

## **Feedback for "PE6 Action: Comprehensive Plan with Sustainability Elements"**

**SUBJECT** Rationale for Needing Revision

0/21 pts

The Town of Roseboom requested the full 21 points under this action. And the town's comprehensive plan does meet several of the sustainability elements of this action. However, points cannot be awarded until 2 of the 5 required elements are completed; these are "alternative modes of transportation" and "promoting smart growth principles".

In addition, "promoting adaptation to climate change" has not been addressed. More details for each element are provided below.

"Alternative modes of transportation" (required) - Needs additional information. As this a required element under the action, the town should more clearly articulate how its comprehensive plan addresses alternative modes. It may seem more challenging for a rural community to meet these requirements, but some approaches should be identified. The town roads are "unpaved and already suitable for walking and biking". This may have low traffic and low speeds to support these alternative modes. The town has identified a goal to keep heavy traffic from the historic district, which could appear to make the historic district more walk-able/bike-able. But there is no statement if this has been observed, or how heavy traffic is being kept out of the hamlet. Is heavy traffic being diverted to local roads? The town could expand on the strategies described above and/or explore additional strategies such as connecting local walk-able and bike-able roads across the County and State roads by providing for safe pedestrian crossings.

The Town of Roseboom is bisected by State Highway 165, which the Town keeps plowed for the State in the winter. We cannot keep heavy trucks from going through Roseboom's three hamlets. However, the State speed limit of 55 mph is reduced to 45 mph in the hamlets of South Valley and Roseboom and 40 mph in Pleasant Brook. In addition, there is a dangerous steep blind curve between South Valley and Pleasant Brook where the Town petitioned the State to install a flashing yellow light with a 30 mph speed limit, in both East and West Bound lanes, after a fatal accident occurred there in 1999. This encourages truckers to find alternate routes such as I-88, if they are not making direct deliveries here, which keeps traffic relatively low. There really is no place where "safe pedestrian crossings" would be needed. There are no major businesses, factories, stores, hospitals or schools in Roseboom where public transportation would be helpful.



There are four State Forests in Roseboom. Bear Swamp State Forest (1729 acres), the Honey Hill State Forest (1017 acres), the Roseboom State Forest (620 acres) and the R. Milton Hicks Memorial State Forest (1293 acres), which has an official Nordic Ski Trail for cross-country skiing. It is also used for hiking and horseback riding year-round. Prior to Covid, local horse owners would gather annually in Pleasant Brook, with their horse vans, in order to go on a group trail ride through our back roads and woods. They would finish the day back where they started, for refreshments at the “Brook”, a local bar and grill. Also before Covid, there was an annual Summer bike race through our beautiful rolling hills as part of a course between Cooperstown and Cherry Valley. We expect these events will start up again soon. For now, bike riders are routinely seen individually or by family, cycling along the country roads throughout the year.

“Promoting smart growth principles in land-use policies” (required) – Not met. In order to be eligible for points, additional information is needed about how this element is incorporated into the town's comprehensive plan.

## **BUSINESS AND ECONOMIC DEVELOPMENT** (Roseboom Comp. Plan)

### **5.4 - GOAL 4** - Promote small business growth in the area to

increase the tax base and encourage families to move to and stay in the area.

- Objective 4.1 — Acquire higher speed internet services
- Objective 4.2 - Actively pursue a cell tower installation
- Objective 4.3 - Actively pursue telecommunication service improvement and access.

There is still no cell service or broadband available in the Town, only expensive and slow Satellite Internet. As you can see, this has been the Town of Roseboom's Goal from the start. Our major efforts in promoting smart growth principles, have been to try to get any growth at all. As seen in our Comprehensive Plan goals, we have continually been trying to obtain cell service and some form of broadband internet for the Town for years. In March 2017, we even recruited a private developer who was willing to build a tower and we offered Town land to build it on for free. He did a land survey of where the optimal coverage in Roseboom for the tower should be, but still was unable to get any cell service or internet provider to sign on. We have written numerous letters, and made countless phone calls to local State and County Representatives to try to bring basic services to our Town. So far, they have all been unsuccessful. Even though a County owned Emergency Tower, already erected in Roseboom for Fire and Ambulance communication, (because there is no cell service) has offered free use to any cell or internet provider, there are no takers. Spectrum cable stopped at our Town border and refuses to give us a franchise. They say there are not enough customers to make it worth their while. Hopefully, with the passage of the new Infrastructure bill, we will finally get some services. Until then, it is impossible to get a new business, or developers, to even come into Roseboom.

When we finally do get 21<sup>st</sup> century capabilities, and builders become interested in our Town, we have recently adopted the Natural Resource Inventory Local Law of 2021. The Natural Resource Inventory (see our [PE6 Natural Resource Inventory](#) submission) is based on all the information originally contained in our Comprehensive Plan. This is the guide we would use, now by law, to protect and retain the important natural resources, including agricultural lands, and view sheds, in the town of Roseboom for “smart-growth” land use development. Of course, our Town Codes Enforcement officer would make sure all local, County, State and Federal building codes are followed.

**“Conserve natural areas” (required) - This element has been met through the plan’s focus on the preservation open spaces. However, this is not stated clearly in the memo.**

By adopting the Natural Resources Inventory law in November 2021, the Town of Roseboom has affirmed its intent to establish a review process to guide land use and conservation planning. Integrating the NRI review into the planning, design, review and approval processes for development, will encourage biodiversity conservation. It will preserve surface and groundwater resources, maintain natural areas, reduce impact on agriculture and prime farmland soils, protect visual scenic areas, and recreational opportunities.

“Promote a healthy and safe community” (required) - This element has been met by the Town’s comprehensive plan’s vision statement. The town has actively pursued keeping its residents safe from worsened air quality and actively engaged to keep fossil fuel industry waste out of its limits.

“Foster equity” (required) - This element has been met through the town’s housing goal (“diversified housing that meets the needs of all age groups and income groups”) and no-cost recreational access strategies.

Because there is no cell service or broadband available in the Town, only expensive and slow Satellite Internet, it makes it difficult or impossible for some school children to do their homework remotely during Covid-related school shut-downs. However, they could access the satellite WIFI at the Town Barn. So, we plan to extend our parking lot around the Town building, and put in an electric charging station there using our ARPA Covid funding. There is really no other place in the Town that a charging station would be feasible. This way, residents could even charge an electric vehicle, if they owned one, while they shared the Town’s WIFI, and might even be encouraged to purchase one.

“Foster green economic development” (3 points) - This element is met through the town’s active approach to preserve its active agricultural and farming community.

“Decrease dependence on fossil fuels and support energy efficiency and renewable energy production” (3 points) – This element is met through the plan’s objective (6.5) – “encourage the use of renewable energy such as wind, solar, and hydroelectric that is consistent and appropriate to the protection of public health, safety and the well-being of the community”.

“Foster the efficient use of natural resources” (3 points) – This element is met through the plan’s goal to protect water resources, flood plains, and wetlands in an effort to assure their sustainability by preventing irreplaceable loss, misuse, and/or degradation.

“Promote the development of (or the conservation of) local food systems” (3 points) – This element is met through the plan’s goals of protecting local agriculture.

**“Minimize solid waste” (3 points) – This element is met through its objective 1.2 to avoid practices that avoid or minimize, among other things, waste generation. It should be clarified, however, that this includes solid waste.**

The Roseboom Town Highway department regularly recycles all its metal waste, including old equipment, and responsibly disposes old tires. Recycling bins are in the garage for employees everyday use of recyclables.

“Protect drinking water sources from pollution” (3 points) – This element is met through the plan’s objective 1.1 that calls for the conservation, maintenance and protection of environmentally sensitive areas including aquatic and terrestrial resources that include, but are not limited to, wetlands, floodplains, surface and groundwater resources.

“Promote adaptation to climate change (including strategies related to land use and public education and engagement)” (3 points) – Not met. Additional information is needed about how this element is incorporated into the town's comprehensive plan. This element focuses on adapting to the impacts of climate change, such as extreme heat, flooding, and short-term drought. The goal of adaptation is to make a community more resilient to the impacts of climate change. Given this, the information provided about solar and community choice aggregation in the memo is not relevant.

In our area of Otsego County, flooding is the main concern from climate change. The Town of Roseboom adopted the Otsego County Hazard Mitigation Plan in August 2021. Town Board members and the Town Highway superintendent (All CSC Task Force Members) attended the relevant pre-requisite workshops. Our highway department is consistently maintaining our Town roads, always enlarging existing culverts whenever they need replacement due to deterioration. (See our PE7 Culverts and Dams submission).

In 2017 the Town Board passed two resolutions to move forward and support the Otsego County Soil and Water Conservation District application for the Otsego County Mohawk River Culvert Assessment and Education Grant, and the Otsego County Mohawk River Replacement Grant.

In June 2021, we planted a riparian buffer along the banks of a tributary of the Cherry Valley Creek that is adjacent to the Roseboom Town Garage. Our municipal building sits just above the edge of a FEMA designated 500 Year Flood Zone. In 2011, during Hurricane Irene and Tropical Storm Lee, the County Route 50 Bridge, located next to the Town Barn was washed away. After the bridge was re-built, the trees on the stream banks were never replanted. Now, thanks to the incentive of the Climate Smart Communities Action PE 7 Riparian Buffers, we have planted 89 trees with the help of the Otsego County Soil and Water Conservation District, to protect the stream from the Town’s sand and salt storage runoff in a storm.

On a personal note, I can attest to the effects of climate change and flooding. I have lived on Adair Road in the Town of Roseboom for 42 years. It is a lovely winding dirt road going up a mountainside, following the course of a stream bed, crossing back and forth over it five times! When we first moved here, the stream was running almost level alongside the narrow dirt road, with a low, hand-built, stone border. It obviously had been thought adequate for over a hundred years, because long ago there used to be a one-room schoolhouse located further up the road from us. The road never washed in the early years we were here. Then, around 20 years ago, it started to wash out in certain spots every few years or so. The Town would restore the road at great expense, sometimes enlarging the culvert where it washed. This started happening more and more frequently and every couple of years the road would become impassable. Finally in 2011, the road washed out three times in one year! That was it. In 2013, the Town did major work with the help of FEMA and the NRCS, putting in 2 new huge culverts, widening the road and lowering the stream bed by several feet, erecting large stone block walls along it. (See our PE7 Culverts and Dams submission) It definitely is not quite as picturesque as it once was. However, Adair Road has not washed since, though many of our recent thunderstorms, let alone a named storm, would have been heavy enough to have taken it out in the past.

# ***Roseboom Comprehensive Plan 2018***

## **SECTION 5: GOALS AND OBJECTIVES (see Pages 30-33)**

### **LAND USE AND GROWTH MANAGEMENT**

#### **5.1 - GOAL 1:**

It is the goal of the town to protect its natural resources in an effort to assure their sustainability and availability by preventing irreplaceable loss, misuse and/or degradation.

- Objective 1.1: The conservation, maintenance and protection of environmentally sensitive areas including aquatic and terrestrial resources that include, but are not limited to, wetlands, floodplains, surface and groundwater resources, geologic features, prime and unique soils, steep slopes, woodlands, wildlife habitats, air and sound quality, and scenic views; and public and private land.
  
- Objective 1.2: Activities and practices that avoid and/or minimize excessive: grading and excavation, vegetative removal; clear-cutting of forested public and private areas; destruction of natural habitats, energy consumption; and solid waste generation.
  
- Objective 1.3: The use of renewable energy resources such as wind, solar, and hydroelectric that is consistent to the protection of public health, safety and well-being of the community and is at a scale consistent with the goals and objectives in this plan
  
- Objective 1.4: Foster and encourage additional agriculture growth.

**5.2 - GOAL 2** To effectively plan for and manage future changes in land use that allows development while preventing the loss of natural and cultural resources.

- Objective 2.1 - Encourage property owners to put abandoned agriculture property into productive use.
- Objective 2.2 - Agricultural practices in areas having prime soils and/or natural resources that will ensure productivity and competitiveness.
- Objective 2.3 - Preservation of forested and vacant lands to provide for active and passive recreational opportunities, maintain open space, and contribute to the Town's aesthetic character and healthy natural ecosystems and wildlife.

Recommendations:

- Support current legislation prohibiting clear-cutting of more than two acres of woodland.
- Support current legislation prohibiting the extraction of natural Resources without proper permits.
- Encourage the use of renewable energy resources such as wind, solar, and hydroelectric that is consistent to the protection of public health, safety and well-being of the community and is at a scale consistent with the goals and objectives in this plan.

**5.3 — GOAL 3** Maintain and restore community character to encourage high quality diversified housing that meets the needs of all age and income groups resulting in neighborhoods that are safe, clean, and promote increased residency.

- Objective 3.1 - Enforcement of New York State codes regarding standards/specifications for potential nuisance uses such as junk yards and abandoned vehicles.
- Objective 3.2- Promote housing development that fosters a sense of community and neighborliness, encourages long term home ownership and creates pride in one's property.
- Objective 3.3 - Consolidation and preservation of the Town's historical records.

## **BUSINESS AND ECONOMIC DEVELOPMENT**

**5.4 - GOAL 4** - Promote small business growth in the area to increase the tax base and encourage families to move to and stay in the area.

- Objective 4.1 — Acquire higher speed internet services
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## **TRANSPORTATION**

**5.5 — GOAL 5** - Maintenance and protection of our town's roads and bridges. Minimizing hazards and congestion of roads within the township.

- Objective 5.1 - Development that considers and respects existing local roadway capacities and does not require or add to the need to make significant upgrades to local road networks
- Objective 5.2 - A transportation network that discourages the use of large trucks, heavy vehicles and other similar vehicles on local roads when those vehicles may be detrimental to the public safety, structural conditions and capacities of local roads and infrastructure
- Objective 5.3 - Prevention and remediation of damage to roads from logging and extractive operations
- Objective 5.4. - Limits on heavy truck traffic on roads in the township particularly as it impacts the farming hamlet and designated historic district of Roseboom, as well as the safety of the residents.
- Objective 5.5 - Minimization of erosion and sedimentation relating to streams and waterways.
- Objective 5.6 - Minimization of impact of road salt on streams, groundwater, wetlands, and vegetation, as well as cars, roads and bridges.
- Objective 5.7 — Establishment of weight levels and exclusionary Permits

## **NATURAL RESOURCES**

**5.6 - GOAL 6** - Protection of water resources, flood plains and wetlands in an effort to assure their sustainability by preventing irreplaceable loss, misuse, and/or degradation.

- ❑ Objective 6.1 - Need to adequately protect prime and productive agricultural soils from indiscriminate or inappropriate development
- ❑ Objective 6.2 - Need to provide local standards in order to protect sensitive, environmental resources as well as the scenic landscape and historical resources
- ❑ Objective 6.3 - Need to establish a procedure to review land use so that incompatible or conflicting uses will be identified and land values and quality of life considerations will be secured
- ❑ Objective 6.4 - Need to maintain local control of potentially high impact industrial/commercial facilities
- ❑ Objective 6.5 - Encourage the use of renewable energy such as wind, solar, and hydroelectric that is consistent and appropriate to the protection of public health, safety and the well-being of the community and is on a scale consistent with the goals and objectives in this plan.



TOWN OF ROSEBOOM  
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Otsego County

## LOCAL LAW #2 – 2021 TO ADOPT A MUNICIPAL NATURAL RESOURCES INVENTORY

TOWN OF ROSEBOOM

Be it enacted by the **Town Board** of the Town of Roseboom as follows:

### SECTION 1. LEGISLATIVE INTENT

This local law of the Town of Roseboom to adopt the Natural Resources Inventory prepared by Town Planning Board and to expressly integrate use of such Inventory into land related decision-making within the Town of Roseboom. A natural resources inventory is a document that inventories the natural resources of an area, both physical and biological, and provides a foundation for municipal land use and conservation planning.

**A. Purpose.** to protect natural resources in The Town of Roseboom by adopting a Natural Resources Inventory, thereby enabling management and use of natural resources for present and future residents. The Town of Roseboom's protection and sustainable use of its natural resources will protect the rights of residents, both present and future, to clean air, pure water, and the natural, scenic, and aesthetic values of the environment, as set forth in Article XIV, Section 4 of the New York State Constitution.

The Town of Roseboom's quality of life will be enhanced by the sustainable management of its natural resources, including diverse habitats, natural systems and cultural resources. Such features have been identified in the Town of Roseboom's Natural Resources Inventory, as it may be amended from time to time. The mapping of natural resources by the town in accordance with the New York General Municipal Law § 239-y and the town's Comprehensive Plan, constitutes the town's Natural Resources Inventory (NRI). The incorporation of natural and cultural resource information into the decision-making processes identified herein will enable the town to balance its responsibility to promote the economic well-being of town residents, while protecting the integrity and value of the town of Roseboom's natural areas, including the town's soils, water resources, habitats and wildlife, and other significant environmental resources.

**B. Intent.** It is the intent of the Town of Roseboom to establish an NRI review process to guide land use and conservation planning. Integrating the NRI review process into the planning, design, review and approval processes of the Town of Roseboom's facilitates biodiversity conservation, preserves surface and groundwater resources, helps maintain natural areas, reduces impacts on agriculture and especially irreplaceable prime farmland soils, protects visual resources, scenic areas and recreational opportunities, supports community values, protects and enhances property values, and provides ecological connections throughout the community.

**C. Natural Resource Identification.** Specific resources identified in the NRI [shall/should] be incorporated into the Planning Board's review process. NRI information will be a valuable tool for planning land uses that are compatible with existing natural resources.

NRI resources are to include, but are not limited to:

1. Water resources including aquifers; streams and waterbodies with their State water quality classification; floodplains; wetlands and vernal pools, whether or not they are protected by local, state or federal regulations.
2. Vegetation including community types; forested areas; grasslands, meadows, and shrublands; significant trees
3. Wildlife "Species of Greatest Conservation Need," as defined by the State of New York, including but not limited to breeding birds, reptiles, amphibians and mammals.
4. Geology and soils with particular attention to hydric, prime farmland, and soils of statewide significance.
5. Elevation, aspect and slope including rock outcrops, steep slopes of 10% to 15% and 15% or greater, ridgelines, stone walls, and unique geologic features.
6. Cultural resources including locally significant as well as State and National historic sites, buildings, and districts; scenic resources; recreation resources; agricultural districts; active farmland; and lands conserved through public ownership or private conservation restrictions.

**D. Applicability.** Use of the NRI for all planning board review processes. Each application shall contain a conservation analysis, consisting of inventory maps, description of the land, and an analysis of the conservation value of various site features identified from the NRI. The conservation analysis shall show lands with conservation value, including but not limited to: Land exhibiting recreational, historic, ecological, water resource, scenic or other natural resource value, as shown in the NRI.

**E. Interpretation.** This Local Law regarding the NRI shall be deemed an exercise of the powers of the Town of Roseboom to preserve and improve the quality of the physical and visual environment on behalf of the present and future inhabitants thereof. This Local Law is not intended and shall not be deemed to impair the powers of any other public corporation.

**F. Definitions.** Except as defined herein, all words used in this Local Law shall carry their everyday dictionary definition. Unique terms

**Natural Resources Inventory.** Any area characterized by natural scenic beauty or, whose existing openness, natural condition or present state of use, if preserved, would enhance the present or potential value of abutting or surrounding development or would establish a desirable pattern of development or would offer substantial conformance with the planning objectives of the town or would maintain or enhance the conservation of natural or scenic resources.

It is the intent of the Town of Roseboom to maintain the NRI as a dynamic resource base, and to update the information contained within it on an on-going basis, to ensure accuracy, as new data becomes available.

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law.

**Adopted this 4th day of November 2021. I hereby certify that the foregoing Local Law was duly adopted by the Town of Roseboom at a Town Board meeting on the 4th day of November 2021.**

**Name: Erin Seeley**

**Title: Town Clerk**

**Signature: -** Erin Seeley

**Date: 11/4/2021**

**Town Seal:**