

## **9 PLAN IMPLEMENTATION**

The Comprehensive Plan is intended to guide land use decisions in the Town. By itself, the Plan does not change zoning or assure implementation of the land use plan. A necessary first step in putting the Comprehensive Plan to work is for the Town Board to adopt the Comprehensive Plan's recommendations for the future growth and improvement of the Town. Once adopted there are many strategies that the Town can utilize to implement the individual components of the Plan. These components include roads, zoning/subdivision controls, utilities, environment, and open space and agricultural protection. Some strategies are already in place to enact changes, others need to be further developed and adopted to ensure enforcement and implementation. The principal implementation recommendations are as follows:

### **9.1 In Non-Sewered Areas: a Minimum Lot Size of Two Acres**

In an attempt to better preserve the watershed environment and maintain the Town's rural character, the Plan recommends a two-acre minimum lot size for new residential subdivisions not served by public sanitary sewers. If adopted as a zoning text amendment, this policy would increase the minimum lot size for future non-sewered subdivisions from 60,000 square foot lots to 80,000 square foot lots. In conjunction with the density restrictions imposed by the environmentally sensitive lands, as described below, this policy will serve to "up-zone" remaining vacant residential lands.

### **9.2 In Sewered Areas: a Minimum Lot Size of One Acre**

A higher density than the rural residential density designation is planned for the areas of the Town served by public sewer and water. These areas will require a one residential unit on a minimum lot size of 40,000 square feet for any future subdivisions.

### **9.3 Environmentally Sensitive Lands**

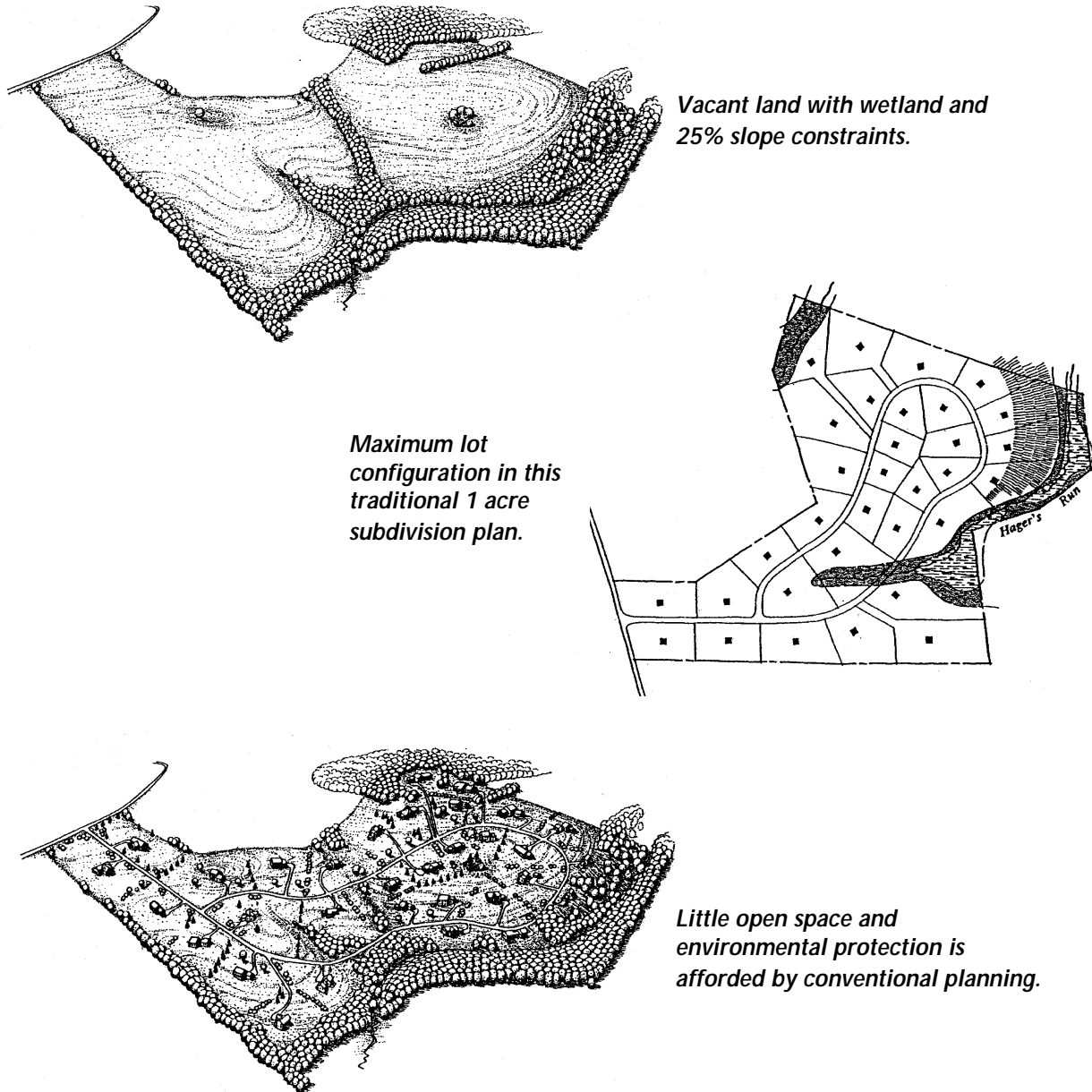
Environmentally sensitive wetlands are already protected through programs set by New York State and the Town of Carmel. These policies have helped to preserve the rural character of the Town while serving to protect water resources. Other environmentally sensitive lands receive less attention, but deserve similar protective benefits.

This Plan recommends that an "environmentally sensitive land" ordinance be adopted to include all wetlands and slopes over 25%. These designated areas would be allowed to count toward the maximum permissible density by a maximum of 50%. For example, if a property contained 10 acres of steep slopes, only 5 acres would be permissible to count toward the allowable density of the larger parcel. This regulation is aimed at more carefully calibrating allowable density to environmental conditions.

## 9.4 Cluster Subdivisions

Clustering allows houses to be set back from the road and screened from view while helping to preserve open space. The following illustrations (Figures 9.1 and 9.2), used courtesy of Randall Arendt, depict the cluster or open space development principles.

**Figure 9.1  
Conventional Subdivision**

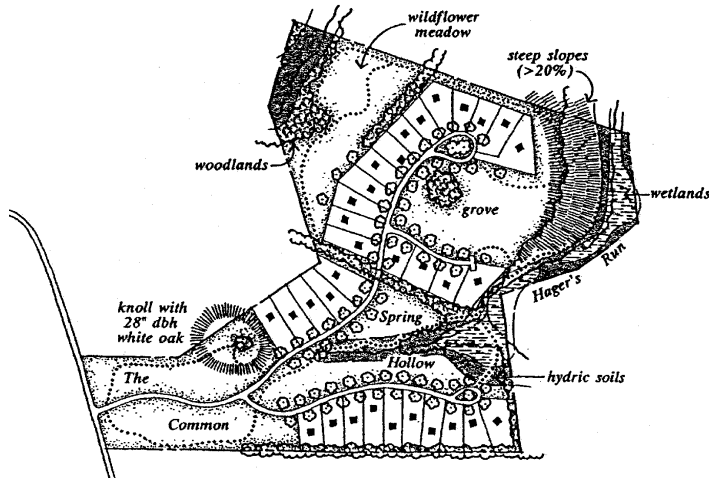
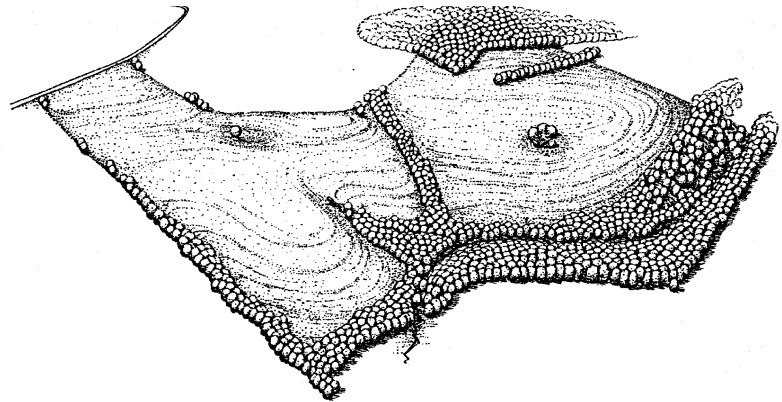


*Source: Randall Arendt, Natural Lands Trust, 1994.*

Clustering enables the preserving of areas that would normally be dedicated to private roads. The preserved areas may be used to buffer the residential land from neighboring areas and for natural or public space.

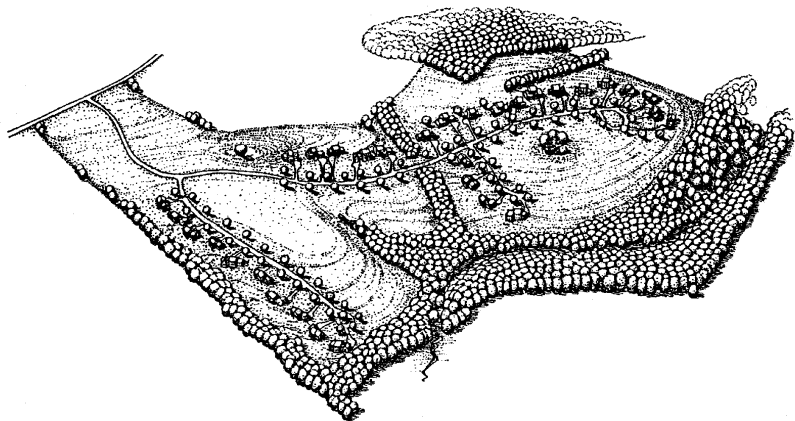
**Figure 9.2  
Cluster Subdivision**

*The same vacant land can be used residentially and for open space purposes.*



*The cluster plan groups homes more closely, but at the same density as allowed by conventional subdivision.*

*The resulting development is sensitive to the environmental constraints, while allowing for residential uses.*



Source: Randall Arendt, Natural Lands Trust, 1994.

The Town Board authorizes the Planning Board to require clustering where it is in the Town's interest. The Planning Board will be afforded the power to require any applicant to submit cluster subdivision plans in any residential zone as an alternative to a conventional layout. The Planning Board should determine the minimum lot sizes based upon its review of the cluster layout.

This proposed policy strengthens the existing regulations that allow the applicant to present a cluster subdivision at their own discretion. By granting mandated cluster authority to its Planning Board, the Town Board can establish a more pro-active cluster policy.

A key component to any cluster subdivision will be buffering from neighboring uses. The separation of clustered lots from adjacent residential areas and major roadways should be required. It is suggested that a minimum 50-foot buffer be established.

**9.5 Commercial Area Controls**

**(a) Floor Area Ratio (FAR)**

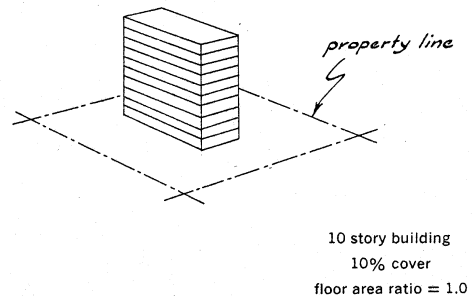
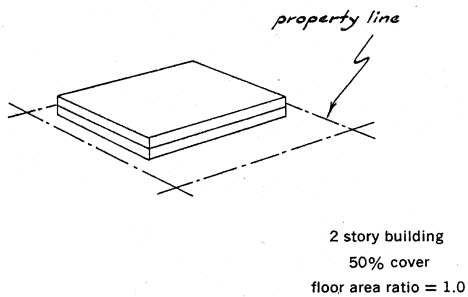
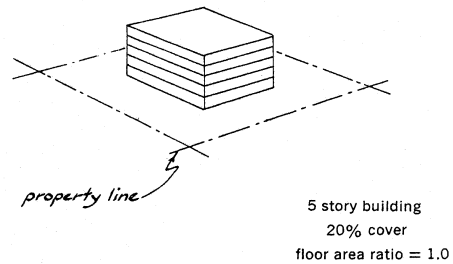
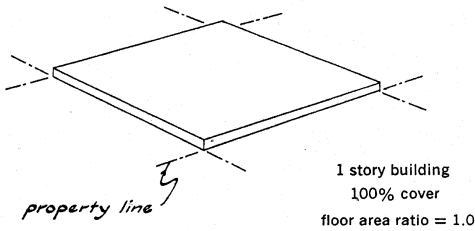
Floor area ratio is a mechanism to control the square footage of buildings through zoning. This zoning tool will help to control the bulk of commercial buildings to better fit within the predominant residential context of Carmel.

Permitted floor area is determined by a calculation of the total square footage of a lot multiplied by a set ratio, as presented below. Typically in suburban areas, restricting the bulk of buildings to a fraction of the lot area is desirable. The present Town zoning ordinance does not govern floor area.

**Figure 9.3  
Floor Area Ratio**

Floor area ratio is the total floor area on a zoning lot, divided by the lot area of that zoning lot.

$$FAR = \frac{\text{total floor area}}{\text{total lot area}}$$



The Town reserves the right to set an F.A.R in the future. FAR controls would work with existing zoning controls that are currently enforced in the commercial zones but would provide an added control on total square feet. Any set ratio should adequately allow for commercial development and is similar to other ordinances in the region.

### **(b) Buffer Requirements**

The present non-residential buffer requirements include “a buffer of at least (6) feet in height and at a width and density which will substantially screen adjacent properties”. The width of the buffer is discretionary, as is the material, fencing, trees or shrubs.

A buffered area to help separate uses may be more appropriate than allowing discretionary requirements. Buffer areas around the perimeter of the lot would add to the open space character of the Town. For example, a 10-20 foot front and rear yard and five foot side yard buffer from parking would allow for plantings and landscaping. The exception would be in the Village (Hamlet) Centers where the development context would make added yard requirements difficult to meet.

### **(c) Landscape Standards for Parking Areas**

The present requirements for off street parking and loading are adequate. For commercial purposes, the ordinance is similar to those of surrounding municipality’s standards. However, the parking and loading requirements lack landscape standards. Such standards should be incorporated into the code. Requirements could include: a set number of trees for each parking space (e.g. 1 tree for every 10 parking spaces), landscaped 5 to 6 foot islands between parking bays to allow for trees, and lighting not to exceed 20 to 25 feet in height.

## **9.6 New Land Use/Innovative Planning Techniques**

In the zoning text update to follow this Comprehensive Plan, the Town Board may wish to examine new land use developments and new zoning techniques. These could include the following:

- **Home Occupations:** Home occupations are no longer limited to doctors and lawyers. The use of computers has allowed a significant increase in home occupations and telecommuting. Modern zoning techniques can accommodate these uses while minimizing neighborhood impacts.
- **Assisted Care Housing:** In the last decade, a large new market has opened to serve the needs of the elderly who need personal assistance but not the medical care of a nursing home. Carmel may want to permit such uses in limited areas by special permit.
- **Affordable Housing:** In several areas or in the split zone areas previously discussed, the Town may want to examine techniques to encourage affordable housing. Density incentives are a zoning technique now used in some New York State communities.

- Boat Docks serving Residential Properties: On the lakes in Carmel there have been increasing numbers of applications for boat docks. Possible regulations might consider size, height, number and proximity to shoreline.

### **9.7 Summary**

The policies contained within the Plan will have a minimal effect on the future potential development. As reported in Chapter 4, the present residential development capacity of the Town is approximately 5,000 homes if all of the vacant residentially-zoned land were to be developed. With fewer development opportunities within sewer districts, the majority of new residential development can be expected to be low-density housing on two-acre lots and application of wetland and steep slope polices (see Section 9.1). These policies will, in effect, "upzone" the remaining vacant residential property. This will reduce the potential residential build-out from a theoretical maximum of 5,000 units to a maximum of 3,000 units. This is based upon dividing 7,600 acres of vacant land by an average of 2.5 acres per unit, which accounts for minimum lot size, wetlands and steep slopes.

Thus it is expected that implementation of the land use recommendations of this plan will result in approximately 2,000 fewer homes than current zoning policies in terms of a potential build-out of the Town.

The Carmel Comprehensive Plan attempts to balance the various community needs and values by respecting the natural environment and providing appropriate development policies. A collaborative effort has been made to bring issues to the forefront and strive for a consensus. In this sense, the Plan is a community document that will guide the Town toward the year 2010.