

Town of Northumberland

2024 Comprehensive Land Use Plan Update



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Preserving Agriculture, Open Space and a Rural Lifestyle



Acknowledgements



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OUR VISION

The Town of Northumberland is a community that celebrates its agriculture, open spaces and rural lifestyle.

Our goal is to preserve these special qualities by thoughtfully managing growth, so that we remain a desirable community in which to live and work for generations to come.



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CHAPTER 1 COMPREHENSIVE PLAN SUMMARY

1.1 Overview

The Town of Northumberland faces the challenge of how to manage growth, provide services to its 5,242 residents, maintain, and protect its infrastructure, and strengthen its tax base while preserving its rural character, promoting active farming, and protecting its open space and clean water. This is a task that many agricultural communities are undertaking with new urgency in the 21st century.

The 2024 Comprehensive Land Use Plan for the Town of Northumberland is an important tool in the Town's efforts to meet that challenge. It expresses a strong intent to preserve the agricultural character of the Town, foster a strong farm economy, and preserve open space and view sheds. *Northumberland's Unique Characteristics:* The rural, agricultural nature of Northumberland gives the Town a special quality of life and sense of community. These unique characteristics need to be protected through the use of various planning tools, including planning design, zoning laws, enforcement, tax abatement, incentives and other choices that are available to Northumberland's residents.

By carefully using these tools, the Town of Northumberland can manage growth, address specific goals identified by its citizenry, and still maintain the beauty and other characteristics of a small, rural community.

One of Northumberland's most outstanding features is its location on a plateau bordered by the Southern Adirondack Mountains to the north and the Hudson River, one of the nation's great waterways, on the east. Farming, our main industry, and one from which many residents still make their living today, preserves this pleasant setting.

It is this bucolic environment that has led to an interest in development in our Town. Should we falter in the wise preservation of our open space, we would lose not only our main industry — agriculture — but also the very appeal that has attracted many new and welcome residents to Northumberland.

How This Plan Was Developed: The Town of Northumberland developed its first Comprehensive Land Use Plan in 1991. At that time, specific goals were identified through a survey of Town residents. With the availability of new data from the federal government's 2000 Census, the Town began a review of that plan in the fall of 2001. Once again, residents identified specific needs and desires for the Town in a survey carried out during the winter of 2001/02. Many Town residents' goals remain the same as they were 20 years ago, but there is new concern for the preservation of agriculture and the beautiful open spaces and viewsheds throughout the Town.

A Working Document: This plan is a philosophical guide for the review of development projects, as well as for efforts to preserve open space and agricultural lands. It should be viewed as a working document. It is intended to be implemented through the Town's zoning ordinance and subdivision regulations. The plan should be reviewed and updated every five years or as the needs of the Town change. The Northumberland Town Board, Planning Board, and Zoning Board of Appeals should actively use it as a guide to ensure that the decisions they make are consistent with the goals of the Town.

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1.2 Summary of Goals and Strategies

The agricultural and open nature of Northumberland provides its exceptional quality of life, economic strength, and special sense of community. These are characteristics unique to Northumberland. Preserving them should play a central role in the Town’s decisions as it manages development during the first decade of the 21st century. The challenge facing the Town of Northumberland is to use thoughtful planning to manage future growth while protecting the beauty and character of our small, rural community. The following goals have been established by the thoughtful consideration of a balance of land uses with the absolute preservation of agriculture.

Land Use and Zoning

GOAL: Preserve and encourage agricultural uses.

STRATEGIES:

- Strive to achieve a “zero net loss” of working farmland by addressing farm transition issues and new farm development.
- Continue to participate in Saratoga County’s Agricultural District program which assesses the land for agricultural use and encourages Northumberland farmers to maintain their land in farming.
- Continue to use agricultural use value assessment for viable farms. Encourage the state to support reducing the requirement to receive an agricultural assessment from \$50,000 to \$10,000 in annual gross sales of agricultural products on land parcels that are less than seven (7) acres.
- Encourage clustering or other open-space preservation techniques for subdivisions, where feasible.
- Where needed and feasible, utilize R3 (3-acre) zoning to maintain a suitable buffer between R1 (1-acre) lands and agricultural lands (5 acres).
- Encourage public, private and not-for-profit groups to purchase or secure by other means, development rights from farmland owners while allowing agricultural uses to continue.
- Review policies and make amendments where necessary to ensure compliance with New York State Agriculture and Market laws.
- Review and update the definitions in the Zoning Code to be more inclusive of contemporary farm life and agribusiness.
- Continue to actively participate in Saratoga County’s Purchase of Development Rights (PDR) Farmland Protection Program and coordinate with the Saratoga County Farmland/Open Space Preservation Program and Saratoga PLAN for funding assistance.
- Consider an expanded use of flexible conservation easements that provide farmers more options to hold on to their land and protect farmland affordability. See Appendix: Land Use Tools for the Future.

GOAL: Preserve the rural, open space character of the community.

STRATEGIES:

- Manage housing densities so that the rural character of the Town is maintained. The highest-density housing should be contained within the hamlets and lowest densities in agricultural and environmentally sensitive areas.

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- Require open space/green space set-asides from new subdivisions wherever possible.
- Require that houses be sited so that agricultural and environmentally sensitive lands and vistas are preserved through buffer zones and open-space design.
- Encourage clustering for subdivisions in agricultural districts and other areas as determined by the Planning Board.
- Continue to apply the recreation fee requirement to new subdivisions.
- Continue to allow existing mobile homes to be upgraded and new mobile homes to be located in mobile home parks.
- Modify site plan review procedures for farm-related operations to be consistent with the NYS model for agricultural site plans.
- Ensure that new development projects do not have a negative impact on farming operations and protect agricultural operations from constraints associated with adjacent non-agricultural use.

GOAL: Provide incentives for the development of clean industry in appropriate areas.

STRATEGIES:

- Encourage the development of clean industry projects where appropriate.

GOAL: Provide for the limited development of modest commercial areas within the allowable zoning districts sufficient to meet the needs of residents.

STRATEGIES:

- Continue neighborhood-scale (small businesses and stores), commercial development within the hamlets of Gansevoort, Bacon Hill, and limited areas along NY 50 in Northumberland.
- Control the visual appearance of new commercial uses within the Town through the special permit and site plan review process. Include the detailed review of architectural, signage, lighting, landscaping, access and parking criteria.

GOAL: Encourage single-family development where soils and utilities are adequate.

STRATEGIES:

- Consider creative options for affordable housing, such as density bonuses in selected areas of the Town and define accessory housing units for single family homes.

Environmental

GOAL: Preserve and protect the unique natural areas and plant and animal habitats and communities.

STRATEGIES:

- Continue to protect existing natural areas within the Town. Utilize Map 4. "Natural Resources" to locate rare, threatened, or endangered species on development plans as part of the site plan, special permit and subdivision review process.
- Recognize the following natural resources as unique environmental areas that need special protection: "Big Falls" of the Snook Kill; Hudson River shoreline from US 4 bridge north to Town of Moreau line; Stark's Knob; Saratoga County Agricultural District 1; Saratoga Sand Plains; scenic vistas and view sheds; and designated areas containing threatened and endangered species including Northern harrier and Karner blue butterfly habitats.

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- Encourage and support land trusts to implement conservation easements to protect the Town's unique environmental areas.

GOAL: Preserve and protect the water quality of Northumberland's streams, rivers, ponds and wetlands.

STRATEGIES:

- Continue to require mandatory setbacks for developments adjoining surface water resources within the Town.
- Require that all erosion and sediment control plans be approved by the Town in compliance with New York State Phase 2 Stormwater Management regulations for soil disturbing activities on areas of one acre or more.
- Implement stream corridor management guidelines per NYSDEC recommendations.
- Manage stormwater runoff so that post development runoff conditions are equal to or less than the predevelopment conditions.
- Continue to regulate clear cutting and selective harvesting under the Town's Watercourse Protection Local Law #1, the Soil Disturbing Activities Local Law # 2 of 1991, and the Timber Harvesting Local Law and/or Zoning Ordinance
- Regulate development in floodplains and floodways in accordance with Federal Emergency Management Agency (FEMA) guidelines and Local Law 1 of 2022 for Flood Damage Prevention.

GOAL: Preserve and protect the Town's groundwater supplies.

STRATEGIES:

- Prohibit polluting uses on lands overlying the Town's aquifers.
- Require special permit site plan review for certain less potentially polluting uses located over the Town's unconsolidated aquifer.
- Require all built landfills, whether public or private, to be monitored to assure that groundwater contamination does not occur.
- Prohibit the construction of landfills for new or expanded construction and demolition debris.

GOAL: Avoid building on steep slopes to prevent erosion and protect water quality.

STRATEGIES:

- Prohibit new construction on slopes greater than 25 percent and carefully review all new construction proposed on slopes of 15-25 percent.
- Require landowners and developers to comply with the general state permit requirements of the Phase 2 Stormwater Management program.

GOAL: Require that densities and development patterns are consistent with soil suitability and protection of agricultural and open space resources.

STRATEGIES:

- Use viable agricultural soils for suitable agricultural purposes.

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GOAL: Improve the visual quality of the Town and protect viewsheds and vistas, where feasible.

STRATEGIES:

- Carefully review all new commercial, industrial, office and residential development to ensure the protection of the visual environment.
- Continue to strictly enforce the Town's Local Law #1 of 1989 prohibiting auto junk yards.
- Continue to enforce the Town's Local Laws # 1 and # 2 of 1991, which protect watercourses and regulates soil disturbance.
- Amend the Town's subdivision regulations and the zoning ordinance to require that houses be sited so that agricultural and environmentally sensitive lands and vistas are preserved through buffer zones and open-space design.

Economic Development

GOAL: Encourage creation of job opportunities.

STRATEGIES:

- Direct commercial, industrial and office growth to appropriate areas that are zoned for these purposes.
- Work with local economic development entities to attract new businesses, especially industries and businesses that are compatible with the community's rural character.
- Encourage home occupations, including the use of barns and similar outbuildings.

GOAL: Recoup development review costs through planning and zoning application and review fees.

STRATEGIES:

- Amend the Town's fee schedule to permit the Planning and Zoning Board to recoup project review costs.

Community Facilities

GOAL: Prohibit the development of private water supply systems, sewer systems, and transportation corporations.

- Continue to support the policy of the Town's not owning or operating private water supply systems or sewer systems under any circumstances.

GOAL: Support the future fire and emergency needs of the community.

- Continue to support Town fire and emergency services for Town residents; as growth continues, support the future fire and emergency needs of the community.

GOAL: Support policies that assure sound solid-waste disposal practices.

- Encourage Town residents and agricultural operations to make full use of the Town's transfer station and recycling facilities.

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Transportation

GOAL: Preserve and enhance the functional capacity of all Town roads.

STRATEGIES:

- Develop and adopt rural road standards in Northumberland’s Subdivision Regulations for all new developments when a new street is created so that rural character can be maintained.
- Require all new roads to be constructed to the Town’s standards for local roads.
- Strictly enforce the road standards, recognizing that some modifications may have to occur due to soil and other environmental conditions.
- Adopt minimum frontage, setback and off-street parking standards to control access, provide for density bonuses to induce interior development.
- Traffic studies for major projects must identify existing level of service and future level of service after completion. Developers shall be responsible for any mitigation measures required to maintain the level of service set through the project approval process.
- Utilize a rural road standard in conjunction with open space design as an alternative to individual driveways.
- Adopt rural road standards in Northumberland’s Subdivision Regulations for all new developments when a new street is created so that rural character can be maintained.

GOAL: Use access-management techniques along NY 50 and other major roads for new developments.

STRATEGIES:

- Encourage shared access and paired access between adjoining uses and promote circulation between adjacent sites.
- Adopt setback requirements that will allow for additional rights-of-way for possible widening of NY 50 in the future.
- Provide for future access points in the site plan review process.
- Provide linkage points for road and pedestrians between present and future developments.
- Reserve potential areas for future access easements during site plan review where feasible.

Recreational

GOAL: Expand the scope of recreational opportunities available to Town of Northumberland residents.

STRATEGIES:

- Continue to support and participate in development of Hudson Crossing Park and the “Lakes to Locks Passage” Scenic Byway initiatives.
- Continue to fund Town recreation improvements through the use of recreation fees required under the Town’s subdivision regulations and the general fund as appropriate.
- Continue funding and supporting the Youth Commissions of the Town of Northumberland, Town of Wilton and Village of Schuylerville.

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Historic

GOAL: Preserve and protect existing historic sites and structures.

STRATEGIES:

- Consider the development of site plan review and buffer requirements for new uses located within a specified distance of historic sites and structures.
- Adopt site plan review and buffer requirements for new uses located within a specified distance of historic sites and structures.

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CHAPTER 2 COMMUNITY PROFILE

2.1 Overview

The community profile is a summary of baseline conditions and trends in the community. It establishes the context for assessing potential impacts and for project decision-making. Developing a community profile involves identifying notable features and assessing social and economic conditions and trends.

Northumberland is a largely rural town with three distinctive well-settled hamlets and two islands. Each are described below:

Bacon Hill – A hamlet 2 miles north of the Village of Schuylerville named after Ebenezer Bacon, an early settler. It was previously called "FiddleTown" and "Popes Corners."

Gansevoort– A hamlet in the northern part of the Town on NY-32 named after Peter Gansevoort.

Northumberland – This hamlet is located at the junction of US-4 and NY-32, by the Hudson River.

Griffin Island – An island in the Hudson River in the northeastern section of the Town.

Thompson Island – An island in the Hudson River, south of Griffin Island.

2.2 Regional Framework

The Town is part of Saratoga County, one of the top five counties in New York for population growth during the last decade. The Town shares approximately 8 miles of shoreline on the Hudson River and Champlain Canal. The Town has a total area of 32.9 square miles (85 km²), of which 32.3 square miles (84 km²) is land and 0.6 square miles (1.6 km²) (1.67%) of which is water. The eastern town line is the Hudson River which is bordered by Washington County. The Town is bordered in the north by the Town of Moreau, in the west by the Town of Wilton, and in the south by the Town of Saratoga. U.S. Route 4 is the primary north-south transportation route on the eastern side of the community. Other main routes include NYS Route 32, a north-south highway that bisects the town and intersects NYS Route 50 at Gansevoort.



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2.3 Demographics

Population

The 2020 census reports a population of 5,242 people for the Town of Northumberland. This represents a ten-year increase of 155 residents. In comparison, there were 409 additional residents counted between 2000 and 2010. The Town has experienced robust growth over the last 40 years, nearly doubling in population from 2,732 in 1980 to 5,242 in 2020 (See Table 2-1). Much of the growth occurred between 1980 and 2000 and, although it continues to grow, it has slowed down significantly. This represents a trend in all the neighboring communities. However, the communities with direct access to the Northway continue to grow at a higher rate than Northumberland. Between 2010 and 2020, census statistics show that growth in Wilton stood at 7.3%, Moreau at 10.0%, Northumberland at 3.0%, and Saratoga at 2.4%. The average growth rate for all of Saratoga County was 7.2% (See Table 2-2).

Table 2-1 Town of Northumberland Population 1850-2020							
1850	1900	1950	1980	1990	2000	2010	2020
1,775	1,227	1,263	2,732	3,645	4,603	5,087	5,242

Source: U.S. Census; CDRPC.

The population in 1850 was nearly identical to the count reported 120 years later in 1970. After 1970 the population began to escalate by 1,000 every ten years until 2000 when it began to moderate to nearly 500 new residents by 2010, with the next decade growing by 155 new residents.

Table 2-2 Population Change Comparison with Neighboring Towns and County								
	1990		2000		2010		2020	
	Pop	Change/%	Pop	Change/%	Pop	Change/%	Pop	Change/%
Northumberland	3,645	-	4,603	958 26%	5,087	484 10.5%	5,242	155 3.0%
Moreau	13,022	-	13,826	804 6.2%	14,728	902 6.5%	16,202	1,474 10.0%
Wilton	10,626	-	12,511	1,885 17.7%	16,173	3,662 29.3%	17,361	1,188 7.3%
Saratoga	5,069	-	5,141	72 1.4%	5,674	533 10.4%	5,808	134 2.4%
Saratoga County	181,276	-	200,635	19,359 10.7%	219,607	18,972 9.5%	235,509	15,902 7.2%

Source: U.S. Census and Office of the State Comptroller

On the following page, Table 2-3 provides a comparison snapshot of statistics for Northumberland and Saratoga County for 2010 and 2020 from the U.S. Census Bureau.

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Table 2-3 Demographic Summary Comparison: Town of Northumberland and Saratoga County						
	Northumberland			Saratoga County		
	2010	2020	2010-2020 % Change	2010	2020	2010-2020 % Change
Population	5,087	5,242	3.0%	219,607	235,509	7.2%
Median Age	38	43.2	7.9%	40	43	7.2%
Total Households	NA	1,918	NA	NA	97,829	NA
Persons Per Household	NA	2.73	NA	NA	2.36	NA
Median Household Income	\$61,984	\$96,250	55.3%	\$65,100	\$90,800	39.5%
Poverty Rate	7.5%	5.4%	lower	6.4%	5.9%	lower
Households that Received Food Stamps	91	108	18.7%	4,157	5,967	43.54%
Percent of Population with bachelor's degree or Higher	NA	1069 (21%)	NA	NA	69,240 (30.2%)	NA
Homeowners 65+	239 (13.6)	435 (22.3%)	66.0%	13,763 (15.9%)	21,360 (22.3%)	55.2%

Source: Capital District Regional Planning Commission, U.S. Census and Office of the State Comptroller

Households

The census reports there were 1,990 households in 2020. The average household size was 2.88 and the average family size was 3.18.

Age

According to the 2020 Census, the median age of Northumberland's population is 41, up from 33 years in 2010. This compares to 43 for Saratoga County, 47 for Warren County, and 38 for the state median. The relatively young median age suggests that even more growth can be expected due to growth of families. Between 2010 and 2020, the number of adults (18 years and older) increased by just over 10% representing approximately 78% of the total population. The number of youths (less than 18 years) dropped by just over 16%, representing nearly 22% of the population.

Income

The median income for a household rose 55% from \$61,984 in 2010 to \$96,250 in 2020.

Race

The racial makeup of the Town is predominately White with approximately 548 individuals make up remaining racial profile of the community including 277 Hispanic or Latino, 162 African American, and 105 Asian.

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Housing Units

The number of housing units increased by 85 units between 2010 and 2020 (4.5%). This rate is considerably lower than the Saratoga County rate of 10.3%.

Employment

Employment shifts in the last decade are indicated in Table 2-4. The biggest loss in jobs were experienced in manufacturing, wholesale trade, and accommodation and food services. Agriculture and forestry also reported significant employment losses. Substantial gains were reported in construction, professional scientific and technical services, administrative, support, waste management services, health care, and social assistance.

Industries	2010	2020	Change
Agriculture and forestry	105	73	-32
Mining quarrying and oil and gas extraction	10	9	-1
Construction	170	280	+110
Manufacturing	435	212	-223
Wholesale trade	105	15	-90
Retail trade	301	287	-14
Transportation and warehousing	92	90	+2
Utilities	48	6	-42
Information	46	49	+3
Finance and insurance	107	103	-4
Real estate and rental and leasing	35	7	-28
Professional scientific and technical services	59	252	+193
Management of companies and enterprises	NA	NA	-
Administrative and support and waste management services	21	177	+156
Educational services and health care and social assistance	192	270	+78
Health care and social assistance	276	362	+86
Arts entertainment and recreation	10	9	-1
Accommodation and food services	235	126	-109
Other services except public administration	89	87	-2
Public administration	114	110	-4
TOTALS	2,450	2,524	+74

Source: CDRPC

Student Enrollment Trends

Northumberland is served by two school districts, South Glens Falls and Schuylerville. Both districts indicated a decline in enrollment during the 1980s, a trend that occurred throughout Saratoga County. Residential development has been accompanied by a demand for school services. The South Glens Falls District encompasses the northern portion of the Town, including the NY 50 corridor. The Schuylerville Central School District encompasses the southern portion of the Town. Both school districts have seen significant increases in enrollment since 1990 as illustrated by Table 2-5 below.

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After experiencing a 20-year increase of 371 (26%) between 1990 and 2010, enrollment in the Schuylerville district began to decline. Between 2010 and 2021, enrollment dropped by approximately 397 students or by 22%.

Current enrollment is nearly at the same level as it was 30 years ago. The South Glens Falls district followed the same trend. It gained 497 students, or 18%, between 1990 and 2010. Between 2010 and 2021 enrollment dropped by 370 students or by 12%. Like Schuylerville, enrollment has fallen close to the 1990 total district enrollment.

Table 2-5 School District Enrollment Trends		
Year	Schuylerville Central School District	South Glens Falls Central School District
1990-1991	1,426	2,707
2000-2001	1,619 (+193)	3,164 (+457)
2010-2011	1,797 (+178)	3,204 (+40)
2021-2022	1,400 (-397)	2,834 (-370)

Source: NYSED

2.4 Economic Conditions

Agriculture, the most important industry in Northumberland, is vital to the Town’s economic well-being. Although there are several other industries and commercial businesses in Northumberland it is primarily a bedroom community with agriculture as its main industry.

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CHAPTER 3 TOWN HISTORY

3.1 History

The Town of Northumberland is one of the earliest towns created within Saratoga County. It was annexed from the Town of Saratoga in 1798 and originally included the towns of Wilton, Moreau, and parts of Hadley and Corinth, in addition to its current boundaries.

Early settlers in the late 18th century found much to admire in Northumberland. There were plentiful farmlands, forests for logging and streams to power mills. Ferries were established across various points of the Hudson River to facilitate trade and transportation.

Hotels and taverns characterized settlement clusters that were surprisingly well populated before the Revolution. The agricultural economy of the post-revolutionary war times resulted in many more hamlets in the Town than exist today. Hamlets at that time had 20 to 30 families and also had a mix of industry, retail, and public facilities. The hamlets of Gansevoort, Bacon Hill and Northumberland are still in existence today.

The Old Champlain Canalway became an economic game changer when it opened in 1822 establishing a direct all-water route between New York City and Montreal. Versions of today's modern Champlain Canal opened in 1905 with larger locks and channels and the capacity to handle much larger boats. The opening of the Champlain Barge Canal in 1823 secured the hamlet of Northumberland as an important shipping point for goods.

To Native Americans, the river and carry route between the Hudson River and Lake Champlain was a pathway for trade, settlement and conflict for centuries before Europeans arrived. As the main travel corridor between New York and Canada, the long valley also proved to be of pivotal importance during the French and Indian War, the American Revolution and the War of 1812. Over time these travel routes were supplemented by wagon roads. Railroads and trolleys sprang up alongside and began operating year-round, competing with the seasonal canal. The invention of the automobile and trucks spurred road improvements, and eventually highways gained dominance over both the canal and railroads.

As time passed, the hamlets became less industrialized, but agriculture remained strong. The Town has maintained its rural, agricultural character to this day. The Town has a number of historic sites and structures, many of them associated with the Revolutionary War Saratoga Campaign, which concluded just to the south of Northumberland in present-day Stillwater. These sites include General Burgoyne's "Bridge of Boats" across the Hudson River and Stark's Knob, used as an observation point by American troops.

3.2 Historic Resources

The Town features a number of Revolutionary War-era sites and structures. Table 3-1 identifies and describes significant sites throughout the community. Map 1 illustrates the locations of many of these key historic sites throughout the town.

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Historic Sites and Features

As mentioned above, the Old Champlain Canalway became operational in 1822 and is now listed on the National Register of Historic Places. This historic designation gives the canalway and towpath protection from destruction or from being filled in. A hike-bike trail known as the Champlain Canalway Trail is located between Waterford and Whitehall and is presently in planning or under construction. The Champlain Canalway Trail connects to Northumberland at Lock 5 Island. After crossing the Dix Bridge, the trail continues on the east side of the Hudson River in Washington County. The Champlain Canalway Trail and Empire State Trail are one in the same through most of this corridor.

Dix Bridge

The historic Dix Bridge formally joins Saratoga and Washington Counties within the Hudson Crossing Park. It serves as the keystone of Hudson Crossing Park, bridging communities and inviting bicyclists, pedestrians, snowmobilers, and skiers to safely cross the Hudson River. It also serves as the local crossing for the Empire State Trail, the longest multi-use state trail in the nation.

The site has great historic significance. This was a well-traveled crossroad for the Native Americans, as well as a site of importance during the Battles of Saratoga. Standing in the center of the bridge and looking to the north, visitors can still see the cuts in the riverbank where British General John Burgoyne's troops crossed the Hudson on a bridge constructed of "Bateaux," 30' long flat-bottomed, flat-sided, double-ended crafts. More than 6,000 people traversed this area in the fall of 1777 and the crossing came to be known as Burgoyne's "Bridge of Boats".

In the late 1800's any who wanted to cross the Hudson River near Schuylerville were charged a toll and likely crossed down-river near the current Route 29 Bridge or up-river near the current Route 4 Northumberland Bridge. Local residents and business owners, recognizing that the tolls were detrimental to commerce in Schuylerville, fought for the right to construct a "free bridge" using private funds.

Built by F. R. Hawkins Iron Works of Springfield, Massachusetts, construction began on the bridge on June 5, 1895, and was completed three months later. As noted in the **Schuylerville Standard**, "Much praise is due all who in any way participated in and helped this great enterprise to completion, but special mention should be made of the work and contributions of David A. Bullard, Lemon Thomson, John A. Dix (*who later served as Governor of New York State from 1911-1913*), A.W. Hitchcock, Mr. Blandy, Dr. N.C. Harris, and others."



Dix Bridge

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Stark's Knob

Stark's Knob is believed to have originated in the Connecticut River Valley 400 million years ago as lava "bubbled up" out of a crack in the earth's crust under a shallow sea. The momentum of plate-tectonics "delivered" it to the town of Northumberland just outside of Schuylerville. The cone shape was created by the mining of the volcanic material for roadbed. Being one of the few places in the United States where "pillow basalt" can be easily seen, this volcanic formation is internationally known and often visited by students and professional geologists from throughout North America.

During the Revolutionary War, in the fall of 1777, the height of land at Stark's Knob created a pinch-point at the north end of Schuylerville. Here, the military road the British needed to traverse to make good their escape after the Battles of Saratoga, passed through a narrow pass confined by Stark's Knob on the west and the Hudson River and associated wetlands on the east. It is believed that General Stark used the vantage point this natural formation offered his men. Placement of Stark's American Forces in the gap was later described by historian John Henry Brandow as "the corking of the bottle" which profoundly influenced the outcome of the Battle of Saratoga, leading to Burgoyne's surrender.

The State of New York acquired Stark's Knob in 1916, preserving it as a scientific reservation owned by the New York State Board of Regents and managed by the New York State Museum.

Knox Pocket Trail Park

The Knox Trail Monument is located at the foot of Stark's Knob Road. It is one of 56 such Revolutionary War monuments erected in 1926 between Fort Ticonderoga and Boston. These monuments mark the trail over which General Henry Knox carried a "train of artillery" to Boston that helped secure an early victory for the Americans. A pocket park was developed at this site by Lakes to Lock Passage Scenic Byway. It includes a parking area, flags, landscaping and a "Waypoint Community Kiosk" which features a site feature panel, a Northumberland overview panel and a community bulletin board.



Stark's Knob



Knox Pocket Trail Park

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Northumberland Dam

The Northumberland Dam was originally constructed in 1822 to control the flow of water in the Hudson River and the Champlain Canal. It was an important structure because it created a navigable pool of water in the Hudson where the canal crossed the river. It also provided waterpower to early saw mills and local industries that developed on both sides of the river. Today it provides a dramatic and stunning view from Saratoga Falls Pocket Park and Hudson Crossing Park.



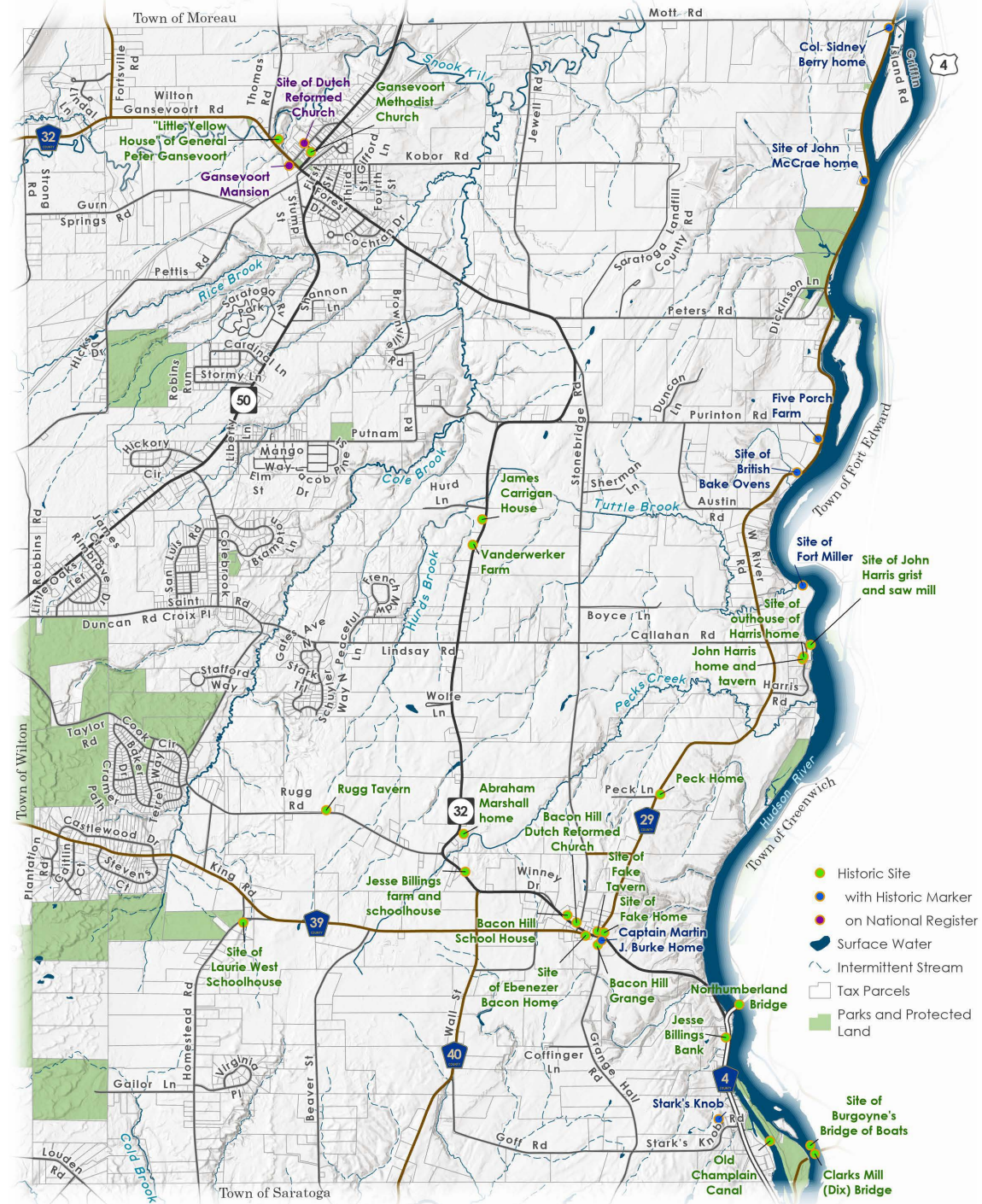
Northumberland Dam

Town of Northumberland 2024 Comprehensive Plan Update

Table 3-1 Historic Sites of Northumberland
Clarks Mill Bridge, 1899, built by R.F. Hawkins Iron Works, three-span, through-truss iron bridge
Site of Burgoyne’s Bridge of Boats, 1777
Stark’s Knob, hill of volcanic pillow basalt, one of only two examples in the U.S. The lookout was occupied by troops under American General John Stark during the Revolutionary War to prevent retreat of British troops after the Battle of Saratoga, 1777.
Jesse Billings Bank, 1875, built by local boat builder, first floor office contained built in vault, second floor used as living quarters.
Northumberland Bridge, iron structure built in 1906, replaced wooden bridges of 1803 built by Theodore Burr known as Fort Miller Bridge and other wooden replacements in 1845, 1859 and c. 1890.
Captain Martin J. Burke Home, c. 1820-30, national military figure, West Point graduate 1836, hero of Mexican War, where he was killed in 1847
Bacon Hill Grange, 1905, Grange #828, organized by County Deputy Wood of Milton Grange at home of George Slocum, 1897
Site of Ebenezer Bacon Home, 1794, built first frame tavern in Pope’s Corners 1794, renamed Bacon Hill c. 1832 in his honor
Bacon Hill Schoolhouse, prior to 1866 part of District #7. Moved from original location just north of Bacon Hill
Bacon Hill Dutch Reformed Church, c. 1820, now known as Bacon Hill Church*
Site of Fake Tavern, early site where Town, state and general elections and Town meetings held
Site of Fake Home, front constructed from parts of Fake tavern, c. 1868
Peck Home, prior 1836, former tavern owned by William Harris, later additions 1849
John Harris home and tavern, c. 1830, located in farming and mercantile settlement of several houses, saw and grist mill, store. Harris family cemetery can be seen from West River Road.
Site of outhouse of Harris home, constructed similar to Greek Revival Harris home with plastered and papered walls, columns, pediment, and six holes — three for men and three for women
Site of John Harris grist and saw mill, 1832, first used as mill site 1772, became farm trading center for miles around. A corner stone of the original mill remains at the site.
Site of Fort Miller, 1755, fort built by English Col. Miller in angle of river bend on flat protected on three sides by the river and cove at entrance of small creek, further defended by small parapet of timber covered with earth and with a ditch in front, for use against possible French and Indian attack.
Site of British Bake Ovens, 1777, for preparation of army bread, on property of early resident Samuel Lewis
Site of John McCrae home, prior 1777. McCrae was a Revolutionary soldier and brother of Jane McCrae, whose slaughter by Burgoyne’s Indians is famous among Revolutionary legends
Col. Sidney Berry home, c. 1800, early settler, Revolutionary soldier and first supervisor of Northumberland, 1798-1800, first president of the Temperance Society of Moreau
Gansevoort Methodist Church, c. 1838, land donated by Herman Gansevoort
Site of Dutch Reformed Church, 1839-41, erected by Herman Gansevoort, restored 1891-99*
“Little Yellow House” of General Peter Gansevoort, 1797, who received title to the land in 1783 when it was confiscated from Troy Hugh Munro. There is also a tenant house behind the house
Gansevoort Mansion, c. 1800, home of Herman Gansevoort. Son of General Peter Gansevoort, renovation and porch addition, c. 1835. Herman Melville, nephew of Peter Gansevoort, spent time here*
James Carrigan House, c. 1830, one-time tavern on stagecoach route; originally built by Vanderwerker family; known recently as the Hodgson residence
Vanderwerker Farm, c. 1840 Greek Revival farmhouse, pioneer family settled before the Revolution
Abraham Marshall home, purchased by Marshall from James McCready, 1838
Jesse Billings farm and schoolhouse, prior to 1866 brick home containing vault which Billings used as private bank. He was a prosperous farmer, boat builder and entrepreneur.
Site of Laurie West Schoolhouse, late 1850s, home of Laurie and William West located next to school
Rugg Tavern, 1802. Logs and produce going to river for shipping hauled past tavern, later home of Augustus G. Deyoe
<i>Source: Saratoga County Communities, a Historic Perspective, Prepared by Saratoga County Planning Board, 1980.</i>

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Town of Northumberland 2023 Comprehensive Land Use Plan



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Map 1: Historic Sites

Town of Northumberland 2024 Comprehensive Plan Update

CHAPTER 4 LAND USE

4.1 Land Use Conditions

Northumberland adopted its Comprehensive Land Use Plan in 2004 and continues to utilize this guide in meeting land use and development challenges. The Plan expresses a strong intent to preserve the agricultural character of the town, foster a strong farm economy, and preserve open space and view sheds. This Plan Update retains this intent and honors the policies outlined while reflecting contemporary issues and changes in the demographics in the community.

Understanding land use patterns can provide insight into opportunities and constraints for future growth and development based on the need to preserve open space, protect fragile environmental features, and ensure that the character of the community is maintained. Table 4-1 shows the breakdown of land uses categorized by type and measured in acres and percent coverage. In addition to analyzing the amount of land in each land use type, it is also helpful to understand where these land use categories are located throughout the Town. The Land Use Map (Map 2) illustrates this distribution of land use types and note specific patterns that emerge in the layout of the Town.

The Town of Northumberland consists of approximately 2,224 land parcels on 21,065 acres over 32.4 square miles.

Table 4-1 Land Use Classifications (2022)			
Property Classification	Parcels	Acres	Percent of Town
Agricultural	118	8,160.4	38.7%
Residential	1,716	6,519.3	30.9%
Vacant	289	3,243.3	15.4%
Apartments and Mobile Home Parks	8	148.1	0.7%
Commercial	15	172.6	0.8%
Recreation	8	277.1	1.3%
Community Services	22	40.9	0.2%
Industrial	7	198.6	0.9%
Public Services	8	175.8	0.8%
Private Forest	14	391.8	1.9%
Parks and Protected Lands	19	707.8	3.4%
Non-Parcel area of town (ROWs, Hudson River)		1,029	4.9%
Total	2,224	21,065	100.0%

Source: NYS Office of Real Property Services

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4.2 Agricultural Use

Farming is the Town of Northumberland’s predominant land use, accounting for more than two-thirds of the Town’s land. Agriculture has been encouraged and protected through the Saratoga County Consolidated Agricultural District No. 1, which encompasses the eastern and northern portions of the Town. A detailed discussion of agriculture can be found in Chapter 7.

4.3 Residential Use

Three hamlets within the Town of Northumberland support a higher intensity of land use. These hamlets are Gansevoort, Northumberland and Bacon Hill. Several other clusters of residences on US 4 and NY 50 display some of the characteristics of hamlets, but they lack significant commercial or other non-residential components.

Northumberland experienced a significant increase in the number of subdivisions and housing developments during the 1990s particularly in the western portion of the Town. Major subdivisions through 2024 include:

- Homestead Estates: 25 lot cluster subdivision
- Schuyler Heights: 23 lot subdivision
- Rimbrave Estates: 49 lot subdivision
- Beaver Ridge: 9 lot subdivision
- Castlewood: 46 lot subdivision
- Queens Court: 46 lot subdivision.
- Woodland Manor: 47 single and multi-family subdivision
- Brampton Lane: 48 lot subdivision
- Stafford way: 15 lot subdivision
- Morgan Manor: 58 lot subdivision
- Plantation Court: 33 lot subdivision
- Cedar Run: 11 lot subdivision
- Forest & Blackbird: 25 lot subdivision

As Table 4-2 shows, the Town issued an average of 46 building permits annually during the 1990s for single-family homes. Between 2000 and 2010 the average number of building permits dropped significantly. This trend has continued through 2022. The graphic on the following page indicates the building permit numbers for all the municipalities in Saratoga County. It indicates that the most intense building permit activity is close to the Capital District.

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Table 4-2 Town of Northumberland Building Permits 1991-2022	
Year	New Single-Family Homes
1991-2000	10-Year Average: 46 (Total NA)
2000-2009	10-Year Average: 18 (Total 183)
2010-2019	10-Year Average: 10 (Total 97)
2020	8
2021	7
2022	3

Source: Town of Northumberland Building Department

There are also approximately 118 mobile-home units in the Town of Northumberland, mainly located in separate mobile-home parks (as indicated on Map 3 Zoning Map). Under the Town’s zoning regulations, new mobile homes are allowed only in parks. Primarily found in the northwestern corner of the Town, mobile home parks in the Town are located at the intersection of County Routes 31 and 32, on Putnam Road, at the intersection of Colebrook Road and Duncan Road, and on County Route 32. Mobile homes are primarily. The Shelley Mobile Home Park has had the most recent development activity, with a projected maximum buildout of 200 home sites.

4.4 Commercial Use

The NY 50 corridor, which transects the northwestern portion of the Town, is a mixture of uses, including commercial, residential, mobile homes and light industrial. This corridor is currently zoned Residential Office under the 1991 Zoning Local Law as an incentive to develop a mixed-use corridor. Most of the commercial uses in the Town remain in the hamlets and are limited to convenience stores. Home occupations, which are allowed by special use permit, are a growing trend in the Town.

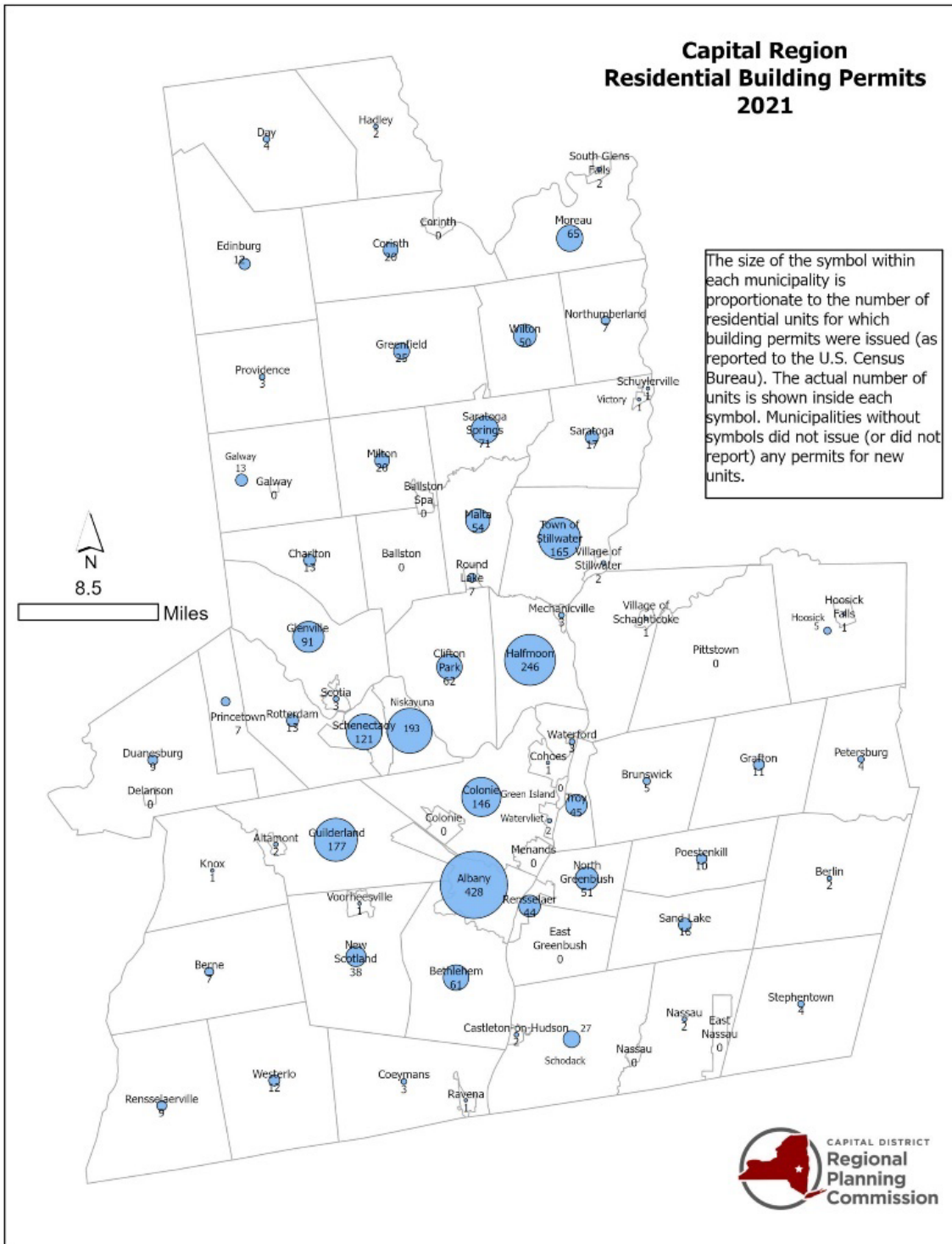
4.5 Industrial Use

There are few industrial uses in the Town. The largest facility is Stone Bridge Iron and Steel Co., Inc., which is located at NY 32 and Stone Bridge Road. It is currently undergoing expansion. A-Verdi Storage Containers is located just south of Gansevoort on Pettis Road. Amerigas propane sales is located in the southeastern part of the hamlet of Northumberland along US 4. The other industrially zoned property is located in the northwestern portion of the Town contiguous to a rail line. It is currently undeveloped.

4.6 Future Land Use Trends

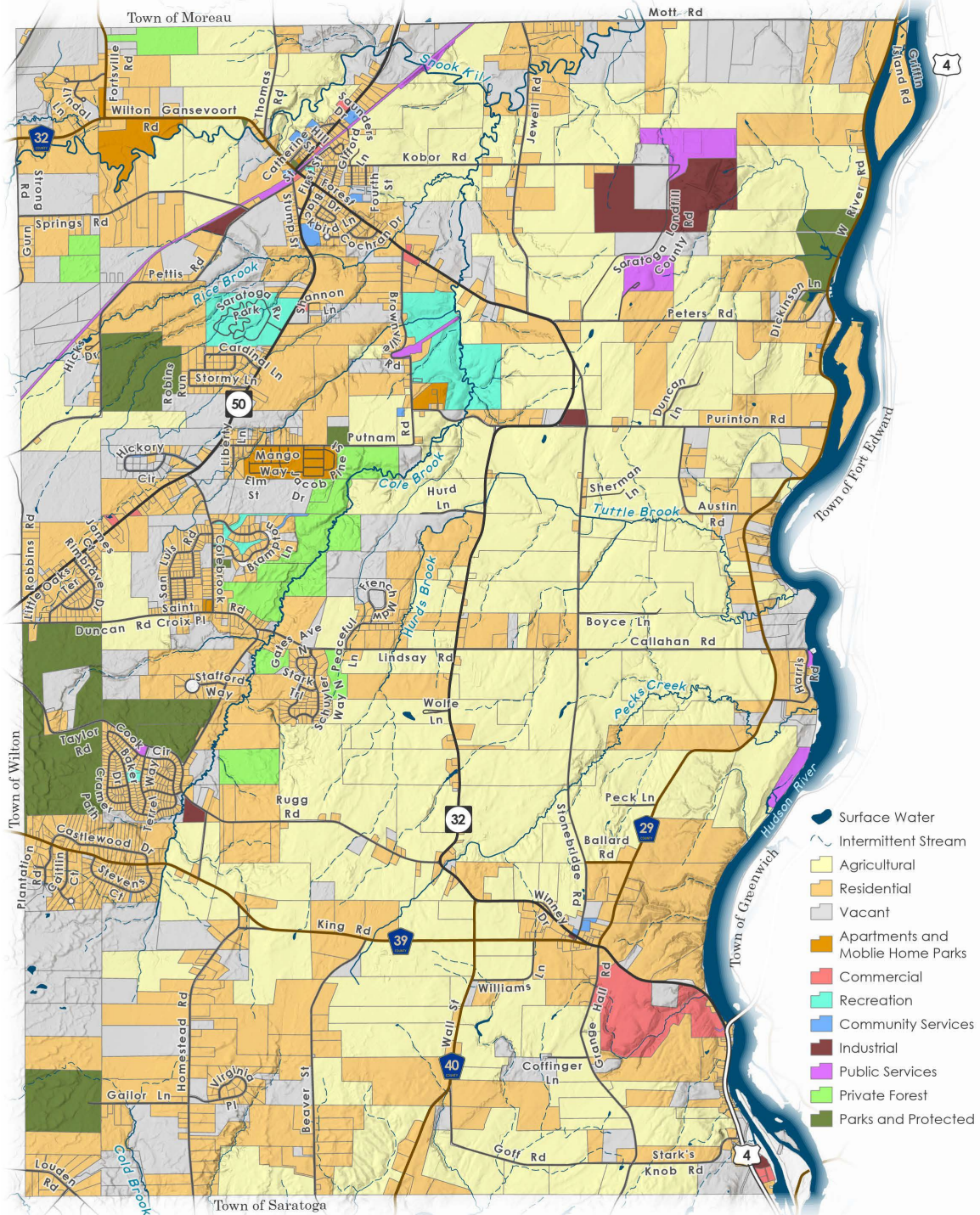
It is anticipated that the patterns of land use in Northumberland will essentially remain the same. This is because agricultural land use is highly protected in the community by zoning regulations that are supported by protective land use policies. Residential growth has slowed in recent years which may be due to the escalating cost of building materials tied to the impacts of the 2020-2022 pandemic. However, there is the potential for residential growth due to the expected construction of a new chip plant in Malta. Land prices in Northumberland remain lower than most towns in Saratoga County and this will be attractive to potential homeowners. However, land prices will rise as the supply of land for residential uses becomes more limited.

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Upstate GIS



Map 2: Land Use

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CHAPTER 5 ZONING

5.1 Zoning Overview

Land use in Northumberland is regulated by the March 12, 1991, Zoning Ordinance of the Town of Northumberland. It was last amended March 10, 2020. The list in Section 5.2 provides a general description of the Town's 7 designated zoning districts. The Existing Zoning Map (Map 3) illustrates the locations of the zoning districts and special overlay districts.

Existing residential zones in the Town are one-acre and three-acre zoning districts. The zoning revisions that followed the original 1991 Master Plan used soils and topography to create these residential zoning boundaries. The function of the R-3 district was to serve as a transition zone between residential and agricultural lands, creating a buffer of at least three acres around agricultural lands so that houses would not be visible.

Approximately 433 acres in the Town are zoned industrial. Many of the lands along Pettis Road are zoned industrial but have residential uses on them. Stone Bridge Iron and Steel is a heavy industrial use on NY 32 in the Agricultural District in the center of Town.

Northumberland's highest density housing is located in the hamlet areas. These areas are also located along major roadways and serve as the service centers for Northumberland. These areas do not have public utilities other than streetlights. The Gansevoort hamlet in particular offers a mixed-use area with residential homes and public services such as town facilities, post offices, ball fields, retail shops and a museum.

The NY 50 corridor is currently zoned Residential Office. This district is designed to promote the development of residential and professional office space. The goal of this district was to discourage strip commercial uses on NY 50 and to encourage that development into the hamlet areas that are already commercial in nature. This area has not seen an increase in office growth, but residential uses have increased.

Saratoga County has forestlands that provide open space and passive recreation opportunities for Town residents. There are a total of 8 parcels consisting of 619.6 acres that are listed as "County Owned Reforested Land". The county maintains these lands.

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5.2 Zoning Districts

Agricultural Protection 5-acre District (APD)

This district is created to protect those areas most suited for agricultural pursuits. This area nearly coincides with the boundaries of Saratoga County Consolidated Agricultural District Number 1. Most soils have limitations for development related to seasonally high-water tables and slow percolation rates. The soils, however, are well suited for farming. Development in this district should be carefully reviewed to assure the continued viability of the agricultural industry and economy in the Town.

Residential 3 Acre District (R-3)

Areas zoned R-3 are intended to serve as a buffer between the Agricultural Protection District and the more densely developed residential areas. Certain soils in the R-3 District have limitations for development due to high water tables. The R-3 District is not served with public water or sewer utilities.

Residential 1 Acre District (R-1)

This R-1 district is intended primarily for housing growth in Northumberland. This area has soils generally suited for development, including on-site sewage disposal, although local exceptions, due to seasonally high groundwater tables, are present. Water can easily be supplied from groundwater sources.

Mobile Home District (MH)

These districts encompass existing mobile home parks and provide room for the expansion of said mobile home parks.

Commercial Residential District (C/R)

The purpose of this district, which runs along the Route 50 corridor, is to encourage a compatible mix of residential and certain commercial uses, and to discourage the development of strip commercial uses; and those uses incompatible with the predominantly residential character of this District.

Hamlet District (H)

Corresponding to the built-up areas of Northumberland, Gansevoort and Bacon Hill, these areas are proposed for intensive mixed-use development. They are appropriate for commercial development, single and two-family use.

Industrial District (I)

These areas are intended to be reserved for industrial use and should not be committed to housing except agriculture. The districts are located within the Hamlet of Northumberland and adjacent to the hamlet of Gansevoort in the northwest portion of the Town. Three-phase power is available as is access to major traffic arterials. Rail access is possible at Gansevoort. Water can be supplied from existing sources of groundwater.

Landfill District

The Landfill District (LF) is established to identify an area exclusively established to accommodate the use of land for the development, operation, and maintenance of solid waste landfills. Since solid waste landfills

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are unique in the demands they place on public infrastructure and the potential impacts they can have on surrounding properties, the community, and the environment, the delineation of a special district within the Town for this use is appropriate.

5.3 Special Zoning Overlay Districts and Considerations

Planned Unit Development District (PUD)

The Planned Unit Development (PUD) procedure provides a flexible land use and design regulation through the use of performance criteria and other standards. The law intends that development is sensitive with the unique characteristics of the site using innovative development techniques that might not otherwise be possible through strict application of land use regulations and requirements. The conventional use, area, bulk, and density specifications set forth in other sections of the Ordinance are intended to be replaced by the approved PUD District plan, which then becomes the basis for legislation established by the Town Board which is subject to detailed design review. There are four (4) types of PUD's permitted in Northumberland: residential mixed use, business/commercial, recreational and industrial. All of the aforementioned PUD types and combinations thereof may be developed individually or jointly and are encouraged to make use of flexible design standards which replace the conventional zoning requirements of the Town of Northumberland.

Commercial Residential and Hamlet District Design Guidelines

All commercial business uses identified in this ordinance's Commercial, Residential District and Hamlet District schedule of uses and area and bulk regulations must also meet specific design guidelines, whenever feasible, that consider harmony in scale, setbacks, harmony in facade design, signage, traffic access and circulation, parking, buffers/screening, noise, air emissions, lighting and glare, and use of commercial/business parks.

Shoreline Overlay District (SOD)

The Shoreline Overlay District is an overlay district mapped over other districts. It modifies, and where there is inconsistency, supersedes the regulations of such other districts. Except as so modified or superseded, the regulations of the underlying districts remain in effect. Northumberland defines the boundary of the Hudson River Overlay District as the area within a five hundred (500) foot setback (measured perpendicular to and horizontally) from the mean high-water mark of the Hudson River shoreline. The purpose of the Shoreline Overlay District is to ensure sensitive siting and design of new uses, preserve access to the Hudson River, and preserve vegetative cover and natural beauty.

Agricultural Protection District

The Town of Northumberland finds that the protection of agriculture is essential to the implementation of the goals and objectives of the Town of Northumberland's Comprehensive Land Use Plan. Protection of land for agricultural purposes is a legitimate and important zoning objective under New York State's statutes, which the regulations in Article VI of the Town of Northumberland's Zoning Ordinance seek to achieve. It is also a policy of the New York State Constitution to preserve agriculture. The purposes of the Agricultural Protection District (hereafter referred to as the APD), among others, are as follows:

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- To protect and maintain the Town's farmland for present and future agricultural use within the Town's Agricultural District as established under Article 25AA of New York State Agricultural and Markets Law.
- To implement the Town of Northumberland Comprehensive Land Use Plan, which contains the goals of protecting rural and agricultural lands, discouraging nearby incompatible land uses, and promoting agriculture as an important and integral component of the local economy.
- To support and protect farming by stabilizing the agricultural land base.
- To maintain a viable agricultural base which will support agricultural processing and service industries.
- To separate agricultural land uses and activities from incompatible residential, commercial, industrial development, and public facilities.
- To prevent the fragmentation of the Town's existing farming community by non-farm development.
- To reserve the Town's most productive soils for agriculture.

Solar Energy Facilities Law

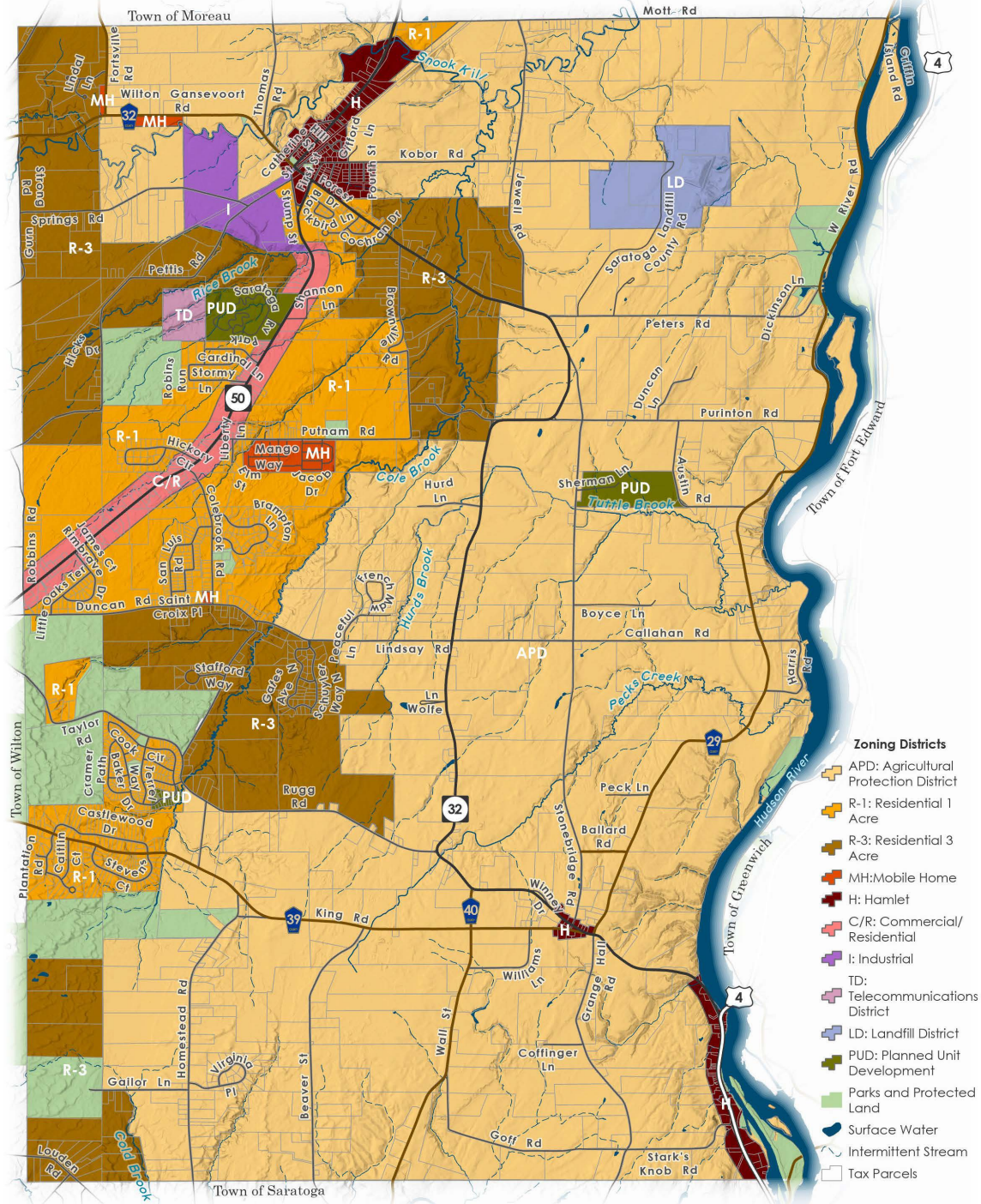
Northumberland updated its existing law for the development of solar energy facilities in 2023. Local Law #1 was filed with NYS Department of State amend Local Law #4 of 2006 and Local Law #2 of 2017.

5.4 Future Zoning Changes

There are no zoning changes recommended as part of this plan. However, as recommended in this report the Town will considering the regulation of the development of accessory units in residential zones.

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- Zoning Districts**
- APD: Agricultural Protection District
 - R-1: Residential 1 Acre
 - R-3: Residential 3 Acre
 - MH: Mobile Home
 - H: Hamlet
 - C/R: Commercial/Residential
 - I: Industrial
 - TD: Telecommunications District
 - LD: Landfill District
 - PUD: Planned Unit Development
 - Parks and Protected Land
 - Surface Water
 - Intermittent Stream
 - Tax Parcels

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Map 3: Existing Zoning

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CHAPTER 6 NATURAL RESOURCES

Responsible land-use planning requires a thorough understanding of the natural resources of the community. The following narrative provides an inventory and analysis of key resources in Northumberland. Map 4 illustrates the distribution of natural resources throughout the Town.

6.1 Topography and Slope

Most of Northumberland is an undulating plain with elevations ranging from 200 to 300 feet above sea level. One of its major topographic features is Palmer Ridge, a drumlin-shaped hill running northeast/southwest across Wilton, Moreau and Northumberland. Along the eastern border of the Town, the land rises in a gentle escarpment approximately 100 feet above sea level. The escarpment is a result of erosion in the Hudson River floodplain before the damming of the river. The Town also has some steep slopes and ravines cut by streams flowing east on their way to the Hudson River on the Town's eastern border.

Slope is a measure of steepness of land over a given distance. For development purposes, lands which can be categorized as having 0-8 percent slope have no or few limitations for development. Slope of 8-15 percent is moderate, and some slope stabilization measures such as retaining walls or riprap may be required for development. Slopes of 15-25 percent are known to have severe limitations for development and are typically not buildable.

6.2 Geology and Soils

Most of Northumberland sits atop Canajoharie shale. This shale was formed in Ordovician times (435-500 million years ago) as a deep, black ocean mud. The shale was later exposed after the sea drained away and softer rocks lying above the shale were stripped away by erosion.

Bedrock outcrops are common along a low, northeast/south-west axis in the northeast corner of Town and in many streambeds. The shale is mined in several locations for driveway or private road construction. It is soft and friable and relatively easy for heavy equipment to rip or break. There are minor outcroppings of the Mount Merino and Indian River shale formations in the extreme southeast corner of the Town. These shales are similar to the Canajoharie. This portion of Town also has a few rocks altered by metamorphism associated with the Taconic Mountains in the east.

Northumberland contains the geologic anomaly known as Stark's Knob located near the Hudson River in the southeast corner of Town. The knob is a pillow basalt extruded during crustal upheaval as result of the Taconic Mountain-building episode and is one of only two known pillow lavas in the United States. The knob, which has been mined in the past, is an historic place, a scenic viewpoint, and an area of interest for rock climbers.

The Town of Northumberland is part of the Hudson Valley subdivision of the Hudson- Mohawk lowland. The surface geology of soils is a product of recent glaciation. Sandy soils generally represent beaches and shallow lake environments, while heavier clay soils are the result of deposits in deep-water lake environments.

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Recently formed alluvial soils are the result of streams and rivers depositing silt and sediment in floodplains. Soils in Northumberland can be divided into four distinct groups. Soils in the west and central parts of the Town are generally sands while the eastern parts of the Town are generally characterized by heavy clays. Shallow, shaley soils and alluvial soils are also found in the Town.

The sandy soils were formed in glacial outwash deltas and near the shores of glacial lakes. Oakville, Claverack, Deerfield, Cosa and Scio soils are characteristic of the Town. The clay soils were formed in the deeper portions of glacial lakes. As noted above, there is a thin ridge of shaley soils and rock outcrop beginning near the intersection of Callahan and Stone Bridge Roads and trending northeast to the Hudson River. These include Nassau Broadalbin Rock Outcrop complex, and include areas where shale is mined. Along the Hudson River is a thin strip of recently formed alluvial soils, the Teel and Limerick silt loams.

Each of the general soil types presents different opportunities and suitability for development. The sandy soils are best suited for development. However, many are characterized by a seasonally high groundwater table which hinders their use for septic disposal. Also, some of the sandy soils have an excessively rapid percolation rate, which can lead to pollution of groundwater supplies by seepage.

The clay soils, although not considered prime agricultural soils according to the New York State rating system, are generally well suited for agriculture and are used for such. On the other hand, they are poorly suited for development because of a high groundwater table and slow percolation rate. The shale-derived soils are poorly suited for development because of the lack of available soil to allow percolation for septic systems. Alluvial soils generally have a high groundwater table and are located in floodplains and are also not suitable for development.

The eastern half of the Town is characterized by soils with severe development constraints due to a high-water table, slow percolation rate, and in some cases, shallow depth to bedrock. Other areas with restrictive soils are the northwest corner of Town on either side of County Routes 31 and 32, and the southeast corner of Town around Gailor Lane and west of Homestead Road. Areas with soils best suited to development are found in the central and western portions of Town.



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6.3 Surface Water Resources

Northumberland is located within the Hudson River drainage basin. Most drainage flows north and east to the Hudson River. The Town's major stream is the Snook Kill, which enters from the Town of Wilton just south of County Route 32 and meanders through Northumberland before entering Moreau and discharging into the Hudson River. The Snook Kill drops over Big Falls in a scenic ravine northwest of the hamlet of Gansevoort.

The Cole Brook is a major tributary of the Snook Kill draining the western portion of Northumberland. Rice Brook is a large tributary of Cole Brook.

Several small streams empty directly into the Hudson. These include Peck's Creek, Tuttle Brook and several unnamed streams. Additionally, several streams in the southern part of Town flow southerly, emptying into Fish Creek located within the Town of Saratoga.

The New York State Department of Environmental Conservation (DEC) classifies and regulates streams by their highest and best use. The classification system goes from AA (highest) to D (lowest) and includes a C (t) designation for those waters capable of supporting trout. Water quality standards and thus regulations governing discharges to streams are highest for AA- and A-rated streams and lowest for D-rated streams. In addition, a permit is required from the DEC for any activity which may disturb a C (t) or higher classification stream bed or its bank. Within Northumberland, the Snook Kill is rated C to a point just above Gansevoort and C (t) upstream from this point. All tributaries to the Snook Kill are classified as D except Cole Brook, which is a Class C (t) stream. Some tributaries of Cole Brook are rated C (t). The remaining streams in the Town are class D. There are no Class A or B streams in the Town.

The Hudson River shoreline, which forms the eastern boundary of Northumberland, is very scenic and not heavily developed. The river drops 40 feet over three dams creating rapids in some stretches as it flows south. These dams are located at the north end of Thompson Island, at Lock No. 6 at Fort Miller, and north of Lock No. 5 at Thomson. Griffin Island and Thompson Island, both privately owned, and the islands immediately east of Lock No. 5 of the Champlain Canal (owned by New York State) are all located within the Town of Northumberland.

The Hudson River and Snook Kill have floodplains associated with them. Floodplains are mapped by the Federal Emergency Management Agency (FEMA) which requires that municipalities adopt regulations for construction within the 100-year floodplain of a waterbody. A 100-year floodplain is an area with a 1 percent statistical chance of flooding in any given year. These regulations are administered by the Town of Northumberland and essentially require that new construction in the floodplain be at or above the water level calculated to occur during the 100-year flood, or that the structures be flood-proofed.

6.4 Wetlands

Wetland areas are located along the Hudson River in the northeast part of Town, along the Cole Brook and its tributaries, along the Snook Kill, in the low-lying areas north of Gurn Spring Road, parallel to Palmer Ridge, in the southwestern section of Town near the headwaters of Cole Brook, and along small tributaries of Fish Creek.

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New York State regulates and classifies all wetlands of 12.4 acres or more. There are 12 such wetlands within the Town, some extending linearly along streams for several miles. The classification system spans from I (highest quality) to IV (lowest quality). Construction or disturbance in a State-regulated wetland or within 100 feet of its boundaries, except for activities related to most agricultural pursuits, requires a permit from the DEC.

In addition, the Federal government, through the U.S. Army Corps of Engineers, regulates filling activities within many smaller wetland areas. Such activities require notification and a possible permit from the Corps. National Wetland Inventory maps, although non-regulatory, have been produced by the U.S. Fish and Wildlife Service and may provide guidance. Landowners must be aware of the potential for regulation of wetlands, even where there is no apparent DEC mapping. Where the presence of wetlands is suspected, a field check by a qualified person is the only accurate way to verify the boundaries.

6.5 Groundwater Resources

Most houses in Northumberland derive their water from individual wells. Terrel Hills, Shelley Park Mobile Home Park, and Colebrook Mobile Home Park are the only developments which are served by community groundwater systems.

Wells supplying groundwater in Northumberland are found in both bedrock and unconsolidated deposits (i.e., “loose” deposits such as sand and gravel). Wells driven in clay and silt in Northumberland have poor yields. Wells driven in sand and gravel have much higher yields. The western portion of the Town has been mapped as an unconsolidated aquifer by New York State. Wells drilled in the unconsolidated aquifer can be expected to yield 10 gallons per minute (gpm). Larger supplies can be developed in the unconsolidated aquifer, as evidenced by the privately operated Terrel Hills water supply system.

There is also an unconsolidated aquifer located immediately adjacent to the Hudson River. This aquifer is associated with the river and would be expected to yield significant quantities of water, a least 100 gpm. Most unconsolidated aquifers are more vulnerable to pollution than are bedrock aquifers because they are relatively shallow, recharged from the surface and transmit water readily. Thus, they have a higher likelihood of being polluted on a small scale by improperly functioning septic systems or high-density development and on a larger scale by spills, leaking fuel tanks or similar occurrences.

Bedrock groundwater supplies within the Town of Northumberland are derived from the Canajoharie Shale. Most wells east of NY 32, except those very close to the Hudson River, derive water from shale bedrock. Shale is typically not a good water producer however, the Canajoharie formation is fissile (i.e., thinly bedded and easily broken) and therefore able to transmit greater quantities of water along bedding planes and cracks than more thickly bedded shales. The average yield of wells found in the Canajoharie shale in Saratoga County is 9 gallons per minute (gpm); the range is from 0.5-80 gpm.

Wells drilled in the Canajoharie Shale often are unable to produce adequate quantities of water for domestic use. This groundwater sometimes contains hydrogen sulfide gas, which gives the water an unpleasant odor, and iron in varying concentrations.

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6.6 Vegetation and Wildlife

Northumberland lies in the Oak-Northern Hardwood vegetation zone. The Town has a patchwork of cropland, pasture, brush and second growth wood lots. Most of the forests are cut-over woodlots. A few stands of relatively mature forest with large individual trees do exist. The western portion of the Town has four Saratoga County reforestation areas that support several hundred acres of red and white pine plantations.

The Town of Northumberland is home to an endangered plant species called the Climbing Fern. It is found in the northwestern corner of Town and is protected by an agreement between the landowner and the Nature Conservancy. There are also several endangered animal species that live in Northumberland, according to the State's Natural Heritage program. The names of the species and locations of their habitat are kept confidential, but the Planning Board is aware of the approximate location for review purposes. The Town also has several significant wildlife habitats — the Climbing Fern area and a number of Sand Plain areas along NY 50 corridor in the western portion of the Town. The Saratoga Sand Plains contains a relatively rare and unique habitat and is home to the Karner blue butterfly, an endangered species.

Northumberland has a wildlife assemblage typical of upland farming communities. Deer, turkey and rabbits are popular species for hunters. The Hudson River, adjacent wetlands and agricultural lands are important sources of food and shelter for migrating waterfowl, including large flocks of geese. Historically, the Hudson River has been an excellent source for fishermen. Fishing is also possible in the Snook Kill and Cole Brook. Wetlands, wooded ravines and woodlots provide food and shelter for the array of upland species which inhabit Northumberland.

6.7 Air Quality

Air quality is an important factor in the Town's quality of life. The air quality in Saratoga County is among only five statewide to earn "A" grades for low levels of ozone, or smog, in the annual State of the Air report. It should be protected by encouraging residents to dispose of trash properly, including using the local transfer station and recycling facilities. Open burning should be discouraged. Burning plastics, pesticides, rubber or any other noxious odor-causing materials is illegal under New York State Law, and violators can be fined. The majority of the Town is agriculture, which produces farm-related odors as a part of daily operation. The Right to Farm Law in Northumberland notifies adjacent landowners that there are agricultural pursuits in progress and that they may produce odors on any given day.

6.8 Open Space and Viewsheds

Because of its agricultural nature, its diverse topography, its location and its rich history, Northumberland offers some of the most beautiful and unique open space and view sheds in Saratoga County. These "green" resources include Hudson River overlooks, rolling farm fields, woodlands and stream corridors, views of the Adirondack and Green mountains, turn-of-the-century barns, Revolutionary-era homes, historic landmarks, and Stark's Knob.

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Planning guidance for the protection of open space can be found in the *Old Saratoga on the Hudson Waterfront Revitalization Plan*, an intermunicipal effort adopted by Saratoga, Schuylerville, Victory, Northumberland, Greenwich, and Easton in 2008.

The Plan developed an inventory of the Towns of Saratoga and Northumberland’s existing recreational and open spaces, analyzed the two Towns’ present and future open space and recreational needs and developed a set of actions design to implement the Plan for future needs. The Plan identifies all remaining green spaces including the remaining natural and open areas that have not been developed, farmland, parks, historic properties and substantial buffer lands. The plan focuses on development and implementation of strategies for farmland retention and explores new opportunities for open space including trails, the development of logical trail connections between neighborhoods, parks and regional rail and trail resources.

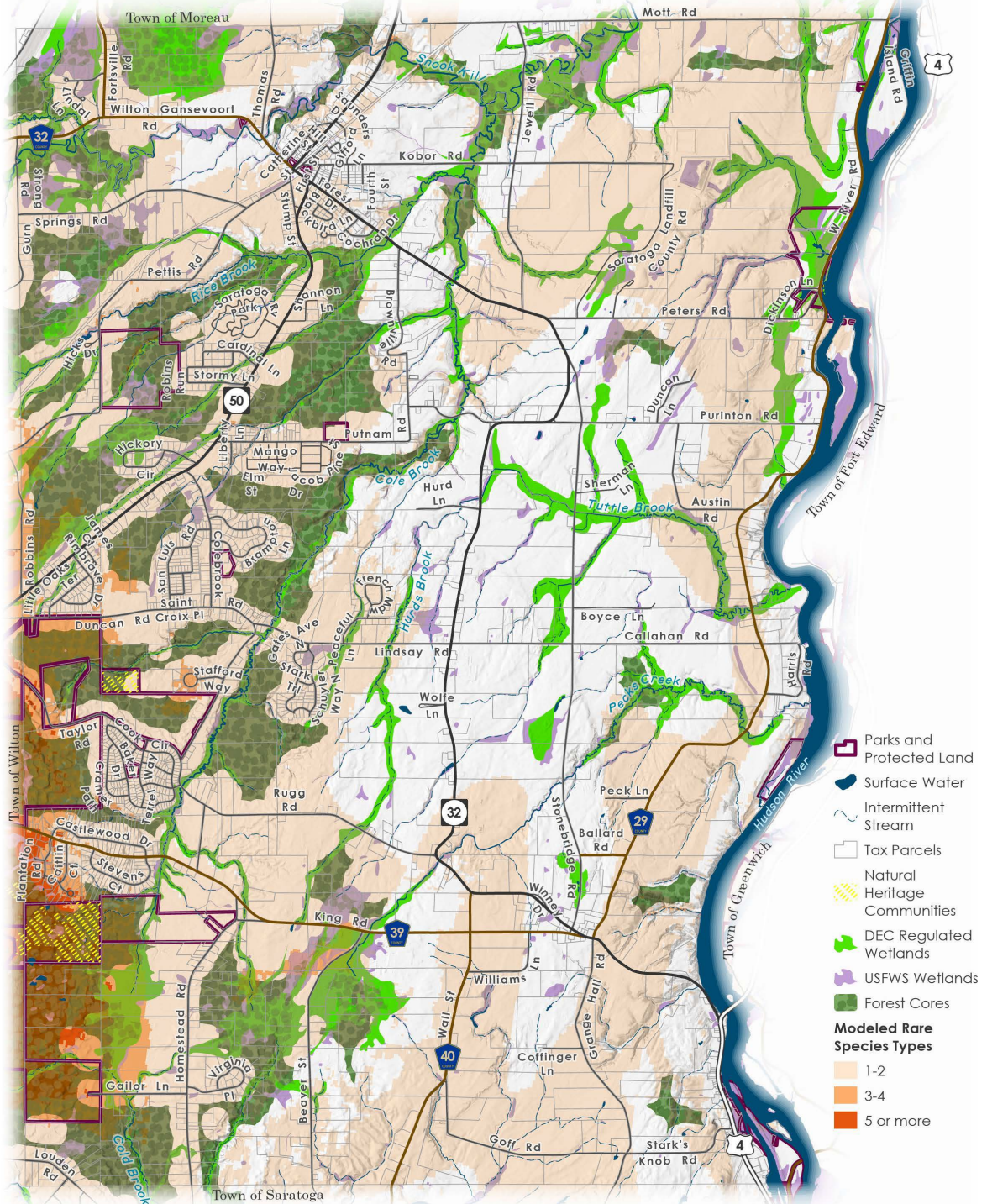
The 63-acre Coldbrook Preserve was permanently preserved by Saratoga PLAN. The Preserve opened in 2013 and has close to two miles of marked trails that wander through wetlands and towering pines in Northumberland. Coldbrook Preserve was the result of long-term planning and the collaborative efforts of landowners, volunteers, donors and project partners. The Coldbrook Preserve provides a significant buffer to wetland habitat for the Blanding’s Turtle, a New York State threatened species that was discovered in the Wilton area in 2003.



Saratoga PLAN Crew at Coldbrook Preserve

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Map 4: Natural Resources

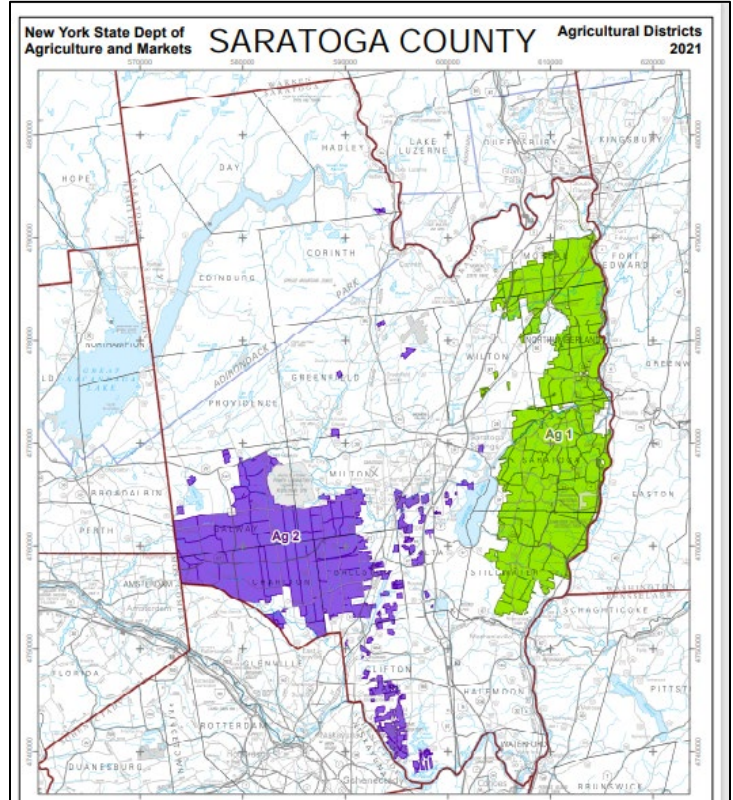
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CHAPTER 7 AGRICULTURE

7.1 Agricultural District

Saratoga County Consolidated Agricultural District #1 presently encompasses the towns of Moreau, Northumberland, Saratoga, Stillwater and Wilton. There are approximately 3,846 parcels included within this District that contains approximately 61,642.03 +/- acres of land. Saratoga County Consolidated Agricultural District #2 presently encompasses portions of the Towns of Ballston, Charlton, Clifton Park, Corinth, Edinburg, Galway, Greenfield, Hadley, Malta, Milton, Providence and the City of Saratoga Springs. There are approximately 3,279 parcels included within this District that contains approximately 52,014 ± acres of land.

Approximately 64 percent of Northumberland is situated within Saratoga County Consolidated Agricultural District No. 1, which also includes portions of the Towns of Saratoga, Wilton, Stillwater and Moreau. The distribution of soil types including Prime Farmland Soils and Farmland Soils of Statewide Significance plus agricultural conservation easements is illustrated in Map 5.



Saratoga County Ag District 1 and 2

7.2 Agricultural Uses

Northumberland has a vibrant agricultural base that is the economic backbone of the Town. One of the leading goals of this plan is to maintain and protect agricultural pursuits within Northumberland. Most of the agricultural lands in Northumberland are within the Saratoga County Agricultural Consolidated District No.1 which includes 61,642 acres in five Towns.

The State passed the Agricultural District Law in 1971 to protect commercial farm land and preserve agricultural soil and water resources. It is based on the premise that a “critical mass” of farmland in any given area is necessary if the area is to remain agriculturally viable. Once an agricultural district is approved by Saratoga County and New York State, it becomes a defined agricultural area subject to the following provisions:

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- Municipalities may not enact local laws which would inhibit normal farm operation;
- Prior to an eminent-domain action by government or quasi-governmental agencies, the agency must demonstrate that no feasible alternative exists;
- Levies and assessments for non-farm service districts can only be applied against the one- half acre surrounding each non-farm structure;
- State agencies must develop their policies and operation procedures to be supportive of agriculture. Thirteen towns in Saratoga County have now adopted Right to Farm Laws with Northumberland being the first to enact such a law in 1991.

The types of agricultural uses in the entire town and in the entire agricultural district are presented in Table 7-1 and illustrated by distribution in Map 6. Most of the acreage is devoted to the production of dairy products and field crops. There are a total of 12 horse farms on 680 acres in the town all of which are located in the agricultural district.

Table 7-1 Agricultural Parcels by Type		
	Full Town	Ag District #1
Property Classification - Agricultural Related	Approximate Acres	Approximate Acres
Agricultural vacant land (productive)	2,181.5	2,047.9
Poultry and poultry products	220.6	220.6
Dairy products	2,460.2	2,460.2
Sheep and wool	119.7	119.7
Other livestock	70.3	70.3
Horse farms	680.0	680.0
Field crops	2,369.6	2,268.8
Orchard	16.9	16.9
Nursery and greenhouse	41.7	41.7
Primary residential, also used in agricultural production	731.0	731.0
Abandoned agricultural land	263.6	231.4

Source: NYS Office of Real Property Services

In 1997, the Saratoga County Agricultural and Farmland Protection Board proposed a farmland protection plan for Saratoga County. The plan established a set of goals to achieve better understanding of the various agricultural practices found in Saratoga County and their contribution to the county's economy and quality of life. Some of the tools recommended in the plan include local right to farm ordinances, average density zoning, purchase of development rights, tax abatements, conservation easements, and cluster or conservation subdivision designs.

Many towns in Saratoga County have instituted the use of Purchase of Development Rights (PDR) as a planning tool to preserve and protect farmland and open space, using state and federal grants. The Town of Northumberland has an active PDR program to preserve its farmland and open space resources.

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Saratoga County has an Agricultural Farmland Protection Board which developed an Agricultural and Farmland Protection Plan for Saratoga County in 1998. Saratoga County established a Farmland Protection and Open Space Preservation grant program in 2003 to aid farmers in meeting the required local match to the New York State Farmland Protection Implementation Grant Program (FPIG) which enables to purchase of development rights (PDR) on eligible farmland. The program has been expanded to provide funding for lands containing natural areas, wildlife habitats, parks and other important open spaces. In 2021, the Saratoga County Board of Supervisors allocated \$100,000 to the Farmland Protection and Open Space Grant Program to provide matching funds for the FPIG program and to acquire open space lands whose preservation is deemed to be of significant public benefit.

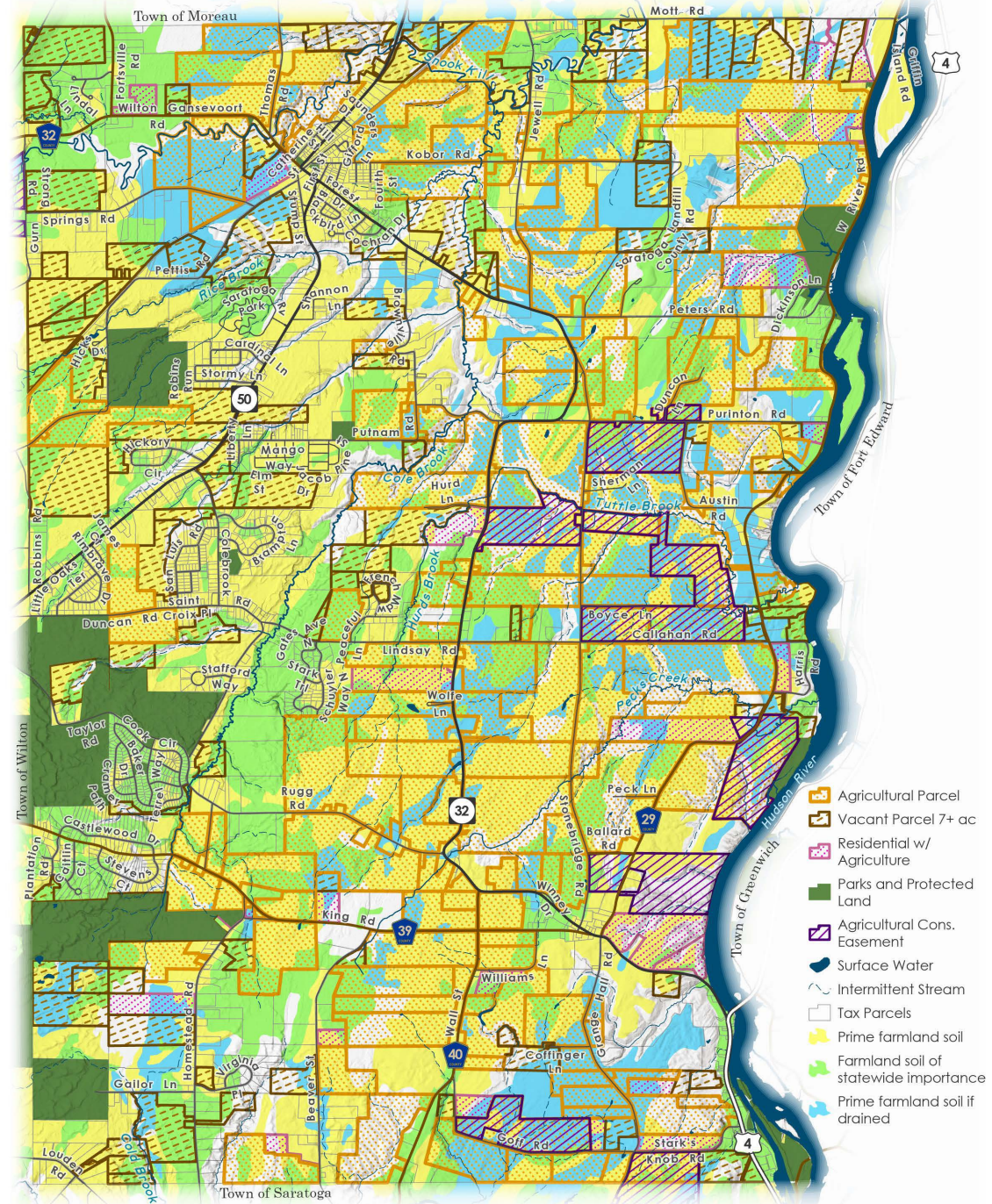
To date, Saratoga PLAN has protected over 3,200 acres of farmland in Saratoga County, including 964 acres in the Town of Northumberland. In 2021 Saratoga PLAN permanently protected Half-A-Chance Farm, 75-acres of farmland in the Town of Northumberland. The conservation of this fertile land means it will be forever available for farming and is protected from conversion to non-farm uses.



Local Farm

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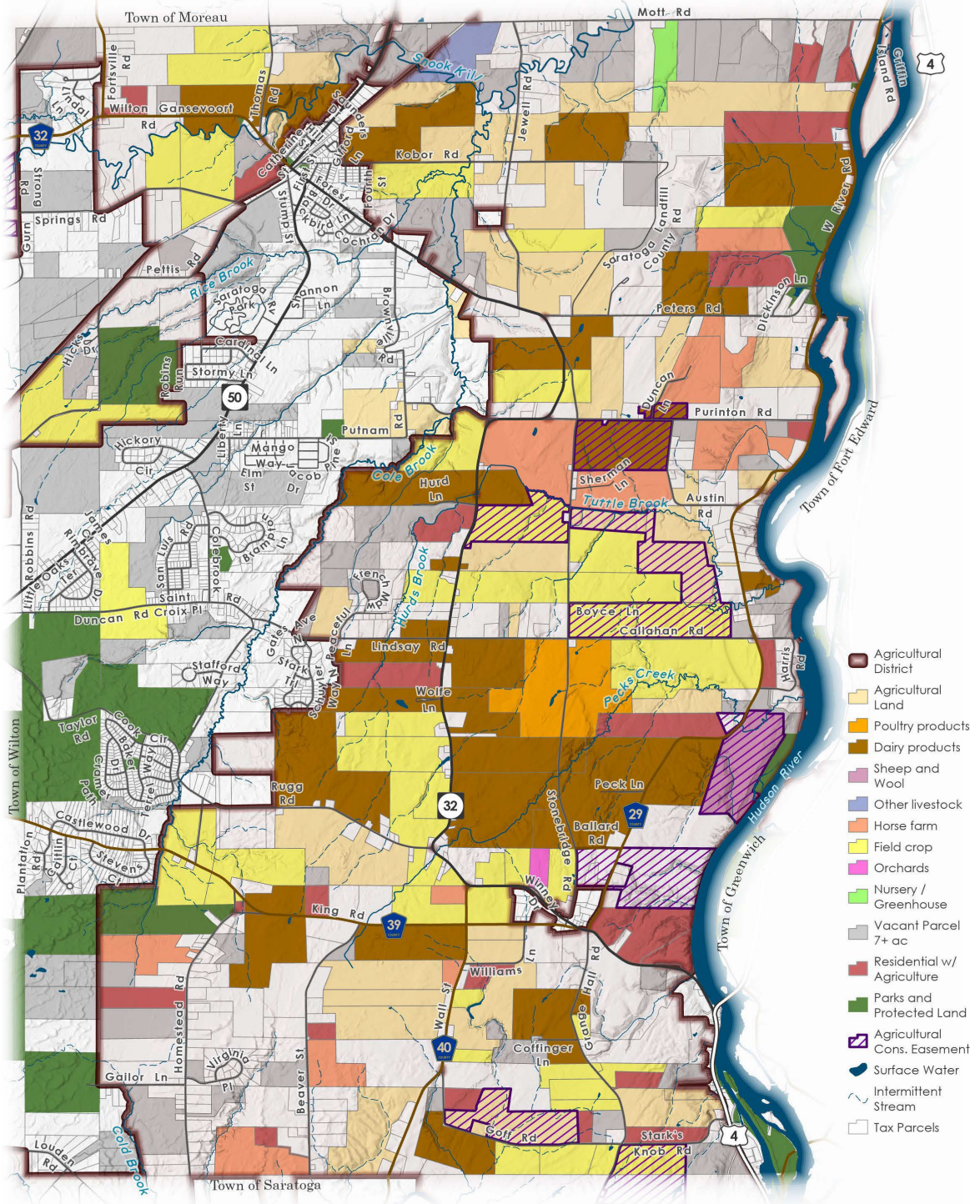
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Map 5: Agricultural Soils

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Map 6: Agricultural District and Uses

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CHAPTER 8 COMMUNITY ASSETS

8.1 Community Facilities

Community facilities within the Town of Northumberland are modest. The Town Hall and Town Highway Department are located in the hamlet of Gansevoort. The Highway Garage repairs and maintains all Town highways. Gansevoort, with 12831 as its zip code, has the only U.S. post office in the Town. The Town of Northumberland has a Recreation Commission which promotes and sponsors activities for youth such as arts and crafts, dances and sports. The Town Hall serves as a youth center and senior citizen center. Map 7 locates all community facilities and recreational resources.

The Gansevoort Volunteer Fire House in Gansevoort provides coverage for the northern portion of the Town, while the Schuylerville Hose Volunteer Fire Department, in Schuylerville, serves the southern half of Town. The Moreau Emergency Squad and the General Schuylerville Emergency Squad provide emergency medical services for the Town.

The Town historian lists 14 cemeteries within the Town of Northumberland. Northumberland has four churches: St. Therese Roman Catholic Chapel and the Maranatha Bible Church, both located in the hamlet of Gansevoort, and the Dutch Reformed Church, located in the hamlet of Bacon Hill.

As previously noted, two school districts serve the residents of the Town of Northumberland. Students in the northern half of Town attend schools in the South Glens Falls Central School District and those residing in the southern half attend the Schuylerville Central School District.

Heber Airport is a privately owned facility in the Town. It is located on Brownville Road and is available for public use. The airport features a 2200-foot by 24-foot blacktop runway used mostly by general aviation.

8.2 Parks and Recreation

Northumberland offers a mix of municipal and private recreation areas and participates in the inter municipal recreation area in the Village of Schuylerville known as Fort Hardy Park. Described below, the Town has three parks available for residents looking for passive and active recreational opportunities.

Gansevoort Town Park

This lovely park is situated in the hamlet of Gansevoort between Leonard Street and Catherine Street and faces the Gansevoort Mansion. This property was deeded to the Town of Northumberland by the family of General Peter Gansevoort, who called for it to be use as a public park. It has a flag pole and a time capsule buried in 1999 at its base. A Liberty Tree and marker, located along Catherine Street, were placed in 1975 commemorating Northumberland's participation in our Country's Bicentennial Celebration in 1976. This park serves as the town outdoor activity center and in 1998, hosted Northumberland's 200th Birthday Celebration. A monument was dedicated on Veteran's Day 2005. Park benches were later installed.

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Bertha E. Smith Park

The Bertha E. Smith Park was deeded to the Town in 1976 for the “perpetual use as recreation of youth in the Town of Northumberland”. A town marker was placed on the site in 2000. The Youth and Recreation Department uses the park for summer recreational programming, and it is used by other youth groups use it throughout the year. The park has a baseball diamond, basketball court, playground area and a pavilion.

Terrel Hills Park

Terrel Hills Park is a 3.6-acre park located within the Terrel Hills Subdivision. Created in the mid- 1990’s, this park has basketball courts, a soccer field, playground, and a tee ball sized baseball field. This field is used regularly by the Old Saratoga Athletic Association sports programs.

Saratoga Falls Pocket Park

Located approximately one mile north of Hudson Crossing Park’s entrance, Saratoga Falls Pocket Park overlooks The Northumberland Dam. This park, with a pavilion and interpretive signage, is an outstanding location to have a picnic or enjoy the views along the historic US Route 4 Scenic Byway.

Lock 5 Island/Hudson Crossing Park

Lock C5 Island is a unique parcel of land comprising 52 acres owned by the NYS Canal Corporation. Notable is the restored powerhouse, with operable water driven turbine generator with original electrical components. An access roadway connects Lock C5 Island to NYS Route 4 and the Village of Schuylerville, providing a means for visitors to enter a small parking area that is adjacent to the Champlain Canal Tour Boat operation. There is currently a limited public docking area available at Lock C5 Island. An informal canoe and kayak launch site exists on the island’s eastern shore. Trails, a natural children’s play area, picnic pavilion, kayak launch, and river trail were constructed as part of the Hudson Crossing Park initiative.



Kayak Locker at Hudson Crossing



Picnic Pavilion at Hudson Crossing Park

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Saratoga County Forest Areas

The “Fire Pond” tract, located on Pettis Road, consists of approximately 123 acres of forest. The largest tract, bordered by Duncan, Colebrook and Taylor roads, consists of 377 acres of Karner blue butterfly habitat and reforestation lands. The 104-acre Kalabus woodlot located at the end of Gailor Lane is also used for compatible public recreation.



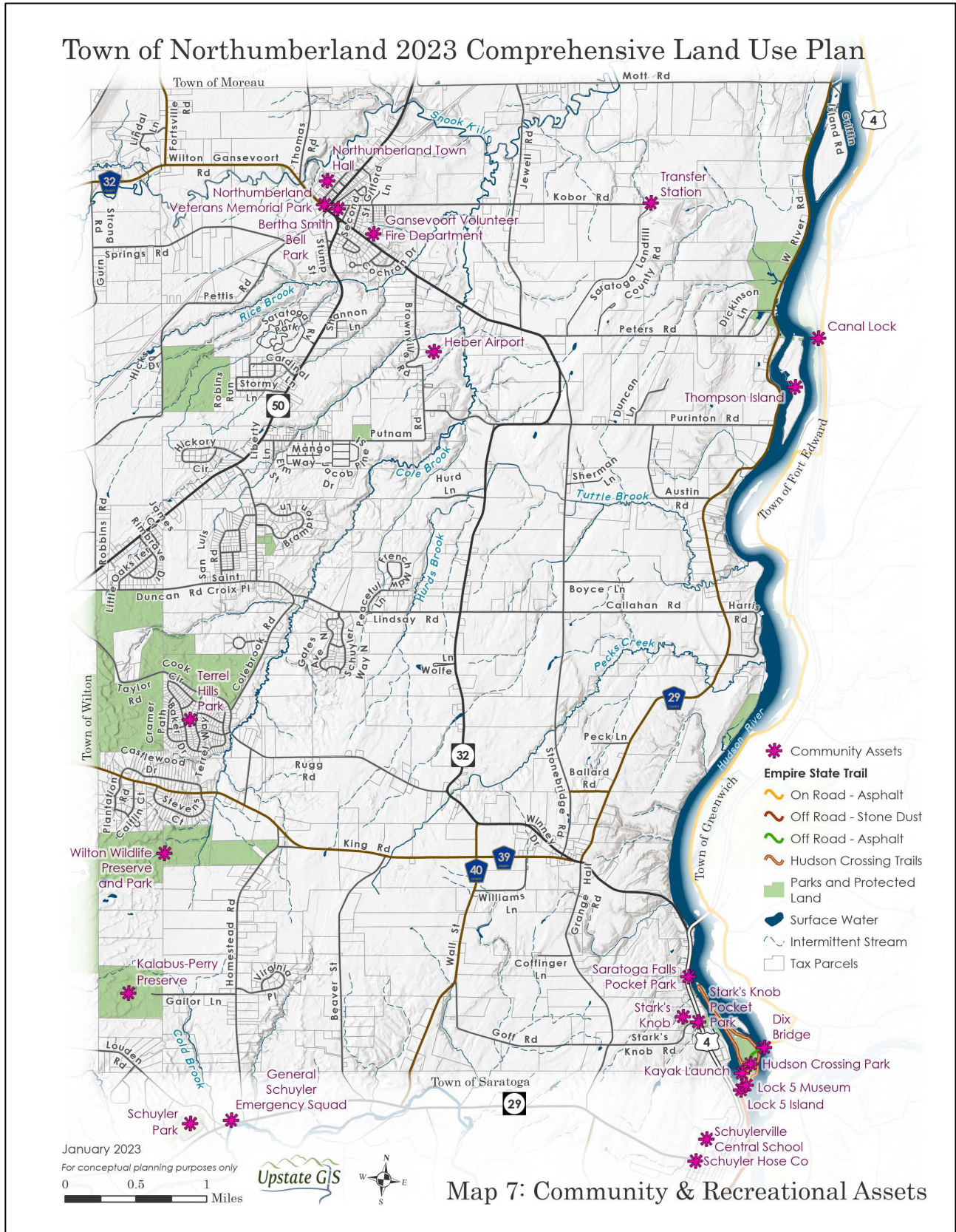
Hudson Crossing Park Map

The Champlain Canalway Trail

The Champlain Canalway Trail is the second longest of four canals in New York State’s Canalway Trail system. When completed, the Champlain Canalway Trail will extend 77 miles including the Glens Falls Feeder Canal Trail. Together, this land and water trail forms a major spine for recreation through the region and the promise of increased commerce in the city, villages and hamlets along the way. The Champlain Canalway Trail picks up stories along the way and ties them together in a system of inter-connected historic canal lock parks, visitor centers, waterfront parks, existing local and regional trail systems, on street bicycle routes, and links to regional and community attractions. The Empire State Trail is one in the same through Lock 5 Island and across the Dix Bridge continuing north through Washington County.

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8.3 Transportation Network

The Town of Northumberland has an excellent highway system which is an important contributor to the Town's vitality and quality of life. Northumberland's local road system is a reflection of the Town's historic rural character and natural beauty. Narrow two-lane roads lined with mature trees reflect a natural beauty and peacefulness of a time long past. Preserving this unique and dwindling asset is a specific goal of this plan.

U.S. Route 4 is the north-south highway by the Hudson River at the southeastern corner of Northumberland. It has the distinction of being named a federal and state Scenic Byway and an All American Road. NYS Route 32 is a north-south highway that intersects NYS Route 50 at Gansevoort. US-4 and NY-32 are conjoined in Northumberland.

Northumberland has approximately 60 miles of Town roads. Fifty-two miles are hard surfaced, consisting of blacktop. About nine miles are gravel roads and lanes. The Town road system is generally in good condition.

County-owned roads in the Town include Wilton-Gansevoort Road (CR 32), King Road (CR 39), and Wall Street (CR40). State Highways in the Town include NY 32, NY 32 and US 4, and NY 50.

8.4 Infrastructure and Utilities

Northumberland does not maintain any municipal water-supply system. It is unlikely to develop one in the future due to the high cost of building a system and because those areas best suited for development are underlain by an unconsolidated aquifer which provides good water quantities and quality.

Community water systems serve three areas in Northumberland: Terrel Hills, Colebrook Mobile Home Park, and Shelley Park. The state Health Department requires private systems for subdivisions exceeding 49 lots when municipal water is not available.

Northumberland operates a small municipal sewer system. The Gansevoort Sewer System provides service to approximately 22 homes along Third and Fourth streets. The system is financed by Gansevoort Sewer District user fees. Treatment consists of a series of septic tanks and a leach field located at the end of Fourth Street.

First, Second, Third and Fourth streets in Gansevoort are served and maintained by a stormwater drainage system which was originally paid for with Federal Department of Housing and Urban Development (HUD) funds.

Street lights are available within the hamlets of Northumberland, Bacon Hill and Gansevoort.

National Grid provides electric services to the Town of Northumberland. A few areas are served by three-phase power, but most of the Town is served by single-phase power. National Grid maintains two natural gas transmission lines that run through the Town of Northumberland. A natural gas distribution line also runs along US Route 4 on to the Village of Schuylerville.

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One privately owned hydroelectric generating facility is located on the Hudson River off Harris Road across from Lock No. 6 at Fort Miller.

The Champlain Hudson Power Express transmission power line is planned to run north-south through the Town of Northumberland along the existing rail line.



Hamlet of Gansevoort

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CHAPTER 9 GOALS AND STRATEGIES

The agricultural and open nature of Northumberland provides the Town with its exceptional quality of life, economic strength, and special sense of community. These are characteristics unique to Northumberland. Preserving them should play a central role in the Town’s decisions as it manages development during the first decade of the 21st century.

The challenge facing the Town of Northumberland is to use thoughtful planning to manage future growth while protecting the beauty and character of our small, rural community. The following goals have been established by the thoughtful consideration of a balance of land uses with the absolute preservation of agriculture.

9.1 Goals and Strategies

Land Use and Zoning

GOAL: Preserve and encourage agricultural uses.

STRATEGIES:

- Strive to maintain working farmland by addressing farm transition issues and new farm development.
- Continue to participate in Saratoga County’s Agricultural District program which assesses the land for agricultural use and encourages Northumberland farmers to maintain their land in farming.
- Continue to use agricultural use value assessment for viable farms. Encourage the state to support reducing the requirement to receive an agricultural assessment from \$50,000 to \$10,000 in annual gross sales of agricultural products on land parcels that are less than seven (7) acres.
- Encourage clustering or other open-space preservation techniques for subdivisions, where feasible.
- Where needed and feasible, utilize R3 (3-acre) zoning to maintain a suitable buffer between R1 (1-acre) lands and agricultural lands (5 acres).
- Encourage public, private and not-for-profit groups to purchase or secure by other means, development rights from farmland owners while allowing agricultural uses to continue.
- Review policies and make amendments where necessary to ensure compliance with New York State Agriculture and Market laws.
- Review and update the definitions in the Zoning Code to be more inclusive of contemporary farm life and agribusiness.
- Continue to actively participate in Saratoga County’s Purchase of Development Rights (PDR) Farmland Protection Program and coordinate with the Saratoga County Farmland/Open Space Preservation Program and Saratoga PLAN for funding assistance.
- Consider an expanded use of flexible conservation easements that provide farmers more options to hold on to their land and protect farmland affordability. See Appendix: Land Use Tools for the Future.

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GOAL: Preserve the rural, open space character of the community.

STRATEGIES:

- Manage housing densities so that the rural character of the Town is maintained. The highest-density housing should be contained within the hamlets and lowest densities in agricultural and environmentally sensitive areas.
- Require open space/green space set-asides from new subdivisions wherever possible.
- Require that houses be sited so that agricultural and environmentally sensitive lands and vistas are preserved through buffer zones and open-space design.
- Encourage clustering for subdivisions in agricultural districts and other areas as determined by the Planning Board.
- Continue to apply the recreation fee requirement to new subdivisions.
- Continue to allow existing mobile homes to be upgraded and new mobile homes to be located in mobile home parks.
- Modify site plan review procedures for farm-related operations to be consistent with the NYS model for agricultural site plans.
- Ensure that new development projects do not have a negative impact on farming operations and protect agricultural operations from constraints associated with adjacent non-agricultural use.

GOAL: Provide incentives for the development of clean industry in appropriate areas.

STRATEGIES:

- Encourage the development of clean industry projects where appropriate.

GOAL: Provide for the limited development of modest commercial areas within the allowable zoning districts sufficient to meet the needs of residents.

STRATEGIES:

- Continue neighborhood-scale (small businesses and stores), commercial development within the hamlets of Gansevoort, Bacon Hill, and limited areas along NY 50 in Northumberland.
- Control the visual appearance of new commercial uses within the Town through the special permit and site plan review process. Include the detailed review of architectural, signage, lighting, landscaping, access and parking criteria.

GOAL: Encourage single-family development where soils and utilities are adequate.

STRATEGIES:

- Consider creative options for affordable housing, such as density bonuses in selected areas of the Town and define accessory housing units for single family homes.
- Permit frontage bonuses for residential lots that use interior subdivision streets rather than Town roads.

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Environmental

GOAL: Preserve and protect the unique natural areas and plant and animal habitats and communities.

STRATEGIES:

- Continue to protect existing natural areas within the Town. Utilize Map 4. “Natural Resources” to locate rare, threatened, or endangered species on development plans as part of the site plan, special permit and subdivision review process.
- Recognize the following natural resources as unique environmental areas that need special protection: “Big Falls” of the Snook Kill; Hudson River shoreline from US 4 bridge north to Town of Moreau line; Stark’s Knob; Saratoga County Agricultural District 1; Saratoga Sand Plains; scenic vistas and view sheds; and designated areas containing threatened and endangered species including Northern harrier and Karner blue butterfly habitats.
- Encourage and support land trusts to implement conservation easements to protect the Town’s unique environmental areas.

GOAL: Preserve and protect the water quality of Northumberland’s streams, rivers, ponds and wetlands.

STRATEGIES:

- Continue to require mandatory setbacks for developments adjoining surface water resources within the Town.
- Require that all erosion and sediment control plans be approved by the Town in compliance with New York State Phase 2 Stormwater Management regulations for soil disturbing activities on areas of one acre or more.
- Implement stream corridor management guidelines per NYSDEC recommendations.
- Manage stormwater runoff so that post development runoff conditions are equal to or less than the predevelopment conditions.
- Continue to regulate clear cutting and selective harvesting under the Town’s Watercourse Protection Local Law #1, the Soil Disturbing Activities Local Law # 2 of 1991, and the Timber Harvesting Local Law and/or Zoning Ordinance.
- Regulate development in floodplains and floodways in accordance with Federal Emergency Management Agency (FEMA) guidelines and Local Law 1 of 2022 for Flood Damage Prevention.

GOAL: Preserve and protect the Town’s groundwater supplies.

STRATEGIES:

- Prohibit polluting uses on lands overlying the Town’s aquifers.
- Require special permit site plan review for certain less potentially polluting uses located over the Town’s unconsolidated aquifer.
- Require all built landfills, whether public or private, to be monitored to assure that groundwater contamination does not occur.
- Prohibit the construction of new landfills.

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GOAL: Avoid building on steep slopes to prevent erosion and protect water quality.

STRATEGIES:

- Prohibit new construction on slopes greater than 25 percent and carefully review all new construction proposed on slopes of 15-25 percent.
- Require landowners and developers to comply with the general state permit requirements of the Phase 2 Stormwater Management program.

GOAL: Require that densities and development patterns are consistent with soil suitability and protection of agricultural and open space resources.

STRATEGIES:

- Use viable agricultural soils for suitable agricultural purposes.

GOAL: Improve the visual quality of the Town and protect viewsheds and vistas, where feasible.

STRATEGIES:

- Carefully review all new commercial, industrial, office and residential development to ensure the protection of the visual environment.
- Continue to strictly enforce the Town's Local Law #1 of 1989 prohibiting auto junk yards.
- Continue to enforce the Town's Local Laws # 1 and # 2 of 1991, which protect watercourses and regulates soil disturbance.
- Amend the Town's subdivision regulations and the zoning ordinance to require that houses be sited so that agricultural and environmentally sensitive lands and vistas are preserved through buffer zones and open-space design.
- Limit landfill expansion to protect scenic viewsheds and vistas.

Economic Development

GOAL: Encourage creation of job opportunities.

STRATEGIES:

- Direct commercial, industrial and office growth to appropriate zoned areas.
- Work with local economic development entities to attract new businesses, especially industries and businesses that are compatible with the community's rural character.
- Encourage home occupations, including the use of barns and similar outbuildings.

GOAL: Recoup development review costs through planning and zoning application and review fees.

STRATEGIES:

- Amend the Town's fee schedule to permit the Planning and Zoning Board to recoup project review costs.

Community Facilities

GOAL: Prohibit the development of private water supply systems, sewer systems, and transportation corporations.

- Continue to support the policy of the Town's not owning or operating private water supply systems or sewage treatment facilities under any circumstances.

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GOAL: Support the future fire and emergency needs of the community.

- Continue to support Town fire and emergency services for Town residents; as growth continues, support the future fire and emergency needs of the community.

GOAL: Support policies that assure sound solid-waste disposal practices.

- Encourage Town residents and agricultural operations to make full use of the Town's transfer station and recycling facilities.

Transportation

GOAL: Preserve and enhance the functional capacity of all Town roads.

STRATEGIES:

- Develop and adopt rural road standards in Northumberland's Subdivision Regulations for all new developments when a new street is created so that rural character can be maintained.
- Require all new roads to be constructed to the Town's standards for local roads.
- Strictly enforce the road standards, recognizing that some modifications may have to occur due to soil and other environmental conditions.
- Adopt minimum frontage, setback and off-street parking standards to control access, provide for density bonuses to induce interior development.
- Traffic studies for major projects must identify the existing level of service and future level of service after completion of the project. Developers shall be responsible for any mitigation measures required to maintain the level of service set through the project approval process.
- Utilize a rural road standard in conjunction with open space design as an alternative to individual driveways.
- Adopt rural road standards in Northumberland's Subdivision Regulations for all new developments when a new street is created so that rural character can be maintained.

GOAL: Use access-management techniques along NY 50 and other major roads for new developments.

STRATEGIES:

- Encourage shared access and paired access between adjoining uses and promote circulation between adjacent sites.
- Adopt setback requirements that will allow for additional rights-of-way for possible widening of NY 50 in the future.
- Provide for future access points in the site plan review process.
- Provide linkage points for road and pedestrians between present and future developments.
- Reserve potential areas for future access easements during site plan review where feasible.

Recreational

GOAL: Expand the scope of recreational opportunities available to Town of Northumberland residents.

STRATEGIES:

- Continue to support and participate in development of Hudson Crossing Park and the "Lakes to Locks Passage" Scenic Byway initiatives.
- Continue to fund Town recreation improvements through the use of recreation fees required under the Town's subdivision regulations and the general fund as appropriate.

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- Continue funding and supporting the Youth Commissions of the Town of Northumberland, Town of Wilton and Village of Schuylerville.

Historic Resources

GOAL: Preserve and protect existing historic sites and structures.

STRATEGIES:

- Consider the development of site plan review and buffer requirements for new uses located within a specified distance of historic sites and structures.
- Adopt site plan review and buffer requirements for new uses located within a specified distance of historic sites and structures.

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CHAPTER 10 FUNDING AND IMPLEMENTATION

10.1 Implementation Strategies

The Implementation Strategy is comprised of two components. The first involves the will and commitment of the community to provide the momentum and human and financial resources to kick off the implementation process. The second is the active pursuit of appropriate grants and other resources to supplement local resources.

10.2 Funding Resources

Securing financing for the improvements will prove a key factor in implementing the 2024 Comprehensive Plan Update. Sources of funding are available on an annual basis through a variety of federal, state, regional and local opportunities. Most of the grant opportunities require a local match which can be provided as cash and or in kind in the form of donated materials or volunteer time.

One of the most comprehensive funding sources is the NYS Department of State (DOS) Local Waterfront Revitalization Program. This program has the lowest match requirement (25%) and covers the costs of a wide range of projects. The amount the Town applies for each year would be based on the funds available and the commitment from the Town Board for the required match amount. Since projects often carry over into several years, match funds can be allocated over several budget cycles. There is always an opportunity for the Town Board to minimize the cash match portion by seeking in-kind donations from contributors for materials, equipment, and labor.

Below is a listing of the main grant programs that would support the implementation of the 2024 Comprehensive Plan Update. Most grants must be applied for through the Consolidated Funding Application (CFA) typically due annually in July.

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Table 10-1 Summary List of State Funding Sources	
<p>Adirondack Glens Falls Transportation Council <i>Annual Work Program</i></p> <p>Empire State Development <i>Economic Development Purposes Grant Program</i> <i>Excelsior Jobs Tax Credit Program</i> <i>Market NY</i> <i>Regional Council Capital Fund Program</i> <i>Start-Up NY Program</i> <i>Strategic Planning and Feasibility Study Project Grants</i></p> <p>Hudson River Valley Greenway <i>Community Grants</i> <i>Conservancy Trail Grants</i></p> <p>NYS Department of Agriculture and Markets <i>The Farmland Protection Implementation Grants (FPIG) Program</i></p> <p>NYS Department of Environmental Conservation (DEC) <i>Climate Smart Communities (CSC) Grant Program</i> <i>Environmental Restoration Grant Program</i> <i>Water Quality Improvement Project Program (WQIP)</i></p> <p>NYS Energy Research and Development Agency (NYSERDA) <i>Clean Energy Communities Program</i></p> <p>NYS Environmental Facilities Corporation (EFC) <i>Green Innovation Grant Program (GIGP)</i> <i>Clean Water State Revolving Fund</i></p> <p>NYS Office of Housing and Community Renewal (HCR) <i>NY Main Street Program</i></p> <p>NYS Office of Parks, Recreation and Historic Preservation <i>Parks Grant Program</i> <i>Historic Preservation Grant Program</i></p>	<p>NYS Department of State (DOS) <i>Local Waterfront Revitalization Program (LWRP)</i> <i>State Smart Growth Grant Program</i></p> <p>NYS Department of Transportation (DOT) <i>Transportation Enhancement Projects Program (TEP)</i> <i>Safe Routes to School</i></p> <p>NYS Energy Research and Development Agency (NYSERDA) <i>Clean Energy Communities Program</i></p> <p>NYS Environmental Facilities Corporation (EFC) <i>Green Innovation Grant Program (GIGP)</i> <i>Clean Water State Revolving Fund</i></p> <p>NYS Office of Housing and Community Renewal (HCR) <i>Community Development Block Grant (CDBG)</i> <i>NY Main Street Program</i></p> <p>NYS Office of Parks, Recreation and Historic Preservation (OPRHP) <i>Boating Infrastructure Grant Program</i> <i>Certified Local Government (CLG)</i> <i>Parks Grant Program</i> <i>Recreational Trails Grant Program</i> <i>Historic Preservation Grant Program</i></p> <p>Northern Border Regional Commission <i>State Economic & Infrastructure Development Investment Program (SEID)</i></p> <p>USDA Rural Development <i>Community Facilities Direct Loan & Grant Program</i></p>

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The first three grant programs represent requests for funding through discretionary funds through the offices of state and federal elected officials:

Community Resiliency, Economic Sustainability, and Technology Program (CREST grants)

for projects that provide a public benefit. Eligible purposes include economic development, athletic, arts, childcare, community redevelopment, cultural, education, parks and recreation, housing, port development, transportation, workforce training and employment development, or other purposes related to the improvement of communities within the state.

State and Municipal Facilities Program (SAM grants)

Funding assistance through the State and Municipal Program (SAM) grants from local elected government officials. Appeals need to be made directly through NY Representatives.

Community Project Grants (Federal Earmark Program)

Infrastructure and other high impact grants available annually from Senator Schumer and Senator Gillibrand. Applications are open on the individual websites in February with recommendations made to the various Congress Committees at the end of April.

The following grant programs are related to regional, state and federal grant programs that are typically offered annually:

Empire State Development

Economic Development Purposes Grant Program – Funds for economic development initiatives and projects that create or retain jobs, generate increased economic activity, and improve the economic and social viability and vitality of local communities.

Excelsior Jobs Tax Credit Program – Provides job creation and investment incentives to firms in such targeted industries such as biotechnology, pharmaceutical, high-tech, clean-technology, green technology, financial services, agriculture, and manufacturing. Firms in these industries that create and maintain new jobs or make significant financial investment are eligible to apply for up to four new tax credits. The benefit-cost threshold is at least \$10 of investment and new wages for every \$1 of tax credit.

Market NY – Supports regionally themed marketing projects that promote tourism destinations, attractions, and special events, as well as tourism facility capital improvement projects. Additionally, eligible projects include the hosting, coordination, and execution of special events new to New York State, and the promotion of agritourism and craft beverage tourism.

Regional Council Capital Fund Program – Funds for capital-based economic development projects intended to create or retain jobs; prevent, reduce, or eliminate unemployment and underemployment; and/or increase business or economic activity in a community or region.

Start-Up NY Program – Offers new and expanding businesses the opportunity to operate tax-free for 10 years on or near eligible university or college campuses in New York State.

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Strategic Planning and Feasibility Study Project Grants – Funds for strategic development plans for a city, county, or municipality or a significant part thereof and feasibility studies for site(s) or facility assessment and planning. Projects should focus on economic development purposes, and preference shall be given to projects located in highly distressed communities.

Hudson River Valley Greenway

The Hudson River Valley Greenway Grant Program provides matching grants to Greenway Communities to help communities develop and implement a vision for their future that balances Greenway criteria of economic development considerations with resource protection and promotion objectives. Greenway Communities are eligible to receive up to \$10,000 to develop plans or projects consistent with the five Greenway criteria: natural and cultural resource protection, economic development, public access, regional planning, and heritage and environmental education. Higher amounts are awarded for intermunicipal projects. Typical grants under the Greenway Communities Grant Program range from \$5,000 - \$10,000, with greater financial assistance available for projects involving two or more municipalities. The Hudson River Valley Greenway Conservancy Trails Grant Program is dedicated to funding recreational trail projects. Special consideration is given to projects that seek to implement the goals of the Greenway Trail Program and connections to the Empire State Trail. Eligible project categories include Trail Construction, Planning and Design, Trail Rehabilitation or Improvement, Trail Education or Interpretation, and Disaster Recovery and Reconstruction on Trails.

NYS Department of Agriculture and Markets

The Farmland Protection Implementation Grants (FPIG) Program provides financial assistance to counties, municipalities, soil and water conservation districts, and land trusts to enable them to implement farmland protection activities consistent with local agricultural and farmland protection plans, including those created through the Farmland Protection Planning Grants Program. The most frequently funded activity is the purchase of development rights (PDR) on individual farms. However, FPIG may also award funding to enable other implementation activities, such as amendments to local laws affecting agriculture, option agreements (which lead to PDR), and covering the transaction costs of donated agricultural conservation easements.

NYS Department of Environmental Conservation (DEC)

Environmental Restoration Grant Program – Rolling grants that are meant for environment improvement and protection. The grants specifically focus on areas that include water protection, environmental justice, and solid waste.

Water Quality Improvement Project Program (WQIP) – Reimbursement grant program for implementation projects that directly address documented water quality impairments or protect a drinking water source. Eligible projects are identified by priority level and scoring rubric. Funding amounts are dependent on project type.

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Climate Smart Communities Program - Provides 50/50 matching grants for eligible climate mitigation and adaptation projects. Funds are available for two broad project categories - implementation and certification. The first project category supports implementation projects related to the reduction of greenhouse gas emissions outside the power sector (transportation, methane, and refrigerants) and climate change adaptation (e.g., reducing flood-risk, increasing natural resiliency, extreme-event preparation, relocation or retrofit of critical infrastructure, and improving emergency preparedness).

NYS Department of State (DOS)

Local Waterfront Revitalization Program (LWRP) – Matching funds for local governments to participate in the State’s Coastal Management Program (CMP) by preparing and adopting a Local Waterfront Revitalization Program (LWRP). A Local Waterfront Revitalization Program consists of a planning document prepared by a community, and the program established to implement the plan. A LWRP may be comprehensive and address all issues that affect a community's entire waterfront, or it may focus on a critical component. After completing the report, the grantee is eligible to receive funding to implement the entire LWRP or a component. Applications must be made through the CFA. *There is no minimum or maximum for this grant and the match requirement is 25%.*

State Smart Growth Grant Program - The Department of State (DOS) administers a portion of the State Smart Growth grant program, which is funded annually through the Environmental Protection Fund. DOS and the Department of Environmental Conservation (DEC) designate Smart Growth funding for a variety of purposes. DOS disperses funds related to community planning and development including the development or updating of comprehensive plans and zoning ordinances. The match for this program is 10%.

NYS Department of Transportation (DOT)

Transportation Enhancement Projects Program (TEP) – Funding for transportation projects of cultural, aesthetic, historic and environmental significance. Eligible projects must fall into one or more categories established by the Federal Highway Administration (FHWA) and must have a total project cost of at least \$200,000.

Safe Routes to School - SRTS is a national, evidence-based program that promotes walking and biking to school as a means of promoting more physical activity among school children. Among other things, SRTS aims to make walking/biking to school safer through improvements to the physical infrastructure around the school and in the community (e.g., more sidewalks, remodeling unsafe intersections, traffic calming measures, etc.). *The funding is \$250,000 minimum to \$5 million. There is a 20% local match requirement (\$62,500 to \$1.25 million)**

NYS Energy Research and Development Agency (NYSERDA)

Clean Energy Communities Program – Grants offered for clean energy projects after completing four of the ten NYSERDA high-impact actions designed to save money, create jobs, and improve the environment. It also provides tools, resources, and technical assistance.

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NYS Environmental Facilities Corporation (EFC)

Green Innovation Grant Program (GIGP) – Competitive grants to projects that improve water quality and demonstrate green stormwater infrastructure. Selected projects maximize opportunities to leverage the multiple benefits of green infrastructure, spur innovation in the field of stormwater management, build capacity to construct and maintain green infrastructure, and/or facilitate the transfer of new technologies and practices to other areas across the state.

Clean Water State Revolving Fund – Interest-free or low-interest rate short-term and long-term financing for wastewater and water quality improvement projects. Eligible projects include any traditional, “non-traditional”, point source, or land acquisition projects clearly related to the preservation, improvement, or protection of water quality.

NYS Office of Housing and Community Renewal (HCR)

Community Development Block Grant (CDBG) – A federal program funded by the Department of Housing and Urban Development (HUD) administered in the State of New York through Homes and Community Renewal (HCR). The program provides financial assistance to eligible cities, towns, and villages with populations under 50,000 and counties with an area population under 200,000. Eligible communities can apply through the New York State Consolidated Funding Application (CFA) for any three programs: “Microenterprise”; “Public Facilities & Public Infrastructure”; and “Community Planning”. Funding for “Economic Development” and “Small Business” grants are available in open round applications. Projects that benefit low- and moderate-income families and are supported by the relevant regional economic development council (REDC) will be given priority.

NY Main Street Program – A comprehensive grant program that provides funds and technical assistance for façade renovations, interior renovations, and streetscape enhancements for properties located in established mixed-use (commercial, civic, and residential) “Main Street” or downtown retail districts that are pedestrian-oriented and comprised of traditional mixed-use buildings. Funds cannot be used for demolition or new construction. The program has four components:

1. Downtown Anchor – Funds to support a standalone, single site, “shovel ready” renovation project.
2. Target Area Building Renovations – Matching grants for exterior facade and storefront renovations or interior renovations for commercial or residential units.
3. Streetscape Enhancement – Funds to complement a Target Area Building Renovation. May be used for activities such as: planting trees; installing street furniture and trash receptacles; providing appropriate signs; and performing other activities to enhance the Target Area.
4. Technical Assistance – Funds to assist projects that will directly improve a community’s capacity or readiness to administer a future New York Main Street building renovation program.

NYS Office of Parks, Recreation and Historic Preservation (OPRHP)

Certified Local Government (CLG) – Funds for training for municipal officials; public education programs, surveys and designations undertaken as part of a comprehensive plan; correction of deficiencies in CLG performance; and demonstration projects on critical issues, such as compliance with state building and fire codes.

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Parks Grant Program – Matching grant for the acquisition, development and planning of parks and recreational facilities to preserve, rehabilitate or restore lands, waters or structures for park, recreation, or conservation purposes and for structural assessments and/or planning for such projects.

Recreational Trails Grant Program – Grants for the maintenance and restoration of existing recreational trails, development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails, purchase and lease of recreational trail construction and maintenance equipment, construction of new recreational trails, acquisition of easements and fee simple title to property for recreational trails or recreational trail corridors, and assessment of trail conditions for accessibility and maintenance.

Historic Preservation Grant Program – Grant to improve, protect, preserve, rehabilitate, restore, or acquire properties listed on the State or National Registers of Historic Places and for structural assessments and/or planning for such projects.

Northern Border Regional Commission

State Economic & Infrastructure Development Investment Program (SEID) - The maximum grant amount for 2022 was \$1,000,000 for construction in support of “infrastructure” as it relates directly to job creation and economic development. Congress requires NBRC to award 40% of all funds to public infrastructure projects. For all other non-infrastructure applications such as business and workforce development; basic health care; resource conservation, tourism, and recreation, the maximum amount is \$350,000.

USDA Rural Development

Community Facilities Direct Loan & Grant Program – grants and low interest direct loans to purchase, construct, and / or improve essential community facilities, purchase equipment, and pay related project expenses. Examples of essential community facilities include:

- Health care facilities such as hospitals, medical clinics, dental clinics, nursing homes or assisted living facilities.
- Public facilities such as town halls, courthouses, airport hangars or street improvements
- Community support services such as childcare centers, community centers, fairgrounds, or transitional housing
- Public safety services such as fire departments, police stations, prisons, police vehicles, fire trucks, public works vehicles or equipment
- Educational services such as museums, libraries, or private schools
- Utility services such as telemedicine or distance learning equipment
- Local food systems such as community gardens, food pantries, community kitchens, food banks, food hubs or greenhouses.

Appendix: Land Use Tools for the Future

There are an expanding number of strategies that can be implemented for the overall protection of agricultural lands and farms. Some of these strategies are applied by statewide law through the legislative process and some are county authorized. Most however are municipal provisions by way of tax exemptions and zoning regulations, and others are voluntary agreements between landowners arranged through land trusts. Together these land protection strategies result in making agricultural activities less onerous and more profitable for the farmers and agribusinesses. Land protection is complicated and to be most successful it takes a customized blend of the tools and partnerships. The following list and narrative reflect the primary tools and strategies currently available in the Town of Northumberland.

Agricultural District

New York's Agriculture and Markets Law 25-AA allows landowners owning at least 500 acres to submit a proposal to their county requesting formation of an agriculture district. Farmers and rural landowners within these districts receive "right-to-farm" protections.

Agricultural Overlay District

An agriculture overlay zone is intended to support and enhance family farms, unique crops, or historic ways of farming by maintaining viable small-scale/historic agricultural operations and their essential rural setting in Rural Residential areas. The overlay zone accommodates a variety of uses developed at a scale that is complementary and accessory to unique agricultural pursuits.

Agricultural Protection Zoning (APZ)

APZ ordinances designate areas where farming is the primary land use. They discourage development that could impair the land's use for commercial agriculture and restrict the density of residential development in agricultural zones. This is usually accomplished by requiring building on small lots as opposed to dividing tracts into large, equally sized lots.

Buffers

Based on the concept "good fences make good neighbors", buffers create physical barriers between potentially incompatible land uses. Buffers may be created by strips of land (from 50 to 500 feet wide) or by vegetation such as existing hedgerows, planted trees, and shrubs. To be effective, the type and size of buffers should be designed on a flexible site-specific basis and adapted to address different types of agricultural operations.

Conservation Subdivision Regulation (Cluster Zoning)

The clustering of new residential subdivisions encourages the concentration of new residences in a portion of a property while keeping a piece or pieces of a property undeveloped for open space and farmland preservation. This often prioritizes the protection of active farmland, wetlands and waterways, historic areas, and wildlife habitat rather than planning for roads and house placement first.

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Conversion of New York Farmland Under Agricultural Assessment to Non-Farm Use

The Agricultural Districts Law requires imposition of sanctions whenever land benefiting from an agricultural assessment is converted to a non-agricultural use within a statutory period. These sanctions were enacted to discourage such conversions from taking place, and to partially compensate the local taxing jurisdictions which have experienced reductions in their property tax bases during the period the converted lands benefited from exemption.

Density Averaging

This type of zoning is a flexible density averaging approach used to promote the retention of farm parcels while allowing for limited residential development. This approach permits lots to be developed at a lower and varied density than the minimum lot size of the underlying zoning district while respecting the overall density requirements. This enables the remaining open space to be retained or leased by the farmer and actively farmed.

Disclosure Notices

Requires an owner of land in an agricultural district to provide a prospective buyer with a disclosure notice prior to signing a purchase contract detailing that farming is a protected use in the area and may involve added noise, dust, and odors in the area. This warning is an attempt to minimize future farmer-neighbor conflicts.

Farmland Protection Plan

Farmland Protection Plans assist communities to create a long-term vision for agriculture. outline strategies for local governments to support agriculture and protect farmland and provide a benchmark for measuring success in supporting agriculture.

Lease of Development Rights

LDR programs reduce property tax assessments in exchange for term deed restrictions on development. Some towns use a “rolling” rather than fixed time frame, where a term will continue to roll forward each year until the property owner wishes to withdraw from the program. From that point, they will have the length of their term until they are released from the commitment. While long-term, these agreements are not permanent.

LLC-Based Farm Transfer

LLCs (Limited Liability Company) allow transitioning, senior farmers to maintain a level of control of their farm operation while conducting a gradual transfer of farm ownership to new, junior farmers. They also help new farmers by allowing flexibility in terms of the amount and type of financing required to transition into farm ownership. This transfer almost always needs the assistance of a lawyer due to the formal legal agreements and paperwork during the transfer.

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Option to Purchase at Agricultural Value (OPAV)

A legal agreement that restricts the sale of land to only certain farmers or family members and restricts the sale price to agricultural value (versus the higher fair market value). This happens when the landowner sells or donates an OPAV to a land trust, municipality or government agency. Once the property no longer has its developing rights, the property value usually goes down making it more affordable for buyers, including farmers who may want to use the land.

Purchase of Development Rights (PDR)

A legal agreement that restricts the development of land to fulfill conservation values. A landowner will sell or donate the conservation easement to a land trust or government agency. PDR programs place permanent deed restrictions on the property to keep it prevent non- farm development or activities that could interfere with present or future agricultural use on the property. The value of a permanent conservation easement equals the fair market value minus its restricted value. This payment is intended to result in the landowner’s ability to continue to actively farm.

Right-to-Farm Law

Right-to-farm Law is a type of nuisance protection law aimed to strengthen the ability of farmers to defend themselves in a nuisance suit brought by a neighbor or local government. It also protects farmers from excessively restrictive local laws or ward off intrusive and unwanted public infrastructure.

Transfer of Development Rights (TDR)

Transfer of Development Rights or TDR programs require the designation of “sending” and “receiving” areas to transfer development from one part of the community to the other. This restricts development in areas the community wants protected and allows for increased density in other areas that are already developed and have infrastructure.