

TOWN OF KINGSBURY

Town of Kingsbury

Comprehensive Plan: Vision Report

January 2022

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Hudson River
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Acknowledgements

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- Jane Havens, Former Kingsbury Town Board Member
- Rick Doyle, Kingsbury Town Board Member
- Karen LaRose, Kingsbury Planning Board Member
- Greg Smith, HFCSD Recreation Department Supervisor
- Scott Winchell, Kingsbury Zoning Board Member
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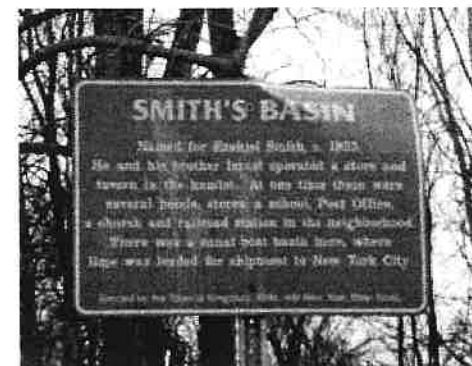
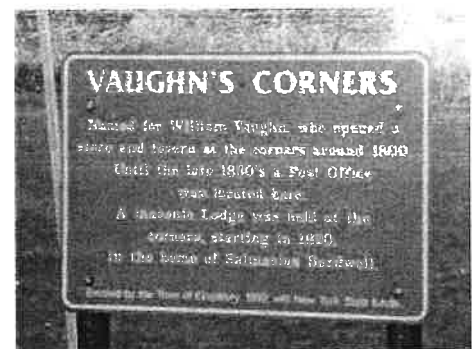
IMAGINE KINGSBURY

The Town of Kingsbury has long been guided by its 1973 Comprehensive Plan. In light of many changes that have affected the community, along with the historic 2020 pandemic, the Town officials recognized that the community was in need of a new plan in order to understand current conditions and to identify and prepare for its future. The Town of Kingsbury formed a Town Comprehensive Plan Committee made of local residents, community leaders, and local business owners to oversee the planning process and guide the development of the new “Imagine Kingsbury” Comprehensive Plan.

A Plan for Action

The “Imagine Kingsbury” planning process consists of two phases that lead towards the overall development of a Comprehensive Plan; Phase 1 is the Vision Report and Phase 2 is the Inventory and Goals of the plan. This document serves as the Comprehensive Plan Vision Report, the culmination of an engaged community through an intensive, immersive, virtual and in person visioning process. The community engagement process was designed to encourage public involvement to communally establish a vision for Kingsbury’s future. The initiative achieved balanced and diversified input, and utilized a variety of outreach methods to solicit participation. Using meetings, focus groups, opinion polling, and interviews, the community was involved in forming the Vision for growth and preservation in the Town of Kingsbury. The “Imagine Kingsbury” Comprehensive Plan Vision Report presents a desired vision for Kingsbury, reflective of its community and economic development needs for the next 10 years.

The Town of Kingsbury will use this Vision Report to further advance the comprehensive planning process to encourage economic development that is compatible with the protection, preservation and enhancement of natural and cultural resources, tourism, and community revitalization, reinforcing the Town’s high quality of life. Further, the Comprehensive Plan will be used to balance preservation of this unique mixture of forests, rural farmlands, with that of needed and desired growth in a challenging economic climate, carefully considering changing factors that have, and will continue to impact the Town into the future.



This initial phase was partially funded by its community partner, the Hudson River Valley Greenway.

Why is This Plan Necessary?

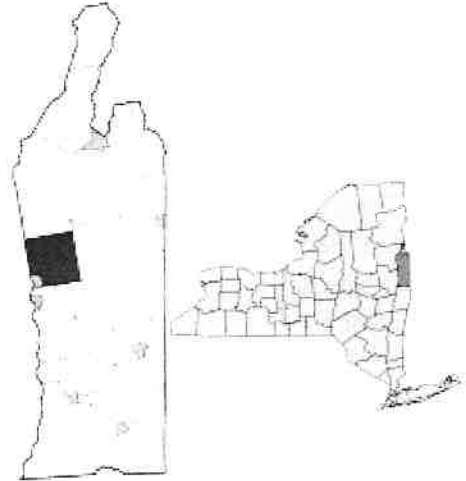
A comprehensive plan, sometimes referred to as a master plan, is a collection of information and materials designed to guide future development and provide communities with a firm foundation for policies and legislation to foster a more certain future. While comprehensive plans help guide policy, they are not law. Rather, they provide a framework and context within which to make decisions relating to future land use and development. Plans are subject to change and revision with the passage of time and events and its adequacy and appropriateness should always be considered when contemplating future community changes.

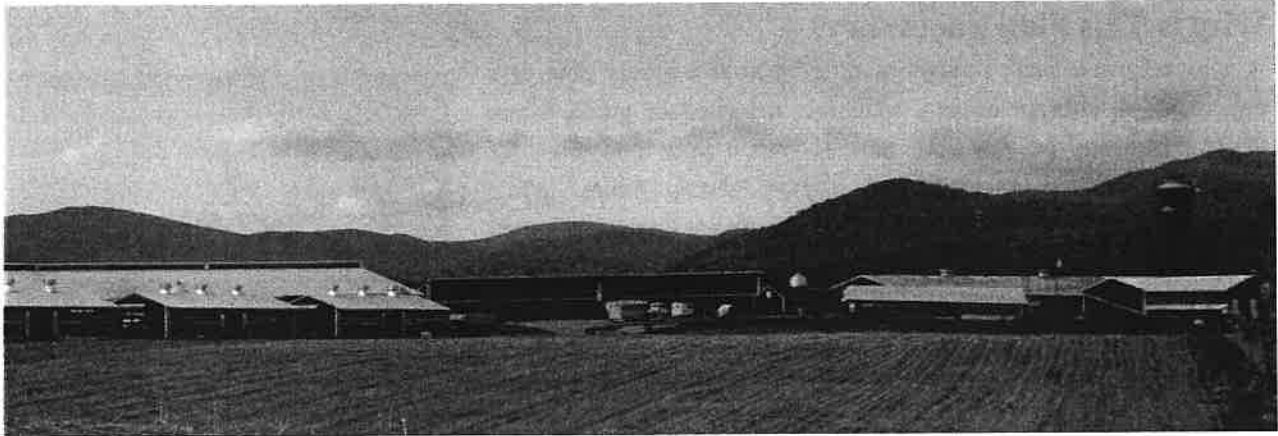
New York State Town Law gives towns the power to create a comprehensive plan, should they so desire. Town Law describes the legal requirements for approval and what elements may be included within a comprehensive plan, but does not firmly require every comprehensive plan include each element. Therefore, comprehensive plans vary from community to community and many focus upon the most important elements and issues to the local municipality at the time of creation and adoption. Each comprehensive plan in New York State is unique and tailored to their individual community. This is no different for the Town of Kingsbury, and this document shall prove instrumental for the Town moving forward. The Comprehensive Plan Vision Report will echo the character of the community today, and illustrate the vision of tomorrow as they *Imagine Kingsbury*.

To better understand the Town's history and evolving future, it is vital to understand the Town's values and core beliefs. With a population of roughly 12,300 in 2018, the Town of Kingsbury is known for its small-town character, scenic views, and tight knit community. Historically, Kingsbury has been an agricultural and rural community. The Town is a Right to Farm community meaning the law sets forth a process to mediate complaints by non-farm neighbors about farming operations and practices.



A comprehensive plan provides a framework and context within which to make decisions relating to future land use and development.





The Town has experienced a shift in industry over the last fifty (50) Years, but the prevalence of farms remains. In terms of development, there is a strong support to diversify retail commercial options and increase the housing stock. The lack of infrastructure in place to support the desired growth is the largest challenge faced by the community.

Town Board determined the Comprehensive Plan Update was the appropriate means to address the shifting needs of the residents of Kingsbury, and to guide future land use throughout the Town. Through New York State's Hudson River Grant Greenway Program, the Town received Greenway's Community Planning Grant funding to develop the Comprehensive Plan Vision Report. As a Greenway community, the Town of Kingsbury will use comprehensive planning to encourage economic development that is compatible with the protection, preservation and enhancement of natural and cultural resources, tourism, and community revitalization, reinforcing the Town's high quality of life. This Plan is essential for achieving both the necessary growth and desired preservation throughout the rural community.

Town of Kingsbury Planning Process

The Town formed a Comprehensive Plan Committee (CPC) in 2021. Members were carefully selected to best represent the population, bolster inclusivity, and achieve equitable outcomes. The Committee is comprised of local residents, community leaders, and local business owners. The Committee was tasked with review of the 1973 Comprehensive Plan as well as other community planning documents. During this review, the Committee identified recommendations that have been successfully implemented, ones that are no longer relevant, and others that are still applicable. The Committee is essential to convey the interests, concerns, and needs of Kingsbury residents.

Laberge Group, a local firm specializing in Comprehensive Planning, public participation and outreach, and Smart Growth principles was hired by the Town in 2021. Based on their expertise, Laberge Group acted as a technical resource for the Town of Kingsbury during this process. The Town and Laberge Group designed a two (2) phase planning process to leverage local and state resources to assist with funding the plan. Phase 1 was completed nearing the end of 2021. The Town was awarded additional funds from the New York State Department of State Smart Growth Grant for Phase 2, which is anticipated to be completed in 2022.

Community Visioning is Phase 1 of the process, of which a Vision Report was developed. The Vision Report provides a broad overview of community goals and objectives based on preliminary findings from initial actions taken during the planning process. This Phase was intended to build community outreach, participation, and support. Additionally, Phase 1 assisted with establishing relationships with key local, regional, and State stakeholders. The purpose of the Vision Report is to create the community vision, which is intended to identify weaknesses, build upon strengths, and improve overall quality of life.

Next Steps

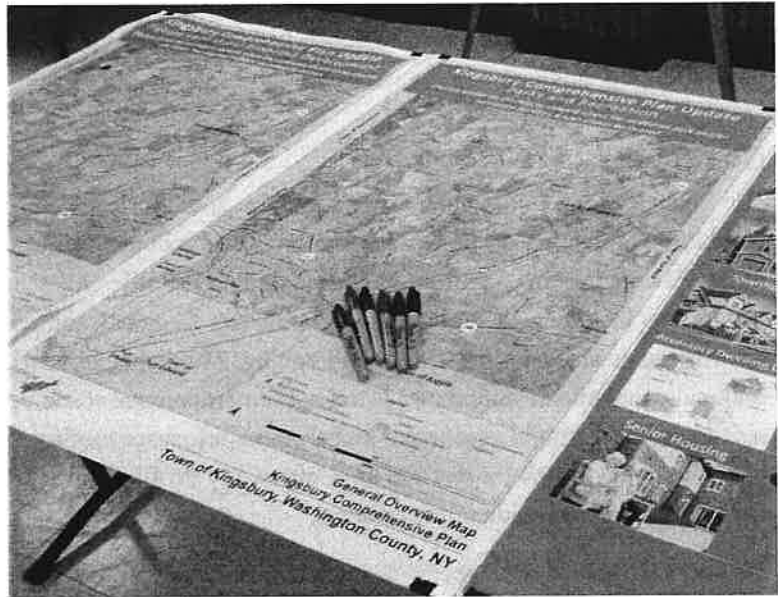
The Smart Growth Comprehensive Plan, Phase 2, will prioritize and address the findings from the Vision Report. In addition to Phase 1 findings, the Planning Team will create a Community Profile that will serve as an overview of the Town's existing conditions. The Community Profile will provide a better understanding of trends and areas of concern including the following components: Regional and community plans summary; Demographics and growth trends analysis; Land uses and zoning; Municipal services, infrastructure, and transportation; Local and regional economic development; Rural and environmental resources; Parks, recreation, open spaces, and historic resources; Agricultural resources; and Community sustainability. Specific recommendations will be formulated based upon the Vision Report and the Community Profile, which will be included within the Comprehensive Plan Update to aid Town-wide improvements.



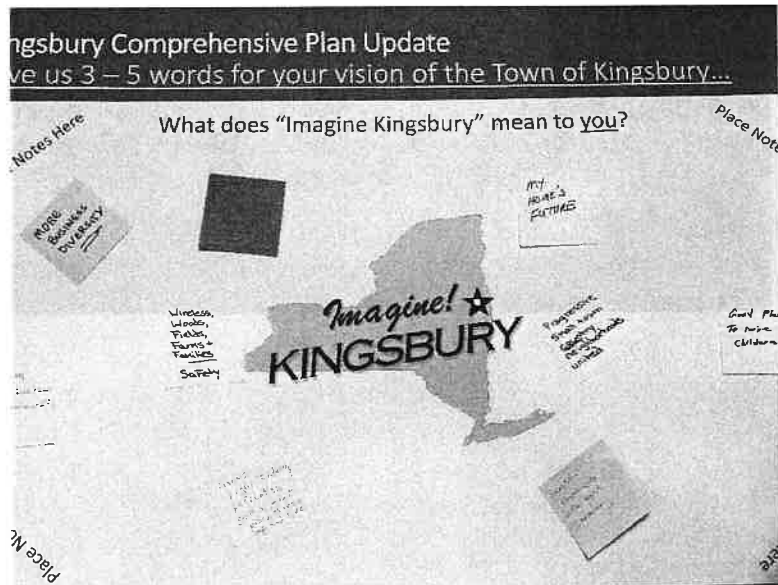
Community Outreach

Open House

A total of two (2) Open House Events were held during Phase 1 of the planning process to engage the public and obtain meaningful feedback. The first Open House Event was held on September 28, 2021 at the Kingsbury Volunteer Hose Company, and the second Open House Event was held on October 28, 2021 at the Kingsbury Volunteer Hose Company. Both meetings spanned a total of eight (8) hours in effort to reach a broader audience and allow interested parties the flexibility to visit the event at a time most convenient for them. These events were announced in a timely fashion to give residents proper notices to attend.



The events were conducted in a similar fashion along with the materials used. The materials present at the Open House Events included several poster boards both informative and interactive. Poster boards were used as tools to engage the public and obtain input. Informative boards were displayed to explain the planning process, and the need for a Comprehensive Plan Update. Interactive boards posed questions pertaining to the future of Kingsbury, and materials were supplied, such as markers and stickers, for visitors to respond directly on the poster boards.



The Open House Events were a critical component of the community outreach methods employed during Phase 1 of the project. The overall goal of these events was to interact with the community on a personal level that allowed them to express their concern and opinion with no predeterminations. In fact, the information gathered during the two (2) Open House Events serves as a basis for the Vision Report.

Joint Board Meeting



Pictured: Town of Kingsbury Zoning Board (left), Planning Board (right), and Town Board (center)

A Joint Board Meeting was held on October 20, 2021 and spanned roughly two (2) hours. All Boards were present at this meeting to discuss the major concerns and issues within the Town based on their duty and the position they serve. The dialogue at the Joint Board Meeting was extremely insightful and dynamic as the Planning Board, the Zoning Board, and the Town Board all were able to share their perspectives and experiences. The public was invited and encouraged to attend this meeting. The meeting format began with an ongoing discussion between the three (3) Boards and public comment and question were welcomed toward the end of the meeting.

The Planning Team led the organized discussion, which allowed each Board to discuss the issues, concerns, and requests most often seen from the public. Several topics were acknowledged ranging from cannabis to signage on homes. The Joint Board Meeting truly depicted the ongoing challenge faced by the Town. There is a need for more housing, primarily affordable housing and senior housing, and there is a strong desire to expand retail commercial within the Town. However, the existing infrastructure does not adequately support this growth nor do the residents that moved to Kingsbury for its rural and small-town charm. The meeting reinforced the Smart Growth model where preservation and growth can occur concurrently.

Planning and Zoning Review

In addition, an in-depth discussion with the Town's land use attorney was conducted in order to better understand the challenges and existing policies. The following overview of the Town of Kingsbury land use regulations is based on conversations with Town Land Use Attorney Jeff Myer and an initial review of Chapter 280, "Zoning" of the Kingsbury Town Code, also referred to as the Zoning Local Law of the Town of Kingsbury, New York (Zoning Law). Corresponding sections of the Town's subdivision regulations, Chapter 240, "Subdivision of Land"

(Subdivision Law) were also reviewed. These reviews are intended to identify major issues, gaps, and inconsistencies in and opportunities for improvements to the Town's current land use regulations.

The Zoning Law last underwent a major overhaul in 2005, with numerous amendments over the last 16 years. The Zoning Law divides the Town into eight separate Zoning Districts as indicated on the Zoning Map. The Zoning Map, dated June 27, 2016, was last revised in 2016 through Local Law No. 1-2016. Allowed uses and density for each Zoning District are set forth in Article VI, District Regulations. Depending on the use and involved zoning district, special use permits and/or site plan approval are required. For other certain uses and structures, only a building permit may be required. The Zoning Board of Appeals (ZBA) has jurisdiction to review and issue special use permits, while the Planning Board has site plan review authority. The Planning and Zoning Boards are authorized to perform other duties and have the powers granted by Town Law. The Zoning Board of Appeals also has appellate jurisdiction for all matters pertaining to the Zoning Law.

The following key items have been identified, and where applicable, potential revisions or future analyses have been suggested for consideration during the comprehensive plan. This preliminary review should not take the place of a more detailed analysis of the Zoning Law and Subdivision Law subsequent to adoption of the Comprehensive Plan.

Density and Usable Land

- § 280-7. Definitions, defines “Density (minimum area per family or dwelling unit)” as: “This area is the total usable area of any parcel of land, lot or plot to be developed or subdivided which is devoted to residential use or residentially related uses, such as parks, playgrounds, open spaces or residential streets. The Planning Board shall have the responsibility of determining what is usable land for purposes of this computation.”
- The Zoning Law’s definition of “usable” land may place too much discretion with the Planning Board and provides no guidance for property owners.
- If the Town would like to remove unusable or constrained land from density calculations, it is recommended the Zoning and Subdivision Laws define both “usable” and “unusable” or “constrained land” and the process for calculating permitted density.

Calculating Density

- § 280-20. RF-5A Residential Forestry District:
 - In the RF-5A Residential-Forestry District, single- and two-family dwellings are allowed with a permitted density of “not less than five acres per house...”
 - There is no explanation on how to calculate density for two-family dwellings and the density explanation of five acres per house is inconsistent with the definition of density “minimum area per family or dwelling unit.” Consistent use of density terms is necessary to avoid confusion.
- § 280-21. RA-1A and RA-M-1A Residential-Agricultural Districts:
 - Within the RA-1A and RA-M-1A Districts, a one-acre density has been established which may increase to 25,000 square foot lots if public water and sewer are provided. Single-, two-, and multi-family dwellings are permitted in both districts.

- The regulations go on to identify a minimum lot size of one acre with one and one-half acres required for duplexes while allowing for 10,000 square feet for clustering.
- The minimum lot size and permitted density for multi-family dwellings should be clarified.
- The Zoning Law defines “Cluster Development,” not “Clustering,” references both “planned unit developments” and “planned development,” allowing them in certain districts. However, neither the Zoning or Subdivision Law provides regulations for clustering or planned unit/planned developments.
- § 280-22, LDR-25 and LDR-15 Low-Density Residential Districts:
 - This section correctly addresses density for single-, two- and multi-family dwellings.
- § 280-23 Com-1A Commercial District:
 - Multi-family dwellings are permitted with site plan review, although the density is regulated as “One principal building of up to 16,000 square feet of gross floor area will be allowed for every one acre...” Calculating density for multi-family dwellings needs to be clarified.
 - The Com-1A Commercial District is situated as a buffer along both Routes 4 and 32. It is recommended the Comprehensive Plan evaluate how the current density of 16,000 gross square feet per acre has built out these two corridors and determine if adjustments are needed to facilitate future efficient and compatible use of available land.
- § 280-24. Ind-75 Industrial District & PIC-75 Park Industrial/Commercial District:
 - Similar to the Com-1A, both the Ind-75 and PIC-75 Districts calculate density based on gross floor area as 30,000 for every 75,000 square feet of the site, with an additional 2,000 square feet of land area required for every additional 1,000 square feet of gross floor area.
 - An evaluation of the current land use patterns in these two districts under the permitted density is also recommended for the Comprehensive Plan.
- Residential Density:
 - While sewer capacity is currently limited which in turn constrains higher density residential developments, it is recommended the Comprehensive Plan consider various options to facilitate more affordable starter homes and rental units which may require increased densities.

Transitional Zoning

- § 280-26. Transitional Zoning.
 - Subsection “D” addresses split parcels. Specifically, a lot where any portion is zoned Com-1A and the remaining portion is within any residential district may be permitted to use the entire lot for commercial uses set forth in § 280-23, Com-1A Commercial District if certain requirements are met.
 - Upon review of the Zoning Map there are several large parcels split between Com-1A and residential district which may permit large and perhaps incompatible commercial uses within residential districts.
 - A review of the current Zoning Map and the applicable transitional zoning requirements are recommended to balance future efficient growth with open space preservation and protection of residential neighborhoods.



Article VIIA. Nonconforming Uses and Buildings

- It is recommended that the nonconforming regulations only use the term “structure” which includes “buildings” as both principal buildings and structures (e.g., garages, sheds, etc.) can be nonconforming in bulk and setbacks and be occupied by a nonconforming use.
- Suggest clarifying if a nonconforming structure by bulk or setback may be rebuilt in-kind if destroyed by fire or natural disaster. The current regulations only refer to a building housing a nonconforming use.
- § 280-28.D. Other nonconformity. Improvements on nonconforming lots should be clarified as § 280-28.D appears contradictory.
- § 280-28.E. Discontinuance. The Zoning Law should clarify that the 12 consecutive month requirement does not apply to structures destroyed by fire or natural disaster.

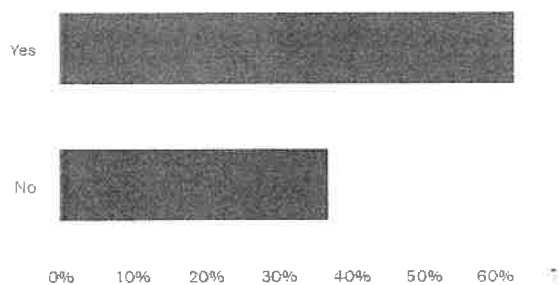
The Zoning Map, Uses and Definitions

- It is strongly recommended that all allowed uses be defined in the Zoning Law to minimize confusion and the need for interpretations.
- A thorough review and update of all allowed uses for each zoning district and the required review process is recommended.
- A review of the boundaries of each zoning district on the Zoning Map are also recommended during the allowable use review to identify the potential for necessary adjustments, district consolidation, and/or new districts based on past development patterns and the Town’s desired future growth patterns.

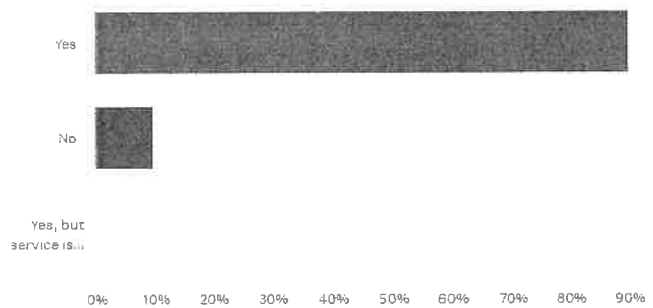
Community Survey

A Community Survey was developed by the Comprehensive Plan Committee (CPC). The Survey consisted of twenty-seven (27) multiple choice and short response answers. The purpose of the survey was to get a better understanding of community preferences and priorities to inform the Vision Report. All responses were anonymous to yield honest and confidential results. Respondents were asked their opinion on a variety of questions pertaining to cannabis, solar projects, broadband, housing, public services, economic development, parks and recreation, challenges faced, and potential improvements.

Q6: Solar: Should the Town of Kingsbury allow large-scale (utility) solar projects to be located in the Town?



Q3: Broadband: Do you have broadband internet service [e.g., Verizon FIOS and Spectrum]?

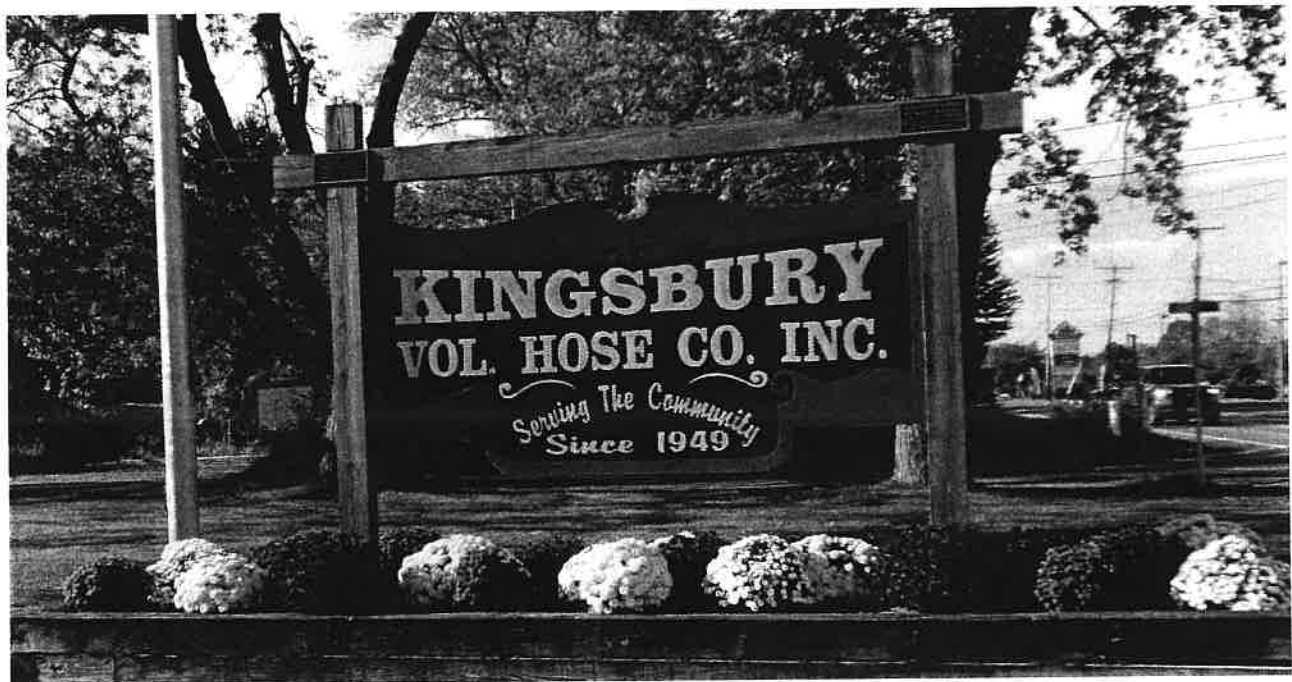


A total of 329 surveys were submitted over the course of three (3) months. The survey was readily available both online and in-person for optimal results. Paper copies of the Community Survey were available at the Open House Events, the Joint Board Meeting, and the Roundtable Sessions. Paper copies were available upon request and could be dropped at the library drop box for minimal contact. The link and QR code to access the survey online were also presented at the meetings on large poster boards. The survey analysis will serve as a useful tool to guide the development of the Vision Report following common themes and trends established with survey responses.

Roundtable Meetings

Town representatives and the Planning Team at Laberge held six (6) stakeholder roundtables on October 28, 2021 at Kingsbury Volunteer Hose Company. These stakeholders represented housing; arts, heritage, and culture; parks and recreation; protective services; agriculture; and business. Each roundtable session spanned approximately one (1) hour in length and was conducted in a small group setting for in-depth discussion pertaining to specific topic-related subjects. The public workshops were held during this same time and place, which allowed for stakeholders to review materials presented to the public and add additional comments/concerns to the interactive boards as necessary. A majority of stakeholders interviewed were also residents of Kingsbury.

The Planning Team spoke with two (2) local realtors and Homefront Development Corporation concerning housing; Hudson Falls Library concerning arts, heritage, and culture; Barnstormers Snowmobile Club, Hudson Falls Recreation Department, and Hudson Falls Trustee concerning parks and recreation; the undersheriff and the principal officers of the fire department concerning protective services; Kilcoyne Farms concerning agriculture; and local business owners to assess the current economy and need. The goal of these roundtable sessions was to establish and identify key areas of concerns related to the stakeholder's background/experience.



Public Input Highlights

There has been wide project publicity in order to provide community awareness of Kingsbury’s intent to update the Comprehensive Plan. It aims to help increase awareness of the importance of the Town’s effort to establish a master plan to guide future land use and development throughout Kingsbury, which directly impacts the community as a whole. There was a substantial amount of feedback obtained during the robust public participation process as a result the community survey, the stakeholder roundtables, the public workshops, and the joint board meeting. The Vision report is a culmination of all outreach efforts and public input obtained. The Vision Report itself, Phase 1 of a two (2) phases project, will advance the development of the Comprehensive Plan Update. The follow is a broad overview of key summary insight received during outreach efforts.

Summary of Town of Kingsbury Public Outreach Findings

1. **Preserve the Town’s rural character and scenic beauty.** *The natural landscape is a large incentive for those that choose to live in Kingsbury. Maintaining the rural, pastoral feel from the open space, farmland, and forest is important to the community.*
2. **Encourage recreational activities to connect people and places throughout the community.** *Recreation, both active and passive, is an attraction to residents of all ages and the Town’s location offers ample opportunity for a variety of recreational activities.*
3. **Increase housing choices within the Town.** *There is a need for more housing choices within the Town of Kingsbury. These choices include a variety of sizes to accommodate the range of needs within the Town. Of note, is the need for senior housing to accommodate an aging community.*
4. **Ensure sufficient infrastructure exists to support development.** *Infrastructure is limited within the Town. In order to support appropriate growth, an assessment of infrastructure needs should be evaluated.*
5. **Provide more retail and commercial shopping opportunity within the Town.** *Residents strongly support the notion of more small stores and retail services; boutiques, bakeries, and restaurants were strongly supported.*
6. **Support and embrace the agricultural industry and the Right to Farm community.** *Kingsbury has historically been a farming and agricultural community. The Town needs to continue to encourage preservation and diversification of agricultural activities to support this industry.*



7. **Ensure the Town's natural and environmental resources are protected.** *The Town's natural resources and unique beauty are the reason that many that have sought out the Town. Residents expressed their concern for overdevelopment and a protection of these valuable resources and viewsheds.*
8. **Improve cable and WiFi Town-wide with an emphasis on affordability.** *Connectivity through broadband, cable, and other WiFi infrastructure is a necessity in all communities. As emphasized by the pandemic, such connectivity is critical for both economic stability and educational support for the schools.*
9. **Enhance the trail system throughout Kingsbury to mimic trail systems nearby.** *The Empire Trail through Kingsbury was completed in 2021 and is expected to attract 70,000 visitors annually. There is a need to improve connection to and from the Trail for enhanced connectivity.*
10. **Increase childcare services.** *In order to support families and economic development in the Town, affordable childcare should be encouraged and supported throughout the Town. Consider afterschool activities/programs to help alleviate the lack of childcare services offered to families.*



11. **Provide more for Kingsbury's youth.** *The youth of Kingsbury desire for more options to engage themselves in the community. The pandemic has created social challenges as activities and programs have been reduced or eliminated. Establishing a strong infrastructure of programs, activities, and amenities for the youth of Kingsbury will strengthen the community's future.*



12. **Expand public transportation options to increase accessibility.** *As a rural community, public transportation is often limited. Identifying transportation solutions to assist community members with access to key resources throughout Town is strongly desired.*



Vision

The vision for the Town of Kingsbury was created with its residents and landscape at the forefront. Kingsbury is unique in the sense that it offers modern conveniences in a rural remote setting. The sense of community enhances the small-town character that is embraced by those who live, work and visit Kingsbury.

Imagine Kingsbury idealizes the notion of “think local.” The Town’s natural features are distinguishable, and the construction of the Empire Trail is anticipated to draw visitors in. Offering more retail and restaurant options will enhance the local economy and draw visitors to enjoy their stay in Kingsbury. Similarly, residents will shop within the Town to meet their daily needs making Kingsbury an exceptional place to live. Diversifying the housing stock will increase both availability and affordability while addressing the large need for senior housing. The rural character offers ample opportunity for recreational activities within and throughout the Town, which connects residents with nature as well as one another. Increasing housing, enhancing natural features, and improving recreational activities will promote a high quality of life while projecting the Town forward.



