

# Update on CAC's Natural Resource Conservation Plan/NRI



View west from Signal Rock of Shawangunk and Catskill Mountains

# Enabling Legislation

New York General Municipal Law Section 239-X (d):

It (Conservation Advisory Council) shall keep an inventory and map of all open areas within the municipality with the plan of obtaining information pertinent to proper utilization of such open lands.

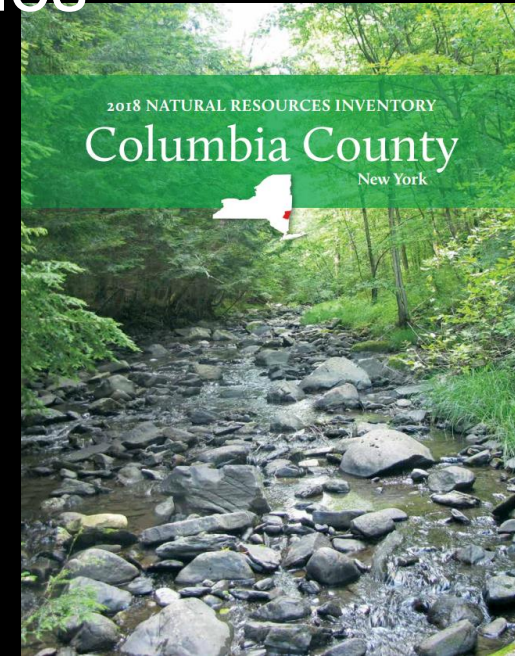
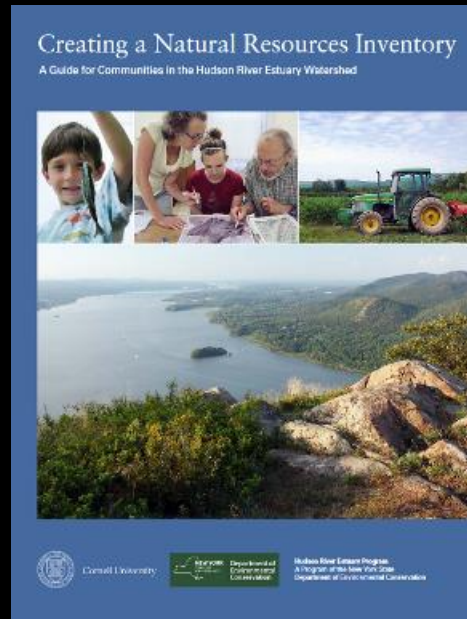
Gallatin's Comprehensive Plan also calls for development of an NRI (NRCP)<sup>1</sup>

# Review of Previous Studies

Town of Gallatin June 2023 Adopted Updated Comprehensive Plan

## Draft Town of Gallatin Comprehensive Plan Part I: Vision, Goals and Strategies

This Plan Updates the 2007 Version  
June 2023



### *Floodplain Forests of Columbia and Dutchess Counties, NY: Distribution, Biodiversity, Classification, and Conservation*



by  
Claudia Knab-Vispo and Conrad Vispo  
Hawthorne Valley Farmscape Ecology Program  
in cooperation with  
Hudsonia Ltd.  
December 2010



## Hudson River Estuary Program

A Program of the New York State Department of Environmental Conservation

## Habitats and Wildlife in the Town of Gallatin



Christine Vanderlan, *Conservation & Land Use Specialist*  
Hudson River Estuary Program/Cornell University

August 18, 2022



## Punch Brook-Roeliff Jansen Kill Watershed Characterization Report




March 2024



# What are other towns doing?


## Natural Resources Protection in the Hudson Valley: Municipal Conservation Stories





**Daria Penstigel**  
Cornell University


**Shera Alred**  
University of North Carolina at Chapel Hill and Cornell University

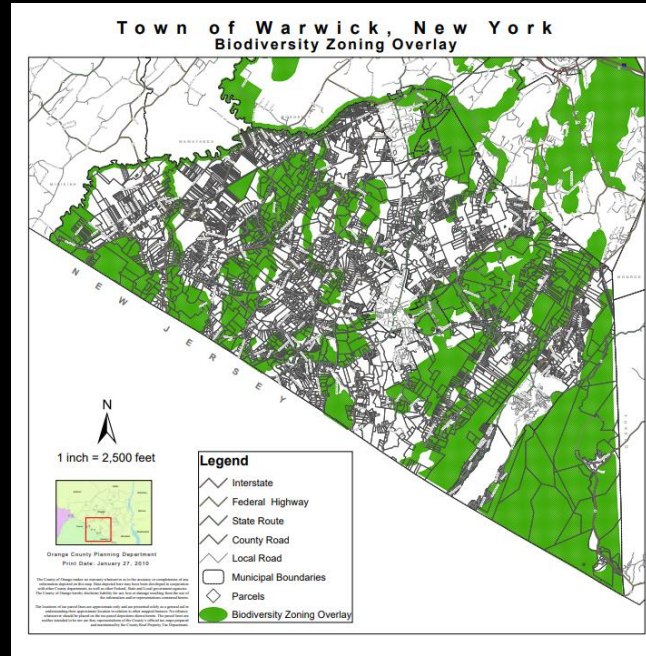
**Laura Healy**  
Conservation and Land Use Team at the NYSDEC Hudson River Estuary Program

 Cornell University


 CCSS

 Department of Environmental Conservation

 Hudson River Estuary Program



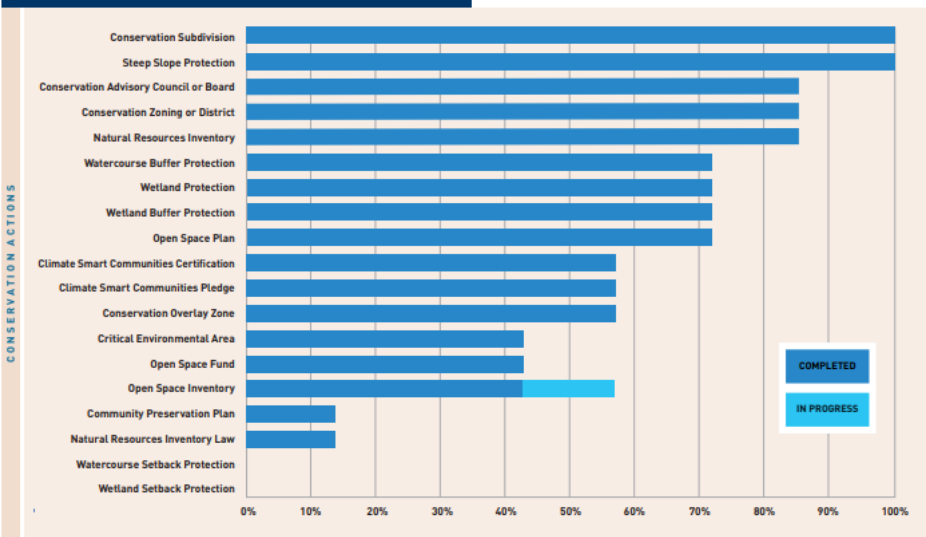
## Town of Ancram Columbia County, New York



### Agriculture and Farmland Protection Plan

January 2011 Final Draft

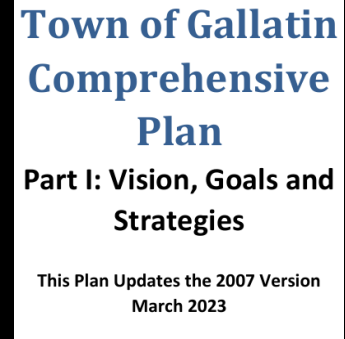
Figure 2. Conservation Actions Status for Interviewed Towns



Most towns in region have NRI's, Overlay Zones, Wetland and Watercourse protections

# Gallatin Comp Plan Recommendations

- Establishment of the Forest Core Protection Overlay District<sup>1,2</sup>
- Establish Critical Environmental Areas (CEA)<sup>3</sup>  
Roeliff Jansen, Fall Kill and tributaries
- Extend Watercourse Protection Overlay District to protect more streams and tributaries<sup>4</sup>
- Develop additional wetland protections<sup>5, 6</sup>



1 Comprehensive Plan, p. 30,32

2 New York DEC's *Municipal Official's Guide to Forestry* writes that "the adoption of a forest zone is the ideal way to help prevent the fragmentation and conversion of forest land to other developed uses".

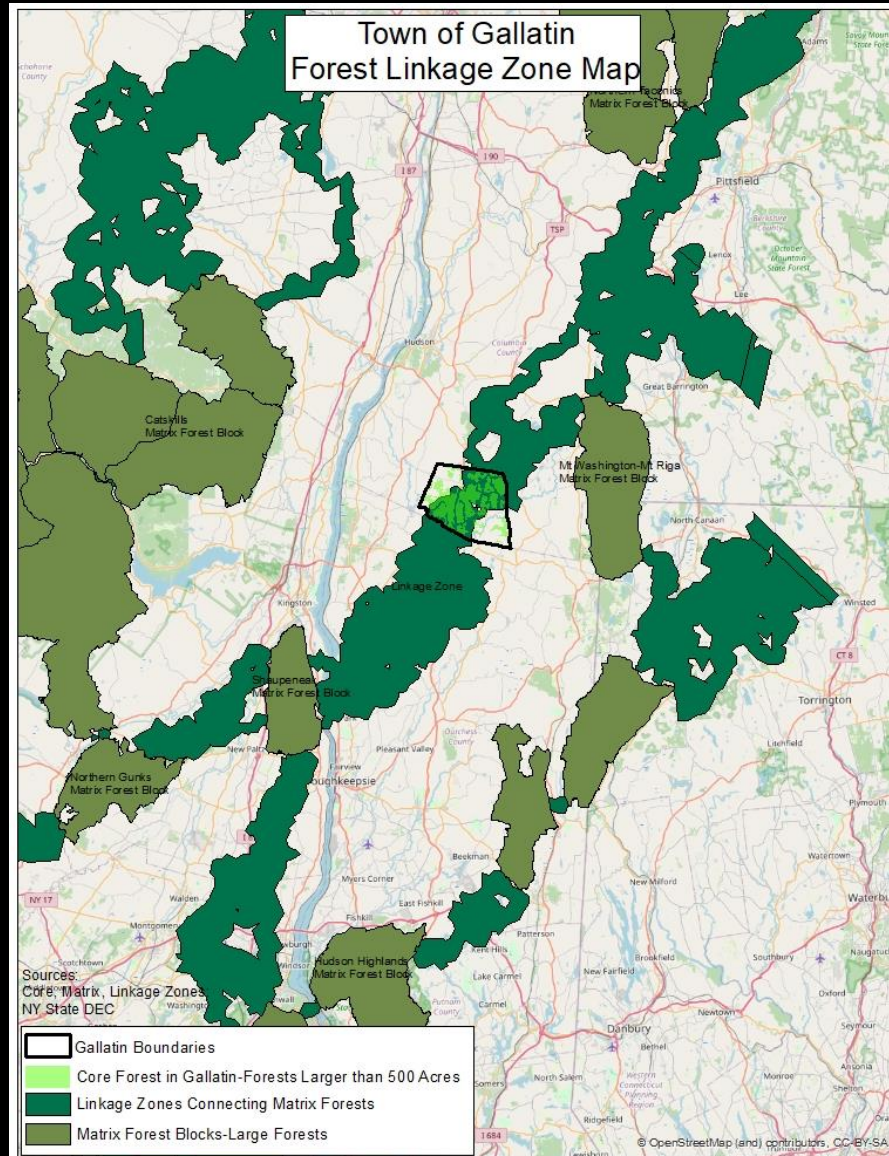
3 Comprehensive Plan, p. 30

4 Comprehensive Plan p. 31

5 Comprehensive Plan, p. 35


6 Ancram, Copake, New Paltz, Red Hook have 50- to 150' stream and wetland buffers

# Gallatin's Forests are a Critical Link in the Chain from Appalachians to Green Mountains




# Gallatin and its Forests are Unique


Focus on forests



Hudson Valley Forest Patch Update and Assessment  
Amy K. Conley, Emily Cheadle, and Timothy G. Howard  
December 2019



New York  
Natural Heritage  
Program



NEW YORK STATE FORESTRY  
VOLUNTARY BEST MANAGEMENT PRACTICES  
FOR WATER QUALITY

BMP FIELD GUIDE 2018 EDITION

This BMP Field Guide is the property of

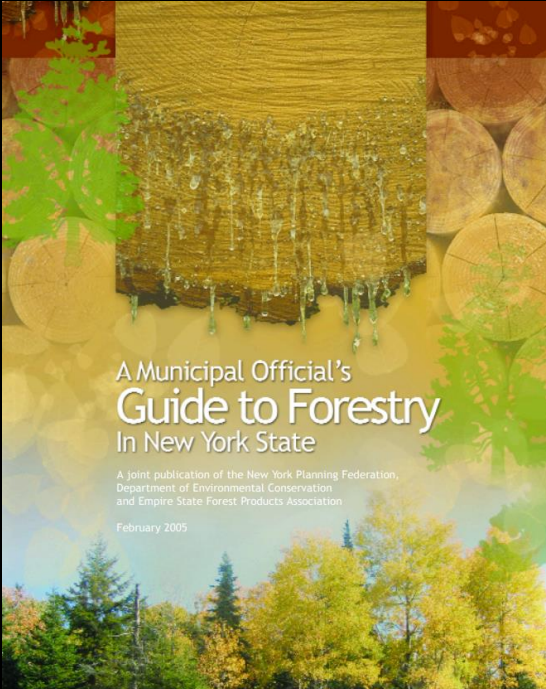
For more information about forestry and water quality, contact:  
**Watershed Agricultural Council Forestry Program**  
(607) 865-7790

[nysbmguidelines.com](http://nysbmguidelines.com)

NYS DEC: Division of Lands and Forests  
(518) 402-9425

SUNY College of Environmental Science and Forestry  
(315) 470-6536

Empire State Forest Products Association  
(518) 463-1297



A Municipal Official's  
**Guide to Forestry**  
In New York State

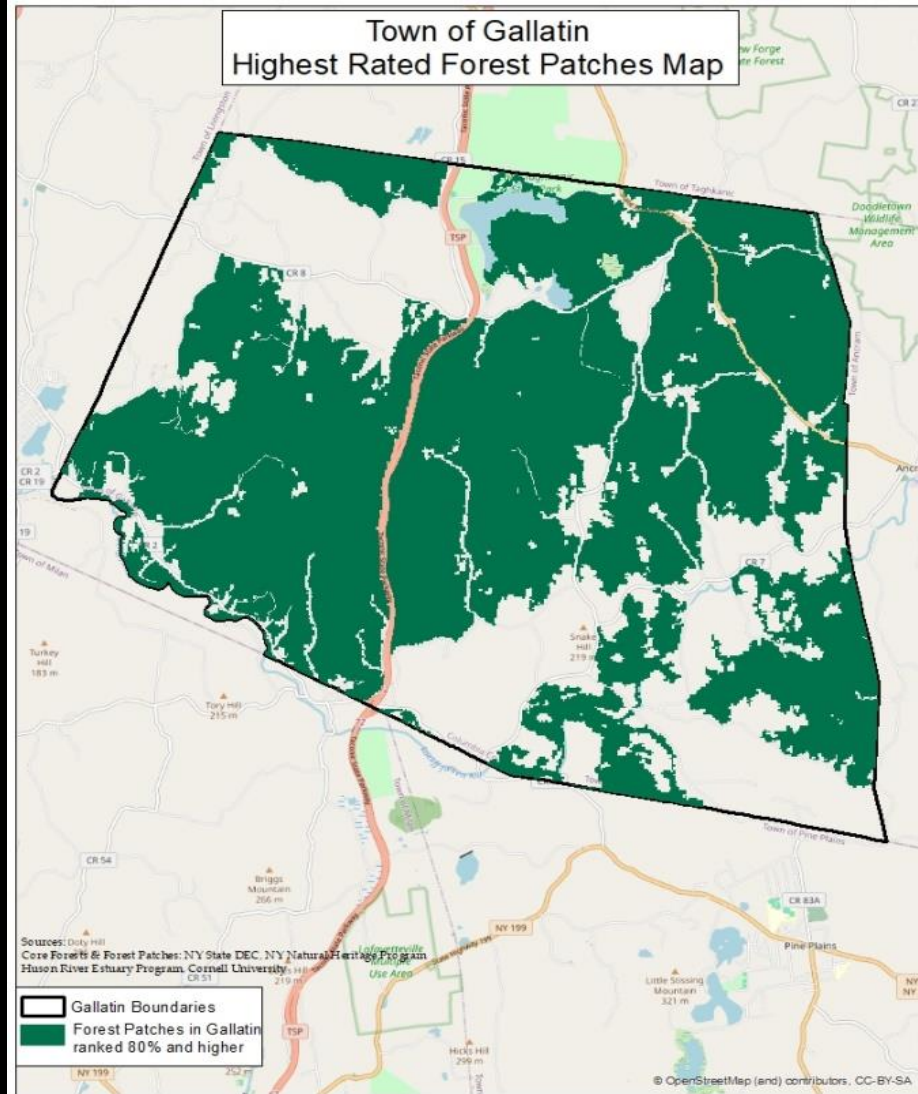
A joint publication of the New York Planning Federation,  
Department of Environmental Conservation  
and Empire State Forest Products Association.

February 2005

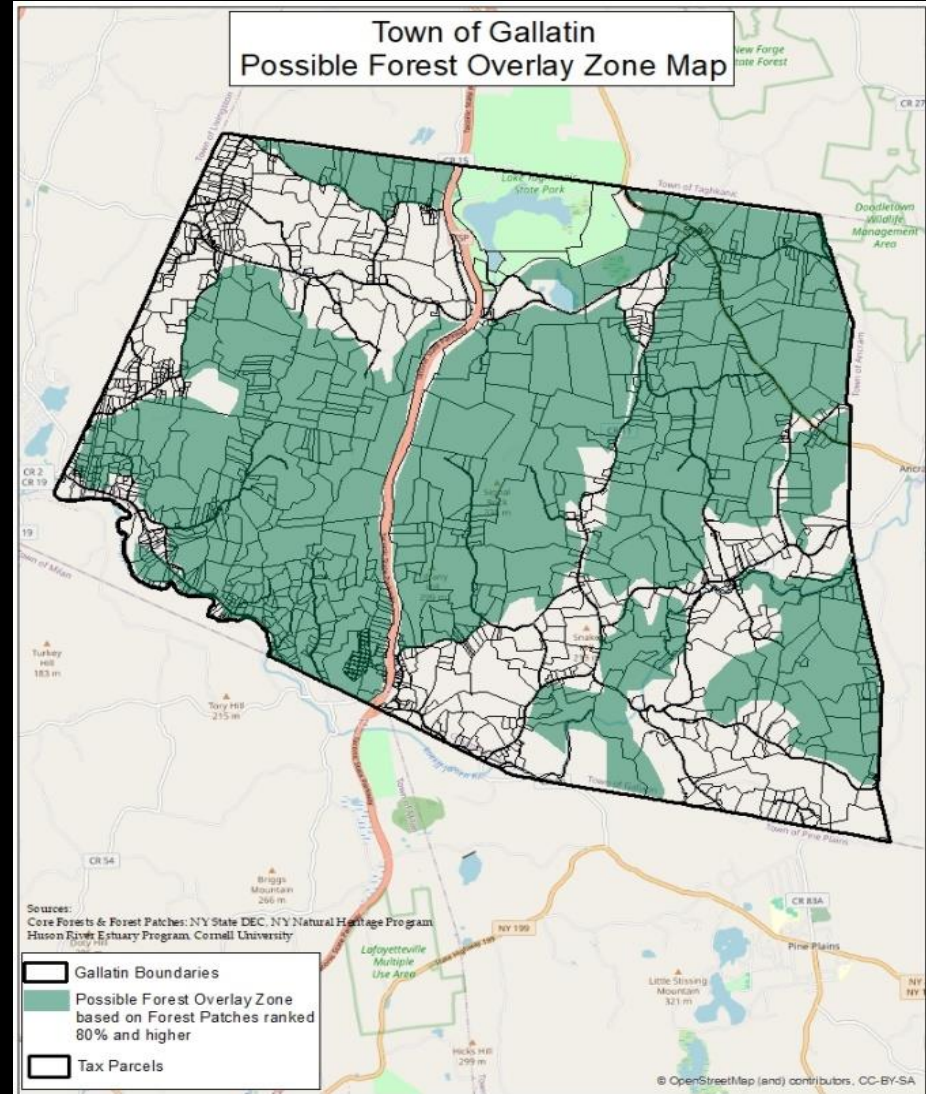
Forest Patches are forested areas larger than 100 acres

These Forest Patches rank in the top 80% for forest quality

Town of Gallatin  
Highest Rated Forest Patches Map

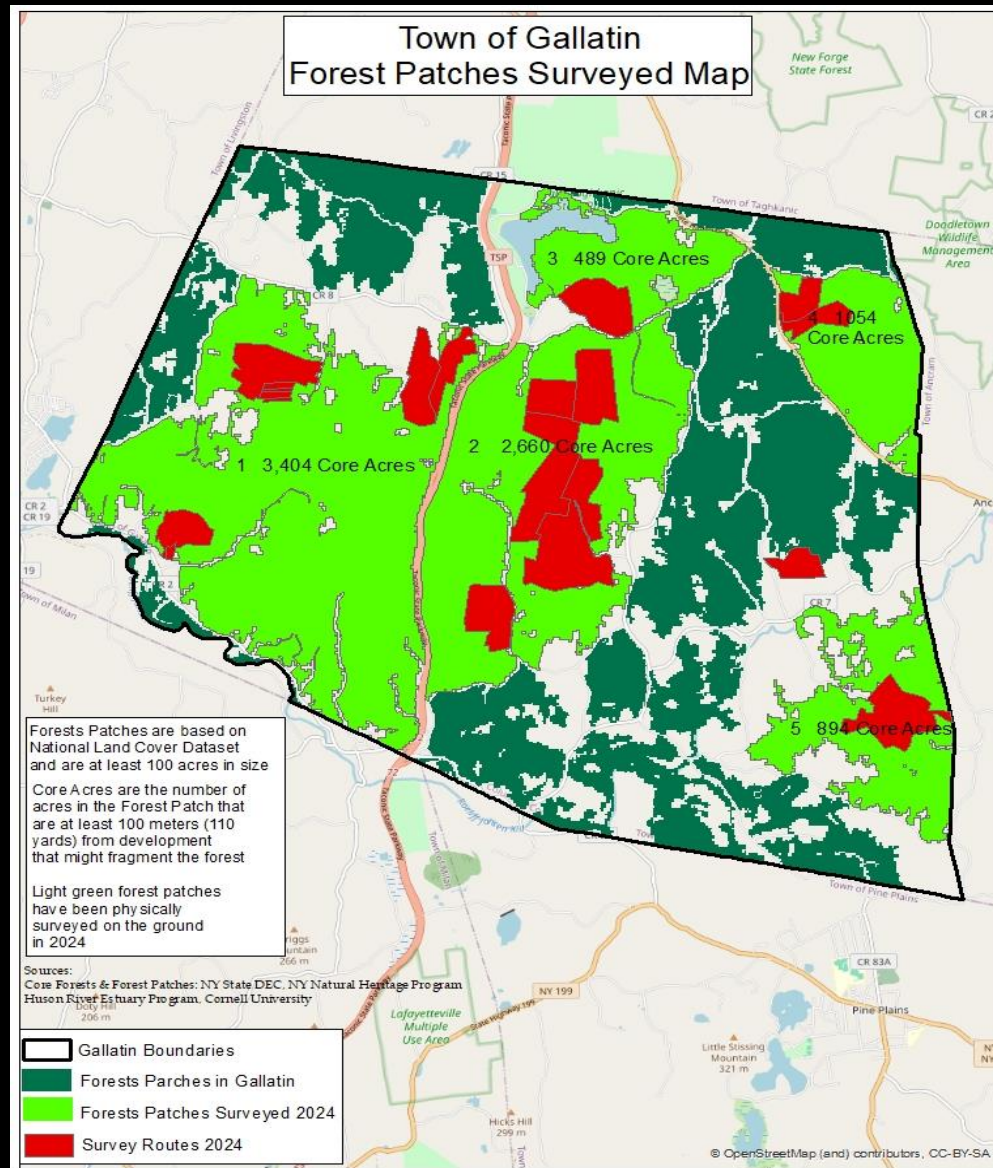


Town of Gallatin  
Possible Forest Overlay Zone Map





# Nine field surveys were conducted to verify results of the remote sensing



# Current Threats

Ridgetop  
Clearing



Road  
Building



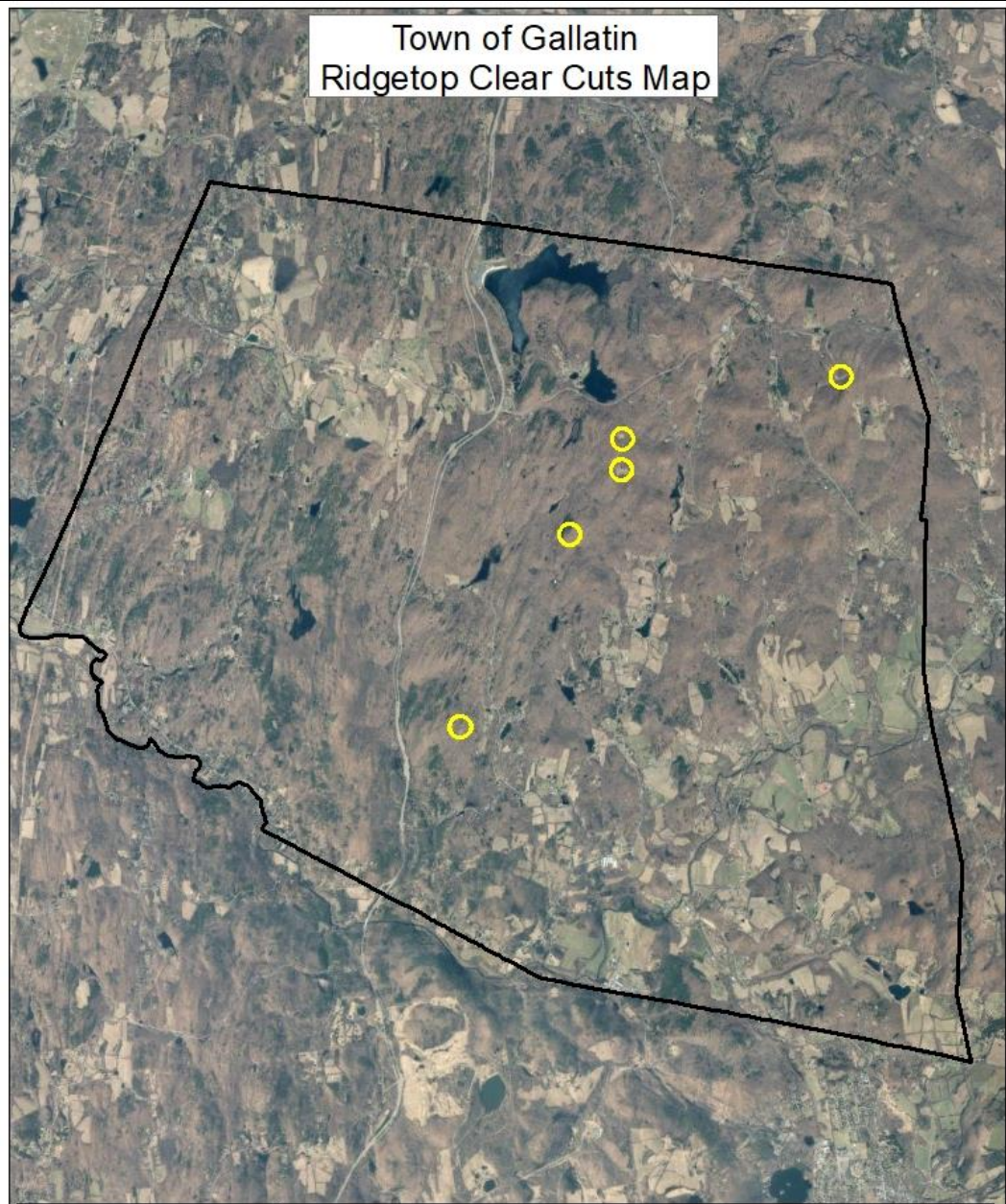
Steep  
Slope  
Logging





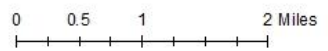
Clearing  
in buffer



Town of Gallatin  
Ridgetop Clear Cuts Map



 Gallatin Boundaries  
 Ridgetop, Driveways cut



September 17, 2024

# Some Options for Discussion:

“Having consistent guidelines creates a fair process, where all applicants are treated the same and they know what to expect.”<sup>1</sup>

§ 127. Modification of specific requirements. Where the Planning Board finds that compliance with these regulations would cause unusual hardship or extraordinary difficulties, the minimum requirements of these regulations may be modified to mitigate the hardship.<sup>2</sup>

<sup>1</sup> Comprehensive Plan, p. 33

<sup>2</sup> Gallatin Subdivision Regulations, p 43

# From Comprehensive Plan

## Increasing Lot Size<sup>1</sup>

”Use of an average density of one allowed dwelling per 10 or 20 acres of forest land will greatly help to maintain the forest land base.”<sup>2</sup>

## Require Conservation Subdivision<sup>3</sup>

Each individual lot created in a conservation density subdivision shall require a minimum lot area of 5 acres within the RA-2 District and a minimum lot area of 10 acres within the RA-3 District.<sup>4</sup>

<sup>1</sup> Comprehensive Plan, p. 33

<sup>2</sup> New York DEC's *Municipal Official's Guide to Forestry*. p. 15

<sup>3</sup> Comprehensive Plan, p. 34

<sup>4</sup> Gallatin Land Subdivision Regulations, p. 42

# Establish Critical Environmental Area (CEA)<sup>1</sup>

- Map it
- Hold Public Hearing
- Notify DEC

Lets everyone know it is a special place-

Stissing Mountain is a nearby CEA example

Will prompt closer scrutiny, studies

“The potential impact on the environmental characteristics of the CEA must be evaluated”<sup>2</sup>

1 Comprehensive Plan, p. 30

2. Section 617.7 , SEQ. R.

# Forest Core Protection Overlay District<sub>1</sub>

Can have additional Development Standards:<sub>2</sub>

- Limit tree and vegetation removal and restore, as in Gallatin's Ridgeline Protection Overlay District (RPOD)<sub>3</sub>  
*tree survey & tree replacement plan*
- Clear cutting prohibited as in RPOD<sub>4</sub>  
*limit clearing to ½ acre*
- Building envelopes to ensure proper siting to avoid fragmentation<sub>5</sub>
- Buffers for watercourses, wetlands of 50 to 100 feet, as in WCPOD, COD<sub>6</sub>
- Limit building on steep slopes and ridgelines, as in RPOD

1 Comprehensive Plan, p. 30, 32

2 Comprehensive Plan, p. 33, 36

3 Comprehensive Plan, p. 33, 34, RPOD p. 24

4 RPOD, p. 24

5 Comprehensive Plan, p. 33

6 Gallatin Zoning Law, p. 20

# Apply Land Subdivision Regulations on all applications as RPOD does

102-2:B. Subdivision design shall minimize disruption and impacts to the natural environment.

C. Proper provisions shall be made to retain undeveloped natural areas and corridors ; sustain a diversity of native vegetation and wildlife; protect water resources, and implement other policies that protect the Town's environment pursuant to the Town's Comprehensive Plan.

117 B. The Planning Board may require preservation of natural features such as large trees or wooded areas, watercourses.

120. Preliminary Plat. Major subdivision:

Map with wooded areas, significant preservable trees.

Planning Board may require additional data not limited to ponds, outcrops, cliffs.



# Timber Harvesting Permit Standards

Extend DEC Best Management Practices (BMPs) to all Commercial & 480-a harvests<sup>1,2</sup>

Towns may require either that timber harvest plans meet generalized BMPs or they may specify BMPs by listing them in local ordinances<sup>3</sup>

DEC BMP'S: Recommends that forest cover be maintained within 15 feet of a stream or wetland-*not enough?*

And that 50% of the tree canopy be maintained *within 35 to 100 feet* of a stream or wetland<sup>4</sup> -*not enough?*

Prohibit Clear-Cutting: Now no harvesting of trees 12 inches in diameter or less<sup>5</sup>

Adopt Milan's Logging Law-Cut no more than 1/3 of trees or basal area<sup>6,7</sup>

1 Clear cutting and wetland restrictions are not detrimental to forestry: Local Regulation of Timber Harvesting in New York State. Whitney C. Forman-Cook, Robert W. Malmshemer, and Rene´ H. Germain. Forest Science. Dec. 2015. Page 1082

2 "Where an applicant has obtained a tax exemption in accordance with 480-a of the New York State Real Property Law the applicant shall submit the approved management plan which the ZEO, in his determination, may accept wholly or partly." Zoning Law of Gallatin. Page 96.

3 Municipal Official's Guide to Forestry. Page 16

4 NYS DEC Forestry Voluntary Best Management Practices for Water Quality

5 Zoning Law of Gallatin. Page 96.

6 Town of Milan Code. Sect. 200-40 Commercial Logging.

7 Bob Davis, Forester, Winnakee Land Trust Executive Director

# Tree Ordinance

*For trees not protected by Timber Harvest or Subdivision standards*

“A Tree Protection Ordinance would prevent a future applicant from removing or clearcutting trees in order to avoid the requirements of the FCPOD”<sup>1</sup>

Red Hook’s ordinance-trees larger than 6” need permit<sup>2</sup>

New Castle’s-permit for clear cutting more than ¼ acres over 5 years<sup>3</sup>

<sup>1</sup> New York DEC’s *Municipal Official’s Guide to Forestry* . P.18

<sup>2</sup> Town of Red Hook Code. Sect. 143-27.2. Tree and Topsoil Removal

<sup>3</sup> Town of New Castle NY Environmental Protection Overlay regulations Sec. 64-5.