings and townhouses comprising four or more units per structure. Single-family homes are not appropriate.

However, it is important to ensure that residential uses do not swamp and push out commercial uses. Therefore, in these mixed-use commercial areas, residential uses should be restricted to buildings behind commercial buildings or on floors above retail and office space. Only commercial uses can occupy the first floor of buildings that front both public and private streets. Residential uses should not be allowed to overrun mixed-use areas.

Recommendation D.9

Maintain, or create as needed, appropriate buffers between Mixed-Use areas and residential neighborhoods near them.

By its very nature, the current intense development in the Commercial Mixed-Use areas is not a good neighbor to many of Queensbury's housing areas. Adequate buffering should be maintained between these uses for the near future. However, as many pedestrian and vehicular connections as possible should be opened up between commercial and neighborhood areas.

Eventually, if development goes as planned, many of buffers may become unnecessary. As residential uses thin out the intensity of the commercial areas, some buffers might fill in and weave together the two communities.

Recommendation D.10

Revise sign regulations to reduce the number and size of signs in commercial areas. The regulations can vary depending on the neighborhood or commercial area within the community. Enforce the standards vigorously.

Signs in retail areas get out of control when businesses feel they have to be bigger and brighter just to be seen above the din of visual clutter. If a good set of rules is created and then enforced both businesses and the community benefit. Businesses can be assured that their message gets out and the community moves toward realizing its vision as a distinctive place.

The sign rules should emphasize the following:

- > Limiting the size of signs
- > Requiring lower signs, for example, monument signs
- > Limiting the number of signs per establishment
- > Controlling temporary signs
- > No electronic signs or message boards

Many communities preserve character by controlling signs



E. Industrial Corridors / Economic Development

The economic stability of Queensbury is essential to the community's desire to reshape its character to reflect its role in the region, not only geographically but economically as well. With the designation of Empire Zones in and around Queensbury there is an opportunity to gain momentum to realize this vision of a substantial industrial sector.

By reorganizing and focusing industrial development in and around particular areas of the town, a more stable and effective role it will play in the future of Queensbury. This will be achieved with the following goal:

- > Develop an economic program that reflects the community's land use goals while keeping up its tax base and job opportunities.

Recommendation E.1

Focus industrial businesses in and around the four, recently designated Empire Zones, and the Warren County Airport.

These areas tend to be the most attractive to businesses because of the tax incentives. The Empire Zones are located along the periphery of the Glens Falls border. Spin-off or related businesses may find it advantageous to be located in these areas, even if they are not directly in an Empire Zone. Transportation, air, rail and road, is already along well-established routes connecting all of these locations. Focusing industrial development within the Empire Zones and the Warren County Airport should result in the phasing out of industrial and large-scale uses in other parts of the town.

Recommendation E.2

Allow large-scale office and limited commercial uses in light industrial areas.

The shape of industry in upstate New York in general and the Capital District in particular is changing. No longer are cities and towns "industrial centers," rather they are emerging as hubs of communication, technology and business. Introducing non-industrial uses in these areas will help to grow and solidify the region as well as diversify the economic base. Office uses of any size can go hand-in-hand with light industrial uses – serving a community by creating good paying jobs and enlarging the tax base.

Retail uses can also play a limited role in industrial areas by providing services to operations and/or workers. Retail uses should be limited in size

and scope. For example, dry cleaners, restaurants, and small convenience stores appropriately fill this role, which is just to service the industrial areas. Under no circumstances should large amounts of industrially-zoned land be used for retail or other purposes.

Recommendation E.3

Secure public access to the waterfront as owners change in industrial areas.

While the evolution of industry can be traumatic for workers, it can hold benefits. Industrial land along waterfronts can now be secured for eventual public access. The Hudson River is a valuable asset that has historically been the focus of industrial development. Increasing public access raises quality of life, which is key in continuing to attract business and tourists.



Industrial areas should have paved pedestrian pathways rather than typical sidewalks.

Recommendation E.4

Set site plan review and architectural design standards for industrial areas.

Simple site layout, landscaping requirements and signage improvements would go a long way in make the area more attractive to more businesses. The goal, as in commercial areas, is to ensure the look of the community and let the market decide what industrial uses should inhabit these areas. In areas where industrial uses adjoin residential areas or important environmental areas, substantial landscaped buffers should be used to shield these areas from any adverse noise, light, dust, or odors that may be associated with industrial uses. Public and private roads in industrial areas should have sidewalks and bicycle lanes. They may be “paved pathways” rather than typical sidewalks since heavy foot traffic is not likely, however a pedestrian connection should be included in all areas within these zones.

As the upstate economy moves away from traditional manufacturing it is important to set the stage to attract higher technology operations. The design of new buildings should reflect, though not necessarily mimic, those found in nearby commercial areas, such as Dix Avenue. Buildings can be three to four stories in height.

Recommendation E.5

Institute a brownfields program to reclaim contaminated land or land perceived to be contaminated.

New York State and the federal government offer funding for communities to investigate contamination and plan for the reinvestment in industrial areas. Queensbury should continue to secure funding to inventory and evaluate

areas that no longer serve industrial purposes. A town brownfields program should be developed to track land and get it back into an economically productive use as soon as possible.

Recommendation E.6

Evaluate the extension of sewer lines to all industrial zones.

Focusing industrial development in and around the Empire Zones and the Airport makes it clear that these areas can be hooked up to the existing sewer and water districts, if they are not already connected. Industrial developments should not be dependent upon on-site septic systems or wells as this can have detrimental effects to the surrounding environment. Leaking septic tanks can reach drinking water and waterbodies in the surrounding area, in particular the Hudson River, and cleanup can be costly.

Recommendation E.7

Increase broadband access in the community

Communications is integral to all sectors of today's economy. Efforts to attract new business, especially those that might spin-off from the Capital Region's technology initiatives, require a wired community. The Internet is but one method of telecommunications, which must be investigated and planned for if Queensbury is retain and enhance its industrial base. Provision of increased communications technology can be a public venture, a private venture or a public-private partnership. The town should create a technology plan for the Town and integrate it into the municipal and regional economic development strategy.

Recommendation E.8

Create shovel-ready sites to allow for streamlined industrial permitting.

As in other areas, Queensbury needs to make it easy for developers to give the community what it wants. In light-industrials areas, the goal is to create well-paying office and industrial jobs. The town should work with regional and state economic development organizations to provide "shovel-ready" sites for potential users.

New York State certifies sites as shovel ready. Certification involves a certain amount of upfront investigation and pre-permitting to remove obstacles that can delay or derail a project. Developing land takes time, and time is money. A shovel-ready site that has already undergone wetlands and

archeological investigation, engineering studies, and other pre-permitting activities is much easier for a community to market.

Recommendation E9

Ensure that land use regulations for the lands surrounding the Floyd Bennett Memorial Airport support the airport's continued growth and operations.

Currently, most of the land south of the airport is zoned Light Industrial or Land Conservation, with some 1-acre residential along Queensbury Avenue. The light industrial and open space uses are most compatible with airport operations. The airport's primary runway is oriented in a north-south alignment, meaning that the majority of our aircraft operations will put the pilots over the areas north and south of the field. FAA guidelines for land use planning around airports discourage residential uses around areas of aircraft traffic.

The Economic Development Corporation of Warren County has made the airport one of its top priorities, as an airport is crucial to attracting businesses to the area. Aviation on a national level is also growing, and the FAA is forecasting the fastest growth in aviation over the next decade to be in the area of corporate jets, which the airport currently serves.

Recommendation E10

The Town should systematically review the both the capacity and impacts of existing public infrastructure Town-wide in order to have a more accurate understanding of the opportunities and limitations for future development town-wide.

F. Historic & Cultural Places

The history and culture of a community are vital to its future. Historic sites such as homes, barns, burial grounds and commercial buildings give a community its character. Protecting important places and weaving them into a plan for the community's future helps a town remain distinctive and desirable. History is an important economic and marketing opportunity.

“Historic preservation is simply having the good sense to hang on to something... [And] instead of asking, ‘Is this building historic?’ it may make more sense to ask, ‘Is this building worth saving?’”⁴

The recommendations in this chapter focus on the following goal:

- > Protect historic places and plan for their roles in achieving the community vision.

Recommendation F.1

Work with the Town Historian to complete a town-wide inventory of historic and cultural resources.

The Town Historian currently maintains a listing of historic resources within the community. The inventory should be enhanced, as Queensbury is rich in history. The benefits of this inventory are numerous. First, it provides a basis for determining which assets truly contribute to community character and should be saved. These will prove economically valuable for tourism, as well as creating the distinctiveness that attracts quality businesses and a skilled workforce. Second, it provides a way to identify sites that may be eligible for listing on the National Historic Register. Any involvement in the State or National Register of Historic Places or in a historic district should be voluntary, although having this type of designation can offer financial opportunities to both the municipality and the property owner. Finally, it gives developers a clear sense of community priorities. By designating which these assets in mind, they can maximize the value of their projects in a minimum amount of time.



Historic sites add valuable community character.

An area bearing particular attention might be the site of Fort Williams and Oneida Corners. Queensbury should support the Town Historian's

⁴ National Trust for Historic Preservation.

<http://www.nationaltrust.org/primer/historic.html>

investigation into the possibility of historic district designation for these areas, which are near the intersection of Route 9 and Route 149.

Recommendation F.2

Examine the possibility of becoming a Certified Local Government and look for ways to gain federal support for preservation efforts. Become a foundation for historically-based tourism and business development.

In return for becoming a Certified Local Government, and this commitment to historic preservation, the Park Service, through the NYS Historic Preservation Offices, provides technical and financial assistance to municipalities while allowing for a combination between historic preservation, land use decisions and planning for the community.⁵ Another incentive for participating in the program is the pool of matching grant funds set aside to fund preservation projects such as “historic theme or context studies, cultural resource inventories, assessments of properties to determine their eligibility... building reuse and feasibility studies, design guidelines and conservation ordinances, and publications to educate the public about the benefits of historic preservation”.⁶ To date approximately \$40 million has been allocated through Historic Preservation Fund grants since the Certified Local Government program was established in 1985. Over twelve hundred local governments have benefited and continue to participate in the preservation efforts.

⁵ Certified Local Government Program. <http://www.cr.nps.gov/hps/clg/>

⁶ Certified Local Government Program. http://www.cr.nps.gov/hps/clg/clg_p.htm

G. Enforcement and Administration

Effective enforcement and efficient administration are vital to the success of a comprehensive plan. This does not mean rules have to be draconian. Rather, regulations must be predictable and fairly applied. Businesses, individual and their communities thrive in stable environments. Investment becomes tricky when rules change from one applicant to the next. A community's long-term vision is only realized when elected officials and town staff rigidly remain on the path set out by the Comprehensive Plan.

The recommendations in this chapter focus on the following community goal:

- > Establish a clear, predictable and timely review process that makes it easy for applicants to understand and adhere to community design standards. Enforce those standards vigorously.

Recommendation G.1

Consolidate the number of zoning districts.

The Town of Queensbury has almost thirty different zoning districts in its code. In addition, a handful of Planned Unit Developments⁷ have land-use rules of their own. This large number of districts makes administration difficult and creates patchwork communities detrimental to character, traffic and other important aspects of a town's quality of life.

In Queensbury, experience indicates that the number of zoning districts should ultimately be cut at least in half. Consolidating zones within particular uses can likely accomplish this. For example, Queensbury code provides for four industrial zoning districts: Commercial Industrial, Light Industrial, Veteran's Field Light Industrial and Heavy Industrial. The first three allow virtually identical uses. It is likely that two industrial categories would be sufficient to accomplish town goals. Similar evaluations should be undertaken for all zoning districts.

⁷ Planned Unit Developments, or PUDs, allow land to be developed in a more flexible fashion, generally leaving the underlying zoning in place. A PUD takes a big picture approach to development in order to take advantage of design and other opportunities

Recommendation G.2

Create a “smart growth” checklist or scorecard to help planning board members, developers and the public remember the community’s vision and the tools in place to achieve it.

A scorecard or checklist can be a constant reminder and guide to what is required as a standard and what is preferred as a guideline. It could be a formal document that the planning board fills out together to “grade” a project. Or it could be something that individual members use for each project as a guide to smart growth and the community’s vision. As a public document, it would be available to developers to see the criteria, but they would not be the ones filling it out. It is a document to spark discussion amongst planning board members.

The scorecard/checklist could include the following categories:

- > Located near infrastructure
- > Provides housing options
- > Promotes walkability
- > Preserves open space
- > Reflects appropriate design/history
- > Protects the environment
- > Attracts high-quality jobs
- > Provides community amenities
- > Promotes a mix of uses

Recommendation G.3

Zoning and subdivision regulations should make it easy for landowners and developers to give the community what it wants.

Contrary to popular belief, developers do not cause sprawl. Most of the fault for inefficient suburban design lies with zoning laws and the poor administration of the rules. Communities often say they want things like pedestrian friendly shopping districts or buildings that reinforce community character. However, outdated rules designed to overly separate uses and cater to cars result in just the opposite.

The Town of Queensbury should revise its code to reflect the community’s vision. The code should be clear and comprehensive so developers and landowners understand exactly what is required of them. Those who wish to invest in the community with projects that reflect the community’s vision should be rewarded with an expedited review process. (Expedited review is valuable to developers in tune with regional business cycles.) Ambiguity and too much discretion in zoning code and subdivision regulation allow developers to push for “lowest common denominator” projects that they could build almost anywhere. Most quality developers will recognize that

predictable zoning protects their investment over the long term. Queensbury is so successful as a commercial and residential destination that it need not compromise values to attract developers.

Recommendation G.4

Rezoning should be rare and only take place if it forwards the goals of the Comprehensive Plan.

A proper community plan and subsequent zoning / subdivision rules should make the need to rezone a rarity, if not practically eliminate it. Extensive rezoning creates instability in a community – businesses and homeowners never know what will crop up next to them. In addition, zoning changes quickly derail progress toward a community's vision.

Rezoning, should it need to take place, should only happen if it furthers the goals of the Comprehensive Plan or after the community decides it needs to revisit the plan. All changes, by state law, need to reflect the community's comprehensive plan.

Recommendation G.5

Variances should be rare.

Zoning rules supposedly provide for the uniform application of adopted standards that will move the community toward its vision. However, while all land in a zoning district is theoretically held to the same standards, the reality is that no two pieces of land are exactly the same. A variance is a way to provide relief from one or more requirements in limited circumstances on particular pieces of land.

Variances should be granted sparingly because they are permanent and run with the land, not limited to a particular landowner. Also, the zoning board needs to remember that variances set precedence. Under similar circumstances, the board must grant similar variances. The cumulative effect of granting variances can quickly undermine the zoning ordinance and the community's vision as established in the Comprehensive Plan.

There are two types of variances – area variances and use variances. A use variances permits a use for the land that is otherwise not allowed by zoning. An area variance permits a use that is allowed, but that does not meet dimensional requirements such as setback, height or area.

To obtain a use variance, an applicant must demonstrate that the zoning causes an unnecessary hardship. Proving that hardship requires meeting four conditions.

1. The owner cannot realize a reasonable return on the property as zoned. This lack of return must be substantial and must be proven with competent financial evidence. It does not matter if the desired use is more profitable than the allowed use. Landowners are only entitled to a reasonable return.
2. The hardship must be unique to the individual property, not a substantial portion of the zoning district. If the hardship applies to a whole neighborhood, then the answer is for the Town Board to change the zoning.
3. Granting the variance cannot alter the essential character of the neighborhood.
4. The hardship is not self-created. For example, if a developer buys land zoned residential, but wants to build a commercial structure, he cannot argue that the zoning is creating a hardship for him.

Obtaining an area variance is easier. Rather than prove an entire set of conditions, a zoning board of appeals need only demonstrate in its findings that the members considered each of the following questions in terms of the health, safety and welfare of the neighborhood or community when making its rational decision.

1. Will the area variance produce an undesirable change in the neighborhoods character or be a detriment to nearby properties?
2. Can the benefit sought by the applicant be achieved by some method other than pursuing the area variance?
3. Is variance substantial?
4. Will the proposed variance have an adverse impact on the physical or environmental conditions of the surrounding neighborhood or district?
5. Is the hardship self-created? This question shall be considered during discussions, but it does not preclude granting the variance.

In the case of both variances, state law requires that the zoning board grant the minimum variance necessary and must at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community. Variances may be granted with stipulations set by the Zoning Board of Appeals, such as requiring landscaping to mitigate the impact of the variance on the neighborhood. Indeed, protecting community

character is one of the most important reasons for imposing conditions upon the granting of a variance. However, zoning boards may not impose conditions unrelated to the variance on a project.⁸

Recommendation G.6

Increase the enforceability of the zoning code and subdivision regulations.

Zoning and land-use regulations should be clear enough that landowners understand what is required of them. The penalties for not following the rules should also be clear to town enforcement officials and, if needed, judicial reviewers. In Queensbury, the staff has reported that penalties for some rules make their enforcement impossible. The benefits of a stable planning environment will be lost if zoning regulations cannot be vigorously enforced.

Recommendation G.7

Review this Comprehensive Plan regularly.

This Comprehensive Plan is a living document. A Comprehensive Plan should serve as a guide for future action by public and private entities in the Town. As with any planning document, this plan should be reviewed regularly to determine if the goals and recommendations found within continue to be relevant based on changing circumstances, and updated as needed.

The Town Board should review Comprehensive Plans at least annually to ensure that the vision remains the same and that the implementation stays on track. Communities should formally review and update (or rewrite as needed) their Comprehensive Plans every five years.

⁸ This section was adapted from *Variances: Basic Tools and Techniques*, published online by the Pace Law School. www.law.pace.edu/landuse/varia.html