

# **TOWN OF NASSAU COMPREHENSIVE PLAN**

**Town of Nassau, Rensselaer County, New York**

**2010**

**Draft Date: December 9, 2010**

## TABLE OF CONTENTS

Volume	Page
1. INTRODUCTION .....	3
1.1. Nassau’s Challenge .....	3
1.2. Comprehensive Plan Legislative Authority .....	3
2. VISION STATEMENT .....	4
3. PLANNING HISTORY AND TOWN OVERVIEW 5	
3.1 Town Overview .....	6
3.2 Community Character .....	8
4. TOWN INVENTORY .....	9
4.1. Physiography and Topography .....	9
4.2. Open Space .....	9
4.3. Geology .....	10
4.4. Soils .....	11
4.5. Water and Wetland Resources .....	11
4.6. Ecosystem Resources .....	13
4.7. Agricultural Resources .....	14
4.8. Housing and Residential Development .....	15
4.9. Commercial and Industrial Development .....	16
4.10. Recreational Resources .....	16
4.11. Utilities .....	17
4.12. Transportation System .....	18
4.13. Socioeconomic Resources .....	19
4.14. Historical and Cultural Resources .....	20
4.15. Hazardous Waste Sites .....	21
4.16. Town Government .....	22
4.17. Existing Zoning and Land Use Regulations .....	23
4.18. Emergency Services .....	27
4.19. Visual Character .....	30
4.20. Town Services .....	31
5. TOWN-WIDE RECOMMENDATIONS .....	33
5.1. Open Government .....	33
5.2. Infrastructure and Roads .....	35
5.3. Agriculture .....	37
5.4. Community Facilities, Services and Organizations .....	41
5.5. Environmental Health / Sustainability .....	45
5.6. Public Safety .....	50
5.7. Historic and Cultural Resources .....	53
5.8. Growth Management/ Development .....	54

6.	IMPLEMENTATION PLAN .....	60
6.1.	Implementation Plan Summary.....	60
7.	REFERENCES.....	68

**LIST OF TABLES**

<b>Table</b>	<b>No.</b>	<b>Description</b>	<b>Page</b>
	4-1	NYS DOT Traffic Volume Summary .....	32
	6-1	Implementation Plan Summary .....	77

**LIST OF MAPS**

<b>Map</b>	<b>No.</b>	<b>Description</b>	<b>Location</b>
	1	Street Map .....	Maps
	2	Land Use Map .....	Maps
	3	Aerial Photograph.....	Maps
	4	Topographic Map .....	Maps
	5	Surficial Geology Map.....	Maps
	6	Bedrock Geology Map.....	Maps
	7	Soils Map .....	Maps
	8	Surficial Hydrology Map .....	Maps
	9	Ground Water Resources .....	Maps
	10	Agricultural Districts Map.....	Maps
	11	Zoning Map .....	Maps

## 1. INTRODUCTION

### 1.1. Nassau's Challenge

---

In recent years, there has been much development activity in the region within which the Town of Nassau is located. This activity includes both residential and non-residential development and has affected surrounding towns in Rensselaer County as well as communities to the south in Columbia County. While Nassau has not experienced the large-scale development activity that some area towns have in recent years, Nassau has seen an increase in residential development, particularly small to medium subdivisions, as well as pressure for industrial development. As growth continues in the Capital District and Hudson Valley regions, Nassau can reasonably expect increased development pressure to follow.

To meet this challenge, this Comprehensive Plan has been prepared by the Town Board of the Town of Nassau. This Plan articulates the goals, objectives, policies and recommendations pertaining to governmental services and land use within the Town. It also memorializes an inventory of Town assets, resources and governmental services at the present time so that the goals, policies, objectives and recommendations set forth herein possess a context which is up to date.

The purpose of this Comprehensive Plan is to be a readily useable document for current and future Town officials providing guidance in their decision-making as well as a readable text providing insight into Town governance for present and future Town officials, residents, and any interested party.

### 1.2. Comprehensive Plan Legislative Authority

---

Under New York State Town Law, municipalities are granted the authority and responsibility to prepare and adopt comprehensive plans. Section 272-a(1)(b) states: "Among the most important powers and duties granted by the Legislature to a town or village government is the authority and responsibility to undertake town or village comprehensive planning and to regulate land use for the

purpose of protecting the public health, safety, and general welfare of its citizens."

A comprehensive plan is a document which presents goals, objectives, guidelines, and policies for the immediate and long-range protection, enhancement, growth, and development of the community. This Plan provides guidance to the Town Board, Planning and Zoning Boards and the citizens of Nassau in the enactment, enforcement, and interpretation of Nassau's land use and development laws and regulations.

## ***2. VISION STATEMENT***

In the not too distant future and beyond, the Town of Nassau is a community of beautiful rural landscapes, productive and expanding agricultural areas interspersed with thriving small to mid-scale commercial enterprises and home-based businesses that all blend with the character of the community, rural residential neighborhoods, and protected undeveloped lands all immersed in a rich cultural heritage that is preserved and celebrated. All areas of the Town are connected by accessible regional highways and scenic rural roads kept in good repair. Public transportation has become more available. The Town of Nassau has always and still offers convenient access to all that the Capital Region of the State of New York—including surrounding counties, the New York metropolitan area, and the northern environs of New York—has to offer.

The Town of Nassau is recognized for the continuing legacy of its rich agricultural and historical heritage, the excellence of nearby schools, the quality of its public safety and community services, the abundance of its historic resources and outdoor recreational opportunities, the productivity of its local businesses, and the beauty and health of its natural environment. For residents and visitors it has become increasingly a place to enjoy the linked network of trails throughout its mountains, valleys, streams and lakes for hiking and enjoying the vibrant wildlife that abounds, for cross-country skiing, snowshoeing and ice skating in the winter and for its fishing and other opportunities for sportsmen of all kinds. The exceptional quality of life that the Town of Nassau offers contributes to its economic growth and prosperity, assuring that the Town can continue to meet the increasingly diverse needs and expectations of its residents and the economy in a fiscally sustainable manner that enhances and

preserves the Town's unique and wonderful character. The Town has struck an exemplary balance between its rural scenic character, economic opportunity and quality of life that is often cited by others as an example of sustainability.

This vision is reflected in the goals and objectives found below in Section 5.0 - TOWN-WIDE RECOMMENDATIONS.

### ***3. PLANNING HISTORY AND TOWN OVERVIEW***

In preparing this Comprehensive Plan, the Town Board is building on the work of many Town officials and volunteers who have over the past decade or so committed much time and effort in planning for the future of the Town. Some of these planning efforts involved specific topics or issues and some were quite broad in scope. They include, but are not limited to, an extensive residential and property-owner survey project and a draft master plan undertaken by the Planning Board from 2000 to 2002; reports entitled, "Protecting Nassau's Natural and Cultural Resources" and "Protecting Groundwater Aquifer Resources in the Town of Nassau", authored by the Town of Nassau Natural Resources Committee in 2006 and 2008; and the work of the Town of Nassau Comprehensive Plan Committee which worked diligently from May 2006 until disbanding in January, 2008, after it completed a draft Comprehensive Plan that was revised and eventually adopted by the Town Board that same year.

That Comprehensive Plan adopted by the Town Board in March of 2008 was declared null and void on procedural grounds as a result of a litigation action brought by an industrial mining company seeking to establish a hard rock quarry in the north-eastern area of the Town where a scenic ridge traverses the Town between the Hoags Corners area and New York Route 43 in the Alps. Due to the fact that the 2008 Comprehensive Plan was voided and although that decision is being appealed, the Town Board decided to prepare this Comprehensive Plan so that it is certain that the Town of Nassau is not deprived of having an official statement of policies, goals, objectives and recommendations that will be a living and working testament to the good efforts of so many dedicated citizens of the Town.

Accordingly, the Town Board had the opportunity and good fortune to utilize not only the work generated by these previous efforts but the public outreach and input that also resulted from these planning activities. The Town Board in preparing this Comprehensive Plan has considered all of these past planning efforts and has applied much of the conclusions, comments and recommendations that were offered to the present time. As such, this Comprehensive Plan represents the apex of all of the hard work of the past years and is built on those previous efforts. In this respect the Town Board makes many references herein to the projects, studies and reports that were included in the 2008 Comprehensive Plan. Rather than reiterating and/or including all of the information and appendices contained in the voluminous 2008 Comprehensive Plan, the Town will keep said Plan intact as it was originally adopted on file at the Town Hall and available on the Town website as a reference document.

However, with that reference and the past planning history summarized above, this Comprehensive Plan is subject to the appropriate adoption procedures and is intended to be and shall be the official Comprehensive Plan of the Town of Nassau from this time forward, subject to continuous periodic review and updates by future Town Boards as is appropriate.

In fact, as a first recommendation, this Comprehensive Plan should be reviewed every five to ten years so it remains current and valid under changing circumstances that may affect the statements contained herein.

### *3.1. Town Overview*

---

The Town of Nassau is a rural township located in Rensselaer County, New York along the county's southern boundary. Nassau is bounded on the north by the Town of Sand Lake, on the east by the Town of Stephentown, on the south by the towns of Chatham and New Lebanon in Columbia County, and on the west by the Town of Schodack.

The general topography of Nassau is hilly. Ridge tops provide views of Albany to the northwest, the Helderberg escarpment to the west, the Catskill Mountains to the southwest, and the Taconic hills to the east. Multiple streams are located in the valleys and several offer good trout fishing

opportunities, specifically the Kinderhook Creek. Numerous lakes and small ponds are also present in Nassau including Burden Lake, Tsatsawassa Lake, Nassau Lake, and Lyons Lake.

The Town of Nassau contains the following neighborhoods:

- Alps - A hamlet in the northeast part of the town.
- Brainard- A hamlet in the southeast corner of the town.
- Denault Corners - A small hamlet at the intersections of Route 43 and 66 in the northeastern corner of the town.
- Dunham Hollow- A hamlet in the extreme northeast part of the town.
- East Nassau - The Village of East Nassau is located in the southeastern part of the town on the Kinderhook Creek.
- Hoag's Corners – A hamlet adjacent to the Dunham Hollow neighborhood, and is located within the Village of East Nassau's municipal boundaries.
- Jack's Corners - A hamlet 3 miles east of the Village of Nassau.
- Millers Corners - A hamlet in the northwest part of the town near Burden Lake.
- Nassau - The Village of Nassau is located on the Valatie Kill in the southwestern part of the town.

According to the year 2000 United States Census, Nassau has a total area of 45.2 square miles. As of 2000, 4,818 people, 1,851 households, and 1,330 families resided in the town. The population density was 108.2 per square mile, with 2,058 housing units, giving the town an average density of 46.2 houses per square mile. The median income for a household in the town was \$46,526, and the median income for a family was \$53,313.

Nassau has a rich history and legacy of historic residential architecture. The town possesses varied and plentiful natural and cultural resources: rich agricultural soils; large expanses of forest; streams, lakes and wetlands; aquifers; geological deposits; varied topography and exceptional scenery. Development throughout most of the town is primarily in the form of low-density rural residential settlement, while two villages, several unincorporated hamlets, and a few modest subdivisions contain more dense housing. Other development includes: limited light industrial, commercial, and institutional uses, an auto junkyard, and a major toxic waste landfill.

Map 1 – Street Map; Map 2 – Land Use; and Map 3 – Aerial Photograph provide town-wide perspectives of Nassau.

### 3.2. *Community Character*

---

Community character is a term that refers to the environmental, social, and economic characteristics of an inhabited area or official municipality. Contributing elements include: architecture, townscape, landscape, land use and settlement pattern, roads and traffic, weather, sound, historic resources, economic and business climate, educational and recreational opportunities, and even political climate. Together, these factors define a community for its residents, but it is primarily landscape and townscape that impart a general impression for visitors and form the common meaning of community character.

Nassau's Land Use and Development Regulations of 1986 establish objectives that capture a sense of the town's community character, as reflected in the law's the Enacting Clause and Purposes (Article I C.):

- Section 1. "To permit growth and development while protecting the rural, scenic, historic, aesthetic, economic, recreational and environmental qualities of the Town."
- Section 5. "To preserve and protect the physical characteristics of soils, topography, vegetation and water sources which sustain low density rural housing dependent upon septic systems and wells."
- Section 12. "To encourage the management of natural resources including land, plant life, minerals, surface waters, ground waters, soils, wildlife and aquatic life throughout the town to ensure that their economic, recreational, social, health and aesthetic benefits will remain."

## 4. TOWN INVENTORY

The Town's Natural Resources Committee completed a survey of the natural characteristics of the Town of Nassau in June 2006. Descriptions of the physical resources of the Town are summarized below and the complete analyses can be found in "*Protecting Nassau's Natural & Cultural Resources: A Report to the Nassau Town Board*, Town Of Nassau Natural Resources Committee, 2006. Additional inventories of community facilities, infrastructure, and features are presented below. This Plan contains a collection of maps that graphically depict much of the natural resource and other information contained in the inventory. A series of natural resource maps are included in this document.

### 4.1. *Physiography and Topography*

---

The topographic elevation of Nassau varies from a low elevation of about 370 feet at the Valatie Kill near the southwest corner of the town south of the Village of Nassau, to a height of nearly 1700 feet at the northeast corner, north of Dunham Hollow. The town's topography is characterized primarily by gently to steeply sloping hills, interspersed with narrow valleys around streams, wetlands, ponds and lakes. Map 4--Topography depicts Nassau's topographic relief.

Approximately 83% of Nassau is covered by mixed evergreen and deciduous forests. Several very large areas of contiguous, relatively undisturbed forested tracts are located in areas of high elevation and steep slopes, limiting access from public roads. The remainder is vegetated by agricultural pasture, vacant meadow, scrub/shrub lands, and emergent and palustrine wetlands.

### 4.2. *Open Space*

---

Open space is defined as undeveloped or agricultural lands where either natural processes, habitats and wildlife predominate, or where the naturalistic landscapes associated with agriculture comprise a pastoral component of community character. Open space is thus important from ecological, economic, and community perspectives.

Much of Nassau can be categorized as open space. This includes large areas of forest,

agricultural pasture, hayfields, and croplands, wetlands and scrub/shrub lands. The northeastern corner of the town lies within the Rensselaer Forest Tract, a part of the Rensselaer Plateau, which is identified in New York State's Open Space Conservation Plan as a 'priority site' on account of development pressure. This plan states that there is a great threat of forest fragmentation and recommends that lands within the plateau be protected by public land acquisition and conservation easements.

The Rensselaer Forest Tract has been identified by the New York State Department of Environmental Conservation's (NYSDEC) Hudson River Estuary Program as a "Significant Biodiversity Area." These uplands tend to be cooler and more densely wooded than adjacent lowlands, and soils are often shallow and poorly drained. They support an Adirondack-like coniferous forest with wetlands (commonly bogs and fens) and support a more diverse wildlife community than the surrounding areas.

This area has also been proposed by NYSDEC as a Forest Legacy Area, which if adopted would be eligible for federal grants to willing landowners, to maintain and protect forests from conversion to non-forest uses.

#### *4.3. Geology*

---

Bedrock formations are predominantly Taconic shales of Cambrian age, and Rensselaer graywacke of the Rensselaer 'grit' Plateau. Outcrops of graywacke occur at north-south oriented hilltops through the central and eastern ridges of Nassau (United States Department of Agriculture, 2002). Formations of graywacke have been identified along the western extent of the Plateau, generally along the Route 66 corridor south of Pikes Pond to Brainard. Graywacke is known for its suitability for road materials. The steep slopes associated with the resistant 'grit' rock formations are distinctive and defining features of the town landscape and visual character of this area. They are a major factor in determining landform, drainage patterns, areas of development, and areas of forest cover.

Glacial action on bedrock resulted in surficial geologic features including drumlins at middle elevations, eskers and kame deposits of till, gravel and sand at lower elevations and along stream drainages. Till material is typically very firm, due to high clay content, with cobblestones of shale and siltstone (LaFleur, 1965). Outwash deposits of gravels and finer materials at the north-central area near

Burden Lake, at central areas near Smith Pond, and at southerly areas along Kinderhook Creek and Tsatsawassa Creek, represent re-sorted materials moved by glacial outwash action. Where quartzite content of gravels is high, these gravel and sand deposits represent potentially high quality aggregate building and construction materials. Past gravel mining operations have probably removed the highest quality deposits of sand, notably in the East Nassau area (LaFleur, 1965). Map 5 – Surficial Geology and Map 6 – Bedrock Geology depict the town’s underlying rock foundation.

#### *4.4. Soils*

---

The United States Department of Agriculture’s (USDA) Natural Resources Conservation Service (NRCS) maintains soil surveys for all land within the United States. The surveys contain maps and descriptions of soils, analyses of the limitations and hazards associated with specific soils, improvements needed to overcome the limitations, and the impact of selected land uses on the environment. Soil surveys are useful planning tools for engineers, developers, and property owners.

Nassau’s soils are mostly gravel or silt loams with shallow depths to underlying bedrock. Soil types in the upper elevations of Nassau include well-drained Glover very stony silt loam, Bernardston gravelly silt loam, and Albrights silt loam. They are typically located on very steep slopes and include areas that are very rocky. Mid-elevation soils include moderately-drained Alden silt loam and Limerick silt loam. These soils are found on the lower slopes of the valleys of undulating topography and typically include glacial deposition of material. Lower elevation soils within the bases of the valleys include Palms muck, Loxley and Beseman muck, and Carlisle muck. They are poorly drained and may indicate the presence of wetlands. Map 7 – Soils Map, depicts soils locations within Nassau. Detailed maps, soil descriptions, and interpretations can be found in the Rensselaer County Soil Survey.

#### *4.5. Water and Wetland Resources*

---

The Town of Nassau can be divided into four major watersheds: Upper Kinderhook, Lower Kinderhook, Mill Creek to Moordener Kill, and Wynantskill. The Lower Kinderhook is the largest of the four watersheds and encompasses approximately 48% of Nassau’s land area. The Upper Kinderhook is the second largest, encompassing approximately 25% of the town. The Wynantskill and

Mill Creek to Moordener Kill watersheds encompass approximately 5% and 2% of the town's land area, respectively.

Eight water bodies are located within Nassau's borders. These include Burden Lake, Mud Pond, and Pikes Pond in the northern section of town; Nassau Lake, Lyons Lake, Smith Pond, and Cleveland Pond in the western section; and Tsatsawassa Lake in the eastern section of town. Other small, unnamed farm and recreational ponds are present in various locations throughout the Town.

Pursuant to Article 15 of the New York State Conservation Law, the New York State Department of Environmental Conservation (NYSDEC) has classified four perennial watercourses within the town. The Valatie Kill, Kinderhook Creek, and portions of Tsatsawassa Creek are classified by the NYSDEC as Class C(T). This classification means that the streams are capable of supporting trout populations. Portions of Tsatsawassa Creek, Kinderhook Creek, and an unnamed tributary to the east of Woodard Road, are classified as C(TS), meaning that the streams support trout populations and are utilized for spawning. Numerous smaller streams drain the land within the watersheds of each of these main classified streams. Development activities that may affect classified streambeds and banks require a permit from the NYSDEC.

Three general wetland types are found within the Town. These include: riverine systems which are associated with streams and rivers; lacustrine systems which are associated with ponds and lakes; and palustrine systems which include forested, scrub-shrub, and emergent wetland areas.

The NYSDEC regulates freshwater wetlands larger than 12.4 acres: approximately thirty such wetlands are located in the town. Smaller wetlands are regulated by the United States Army Corps of Engineers; they are shown on U.S. Fish and Wildlife's (USFWS) National Wetlands Inventory (NWI) maps, and several hundred exist within the town. Map 8 – Hydrography Map - depicts Nassau's lakes, ponds, streams, and wetlands.

Groundwater resources are found throughout Nassau, and the Town is dependent upon them for domestic water. They are located in several major zones: in the south, associated with the Kinderhook Creek and tributaries; in the west, associated with the Valatie Kill; in the northeast, associated with Tsatsawassa Creek; and in the center, associated with several large wetlands and tributary creeks. Map 9 – Groundwater Resources - depicts these locations. The aquifers are surrounded by recharge areas of varying sizes that drain into and replenish these resources.

#### 4.6. Ecosystem Resources

---

Nassau provides habitat for a large number of plant and animal species. Commonly observed mammal species include moose, black bear, white-tailed deer, coyote, fisher, bobcat, raccoon, beaver, fox, skunk, porcupine, opossum, gray squirrel, red squirrel and chipmunk. Game birds include turkey, grouse, pheasant, woodcock, several species of duck, and Canada geese. Non-game bird species include numerous songbirds and woodpeckers. Owls are common throughout the Town as are migrating and nesting raptors which include the American Bald Eagle.

The numerous wetlands within Nassau support several species of herpatiles. Streams and lakes host high-quality cold and warm-water fisheries.

The NYSDEC's Natural Heritage Program (NHP) maintains records of the status and location of species listed as special concern, threatened, and endangered, and significant ecosystems and habitats. Species and significant ecosystems identified by the New York State NHP are listed through 6 NYCRR Part 182 and are protected under NYS Environmental Conservation Law (ECL) Section 11-0535.

The NYS NHP has identified two endangered plant species, two threatened animal species, and one significant ecosystem in Nassau. Also, ninety-three (93) breeding bird species have been reported in the town, including six species of special concern.

Listed plants include:

- Glaucous sedge, *Carex flaccosperma* var. *glaucodea*, a NYS Endangered Species
- Hooker's orchid, *Platanthera bookeri*, a NYS Endangered Species

Listed animals include:

- Northern harrier, *Circus cyaneus*, a NYS Threatened Species
- Pied-billed grebe, *Podilymbus podiceps*, a NYS Threatened Species

The significant ecosystem found within Nassau is identified as a Chestnut Oak Forest. Chestnut oak is a species found in higher elevations on rocky, well-drained uplands. The community is significant because of the rarity of occurrence, and the NYS NHP considers the ecosystem to have high ecological and conservation value.

The "Atlas of Breeding Birds in New York State" reports the following species of Special

Concern to be present in Nassau:

- Osprey, *Pandion haliaetus*
- Sharp-shinned hawk, *Accipiter striatus*
- Cooper's hawk, *Accipiter cooperii*
- Northern goshawk, *Accipiter gentiles*
- Red-shouldered hawk, *Buteo lineatus*
- Vesper sparrow, *Pooecetes gramineus*

In addition to protected species, portions of the Rensselaer Forest Tract and Plateau are located in the Town. The Rensselaer Forest is an important area for breeding birds, including many at-risk species. Forest fragmentation due to development or certain commercial activities in this ecologically important area would negatively impact the wide biodiversity of resident and migratory bird and animal species that inhabit the Rensselaer Forest Tract and Plateau.

Hudsonia, a private, ecological research institute headquartered in the Hudson Valley, awarded a grant to Nassau to train members of the Town Planning and Zoning boards, the Natural Resources Committee, and citizen volunteers, in assessment techniques used to recognize and identify natural areas of high quality and/or unique habitat. A ten-month long Biodiversity Assessment Training gave a group of board members the skills needed to identify and protect the habitats of resident and migratory bird and animal species, as well as native plant species. This information will ensure that future proposed large-scale development within Nassau will be done in a way that will help to keep important and/or sensitive habitat areas intact. It is the intent of the Town, to the greatest extent practicable, to ensure that residential, commercial and industrial development is accomplished in an "environmentally smart way" in order to preserve the un-fragmented, rural character of the town for current and future residents.

#### 4.7. *Agricultural Resources*

---

Agriculture is an integral part of Nassau's history and heritage. Our first settlers were farmers and many families in our community can trace their ancestry to those individuals. For over 200 years, agriculture has remained an important aspect of the heritage, aesthetic, economy and health of our community. Nassau is a rural community, and agrarian values still attract people to the town. Since 1960, however, Rensselaer County has lost over 80,500 acres of farmland (constituting 50% of its prime

soils) to development.

Presently, farmland comprises approximately 8.5 % of the town. Active farming includes grasslands for hay or pasture, and cropland in typical corn/hay rotation. Dairy farming has drastically declined while specialty farming, such as alpaca, sheep, and horse farms are on the increase. As in other areas of the state, many farmers rent the land they work under yearly leases.

Land enrolled in the State Agricultural District program is depicted on Map 10 – Agricultural Districts. These parcels are located throughout the town with areas of concentration in the south, east, and northwest.

#### *4.8. Housing and Residential Development*

---

According to a Community Fact Sheet compiled by the Capital District Regional Planning Commission (CDRPC) from year 2000 U.S. Census data, the town contained 1,851 households in 2000. CDRPC projections increase this number to 1,893 by 2010, and 2,030 by 2040. At the same time, there were 2,058 housing units in 2000, with an estimate of 2,106 units in 2006. This figure is broken down to 1,668 single-family residences, 113 two-family residences, 76 three or four-family residences, 117 five or more-family residences, and 132 mobile homes. The apparent discrepancy between the number of households and housing units is accounted for by rental, sale and seasonal vacancies. Even with the projected growth in households, population growth is projected as flat: 4,818 in 2000 compared with 4,750 in 2040.

Home values in Nassau vary greatly. Approximately one-half of the houses in Nassau were valued at less than \$100,000, and approximately one-third were valued at between \$100,000 and \$200,000. At the extremes, about 60 units were valued less than \$50,000, and 60 units were valued at more than \$200,000. The median housing price for the Town was \$96,000. Rental units exist within Nassau, and the average per-unit rent was \$568 per month. These CDRPC figures seem to understate current real estate values in town.

Before the recent collapse of the residential housing market, there was an increase in the number of residential projects of varying scales in the town. These included lakefront and higher density housing, as well as more exclusive projects at the higher end of the residential market.

Additionally, housing pressures from Columbia County have increased sale prices in the southern region of the town.

In 2010 the Town passed legislation allowing for the review and approval of Planned Development Districts (PDD) to encourage innovative development proposals on a small and medium size scale in keeping with the Town's rural character. This mixture of residential and nonresidential uses will provide flexibility in protecting open space while allowing for residential development and responsible economic growth.

#### *4.9. Commercial and Industrial Development*

---

Nassau is home to several types of small commercial establishments such as a coffee shop, convenience store, hairdresser, agriculture-tourism farms, and antique stores; home-based businesses include daycare services, land surveying, architecture, artist studios, and others. Larger commercial enterprises include farming, a sawmill, laundromat, septic service, oil distribution company, auto repair facilities, and a trucking center.

Current commercial/industrial development pressure in Nassau originates from several companies who seek to undertake large-scale commercial excavation and mining of mineral resources.

The majority of the Town is currently zoned rural residential with small commercial pockets located sparsely throughout the town. Large scale commercial and industrial development is absent because it is inconsistent with the town's rural residential character and not permitted in the rural residential land use district under the current zoning law. The lack of public water and sewer systems is another limiting factor.

#### *4.10. Recreational Resources*

---

Recreational resources in Nassau are limited. One baseball field is located on the east side of Nassau Lake and another in the Village of Nassau. Lyon's Lake, a privately owned club, offers swimming, boat rentals and picnicking facilities. The Burden Lake Country Club offers golf, and several small campgrounds are located in the town. Nassau Lake, while polluted with toxins from the Dewey

Loeffel Landfill, does see swimming, boating and limited fishing by area property owners (posted signs warn against eating any fish caught).

The Kinderhook Creek and Tsatsawassa Creek allow for fishing and limited canoeing through multiple access points located along state routes.

The Town runs a part-time summer day camp for resident youth. Children are either bussed in or dropped off by parents. Some of the activities offered to the children include arts and crafts, swimming and swimming lessons, sports, games, science study, and fishing.

The Town of Nassau does not own or operate any municipal recreational facilities; however, it owns property that could be suitable for recreational trails and/or a nature preserve.

In 2009, at the Town Board's direction, the Natural Resources Committee provided an analysis of potential recreational opportunities related to municipal properties. Following the presentation of this report, the Town Board created the Advisory Committee on Parks and Recreational Facilities which is charged, in part, with assisting in this effort.

#### *4.11. Utilities*

---

Nassau's electric service is provided by National Grid and New York State Electric and Gas and is available on all state, county, and town roads. Power and communication utilities are primarily located overhead with some underground installation.

Telephone and limited DSL internet service is provided by Fairpoint Communications in some areas of the town; Verizon serves the remaining sections.

Old technology phone lines are still prevalent within sections of the town limiting the ability to access high speed internet services. Cable and broadband internet service is provided by Time Warner Communications in limited areas of town, and service extension requests are often denied due to Nassau's low-density development.

Propane and heating oil service is delivered by a number of private supply companies, providing Nassau residents with commercial choices. Natural gas service is not available.

A natural gas transmission line system traverses the town and is owned and operated by the

Tennessee Gas Pipeline Company which is part of The El Paso Pipeline Group.

The Town relies solely on groundwater for its source of domestic and process water. The Village of Nassau provides municipal water to residents and businesses located in the village from public well fields.

In 2009 the Town Board created the first municipal sewer district in Nassau. This system is currently in design stages and when operational, will provide a sewer system for the densely populated portions of Nassau’s western and southern shores of Burden Lake.

*4.12. Transportation System*

---

Most roads in the town are classified as town highways, county roads, or state highways. The maintenance of town highways is the responsibility of the Town’s Highway Department. County roads are maintained by the Rensselaer County Highway Department, and the New York State Department of Transportation (NYS DOT) maintains state highways. Maintenance of roads located within the villages of Nassau and East Nassau are the responsibility of each village. Map 1 depicts Nassau’s roads.

NYS DOT provided a traffic volume report for Rensselaer County in 2009, including several road segments located within the Town. Reported traffic numbers reflect the Annual Average Daily Traffic (AADT) per section of roadway. Table 4-1: NYSDOT Traffic Volume Report Summary lists the road section and AADT counts. Compared with NYS DOT traffic counts from previous volume reports, traffic has increased on most roads in the Town of Nassau.

Table 4-1  
NYS DOT Traffic Volume Report Summary

<b>Route</b>	<b>Section Length (Miles)</b>	<b>Start Description</b>	<b>End Description</b>	<b>Year of Study</b>	<b>AADT</b>
20	4.11	Route 9 Overlap	Route 203	2008	11,875
20	4.46	Route 203	Start Rt. 66 Overlap	2008	5,758
20	1.75	Start Rt. 66 Overlap	End Rt. 66 Overlap	2008	4,928
20	0.39	End Rt. 66 Overlap	Columbia Co. Line	2008	5,029

43	2.01	Route 66 Overlap	CR 21, Dunham Hollow Rd	2008	4,650
43	7.02	CR 21, Dunham Hollow Rd	Rt. 22, Stephentown	2008	2,797
66	1.03	Columbia Co. Line	Start Rt. 20 Overlap	2008	381
66	1.75	Start Rt. 20 Overlap	End Rt. 20 Overlap, Brainard	2008	4,928
66	4.38	End Rt. 20 Overlap, Brainard	CR 21, Dunham Hollow Rd	2008	1,747
66	3.10	CR 21, Dunham Hollow Rd	Start Rt. 43 Overlap	2008	1,445
203	2.67	Columbia Co. Line	Rt. 20 End of 203	2008	1,365

#### 4.13. Socioeconomic Resources

---

2010 Census data was not available as of this writing. According to year 2000 census data, the racial makeup of the town was 96.66% White, 1.08% Black or African American, 0.25% Native American, 0.54% Asian, 0.10% from other races, and 1.37% from two or more races. Hispanic or Latino of any race was 0.98% of the population.

There were 1,851 households of which 34.0% had children under the age of 18 living with them, 56.3% were married couples living together, 10.3% had a female householder with no husband present, and 28.1% were non-families. 21.4% of all households were made up of individuals and 8.1% had someone living alone who was 65 years of age or older. The average household size was 2.60 and the average family size was 3.04.

Population data indicates 26.0% under the age of 18, 6.7% from 18 to 24, 30.9% from 25 to 44, 25.5% from 45 to 64, and 10.8% who were 65 years of age or older. The median age was 38 years. For every 100 females there were 100.9 males. For every 100 females age 18 and over, there were 98.3 males.

Full-time employed males had a median income of \$38,981, as compared to \$26,804 for females. The per capita income for the town was \$21,785. About 5.9% of families and 7.7% of the population were below the poverty line, including 12.0% of those under age 18 and 7.0% of those age 65 or over.

#### 4.14. *Historical and Cultural Resources*

---

The State Office of Parks, Recreation and Historic Preservation (OPRHP) maintains records of New York State Register of Historic Places listings, and reviews structures, buildings, districts, landscapes and objects for potential eligibility and listing on the Register. The New York State OPRHP also designates Historic Districts, which are areas containing several structures with historic significance. The National Historic Preservation Act (NHPA) regulates federally listed structures on the National Register of Historic Places.

The Town has taken the initiative to locally designate the important 102-acre Historic District known as the Eastfield Historic District on Mud Pond Road in North Nassau. This district contains an important farmstead from the 1790s that has been found eligible for inclusion on the state and federal registers of historic places. It also contains a collection of other important historic structures from the period 1790-1850, which have all been carefully maintained and conform to the U. S. Secretary of the Interior's Standards for Historic Structures.

The Eastfield Historic District is composed of Eastfield Village and other properties and is managed by the Historic Eastfield Foundation. Eastfield Village hosts an internationally noted series of workshops on historic trades and historic preservation. Begun in 1977 at the Village, these workshops are one of oldest venues of its type in the United States and draw participants and experts from around the world.

Several other listed structures and designated Historic Districts are located within Nassau and include the Church Street District, the Elm Street District, and Albany Avenue District in the Village of Nassau, the Henry Tunis Smith Farm Historic District south of the Village of Nassau along NYS Route 203, the former East Nassau School building in East Nassau, and several additional buildings in the hamlet of Brainard. Other buildings in town are likely eligible for listing based on architectural or historic characteristics. A comprehensive inventory of all buildings and structures has never been undertaken. Several important historic buildings in Nassau have been moved to other locations over the past few decades. The Kells house was moved in 1985 to New Jersey by a curator of the Metropolitan Museum in New York City. In 1999, a historically important drive shed/woodshed and small barn were moved from the eighteenth century Devereaux Farm complex on Clark's Chapel Road to the Farmer's Museum in Cooperstown, New York. The original circa 1790 house (formerly a tavern)

and original main hay barn from the same complex were relocated to Columbia County where they were converted into a museum for the Austerlitz Historic Society.

Despite these losses, Nassau still has very important historic structures to preserve.

The pamphlet *Mills Along the Tsatsawassa* provides a wealth of information about the history of water-powered industry in the area, along with techniques for investigating and documenting historic site features.

The Town has a number of organizations that are actively involved in historic and cultural preservation of local resources. The Historical Society of Esquatak was formed in 1971 and was instrumental in helping to create most of the historic districts within the town; it keeps many files of the Town's historic documents, photographs and artifacts. The Nassau Free Library on Church Street in the Village of Nassau is also a repository of many historical records, including: genealogical, photographic and documentary information. The Library maintains continuous, changing displays of these materials for public review.

The Nassau Village Historic Commission oversees the facades of all of the properties within all of the historic districts within the village.

#### 4.15. *Hazardous Waste Sites*

---

The Town of Nassau is burdened by one of the largest toxic waste landfills in New York State. As indicated in the NYSDEC Records of Decision for Dewey Loeffel Landfill (2000 and 2002), the NYSDEC is recommending measures to remediate the site and affected areas. The landfill is located on Mead Road and is the source of a plume of contamination which extends into the Valatie Kill, Nassau Lake, and has contaminated groundwater. Nassau Lake, one of four major water bodies in the town, is on the U. S. Environmental Protection Agency's Clean Water Act Section 303(d) List of Impaired Waters due to polychlorinated biphenyls (PCBs) contamination from the landfill. Sections of the Valatie Kill within Nassau are also on the 303(d) list because of PCB contamination from the site.

In March 2010, the Loeffel Landfill was proposed for inclusion in the Superfund National Priorities List (NPL) of the country's most hazardous waste sites. This potential remediation step by the USEPA is an ongoing process. Additional information regarding the Dewey Loeffel Landfill is

located in the 2006 Natural Resources Committee report.

The recently closed Impact Auto junkyard is located on U.S. Rt. 20 adjacent to a large New York State regulated wetland that is tributary to the Kinderhook Creek. It is unknown whether this facility is polluting ground and surface waters with leaking automotive fluids. Due to non-compliance with Town and Court requirements, Impact Auto was denied an operating permit and was closed. A majority of the junk cars have been removed, however, the final cleanup is delayed pending the outcome of ongoing court proceedings.

#### *4.16. Town Government*

---

The Town's government, like other townships in New York, is organized pursuant to state law. The governing legislative and executive body is the Town Board, which is composed of a Town Supervisor with a 2-year term, and four Town Council members with staggered 4-year terms. Details are summarized below.

Two official boards – the Planning Board and Zoning Board of Appeals – regulate the town's land use and development regulations.

Advisory committees include the Natural Resources Committee, Highway Committee, Emergency Preparedness Committee, Burden Lake Sewer Project Committee, Committee on Seniors, Committee on Youth, Committee on Farming and Agriculture Preservation and the Committee on Parks and Recreational Facilities.

County, municipal, and school 2010 tax rates range from \$28.88 to \$44.79 per \$1,000 in assessed value, including a 70% municipal equalization rate. Revenue is generated from property taxes, sales tax, state and federal aid, interest on investments, and other miscellaneous fees.

Total expenditures include, in order of expense, transportation, general government, other community services, public safety, debt service, health, and recreation and culture. Annual revenue and expenses balance at approximately \$2,240,000.00, which includes independent outlays for fire, ambulance and library services.

The Town employs a Building Inspector and Code Enforcement Officer to administer and

enforce building and zoning codes.

Two Town Justices serve the town. They are assisted by a court clerk who also assists a part-time Town Assessor. Court is held at 7:00pm on Wednesday at the Town Hall. The Assessor's hours are 9:00am to 12:00 noon.

The Town Clerk is available from 9:00am to 12:00 noon on Monday, Tuesday, Wednesday, and Friday. On Thursday the Clerk is available from 6:30pm to 9:00pm. The Clerk has a Deputy Clerk to assist as needed.

The Town employs a Dog Control Officer who works part-time. Under Agriculture and Markets Law sections 115 and 118, the officer is obligated to seize dogs and bring them to a contracted kennel to await identification and/or location of the owner. Effective January 2011, the Town is required by state law to assume responsibility under local law to provide for the licensing and control of dogs in Nassau. Pursuant to Local Law #5 of 2010, the Town will administer the licensing and continue the control of dogs under new guidelines.

The Town contains four voting districts. One district is located in the northeast section of the Town. Another district is situated in the eastern portion of the community. Two districts are situated in the southern end of Nassau.

#### *4.17. Existing Zoning and Land Use Regulations*

---

The first town-wide land use regulation enacted by the Town of Nassau was the "Town of Nassau Land Subdivision Regulations" adopted in 1967. These Regulations were then amended in 1975 and have not been revised or amended since. The Town of Nassau Planning Board still uses the Land Subdivision Regulations as its principle authority for reviewing and approving proposed subdivisions. The Land Subdivision Regulations provide the Planning Board with jurisdiction over the division of any parcel of land into two or more parcels.

Generally, a subdivision which proposes more than four lots is considered a major subdivision which requires a three-stage review process: (1) sketch plan review; (2) preliminary plat review; and (3) final plat review. At least one public hearing is required in such review during the preliminary plat review stage but a public hearing is also authorized for the final plat stage when circumstances warrant.

A minor subdivision, defined as a subdivision of four lots or less and not otherwise a major subdivision, eliminates the preliminary plat stage of review from the process.

The Land Subdivision Regulations provide the requirements for a complete subdivision application for each stage of the process and also for the review procedures for each stage. These procedures are not consistent with the procedures set forth in NYS Town Law section 276 as revised in the 1990s, well after the adoption of the last amended Land Subdivision Regulations by the Town. For instance, the Land Subdivision Regulations require a public hearing to be held within 45 days after receipt of a complete minor subdivision application or preliminary plat application and Town Law section 276 allows 62 days for the hearing. An obvious, but important, recommendation is that the procedural provisions of the Land Subdivision Regulations be revised to reflect the procedural provisions of the State enabling statutes.

The Land Subdivision Regulations provide fairly general standards for the design of subdivisions and fairly detailed standards for the installation of infrastructure such as roads and drainage facilities. The standards set forth in the Land Subdivision Regulations do not always apply to the subdivisions recently proposed since the standards seem to envision a more suburban-type of development with blocks, sidewalks and playgrounds rather than the rural residential development that is more typical for the Town of Nassau. One recommendation that will be made in Section 5 of this Comprehensive Plan is to develop design standards for subdivisions that are more in keeping with Nassau's rural character.

The Town of Nassau did not regulate land uses in the town by zoning until 1986 when it adopted the "Town of Nassau Land Use and Development Regulations" (Local Law No. 2 of 1986). This local zoning law divides the town into four land use districts (Hamlet, Rural Residential, General Business, and Waterfront Residential) and provides a schedule of allowed and prohibited uses for each district.

The Rural Residential district is overwhelmingly the largest, covering most of the town's area. The General Business zoning district is a small area limited, approximately, to the intersection of NYS Routes 66 and 43 in the northern area of the town. Due to the incorporation of the Village of East Nassau in 1998, the Hamlet districts located in the areas of Hoags Corners, Brainard and East Nassau are, for the most part, no longer within the zoning jurisdiction of the Town. The Hamlet land use district designation is, therefore, only applicable to a portion of Millers Corners and the Alps. The

Waterfront Residential district applies to small areas around Burden Lake, Tsatsawassa Lake (outside of the Village of East Nassau), Lyons Lake and Nassau Lake. The Waterfront Residential districts generally cover only those lots that have water frontage, thus the districts have relatively little depth. Map 11 – Zoning Map - depicts the town’s land use districts.

The Schedule of Uses mentioned above as currently set forth in the Land Use and Development Regulations establish broad categories of land uses such as “Retail Business,” “Institutional Uses,” “Light Industrial Uses,” and “Multiple Family Dwelling,” without providing much elaboration elsewhere in the law. This could lead to confusion in interpretation or unintended consequences regarding appropriate use. It may be advisable to either revise the use terms within the Schedule of Uses or to expressly define such terms.

Pursuant to the use schedule, land uses are either prohibited or allowed by building permit and/or certificate of compliance, special use permit or site plan review. Special use permits are issued by the Town Board and site plan review is performed by the Planning Board. All special use permits require site plan review by the Planning Board and recommendation to the Town Board prior to its decision on a special use permit. As with the Land Subdivision Regulations, the procedures set forth in the Land Use and Development Regulations are not in conformance with the NYS Town Law statutes relating to variances<sup>1</sup>, special use permits and site plan approvals. The provisions relating to such review procedures could be better articulated so that the reviewing boards, applicants and interested members of the public have a clear idea of the review process from start to finish.

The Land Use and Development Regulations do contain standards and guidelines relating to special use permits, site plans and particular uses, some more detailed than others. These standards and guidelines should be reviewed to ensure compatibility with the objectives of this Comprehensive Plan and the town’s character.

The Town of Nassau generally requires a minimum of two (2) acres for any new residential or commercial building lot.<sup>2</sup> The Hamlet and Waterfront Residential districts require one (1) acre. The

---

<sup>1</sup> The Zoning Board of Appeals has been using the criteria and tests stipulated in Town Law section 267-b for determining use and area variances. This is appropriate but such applicable criteria and tests should be incorporated directly in the town’s regulations.

<sup>2</sup> The Regulations were amended (by Local Law No. 3 of 1997) to allow 1-acre as the minimum lot size for residential  
Town of Nassau Comprehensive Plan December 2010

District Schedule of Area and Bulk Regulations also include minimum dimensional requirements for new lots (such as setbacks and minimum lot width and depth). The Schedule does not include a minimum road frontage requirement. This has complicated correct interpretation during the subdivision review process with the Planning Board. There is also a provision in the Land Use and Development Regulations (Article V(K)) which allows for the modification of lot sizes pursuant to a cluster development subdivision (lots are “clustered” closer together than usually permitted in order to conserve open space). There is no indication that this provision has been utilized to date.

The Land Use and Development Regulations have been amended several times since the initial enactment in 1986. In addition to the minimum lot size requirement mentioned above, other amendments include regulations for communication and broadcast towers (Local Law No. 2 of 2002), adult entertainment uses (Local Law No. 2 of 2004), flag lots (Local Law No. 1 of 2007) and planned development districts (Local Law No. 3 of 2010). The flag lot amendment allows minor subdivision of a lot, for residential purposes, granting access to a public road by means of a narrow strip of land. The planned development district law (PDD) allows for the creation of mixed use floating planned development districts.

In 2007 the Town incorporated all previous amendments to the Town’s Land Use and Development Regulations into one consolidated law facilitating access to the current Regulations by all residents. This practice of ensuring amendments are consolidated should continue in the future.

It should be noted here that the Town also adopted a complete re-write of the Land Use and Development Regulations in 2008. That local law included prior amendments as well as many new provisions that updated certain procedural provisions in line with State law and new regulations concerning home occupations, protection of agriculture, conservation subdivisions, development standards, windpower facilities and aquifer protection. A mining company challenged this local law (along with the Nassau’s comprehensive plan adopted in 2008) in court because the 2008 law also prohibited large-scale mining operations throughout the Town. The law was determined to be null and void by the Rensselaer County Supreme Court in February, 2010, on procedural grounds. The Town has appealed the decision and the appeal is pending at this writing. Subsequent to the adoption of this

---

development in the Rural Residential District but this was changed back to 2-acres by a subsequent amendment (Local Law No. 3 of 2006).

Plan, the Town Board should immediately take up that prior 2008 land use regulations law for review and continue to update land use regulations as appropriate.

The Town of Nassau also has a stand-alone junkyard ordinance which was adopted in 1989. This law requires annual licensing of junkyards, the minimum standards to be met and enforcement provisions. Recently, the Town shut down one junkyard on the basis of noncompliance with this ordinance. The Town should explore either updating the junkyard ordinance or consider including it as part of overall revised zoning regulations.

In the summer of 2007, the Town Board proposed an aquifer protection law which was intended to create an overlay district that would include the land above the known aquifers and to provide additional protections to preserve the quality of such aquifers as a present and future water resource. This proposed law was tabled by the Town Board for further review. Many communities have regulations designed to protect water resources and Nassau should continue in this effort. Aquifer protection provisions should be incorporated into the zoning law.

With respect to its land use and building department administration, in December, 2006, the Town Board adopted a comprehensive and detailed law regarding the administration and enforcement of the New York State Fire Prevention and Building Code (Local Law No. 5 of 2006). This law provides specific procedures for the application and issuance of building permits together with inspection and enforcement authority. One aspect of this law is the use of civil penalties as an enforcement tool for violations of the building code. The use of civil penalties as an optional enforcement tool for zoning violations should be considered since it provides a greater deterrent and more efficient process in enforcement of violations than what the Land Use and Development Regulations currently authorizes.

#### 4.18. *Emergency Services*

---

Police services in the town are provided by the New York State Police and the Rensselaer County Sheriff. While the Village of Nassau has a part time police force, the Town of Nassau does not.

Three volunteer fire companies are located in and cover the entire town:

- The Nassau Hose Company, stationed on Chatham Street in the Village of Nassau;
- The Hoag's Corners Volunteer Fire Company, stationed on NY Route 66 just north of Hoag's Corners; and
- The Tsatsawassa Fire Company, stationed on Firehouse Road in Brainard.

The Hoag's Corners Volunteer Fire Company covers the northern part of the town, the Nassau Hose Company covers the southwestern portion, and the Tsatsawassa Fire Company covers the southeastern portion of town.

The Nassau Hose Company and the Hoag's Corners Volunteer Fire Company operate under the auspices of the Nassau Fire District and the Hoag's Corners Fire District No. 1, respectively. The Tsatsawassa Fire Company operates as a Fire Protection District.

Emergency Medical Service (EMS) is provided by the Nassau Ambulance and the Hoag's Corners Volunteer Ambulance, both staffed by volunteers. The Nassau Ambulance's response area is the same as that of the Nassau Hose Company. The Hoag's Corners Volunteer Ambulance response area is the same as that of the Hoag's Corners Volunteer Fire Company and the Tsatsawassa Fire Company. These two local ambulance companies are certified as Basic Life Support units by New York State. If Advanced Life Support services are needed, paramedics from one of the Capital District's commercial ambulance services will be sent to the scene. Advanced Life Support services are currently stationed at the Tsatsawassa Fire House through a contract arrangement and are available for town-wide dispatch. Additionally, fire companies in the town respond with the ambulance covering their response area to most EMS calls. Each fire company's local protocol, on file at the Rensselaer County Emergency Communications Center (ECC), determines which fire company may be dispatched to particular EMS calls. If rapid evacuation of a victim by air is needed, a helicopter (air ambulance) from Albany Medical Center can be dispatched to the scene.

All fire companies and local EMS providers in Rensselaer County are linked together by mutual aid agreements at the county level. These mutual aid agreements provide for a number of enhancements to the local resources. For example, EMS providers are linked to providers of advanced life support. For fire companies, if an incident is beyond the resources of any one company, assistance can be obtained from any other fire company. These agreements also allow for the sharing of resources. This is advantageous when a specialized resource is needed which local providers may not

have. For the fire service, one example is the airboat at the Averill Park Fire Company. This airboat is used for water rescues and can be requested by any fire company in the area. Another example is the 3,000-gallon tanker at the Hoag's Corners Volunteer Fire Company. While the Village of Nassau has a fire hydrant system, there is no such system outside of the Village (other than an occasional dry hydrant). Water exists throughout Nassau in lakes, ponds and streams but access to it is often difficult or impossible, therefore, fire companies must transport water to the scene of a fire. Since most fire apparatus carry 1,000 gallons of water or less, a 3,000-gallon tanker is an important resource for fire companies throughout the area.

Rensselaer County has an Enhanced 911 phone system allowing access to any of the emergency services by a phone call. Emergency calls are handled by trained Communications Officers at the ECC located at the Bureau of Public Safety on Main Street in Troy, NY. Based on the information the caller gives to the Communications Officer, and the local protocols of the various fire and EMS providers on file at the ECC, the appropriate initial response can be dispatched.

Additionally, all fire protection and EMS services in Rensselaer County can theoretically communicate with each other through a trunked, 800 MHz radio system. This system also allows for communication with local police and highway departments. Unfortunately, this expensive system has proven to be problematic in that it often does not work as intended due to topographic problems. Additional towers are expected to provide increased working areas. It is no better, and perhaps worse, than the old, 2 channel low band system it replaced. Funds have been expended at the local provider level to find alternative ways to guarantee some form of reliable radio communications. For example, the Hoags Corners Volunteer Fire Company has its own high band frequency for communicating at an incident. However, communicating with other providers is not possible as they do not carry radios with this frequency. The 800 MHz system must be used if it works. While duplicative and costly to the local communities, there seems to be no other solutions until Rensselaer County invests in improving the 800 MHz system. At this time, a fifth tower for the 800 MHz system has been installed by the County on Tinley Road in Stephentown, but whether this will solve the problem is yet to be seen.

The volunteer fire companies and EMS providers in the town struggle with obtaining and keeping volunteers. The tax base is insufficient to employ paid personnel. Volunteers available to respond are a particular problem for fire companies and EMS providers during weekdays, when many people are working out of town. Given this problem, fire companies have established automatic day

time mutual aid where multiple fire companies will be dispatched on the first alarm for such incidents as confirmed structure fires, brush fires and serious vehicle accidents. The specifics of these agreements vary by fire company and type of alarm.

#### 4.19. *Visual Character*

---

As noted above in Section 3.2, community character refers to the environmental, social, and economic characteristics of a place of settlement. Visual character pertains to landscape and townscape features. Nassau is characterized by three primary community landscapes. The first is townscape, represented by the Village of Nassau – a densely settled historic rural village containing attractive colonial architecture on tree-lined streets, along with a small non-distinct commercial center.

The second is an extensive low density rural residential landscape set amidst a scenic and natural environment of forested hills, open meadows, pastures, streams, lakes, and wetlands. This area includes most of the township, and several residential hamlets at major crossroads and lakeshores. The settlement pattern is primarily single family residential on large separated parcels, except in the hamlets where greater density is found. Architecture is a mix of historic colonial and more modern houses in various styles, including colonial, cape, ranch, mobile, and eclectic. Agriculture occupies about half of the open land, however, as noted above in Section 4.1, most of the town (83%) is in forest cover. There is little commercial use, and the overall impression is one of a pleasant and dispersed rural residential and historic community in a mostly wooded and naturalistic setting.

The third landscape is dominated by state highway corridors: Routes 20, 66 and 43. Highway traffic and noise are more prominent here than along the other county and local roads within the town. Among these, U.S. Route 20 presents the greatest contrast with its surroundings. Traffic is fast, noisy, and heavy, and the corridor east of the Village of Nassau contains a large auto junkyard, several smaller vehicle dumps, and some abandoned structures in an otherwise scenic route through forested hills, meadows, and scenic vistas.

The other elements comprising town character are covered in other inventory sections.

The Town currently provides a limited number of services:

- The Town's Highway Department provides continuous maintenance, repair, construction and snow removal services on Nassau's bridges and sixty-two miles of road.
- A summer youth program provides swimming and various other activities for youth. This program is funded in large part by the town government which also provides staff and pays for transportation. The recently created Town Youth Committee has begun to offer basketball opportunities, family game nights and a Family Fun Day for Nassau's youth.
- The Town does not provide specific services to Senior Citizens, but it does fund some activities for the Nassau Senior Club and has created a Town Advisory Committee on Seniors to explore other program offerings. The Town also provides funding for some special programs at the Edward Swartz Senior Center in Schodack. These organizations offer meals, transportation, trips and health services to this segment of the population. Nassau also contributes funding for programs and events for the residents in the Nassau Senior Housing complex run by Rensselaer Organizations United for Senior Endeavors, Inc. (ROUSE).
- The Town provides refuse disposal at a local transfer station on County Route 16. The transfer station is available to all residents of the town and is a cost effective means to dispose of daily household waste as well as construction/demolition (C&D) debris at additional cost. The station contains recycling bins for metals, plastics, paper, cardboard, and glass.
- An annual household hazardous waste collection day is offered by the Town and biannual tire recycling weekends have been instituted to rid the community of waste vehicle tires.
- The Town contracts out a Section 8 Housing Choice Voucher Program to the Joe E. Mastrianni Company for a current maximum number of 32 tenants. They

administer the program and provide monthly reports to the town. There continues to be a waiting list for this program.

## 5. *TOWN-WIDE RECOMMENDATIONS*

The primary purpose of this Comprehensive Plan is to provide a policy and legislative blueprint to guide the future development of Nassau. It achieves this, in part, by formulating and formalizing community goals that reflect residents' needs and visions for Nassau in concert with environmental considerations. The recommendations put forth in this section are organized into general goals and specific objectives grouped under the following eight main topic areas:

- Open Government
- Infrastructure and Roads
- Agriculture
- Community Facilities, Services and Organizations
- Environmental Health / Sustainability
- Public Safety
- Historic and Cultural Resources
- Growth Management / Development

### 5.1. *Open Government*

---

**Overall Goal:** Ensure the effective administration of town government while promoting an open and responsive environment that considers the needs of all residents.

Open, responsive, and effective government is essential to our democratic system, and the residents of Nassau have expressed their desire for such a government. The following objectives describe measures to enhance confidence in and the effectiveness of town government.

**Objective 1:** Encourage networking, coordination, and communication with Nassau's Villages, surrounding towns, and Rensselaer County agencies.

The Town of Nassau has initiated communication with several local towns and organizations.

These efforts have included collaborating with the Town of Sand Lake; becoming a member of the New York State Association of Towns, New York State Planning Federation, and Hudson River Valley Greenway; attending East Greenbush and Averill Park School Systems financial and planning meetings; working with numerous Rensselaer County Departments and agencies as well as organizations such as the Nassau Fire Chiefs Association and County Highway Superintendents Association among others.

Such cooperation will continue and expand. In addition, communications with state, federal, and county representatives will continue; Nassau will explore hosting presentations by organizations such as the Rensselaer Plateau Alliance, Rensselaer Taconic Land Conservancy, Columbia Land Conservancy, and the NYS Office of Parks, Recreation, and Historic Places and inter-municipal cooperation should increase, in particular with the Villages of Nassau, East Nassau, and regional townships.

**Objective 2: Develop consistent, user-friendly regulations with streamlined application and administrative procedures.**

The Town of Nassau should revise land use and subdivision regulations to bring them into compliance with this Comprehensive Plan. Clear guidance on the required components of site plans, application review procedures, and general performance standards should be included in the revised regulations.

The Town should continue to revise application packages to reflect revised land use and subdivision regulations. Application packages should contain forms, applicable maps, procedures, fee schedules, and other pertinent information.

Revised regulations and application packages should be made available on the Town's web site.

**Objective 3: Enhance the effectiveness and consistency of land use regulation enforcement.**

The Town of Nassau's land use and subdivision regulations should be amended to clearly grant authority to enforce conditions of all permits to the Building Inspector and Code Enforcement Officer. To promote consistency, clear standards and criteria for compliance and enforcement should be amended, and the roles of the Building Inspector and the Code Enforcement Officer will then be more clearly defined and available to the public.

**Objective 4:** Pursuant to State law, Nassau will provide training opportunities to municipal officials to increase the knowledge base on land use and governmental regulations.

The Town of Nassau has and should continue to work with the Rensselaer County Department of Economic Development and Planning, the New York State Department of State, the NYS Association of Towns and other organizations to organize training workshops for members of the Planning Board, Zoning Board of Appeals, Town Board, the Building Inspector and Code Enforcement Officer. The Town will also explore annual participation in Capital District Regional Planning Commission workshops to provide additional training for committee members and officials. Required training for all town officials should be reviewed annually by the Town Supervisor.

**Objective 5:** Maintain and enhance the Town of Nassau website.

The Town operates a web site containing valuable information including meeting minutes, a calendar of events, town history, demographics, and audio recordings of board meetings. This Internet technology allows residents to readily obtain forms and publications and to stay current on committee and board meetings through the use of a personal computer. The Town will regularly maintain the web site and update its content.

## *5.2. Infrastructure and Roads*

---

**Overall Goal:** Maintain, improve, and develop the safety and utility of Nassau's roadway system and other infrastructure.

High quality roads are essential to support travel, commerce and development. The Town is committed to providing a safe and effective road network to improve and enhance the quality of life of its residents.

The Town should explore the provision of additional forms of infrastructure such as sanitary sewers, public water, and high-speed broadband internet and cable services.

**Objective 1:** Develop a Capital Improvement Plan that schedules equipment procurement and roadway construction.

The Town of Nassau, through the Highway Department, has initiated and will continue the

development of a Capital Improvement Plan (CIP) to include a planning rationale for major equipment procurement and road improvements. The CIP should include an inventory of streets, roads and highways with their respective jurisdictions (town, villages, county, and state); functional classifications and safety rating of each town road and intersection; service areas of major town roads; and an assessment of traffic conditions. While providing an objective basis for conducting improvements, the CIP will also help the Highway Superintendent assess the conditions of County and State roads which can then be forwarded to those jurisdictions for repairs.

The CIP has, and should include, an inventory and condition assessment of the town's highway equipment, along with a schedule for regular replacement. Such regular replacement will help the town avoid continual high cost repairs for older equipment, thus achieving long term savings.

**Objective 2: Develop and maintain an Official Town Map.**

The Official Town Map is a graphic foundation upon which the Town can base its decisions and policies. These can include: reserving rights-of-way in subdivisions and providing appropriate locations for parks, drainage facilities, or new roads. The Town may also require developers to locate roads or provide rights-of-way for future roads that connect to adjacent parcels.

**Objective 3: Explore 'park and ride' and carpooling options for travel to Troy, Albany and Pittsfield, and explore expanded public bus service for residents.**

A majority of Nassau residents travel to Albany, Troy or Pittsfield for work, medical care, shopping, and other services not provided in our rural community. Opportunities for carpooling and expanded bus service would provide a crucial service.

The Town of Nassau should work with New York State and Rensselaer County Departments of Transportation to explore carpooling options as well as the development of 'park and ride' lots in strategic locations within the town. The Town should also explore expanded bus service through the Capital District Transportation Authority (CDTA) to include additional stops in Nassau, and it should work with the Edward C. Swartz Senior Center to increase service to the Center.

In addition, the Town should explore a volunteer ride program for disabled and elderly residents to health and other professional services.

**Objective 4: Investigate the feasibility of constructing sewer systems to serve lakefront**

properties.

Two of Nassau's major lakes--Nassau Lake and Burden Lake--have some shoreline areas characterized by high density housing close to the water. Originally summer camps, many of these structures have now been renovated for year-round use. In many cases, poor soils, small lots, and inadequate or failing septic systems are creating polluted runoff that is compromising water quality in these lakes.

In 2009, the Town Board created Nassau Sewer District No. 1 also known as the Burden Lake Sewer District. When constructed, this municipal sewer district will serve the dense Nassau neighborhoods on the western and southern sides of Burden Lake. This system will connect to the existing Burden Lake sewer system in the Town of Sand Lake. The Town will move forward with construction when the project funding is in place. As appropriate, the Town should also conduct additional sewer district feasibility studies, where needed, to protect public health and natural resources.

**Objective 5: Investigate the development and implementation of protection mechanisms to enhance public safety and prevent deterioration of existing roads and bridges.**

Regulations such as weight and speed limits can help protect the town's roads, public safety, and rural character. In addition, the placement of wayfaring signs can enhance motorist orientation and recreational bicycling.

### *5.3. Agriculture*

---

**Overall Goal: Encourage the preservation, protection, and enhancement of agriculture in order to safeguard irreplaceable farmland; improve the stability and profitability of farming; benefit the local economy; and preserve open space.**

Since 1960, Rensselaer County has lost half of its agricultural land, mostly to development. Once lost, it can never be regained. Farming is inherently risky but low commodity prices, high equipment cost, skyrocketing energy expenses, demanding governmental regulations and low priced foreign imports have made the profitability of agricultural enterprises even more precarious.

The challenge for Nassau, as with similar communities, is to find ways to support, promote, preserve and protect its irreplaceable farmland by helping farmers achieve stability and sustain

profitability. In order to support our agricultural community, Nassau has and should continue to avail itself of town, county, state and federal and non-governmental resources to support local farmers. In addition, public support and awareness of the importance of farming must be facilitated to develop broad based support for agricultural initiatives.

**Objective 1: Maintain and enhance local agriculture and related support services.**

Nassau has established the Town Advisory Committee on Farm and Agriculture Preservation which acts as a liaison to the local agricultural community for private, county, state and federal information, grants and support programs. The Town will continue to work with Rensselaer County's Agriculture and Farmland Protection Board and its Agricultural Economic Development Specialist, the New York State Department of Agriculture and Markets, and the U.S. Department of Agriculture to identify ways in which these entities might better help our farmers.

The Town should work with landowners to ascertain whether farmers are receiving the tax relief to which they are entitled by reviewing state property tax reductions, Farmer's School Tax Credit, and Farm and Building Tax Exemptions. The Town should review its assessment policy to work to ensure farm properties are taxed for farm value and not development value. Local property and farm building tax incentives will also be explored. Phased-in assessments should be considered as a means to encourage upgrading farm buildings.

When requested, the Town should direct farmers to governmental and non-governmental resources, which can provide direct technical assistance. Agriforestry standards such as the New York State Timber Harvesting Guidelines – Best Management Practices will be promoted. Those landowners who qualify to receive a Forestry Assessment should be encouraged to apply.

**Objective 2: Identify farming products and marketing initiatives that lead to greater farm stability and profitability.**

Working with various governmental and nongovernmental organizations, including the Rensselaer County Agricultural Development Specialist and any local food Co-op/Compact, the Town should work with residents to identify products and marketing initiatives to help farmers achieve stability and profitability. Niche and specialty markets are growing agricultural sectors. Nassau has experienced a near decimation of dairy farming, but a rise in alpaca, sheep and horse farms. In this region, small fruit orchards, greenhouses, and organic farming, are increasing in size and importance.

Other farm products might include production of specialty foods.

Americans have become aware of safety and health issues pertaining to imported food and produce. “Eat Locally-Grown Food” is becoming more of a reality with farmers markets and Community Supported Agriculture programs. Nearby communities, including Chatham, Kinderhook, Brunswick and Troy have established farmers markets which sell locally produced vegetables, fruit and value added products. Since Nassau is situated between two urban areas--the greater Albany metropolitan area and the Pittsfield, MA area, encouraging farmers to produce table vegetables and other products for farmers markets, restaurants and institutions may lead to greater market opportunities.

**Objective 3: Provide farmers and agribusiness investors with appropriate resource referrals for business planning and development assistance.**

Nassau should integrate economic development with farmland protection. Our efforts should include exploring programs like “Grow New York” and when appropriate, inform farmers of professional help in smart estate planning, and reaching out to providers of financing and capital.

Rensselaer County is committed to providing technical expertise directly to farmers. Farm mentoring programs have been effective in helping those interested in becoming farmers learn from successful farmers. Nassau should explore informational partnerships with Rensselaer County to assist local farmers.

**Objective 4: Identify productive town agricultural land; promote development patterns, land use policy and conservation measures that encourage agriculture and protect farmland from conversion to non-agricultural uses.**

Farming is resource dependent. Fertile soil, large contiguous plots of land, water, sun and the cooperation of weather all combine to help make farmland productive. Since Nassau is limited in the areas that have top quality soils, it is necessary that such land receive adequate protection so that it is preserved for agricultural uses. Farmland does more than produce agricultural products – well-managed land protects the water supply by filtering wastewater and allowing groundwater recharge, prevents soil erosion, absorbs atmospheric carbon, and provides wildlife habitat.

Resources that promote and provide technical guidance for small farmers like the Rensselaer County Soil Survey, US Department of Agriculture, NYS Department of Agriculture and Markets,

Rensselaer County Agricultural Development Specialist, Cornell Cooperative Extension, Rensselaer and Columbia Land Conservancies, and numerous private groups can provide important assistance to Nassau in the development of land use regulations that seek to preserve farmland. Some successful strategies to preserve farmland that are worth investigation include the following:

- Conservation easements. Such an easement is a legal agreement written in the form of a deed, in which the owner donates all, or a majority of, the property's development rights to a qualified non-profit land trust, such as the Rensselaer Taconic Land Conservancy.
- Purchasing Development Rights. PDR is a voluntary farmland protection tool that pays farmland owners for permanently designating their land for agriculture. New York State and the federal government have established PDR matching grant programs.
- Smart estate planning. Without an estate plan, inheritance taxes may force farmers to sell a large portion of their land. Smart estate planning protects farmland for the farmer's family which benefits the goal of the town to preserve agricultural properties.
- Public fishing easement rights. Since 1935, the Department of Environmental Conservation has worked with private landowners in the voluntary purchase of fishing rights easements, enabling the public to access prime fishing waters while benefiting landowners for allowing such use.
- Right-to-Farm laws. Many communities, including Nassau have enacted such ordinances. The Town should review and revise its law or other laws, if needed, to improve its effectiveness.
- Buffer Zones. The establishment of buffers to protect farmland from expanding development has been used in some communities. Such buffers can also have the benefit of protecting residential areas from objectionable agricultural activities, thereby reducing pressures from residential interests for agricultural restrictions.

**Objective 5: Protect farmland in water resource areas.**

Protecting farmland can be an important way to maintain water quality. Well-managed agricultural properties can prevent flooding, provide clean groundwater recharge and slow and filter storm water runoff into streams and underground aquifers. The Town should be mindful of the

contribution of farmland to a safe, unpolluted aquifer.

**Objective 6: Increase public awareness and participation in Nassau's agriculture.**

Greater public awareness of the importance of agriculture will help garner support for efforts undertaken by the town.

- Citizen organizations have in the past and should continue to be encouraged to create a coalition of farmers and non-farmers to address conservation concerns within the town and neighboring communities.
- Exploration of the viability of farms as expanded businesses could contribute to a greater agricultural sustainability.
- Farm tours, farm events, such as a harvest festival, establishment of a farmers market, and other participatory activities could strengthen the connection between the agricultural and non-agricultural communities. Such events might include coordinating activities with Nassau's neighboring communities.
- Local Right-to-Farm signage would increase awareness of the town's commitment to preserving its agricultural lands.
- Development of agritourism opportunities would also increase public awareness.
- Continue programs for the residents of Nassau like those offered at the Nassau Free Library on sustainable farming and other areas of interest to gardeners and owners of small farms.

*5.4. Community Facilities, Services and Organizations*

---

**Overall Goal: Promote community identity and pride, and enhance community services and facilities.**

Residents have consistently identified numerous positive attributes of the Town, including: rural character, natural resources, outstanding scenery, friendly people, and sense of community. Community pride is one of those intangible assets that enhance quality of life, and maintaining and fostering this pride is an important goal for Nassau. Fostering community interaction and developing new services

for residents will help realize this goal.

In recent years the Town has sponsored a year-long celebration of Nassau's 200<sup>th</sup> birthday in 2006 and celebrated the 200<sup>th</sup> anniversary of the naming of Nassau in 2008. The Town has also planned and executed festivities tied to the Anti-Rent War and the 200<sup>th</sup> birthday of Dr. Smith A. Boughton who was a hero of that movement. The observances included several events, including a slide show presentation of historic townscape and architecture photographs, a student essay contest to help young pupils envision their future, and dinner and dessert socials attended by many residents. This type of activity helps foster community identity and similar town-wide events could be planned in the future.

**Objective 1: Investigate the feasibility of developing a multi-use community center / town campus.**

The Town of Nassau should evaluate financial resources for and the feasibility of a community center and town campus. This facility could include a new town hall, youth center, senior center, library, medical facility, playground, recreation fields, and park. The campus could serve as a focal point for Nassau community activities and community pride.

Potential funding sources include grants available through the NYS Office of Parks, Recreation, and Historic Preservation, the NYS Environmental Protection Fund, and other such funding sources for site acquisition and construction. Other possible sources include the Town's Building Reserve Fund, allocations from subdivision parkland fees, and private fundraising efforts.

**Objective 2: Investigate the development of recreational facilities and opportunities such as swimming, ball fields, ice-skating, fishing, and cross-country skiing.**

The Town has limited organized recreational opportunities and facilities. The area school districts allow public access to playgrounds and sports fields, and a youth baseball league has its home in the Village of Nassau. Only the Donald P. Sutherland Elementary School is located within the town in the Village of Nassau. The NYSDEC offers state land within the region for public use; however, none of the state land areas are located within Nassau. Residents have consistently stated that organized recreational opportunities are lacking and should be offered to residents. The Town of Nassau should explore the development of recreational facilities concurrent with the development of a community center and town campus. In 2010, the Town Board created the Town Advisory Committee on Parks and Recreational Facilities to assist in this effort.

Fishing access to the Kinderhook Creek and other water bodies is available from state and county roads. The Town of Nassau should encourage and support the development of new fishing and waterfront access points, where appropriate, by coordinating directly with the NYSDEC. In addition, better signage and maintenance to the extent possible of the existing and proposed access points should be undertaken. The Town should encourage the purchase of fishing rights by the NYSDEC, and it should also encourage the granting of fishing access, where appropriate, by private landowners to Nassau's streams and lakes.

A plan should be developed by the Town to increase the amount of land available for public use. The implementation of the 2009, Natural Resources Committee draft report on increasing public access to town owned lands should be evaluated. This project would be ongoing. Interest groups such as the Rensselaer Plateau Alliance, Rensselaer Taconic Land Conservancy, the Columbia Land Conservancy, and the Hudson River Valley Greenway may be consulted. Land subdivision regulations will be amended to encourage public access through incentives, where appropriate.

Existing parkland impact fees and any subsequently amended fees charged to developers to offset the loss of rural properties should be evaluated for their effectiveness.

**Objective 3: Enhance and expand youth programs to include a variety of educational, recreational and cultural activities.**

The Town of Nassau has and should continue to evaluate and seek to expand the existing youth programs to include such activities as fishing derbies, nature hikes, environmental study, gardening, museum outings, and athletic events. The Town should work together with different community youth sport leagues, after-school programs, and other community based organizations to further develop youth programming.

**Objective 4: Encourage the use and support of library services.**

The Town of Nassau has and should continue to support the Nassau Free Library by encouraging its use, expanding information exchange, and cosponsoring educational/cultural events when appropriate. The Town should also encourage opportunities for residents to access library services in more rural areas of the community.

**Objective 5: Expand services for the elderly.**

The Town of Nassau has created the Town Advisory Committee on Seniors. This committee's focus is on the planning and coordination of senior programs and services for the residents of Nassau. It is also working to stimulate interest and action toward the expansion and creation of new programs for Nassau's senior population; and seeks to coordinate and provide information and education to the general public to make the senior population more aware of the programs and services potentially available. Nassau should also continue to investigate the development of programs to focus on such issues as transportation, education, recreation, and cultural activities. The Town should also continue to coordinate with the Swartz Senior Center and the ROUSE Senior Apartment Complex to help deliver services to Nassau's senior residents.

**Objective 6: Encourage the development of a medical/health care facility.**

The Town of Nassau does not offer any medical or health care facilities, and residents must travel out of town for such services. The Town should encourage and when appropriate collaborate with health care service providers to bring such facilities to Nassau.

**Objective 7: Promote and facilitate interaction between community organizations.**

A list of community organizations active in Nassau should be created, maintained, and located in Town Hall to the best extent possible. Community organizations should be encouraged to provide information and literature so that such materials will be available in the Town Clerk's office.

The Town, through advisory committees, has and should continue to sponsor or utilize town events to promote information regarding town partnerships with community organizations and their services. Town organizations and community groups should be invited to participate, enabling residents to discover and connect with the wide variety of civic life that Nassau has to offer.

**Objective 8: Encourage not-for-profit community organizations to utilize Town-owned or other meeting spaces, and post events on the community calendar.**

To promote community identity and community pride, when appropriate, not-for-profit community organizations should be encouraged to use town-owned space for their activities. Nassau's website should be reviewed for possible expansion to include a list of and links to community organizations, and a calendar of community events should be added. The inclusion of a bulletin board space on the Town's web site should also be explored for postings and a consolidated community

calendar.

### *5.5. Environmental Health / Sustainability*

---

**Overall Goal:** Protect Nassau’s resources and public health; and recognize and accommodate worldwide energy, natural resource, and climate trends in the development of a sustainable community.

The 2006 Natural Resources Committee report entitled “Protecting Nassau’s Natural and Cultural Resources” presented significant information involving the protection of Nassau’s resources and public health. Several of the following objectives are drawn from that report.

Residents have consistently stated that they believe that retaining existing open space and preserving natural resources should be paramount goals of the Comprehensive Plan and town officials. The Town supports the maintenance of open space, which provides important scenic, ecologic and hydrologic functions with little demands on public services. Nassau also recognizes that the depletion of natural resources and disappearance of prime agricultural lands threatens the long-term sustainability of our economy and communities. Nassau should take positive steps to counter these trends with a long-term objective of achieving a sustainable community.

**Objective 1:** Maintain and protect a clean water supply.

Both commercial and residential development has been expanding eastward in Rensselaer County. Large residential subdivisions have been developed or proposed in the Town of Schodack and in the western sections of Nassau, and large commercial development is underway along the NYS Routes 4 and 43 and U.S. Route 20 corridors.

Uncontrolled or inappropriate development has the potential to adversely affect groundwater aquifer resources, which are vulnerable to industrial waste, road de-icing, failing septic systems, landfills, commercial and industrial facilities, and leaking underground storage tanks. Concentrated or large commercial development that requires large amounts of water may tax an aquifer’s ability to supply existing users, and heavy concentration of residential development may result in groundwater discharges of septic waste, with serious adverse effects on groundwater quality. The siting of some types of commercial or industrial facilities over groundwater aquifers may be incompatible with protecting the town’s groundwater resource. Nassau need look no further than the impact that the Dewey Loeffel

Toxic Waste Landfill has had on the Town's groundwater to understand how an unwise use will impose long-term negative impacts on drinking water supplies, public health and the economic well-being of Nassau.

It is the Town's intent to ensure, to the greatest extent practicable, that both the quality and quantity of its groundwater resources will be protected and preserved for current and future residents. Given the rural residential character of the town and the lack of a public water supply for all but the Village of Nassau (whose municipal water is also derived from groundwater wells), the protection of our groundwater resources for domestic water supply must take precedent over other proposed uses.

In December of 2007, The Town of Nassau Natural Resources Committee completed a report entitled "Protecting Groundwater Aquifer Resources in the Town of Nassau." It is incorporated by reference into this Comprehensive Plan. The principle conclusion of the report is that Nassau should amend its land use regulations to protect groundwater resources. The Town should revise its land use regulations to protect groundwater resources.

**Objective 2: Continue to support programs for the disposal of household hazardous waste and electronics.**

Household chemicals, including solvents, paints, cleaners, petroleum products and electronic devices pose a hazard to public health and the environment, particularly if they are not stored or disposed of properly. As materials accumulate in homes, it is essential that the Town address this growing problem. The Town of Nassau should continue an annual disposal day for household hazardous waste, exploring doing so in conjunction with an adjacent municipality or regional agency. The Town should also explore supporting additional disposal programs.

**Objective 3: Investigate collaboration with other entities in household waste recycling programs.**

Nassau residents may currently recycle household waste either at the Transfer Station, by permit, or through a private waste service. To better serve town residents, Nassau should continue to investigate constructive alternatives for efficiencies in Nassau's household waste recycling services.

**Objective 4: Continue to pursue full cleanup of the Dewey Loeffel Toxic Waste Landfill.**

The Town of Nassau has actively and will continue to demand the remediation of the Dewey Loeffel Toxic Waste Landfill, polluted sections of the Valatie Kill, Nassau Lake, and contaminated areas

of groundwater and soils. Town officials should continue to work with a coalition that includes representatives from the residents group United Neighbors Concerned About General Electric and Dewey Loeffel Landfill (UNCAGED), Nassau Lake residents, and public officials. The objective should be to develop a plan of action that will lead to full cleanup of the site. This coalition will continue to coordinate with Nassau's state and federal elected representatives and all other agencies and organizations which may be of assistance. Specifically, the Town of Nassau should continue to work with representatives of the Environmental Protection Agency's Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly referred to as "Superfund" to seek full clean-up of the site through the federal response program. The Town has and should continue to remain in a leadership role seeking remediation through the NYSDEC's Environmental Remediation Program.

**Objective 5: Encourage and assist retrofitting existing structures to achieve greater energy efficiency, and provide incentives for new structures to achieve higher levels of energy efficiency than is required by the NYS Building Code.**

The Town of Nassau should encourage and promote energy saving measures in both existing structures and for new construction through public information and coordination with state and federal programs where practical. Standards for energy efficient design and construction are available from various sources such as the Leadership in Energy and Environmental Design (LEED) Green Building Certification Program, the Environmental Protection Agency ENERGY STAR program, and the NYS Energy Research and Development Authority (NYSERDA).

**Objective 6: Adopt regulations that prevent increases in non-point-source pollution, from development and other land use, in accordance with Best Management Practices.**

The Town of Nassau should review land use and subdivision regulations for amendments to encourage the use of Best Management Practices (BMPs). Potential changes could include provisions to avoid significant increases in runoff from new developments, maintain undeveloped buffers along streams and wetlands, avoid construction on steep slopes, and require development projects to conform to the substantive requirements of the New York State Department of Environmental Conservation (State Pollution Discharge Elimination System (SPDES)) General Permit for Stormwater Discharges from Construction Activity GP-0-10-001, as amended or revised. To help builders and developers navigate the new NYS stormwater management requirements, Nassau should supplement

development application materials to include references to NYS stormwater management standards and regulations.

**Objective 7: Protect the quality of life of residents and the character of the Town of Nassau's community by revising land use regulations implementing a town-wide prohibition of all commercial excavation above the state law threshold of 1000 tons per year.**

State law allows municipalities to regulate commercial excavation activities that are less than 1000 tons per year and, pursuant to municipal home rule, to prohibit commercial excavation entirely, or from certain districts within the town. The revised land use regulations should ban commercial excavation above the state regulated threshold and will serve to protect Nassau's natural resources, quality of life, and community character. These regulations would be consistent with public sentiment, the NRC report, and prior legislative efforts to achieve these goals.

In fact, the Town Board has prohibited excavation and mining activities above the 1000 tons per year threshold on two previous occasions: first, in 2006, following the recommendations contained in the Natural Resource Committee report and then in the 2008 re-write of the Land Use and Development Regulations. Both laws were eventually declared null and void by the Rensselaer County Supreme Court on procedural grounds as has been mentioned in various sections of this document. Any subsequent amendment or re-write of the Land Use and Development Regulations should prohibit this industrial use as well as any other industrial or commercial uses that have the potential to disrupt or alter the Town's character and quality of life. The Town has been very consistent over the years, particularly since the zoning regulations were first adopted in 1986, that large-scale mining operations are not compatible with the Town's character as well as its future growth and prosperity. The original regulations limited all excavation or mining activities to a relatively small size so that the potential impacts to the environment and the community would be manageable. However, due to the implementation of the NYS Mined Land Reclamation Act control of the type, size or operation of mining operations was taken away from local communities. With this in mind along with the considerable deposits of materials sought by mining companies and the potential that industrial mining has inherent in its very nature to completely alter the Town's present character for generations and to change its potential for appropriate, sustainable growth, the Town Board has consistently prohibited mining activities through a series of moratoria and the other legislative acts mentioned above. Given what is at stake regarding environmental, social and fiscal impacts for the Town and its residents,

property owners and businesses, efforts should continue to prohibit commercial/industrial mining and all other industries that are not compatible with the historic rural character of this community and the future vision of the Town of Nassau.

**Objective 8: Prohibit auto salvage yards from adversely affecting Nassau's community character and natural resources.**

The Town of Nassau should enact legislation that prohibits auto salvage yards in residential areas, floodplains, aquifer protection zones, and where scenic byways would be adversely affected. Such legislation should establish generous setbacks from lakes, ponds, streams, and wetlands, require compliance with strict environmental standards like those promulgated by NYSDEC, prohibit the storing of salvage vehicles containing motor fluids, limit size of junkyards to three acres, and require bonding for potential enforcement and clean-up actions.

**Objective 9: Protect residents from littering and unlawful dumping of garbage.**

Local Law No. 1 of 1990 addressed some penalties for illegal dumping in Nassau. The Town Board amended the law by way of Local Law No. 1 of 2001 which sets fines up to \$1,000, in addition to other penalties for anti-litter prevention.

The Town should review existing landfill and littering laws to ensure comprehensive definitions and standards for anti-litter programs and dumping as well as require bonding for enforcement and clean-up actions.

**Objective 10: Encourage landowners to adopt forest stewardship principles.**

Employing proper forest stewardship principles ensures a high quality forest that will provide sustainability of Nassau's diverse ecosystem. The Town of Nassau should review for amendment, Town land use regulations to include the New York State Timber Harvesting Guidelines Best Management Practices for logging and land clearing activities to manage forest resources and protect the environment. The Town should also explore amendments to regulations relating to bonding requirements for logging operations over town roads and special permitting for large scale logging operations.

**Objective 11: Ensure protection of fish, wildlife, and wetlands.**

The Town of Nassau should amend its land use and subdivision regulations to incorporate, by

reference, state and federal wetlands and watercourse protection regulations. The Town should work to ensure that development projects comply with state and federal wetlands and watercourse protection regulations and that wetlands boundaries and watercourses are properly identified during the development review process.

As indicated in Section 4.6, Ecosystem Resources, Nassau is the home to two New York state endangered plant species and two state threatened bird species. There are 93 protected breeding bird species, including six species of special concern. The Town should make an effort to protect these species through proper planning procedures. Appropriate notations should be required to be placed on subdivision plats and within property deeds so that prospective property owners are aware of sensitive natural areas and any development restrictions.

The Town should explore amending land use regulations to include buffer area restrictions and the consideration of wildlife habitat and biological diversity values.

**Objective 12: Support Open Space Conservation Plans.**

The northeast corner of town is included in an area recommended for inclusion in the Rensselaer Plateau open space designation by the Draft New York State Open Space Conservation Plan. This plan notes that the area supports unique wetland types, a very diverse wildlife community, and potential for supporting open space corridor and trail systems and connections to other natural and recreational areas. The Town of Nassau generally supports the goals and objectives of this plan and should investigate incorporating its applicable recommendations into the Town's land use regulations.

**Objective 13: Explore the development of policies to maximize energy efficiency and resource conservation in town facilities and operations.**

The efficient use of energy and conservation of resources are important societal, economic, and ecological objectives. The Town should investigate the application of energy and resource conservation measures such as materials re-use, building insulation improvements, efficient lighting, and improved mileage vehicles in its operations.

*5.6. Public Safety*

---

**Overall Goal:** Ensure the delivery of services that protect the health and safety of the community.

Public safety services are important to the quality of life of all communities. The Town of Nassau has and should continue to work with resident volunteer services, the Rensselaer County Sheriff's Department, and the New York State Police. The following objectives will facilitate the maintenance and support of emergency services.

**Objective 1:** Encourage consistent emergency service address labeling in new and existing development.

The Town of Nassau should coordinate with the fire protection and emergency medical services companies to ensure that property owners conspicuously display consistent emergency service address signs. New regulations should require emergency service address signs on all new houses, and existing homeowners will be encouraged to place such signs.

**Objective 2:** Require the siting of new development, public services, and utilities to minimize the potential risk from man-made or natural disasters.

The Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM) have and should continue to be made available at the Nassau Town Hall for residents' use. Regulations should be amended to require applicants for Subdivision and Site Plan approval to show mapped floodplains with submitted application materials. The Town of Nassau has and should continue to discourage inappropriate development within FEMA flood hazard areas and encourage compliance with NFIP regulations.

**Objective 3:** Ensure that critical facilities are capable of operating during a man-made or natural disaster.

The Town of Nassau has and should maintain an Emergency Management Plan in accordance with FEMA regulations and guidelines. The Town has and should facilitate the regular review of its Emergency Management Plan.

The Town has also and should continue to work with Rensselaer County in the preparation and completion of a County Multi-Jurisdictional Hazard Mitigation Plan. Once the plan has been adopted, Nassau should periodically review this plan to update relevant town sections.

**Objective 4:** Maintain an open-dialogue with local, regional, and state police, EMS, and fire

departments to ensure effective coordination.

The Town of Nassau has and should continue to encourage officials and leaders to regularly engage in an open-dialogue with emergency service providers.

**Objective 5:** Support and promote community participation in volunteer EMS and fire department companies.

The Town of Nassau has and should continue to support and promote resident participation in volunteer emergency service companies. The Town should explore measures to encourage participation by residents, such as tax incentives.

**Objective 6:** Ensure that new subdivision road and all new driveway construction meets recognized safety standards that allow for appropriate emergency vehicle access.

Town highway standards, subdivision regulations, and the zoning code should be reviewed and amended as necessary to require developers to design and construct safe and accessible subdivision roads and driveways that provide for adequate drainage and meet current engineering standards.

Nassau should explore implementation of a driveway construction permit process such as the one implemented by Rensselaer County, to ensure safe access to properties and to meet necessary engineering standards to protect the Town's roadways.

### 5.7. *Historic and Cultural Resources*

---

**Overall Goal:** Preserve, protect, and promote Nassau’s historic and cultural resources.

Historic and cultural resources significantly contribute to Nassau’s sense of tradition and community pride. Public knowledge, preservation, enhancement and restoration of these resources should be encouraged to maintain Nassau’s community character.

**Objective 1:** Support and assist the preservation of historic structures and cultural resources.

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and the National Park Service maintain Registers of Historic Places. Generally, structures over 50-years old with historic or architectural significance may be eligible for listing on either or both registry. In addition, according to the OPRHP, several areas within Nassau contain, or have a medium to high probability of containing, prehistoric archaeological resources. Proposed development that could affect such cultural resources, and those projects seeking development approval should be carefully evaluated pursuant to SEQR during site plan review. Nassau’s Building Department will need to be made aware of the value of these early structures.

The Town should work to recommend appropriate steps be taken in order to encourage preservation of these historic resources.

The Town should also investigate the incorporation of historic resource protection guidelines and standards into new subdivision and land use regulations for projects not subject to SEQR or site plan review.

**Objective 2:** Explore the designation of new historic districts and historic preservation tax incentives.

Potential historic resources in the town warrant additional investigation, documentation and evaluation for possible listing by OPRHP pursuant to state and federal legislation like the National Historic Preservation Act (NHPA). These resources include farmsteads, barns, and water-powered mill remnants and features, such as those along Tsatsawassa Creek near Dunham Hollow and East Nassau, and along Kinderhook Creek through the southeastern portion of the town.

Under New York State law, a municipality may designate historic sites and districts through a 'local historic designation', which allows threatened resources to be protected in advance of state or national eligibility. The Town should explore the formation of a committee to work with the Town Historian in identifying structures and districts of historic significance and pursue listing qualified properties, either locally or on the State and National Registers of Historic Places. The committee should also: explore tax incentives and grants to encourage historic preservation and restoration; create a register of historic structures and sites in the town; and investigate grant funding to develop a brochure and map of historic resources. To foster public knowledge, such a brochure and map should be made available at Town Hall, on the Town's web site, the Nassau Free Library, and other locations.

**Objective 3: Promote the development of a town-wide tourism organization.**

The Town should promote the formation of a tourism organization with the objective of promoting Nassau's historic, scenic and cultural resources. Such an organization could work with Rensselaer County, other municipalities, and various private and public organizations to promote scenic byways, regional touring routes, and Hudson River Valley Greenway planning initiatives. The tourism organization should also support scenic corridors already recognized in Rensselaer County planning and tourism publications and include the designation of additional corridors and trails.

**Objective 4: Promote preservation of historic cemeteries.**

A number of historic cemeteries are located within the Town, which in many cases, predate its founding. These cemeteries contain the remains of soldiers dating back to the French and Indian War, and many of them are overgrown and in disrepair. The Town has initiated the promotion of the maintenance of these burial grounds. The Town should continue to work with government and private organizations to explore funding and volunteer opportunities to preserve these resources.

*5.8. Growth Management/ Development*

---

**Overall Goals:**

- Manage growth and development in a manner that will ensure the preservation of the Town of Nassau's rural community character and quality of life.
- Encourage the development of a variety of housing options which will complement and

maintain the rural character and natural resources of the town.

- Expand Nassau's economic tax base, provide local jobs, and provide goods and services for its residents by attracting appropriate commercial development that is compatible with Nassau's community character.
- Promote a community development pattern that reflects changing environmental and energy trends consistent with Nassau's rural community character and quality of life.

Through planning efforts, public hearings and public comment, residents of the Town of Nassau have expressed to their government representatives the greatest interest in protecting Nassau's rural residential character. Residents have requested that home-based businesses be encouraged, commercial and industrial development be limited in scope and size, appropriate commercial and industrial development be limited in location to the already-developed state highways, housing options and subdivision plans be more environmentally sound, development be more aesthetically pleasing, and that noise control be a requirement for developments.

Previous section objectives, in particular objectives 1, 4, 6-8, in section 5.5 deal with environmental concerns that have a direct impact on the scope and impact of future development in the Town of Nassau. These objectives should be reflected in any amendments to land use and development regulations that also relate to the protection of the future growth and development of the community as outlined below.

The Town is committed to the development of innovative and flexible land use regulations that reflect up-to-date community and environmental planning.

**Objective 1:** Revise Nassau's land use and development regulations to allow for a variety of development patterns while maintaining rural character.

With the exception of Local Law No. 3 of 2010 which allows for the creation of floating planned development districts (PDD's), Nassau's current land use and development regulations, like those of most communities in the nation, limit development to standard residential subdivisions, along with a provision allowing clustering within a prescribed density. The result, nationwide, has been the predominance of undifferentiated subdivisions that destroy the rural community character that zoning laws were instituted to preserve. While Nassau has not yet been impacted by this type of large-scale development; the Town needs to continue to prepare for this increasing land use pressure by

developing new regulations that address the potential threat to the town’s rural residential character.

Widely used alternatives to the conventional subdivision, (sometimes referred to as “rural design standards”) include, in addition to the PDD developments:

- Condensing development in clusters and hamlets to reduce development cost, preserve open space, and promote community interaction;
- Careful siting of new development to minimize impacts to wildlife habitats, soils, and groundwater resources;
- Establishing residential zones of varying density based on natural limiting factors like soils and slopes;
- Building and street design standards to preserve existing community character; designing and locating projects that reflect and preserve existing landscape patterns and vistas;
- Concentrating appropriate commercial activity.

The Town should investigate these alternative development methods and incorporate such options, as appropriate, in Nassau’s new land use and subdivision regulations.

Traditional dense settlements like hamlets, villages, small towns, and cities developed gradually, with co-existing residential and commercial uses. Nassau’s current Hamlet districts allow a degree of mixed use. Expansion of, and creation of new Hamlet Districts that include both residential and limited small-scale commercial uses could offer needed goods and services within residential areas, while not detracting from the rural character of neighborhoods.

**Objective 2:** Foster a visually pleasing and harmonious townscape by helping applicants for building permits and site plan approval research design choices; continue general standards for signs, site screening, and outdoor lighting.

A visually pleasing and harmonious townscape is an important component of Nassau’s community character. Architectural and landscape design, along with ecologically-based site planning, can help achieve such an environment. The Town should assist applicants through referral to design literature and other informational resources. Individual choice of the design and construction of homes

and businesses is respected.

Large, brightly lit signs can adversely change the character of a neighborhood. Well-designed lighting is effective at providing enhanced security and visibility while minimizing off-site 'light trespass,' preventing loss of dark sky conditions, and conserving energy. Vegetation screening between residential and commercial properties can protect residents' privacy. To help protect community character and individual property owners from objectionable intrusions, the Town's current land use regulations contain general performance standards for new development in furtherance of such purposes. These standards, or similar general standards, should be carried over into new zoning regulations.

**Objective 3:** Assist the voluntary rehabilitation and maintenance of homes and businesses by encouraging the use of available grants and community development resources.

Regular upkeep of structures contributes to community character and the protection of property values. Because financial constraints may limit some owners' ability to maintain their properties, the Town should assist rehabilitation through public information efforts, by helping property owners obtain information on available grants and community development resources, and by exploring the feasibility of local property tax incentives. Such incentives could include phased re-evaluation of a property's value, thus resulting in delayed tax increases. The Town has and should continue to promote awareness of the NYS Home Energy Assistance Program (HEAP) and the U.S. Department of Energy's Weatherization Assistance Program (WAP), which are programs that provide financial assistance for housing improvements and heating bills to income-eligible homeowners.

**Objective 4:** Investigate the delivery of new technologies such as broadband Internet to promote economic development.

The Town will encourage, through site plan review and the subdivision and special use permitting processes, the incorporation of new technology infrastructure into new development. Nassau has and should cooperate with other municipalities, state and federal officials, and private companies to make new technologies like high-speed Internet access available to all residents.

The Town is committed to supporting the delivery of new technologies for the community and will work to ensure that such development will consider aesthetics and community character, appropriate location, and conservation of the Town's natural and cultural resources.

**Objective 5:** Enhance the commercial tax base by encouraging the growth of service, retail, and light industrial businesses that are compatible with existing land uses and community character. Explore the creation of new zoning districts such as “Commercial/Light Industrial” and “Mixed Use”.

The Town is committed to supporting appropriate commercial and light industrial development with consideration for aesthetics and community character, appropriate location, and conservation of the Town’s natural and cultural resources.

The Town should amend the land use regulations to permit a variety of commercial and light industrial uses; however, heavy industrial uses will continue to be excluded. New regulations should include general standards pertaining to: noise, odor, hours of operation, size, and others to ensure such development is compatible with surrounding areas and town character.

To prevent development that would destroy Nassau’s rural character, revised land use regulations should explore the feasibility of new districts for Commercial/Light Industrial and Mixed Use development that are clustered in discreet areas. Such zones should be selected according to such factors as topography, soils, water features, existing land use, traffic safety, availability of water resources and infrastructure, and community character. There are locations along Routes 20, 66, 43, and 203, Burden Lake Road, Lake Avenue, and at various nodal intersections and roads throughout the town, that indicate varying levels of suitability.

The Commercial/Light Industrial District should exclude heavy industry, and the term “Light Industrial Businesses” should be defined in amended land use regulations to include activities pertaining to light manufacturing, processing, and storage.

A floating Planned Development District could include residential and small-scale commercial uses, like retail shops, that would not detract from a neighborhood’s rural residential character and would encourage the use of creative rural design standards.

**Objective 6:** Continue to allow Home Occupation businesses in the Rural Residential District and expand permitted uses as long as the rural residential character is not compromised.

The ability of residents to earn a livelihood on their residential property is an important right, and with contemporary changes in energy and transportation trends, it is an important sustainability objective. The Town should revise land use regulations to expand the ability of homeowners to

conduct a profession or business, while not detracting from or significantly altering the neighborhood character. Revisions to regulations should take into account the level of business activity including customer traffic and parking. Project review will advance this objective.

**Objective 7: Encourage the preservation of open space to maintain Nassau's rural and natural character.**

Previous sections and objectives speak to the preservation of open space for ecological and agricultural reasons. The open space objective under this section pertains to the preservation of the rural residential character of Nassau. Measures such as conservation easements and the purchase of development rights are widely employed for this purpose. When appropriate, the Town will coordinate with regional land trusts, the Hudson River Valley Greenway, the Rensselaer Plateau Alliance and other public and private entities to achieve this objective.

There is a potential conflict between seemingly contradictory Plan objectives that preserve open space and those that promote development. Nassau needs to achieve both. By applying sound planning and development principles, it becomes clear that some open space is more suitable for commercial/light industrial development, some for residential development, and some for preservation. In determining the pattern of future land use in Nassau, the Town will be guided by the Comprehensive Plan to make informed choices during the development of revised regulations and the review of development applications.

## 6. IMPLEMENTATION PLAN

### 6.1. Implementation Plan Summary

---

The Comprehensive Plan is a public document that is adopted by the Town Board as a policy guide for public and private land use and other policy decisions. By itself, a municipal comprehensive plan does not regulate; it is the land use regulations and other laws enacted pursuant to such a plan that represent its legal implementation.

This section outlines an implementation strategy for achieving the goals and objectives of Nassau's Comprehensive Plan. It establishes priorities, a timeframe, the implementing body, and the nature of the action.

There are four primary types of implementing actions.

- Legislative. The Town Board can enact legislation that amends or replaces land use regulations and other laws.
- Administrative. The Town Board or any department can accomplish tasks requiring coordination or administrative action.
- Committee Assignment. The Town Board can assign particular projects that don't require legislative action to volunteer resident-staffed advisory committees.
- Research. The Town Board, Committee, or any department can conduct further investigation in support of one or more of the objectives identified in the Plan.

Table 6-1, below, summarizes the implementation strategy for each of the Plan's objectives. While the Plan recommends achieving each objective, they are priority ranked high, medium, and low (H, M, L), reflecting their importance relative to the town's needs. The timeframe designation reflects practical and administrative constraints on achieving the objectives, given the town's limited resources. Timeframe is divided into: Immediate (within 6 months); Short Term (6 months to 4 years); and Long Term (4 years and longer). It should be noted that these timeframes are for completion of objectives and once completed, are intended to be continued as part of town governance.

Table 6-1  
Implementation Plan Summary

	Objective	Implementation Action/By				Priority	Time Frame for Completion		
		Legislative	Administrative	Committee	Research		1	2	3
		Town Board	Town Board & All	Town Board & Comm	All		Imm d.	Short-term	Long-Term
5.1-1	Encourage networking, coordination, and communication with Nassau's Villages, surrounding towns, and Rensselaer County agencies.		X			M	X		
-2	Develop consistent, user-friendly, and streamlined application and administrative procedures.	X	X			H	X		
-3	Enhance the effectiveness and consistency of land use regulation enforcement.	X	X			H	X		
-4	Pursuant to State law, the town will provide training opportunities to municipal officials to increase the knowledge base on land use and governmental regulations.		X			M	X	X	
-5	Maintain and enhance the Town of Nassau website.		X			M	X	X	
5.2-1	Develop a Capital Improvement Plan that schedules equipment procurement and roadway construction		X			H	X	X	
-2	Develop and maintain an Official Town Map.			X		L		X	

	Objective	Implementation Action/By				Priority	Time Frame for Completion		
		Legislative	Administrative	Committee	Research		1	2	3
		Town Board	Town Board & All	Town Board & Comm	All		Imm d.	Short-term	Long-Term
-3	Explore park and ride' carpooling options for travel to Troy, Albany and Pittsfield, and explore expanded bus service for residents.			X	X	M		X	X
-4	Investigate the feasibility of constructing sewer systems to serve lakefront properties.	X		X		H		X	
-5	Investigate the development and implementation of protection mechanisms to enhance public safety and prevent deterioration of existing roads and bridges.	X	X		X	M		X	
5.3-1	Maintain and enhance local agriculture and related support services.			X	X	M		X	
-2	Identify farming products and marketing initiatives that lead to greater farm stability and profitability.			X	X	M		X	
-3	Provide farmers and agribusiness investors with business planning and development assistance.			X	X	M		X	
-4	Identify productive town agricultural land, promote development patterns, land use policy, and conservation measures that encourage agriculture and protect farmland from conversion to non-agricultural uses.	X		X	X	M		X	
-5	Protect farmland in water resource areas.	X				M		X	

	Objective	Implementation Action/By				Priority	Time Frame for Completion			
		Legislative	Administrative	Committee	Research		1	2	3	
		Town Board	Town Board & All	Town Board & Comm	All		Imm d.	Short-term	Long-Term	
-6	Increase public awareness and participation in the Town's agriculture.		X	X	X	M		X		
5.4-1	Investigate the feasibility of developing a multi-use community center/town campus.			X	X	M		X		X
-2	Investigate the development of recreational facilities and opportunities such as swimming, ballfields, ice-skating, fishing, and cross-country skiing.			X	X	M		X		X
-3	Enhance and expand youth programs to include a variety of educational, recreational and cultural activities.		X	X		H		X		
-4	Encourage the use and support of library services.		X	X		M		X		
-5	Expand services for the elderly.			X	X	H		X		
-6	Encourage the development of a medical/health care facility.		X	X		H		X		X
-7	Promote and facilitate interaction between community organizations.		X			L		X		
-8	Encourage not-for-profit organizations to utilize Town-owned or other meeting space and post events on the community calendar.		X			L		X		
5.5-1	Maintain and protect a clean water supply.	X	X			H		X		X

	Objective	Implementation Action/By				Priority	Time Frame for Completion		
		Legislative	Administrative	Committee	Research		1	2	3
		Town Board	Town Board & All	Town Board & Comm	All		Imm d.	Short-term	Long-Term
-2	Continue programs for the disposal of household hazardous waste and electronics.	X	X			H			X
-3	Investigate collaboration with other entities to expand household waste recycling program.		X	X		M		X	
-4	Continue to pursue full clean-up of the Dewey Loeffel Toxic Waste Landfill.		X	X		H	X	X	X
-5	Encourage and assist retrofitting existing structures to achieve greater energy efficiency, and provide incentives for new structures to achieve higher levels of energy efficiency than is required by the NYS Building Code.	X	X			M		X	
-6	Adopt regulations that prevent increases in non-point-source pollution, from development and other land use, in accordance with Best Management Practices.	X				M		X	
-7	Protect the quality of life of residents and the character of the Town of Nassau's community by continuing to support the town-wide prohibition of all commercial excavation above the state law threshold of 1000 tons per year.	X				H	X		
-8	Prohibit auto salvage yards from adversely affecting Nassau's community character and natural resources.	X				H		X	

	Objective	Implementation Action/By				Priority	Time Frame for Completion		
		Legislative	Administrative	Committee	Research		1	2	3
		Town Board	Town Board & All	Town Board & Comm	All		Imm d.	Short-term	Long-Term
-9	Protect residents from littering and unlawful dumping of garbage.	X				H	X		
-10	Encourage landowners to adopt forest stewardship principles.	X				L	X	X	
-11	Ensure protection of fish, wildlife, and wetlands.	X				M	X		
-12	Support the NYS Open Space Conservation Plan.	X				L	X		
-13	Explore the development of policies to maximize energy efficiency and resource conservation in town facilities and operations.		X		X	M	X		
5.6.-1	Encourage consistent emergency service address labeling in new and existing development.		X			M	X		
-2	Require the siting of new development, public services, and utilities to minimize the potential risk from man-made or natural disasters.	X				M	X		
-3	Ensure that critical facilities are capable of operating during a man-made or natural disaster.	X	X			H	X		
-4	Maintain an open-dialogue with local, regional, and state police, EMS, and fire departments to ensure effective coordination.		X			H	X	X	
-5	Support and promote community participation in volunteer EMS and fire department companies.		X		X	M	X	X	

	Objective	Implementation Action/By				Priority	Time Frame for Completion		
		Legislative	Administrative	Committee	Research		1	2	3
		Town Board	Town Board & All	Town Board & Comm	All		Imm d.	Short-term	Long-Term
-6	Ensure that new subdivision road and driveway construction meets recognized safety standards and allows for emergency vehicle access.	X				M	X		
5.7-1	Support and assist the preservation of historic structures and cultural resources.	X	X		X	M	X		X
-2	Explore the designation of new historic districts and historic preservation tax incentives.	X		X	X	L	X		
-3	Promote the development of a Town-wide tourism organization.		X	X		L	X		
-4	Promote preservation of historic cemeteries.		X		X	L	X		X
5.8-1	Revise the town's land use and development regulations to allow for a variety of development patterns while maintaining rural character.	X			X	H	X		
-2	Foster a visually pleasing and harmonious townscape by helping applicants for building permits and site plan approval research design choices; continue general standards for signs, site screening, and outdoor lighting.	X	X			M	X		

	Objective	Implementation Action/By				Priority	Time Frame for Completion		
		Legislative	Administrative	Committee	Research		1	2	3
		Town Board	Town Board & All	Town Board & Comm	All		Imm d.	Short-term	Long-Term
-3	Assist the voluntary rehabilitation and maintenance of homes and businesses by encouraging the use of available grants and community development resources.	X	X	Town Board & Comm		M	X	X	
-4	Investigate the delivery of new technologies such as broadband internet to promote economic development.		X		X	M	X	X	
-5	Enhance the commercial tax base by encouraging the growth of service, retail, and light industrial businesses that are compatible with existing land uses and community character. Define and create new zoning districts like "Commercial/Light Industrial" and "Mixed Use."	X				H	X		
-6	Continue to allow Home Occupation businesses in the Rural Residential District and expand permitted uses as long as the rural residential character is not compromised.		X			M	X		
-7	Encourage the preservation of open space to maintain the town's rural and natural character.	X	X	X		H	X	X	

## 7. REFERENCES

- Anderson, George Baker. *History of Nassau, New York*. From: *Landmarks of Rensselaer County*, D. Mason & Co. Publishers, Syracuse, 1897.
- Capital District Regional Planning Commission. 2004. Community Fact Sheets: Town of Nassau, Rensselaer County. November 2004.
- Environmental Compliance and Pollution Prevention Guide for Automobile Recyclers*, New York State Department of Environmental Conservation, 2003.
- DP-3. Profile of Selected Economic Characteristics: 2000 Census 2000 Summary File 3 (SF 3) – Sample Data, Geographic Area: 12123 5-Digit ZCTA
- Federal Emergency Management Agency, FIRM Maps
- Keep It Growing: An Agricultural and Farmland Protection Plan for Rensselaer County*, 2001.
- LaFleur, R., *Glacial Geology of the Troy, NY Quadrangle*, New York State Museum, 1965.
- Lord, Philip L., Jr., *Mills Along the Tsatsawassa*, New York State Museum, 1983.
- New York Guidelines for Urban Erosion & Sediment Control*, Urban Soil Erosion & Sediment Control Committee, 1991.
- New York State Department of Transportation. 1989. NYS DOT Quadrangle Maps. Nassau and Stephentown Center, New York Quadrangles.
- New York State Department of Transportation. 2010. Average Annual Daily Traffic Counts [www.nysdot.gov/tdv](http://www.nysdot.gov/tdv).
- New York State Department of Agriculture and Markets, *Rensselaer Co. Ag. District 1 & 6*.
- New York State Department of Environmental Conservation. *Timber Harvesting Guidelines Best Management Practices*.
- NYSDEC. *Auto Salvage Yard Standards*.
- NYSDEC. *New York State Open Space Conservation Plan*.
- NYSDEC. Records of Decision for Dewey Loeffel Landfill, 2000 and 2002.
- Protecting Nassau's Natural & Cultural Resources: A Report to the Nassau Town Board*, Town Of Nassau Natural Resources Committee, 2006.
- Town of Nassau Comprehensive Plan

December 2010

*Quality Communities - Five Years of State and Local Partnerships*, Quality Communities Interagency Working Group, New York State Department of State Division of Local Government, 2006.

*Rensselaer County Future*, Rensselaer County Planning Department, 1970.

*Rensselaer County Master Plan*, Rensselaer County Planning Department, undated (circa 1990).

*Report on the Potential Recreational Use of the Landfill Property*, Town of Nassau Natural Resource Committee, 2009

*Town of Nassau Draft Master Plan*, 2002.

*Town of Nassau Comprehensive Plan*, 2008.

U.S. Department of Agriculture. 2002. Soil Survey of Rensselaer County, New York. United States Department of Agriculture, Natural Resources Conservation Service.

U.S. Department of the Interior. 1998. National Wetlands Inventory Map. Nassau and Stephentown Center, New York Quadrangles. National Wetlands Inventory, 1998.

U.S. Environmental Protection Agency. 2006. Section 303(d) List, Part 2b- Multiple Segment/Categorical Impaired Waterbody Segments. February 10, 2006.

U.S. Geological Survey. 1974. Topographic Maps. Nassau and Stephentown Center, New York Quadrangles. National Wetlands Inventory, 1974.

# MAPS

# **MAP 1**

## **Nassau Street Map**

# **MAP 2**

## **Land Use Map**

# MAP 3

## Aerial Photograph

# MAP 4

## Topographic Map

# **MAP 5**

## **Surficial Geology Map**

# **MAP 6**

## **Bedrock Geology Map**

# MAP 7

## Soils Map

# MAP 8

## Surficial Hydrography Map

# **MAP 9**

## **Ground Water Resources**

# **MAP 10**

## **Agricultural Districts Map**

# MAP 11

## Nassau Zoning Map