

August 3, 2004

Peter Fairweather
Fairweather Consulting
153 Main Street
New Paltz, NY 12561

Dear Peter,

The Draft Comprehensive Plan for the Town of Gardiner is a thoughtful and thorough document. The goals and vision of this plan are laudable. We commend the committee for the careful planning for protection of the sensitive Shawangunk Ridge.

The Environmental Conservation Commission for Gardiner makes the following recommendations for the comprehensive plan.

1. Gardiner as it exists right now is primarily an agricultural community. We still have the farm services necessary for successful farms. 21.5 percent of Gardiner land is farms and only 15.6 percent is residential. We are glad to see the stated goals of preserving agricultural land in this plan. The ideas laid out starting on page 41 are excellent but we recommend this plan be more aggressive in protecting existing farmland. One recommendation is a stated goal of no net loss of farmland. An A-zone (rather than the current AR) could be created that would protect our farmland in perpetuity. Your suggestion for creation of an Open Space Plan for the Town by developing a prioritized list of protected lands is a step in the direction of protecting some of these farmlands. Current trends toward locally grown and urban farmers markets make protecting an agricultural base within reach of the NY metropolitan area a potentially lucrative venture.
2. On p.29, the plan discusses a wetland exchange program. An artificial wetland is never as effective as the natural one it replaces. Wetlands are already protected habitat by state and federal law. We do not encourage development on any of our existing wetlands. This will protect groundwater and ensures the protection of the important functions wetlands play in supporting critical habitats and the watershed as a whole.
3. The plan makes a strong statement about camping which seems to target a specific project. It seems inappropriate and out of place in a master plan. It does not do much to further the stated goal of continuing cooperative efforts with our partners on the ridge. Encouraging tourism is a way to protect open space. While camping is a high impact use from the perspective of preserved land it is certainly a much lesser impact than any kind of housing or commercial development. Campgrounds should be sited away from streams and riparian areas. To minimize impact on these sensitive habitats.
4. We recommend that the town acquire and improve the rail trail and set, as a goal, increasing open space and parkland around it through easements.

The Environmental Conservation Commission has already begun the process of compiling data with the intention of conducting an inventory of significant biological resources and

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creating an Open Space Plan. Gardiner's recommended environmental and conservation actions will more likely succeed in becoming realities if they are managed by the ECC, a dedicated entity created explicitly to function in these areas for the town. The ECC will more likely succeed in its work if it is empowered by the town board and properly funded.

Thank you for your willingness to consider our comments,

Sincerely,

Members of the commission:

Lewis Eisenberg
Hatti Langsford
Michael Migliore
Catherine Skalda
Davis Strauss

cc: Gardiner Town Board
Gardiner Planning Board



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*Community Planning
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Peter Fairweather, AICP

December 4, 2003

F/U 1/23

Mr. Jack Hayes, Supervisor
Town of Gardiner
133 Main Street
Gardiner, NY 12525

Dear Jack:

The Shawangunk Ridge Biodiversity Partnership has agreed to retain me to provide technical planning assistance to communities along the Ridge who apply to and are selected for participation in their *Green Assets* project. As you may be aware, the Shawangunk Ridge Biodiversity Partnership has taken no position on the Awosting Reserve project. However, it was recently brought to my attention at least one organization that are members of the Shawangunk Ridge Biodiversity Partnership have taken positions against the Awosting Reserve Project.

This may raise a question about the propriety of my providing services to towns in which the Awosting Reserve is proposed (i.e., Shawangunk and Gardiner) while I am also retained by an organization in which some of the members are officially opposed to that project. The members of the Shawangunk Ridge Biodiversity Partnership are:

- The Cragmoor Association
- Friends of the Shawangunks
- Mohonk Preserve
- The Nature Conservancy
- New York Natural Heritage Program
- New York State Department of Environmental Conservation
- New York State Museum
- Open Space Institute
- Palisades Interstate Park Commission
- New York State Office of Parks, Recreation and Historic Preservation

In such a situation, the code of ethics of the American Institute of Certified Planners (of which I am a member) requires the following:

A planner shall not perform work if there is an actual, apparent, or reasonably foreseeable conflict of interest, direct or indirect, or an appearance of impropriety, without full written disclosure concerning work for current or past clients and subsequent written consent by the current client or employer.

Please note that throughout my proposed scope of work for the *Green Assets* project, I would not in any way address the merits or deficiencies of any individual development proposal. (See the attached scope of work.) In addition, my work on this project will be confined strictly to that scope of work. The member organizations of the Shawangunk Ridge Biodiversity Partnership

will not be permitted to review or in any way influence any work I do for my other clients, other than through opportunities provided for review and/or comment by the general public.

In the interests of full disclosure, I am also providing a list of the other projects on which I am engaged or have been engaged in the recent past for communities and/or organizations with interests on or abutting the Shawangunk Ridge:

Town of Shawangunk:

Current engagement: Preparation of draft zoning language to implement the recently adopted comprehensive plan

Previous engagement(s): Preparation of the recently adopted comprehensive plan

Town of Gardiner:

Current engagement: Preparation of a comprehensive plan

Previous engagement(s): None

Town of Rosendale:

Current engagement: Preparation of a comprehensive plan

Previous engagement(s): None

Village of Ellenville:

Current engagement: Preparation of a Gateway strategy for Routes 209 and 52

Previous engagement(s): Preparation of an economic development strategy

It is my belief that I will be able to meet my current professional obligations to the Town and to the Shawangunk Ridge Biodiversity Partnership under the scope of work for the Green Assets project. However, I would like a letter containing either your Town's written consent or written refusal for me to pursue both of these projects simultaneously.

By January 31st, 2004, or earlier if possible, could you please send me a letter to the above address that either provides your Town's consent for me to continue working in your Town while also being engaged by the Shawangunk Ridge Biodiversity Project or which indicates your Town's belief that my work on the Green Assets Program involves a reasonably foreseeable conflict of interest or an appearance of impropriety.

Upon receipt of a letter of consent, I will proceed with both projects. Should I receive a letter indicating your Town's belief that my work on the Green Assets Program involves a reasonably foreseeable conflict of interest or an appearance of impropriety, I will contact you to determine how your town would like me to proceed. Thank you very much for responding to this request. I look forward to hearing from the Town of Gardiner.

Sincerely,



Peter Fairweather, AICP

Enc.

Cc: Supervisor-elect Carl Zatz
Michael Boylan, Comprehensive Plan Committee

Scope of Work for the "Green Assets" Project

Drawing upon previous work of the SRBP, Fairweather Consulting will assist at least three ridge communities in efforts to maximize the ecological, environmental, aesthetic, recreational and economic returns to each community for biodiversity stewardship. This will involve the following seven tasks:

Task 1. Convening the Project Steering Committee: Fairweather Consulting will work with the Shawangunk Ridge Biodiversity Partnership (SRBP) to create a project steering committee to oversee the work of this project.

Task 2. Working with the SRPB Technical Assistance Subcommittee to develop a presentation on biodiversity in the Shawangunks, the importance of those resources for the region, and local stewardship practices that can protect and promote biodiversity: Fairweather Consulting will prepare a presentation to be used in public meetings, meetings with Town representatives, local organizations and/or other groups important to the success of this project. The presentation will use media appropriate for the effective communication of the information on biodiversity and its value. The presentation media may include PowerPoint, presentation boards, or other print and digital media.

Task 3: Working with the Committee to develop criteria for selecting participating communities and to implement that selection process: Fairweather Consulting will work with the Committee to identify the characteristics of communities most likely to embrace and foster the principles of biodiversity. Based upon this understanding, the Committee will approve three communities that will be the focus of the *Green Assets* project.

Task 4: Working with communities to identify "transition" lands that meet community open space criteria and whose enhanced stewardship can help protect ridge biodiversity: Once the three communities have been approved by the Committee, Fairweather Consulting will work with appropriate representatives of the communities to identify the "transition" lands in those communities that will be the focus of local biodiversity preservation efforts. The Town Supervisor and/or Town Board of participating communities will designate these representatives. Representatives may include members of the Town Board, Planning Board, Zoning Board of

Appeals, Comprehensive Plan Committee, or other individuals and/or groups selected by the partner communities.

Task 5: Providing technical assistance to local communities to customize site-specific strategies to protect biodiversity resources associated with ridge and “transition” lands: Fairweather Consulting will work with each of the representative communities to identify appropriate techniques for protecting the ridge-related biodiversity resources in their respective communities. These techniques will include such approaches as municipal zoning site planning, conservation easements, purchase of development rights (PDRs) on farmland, and scenic byways, conservation overlay zones, and critical environmental area (CEA) designations.

Task 6: Promoting exploration of economic development opportunities in each community that can promote job creation and positive tax benefits in a manner consistent with protecting critical biodiversity resources associated with “transition” lands: Using examples from elsewhere in the United States, Fairweather Consulting will assist each community in identifying approaches to economic development that they may take in the context of biodiversity protection.

Task 7: Helping leverage federal, state, county and private funding for enhanced “transition” land stewardship in the target communities: Fairweather Consulting will work with representatives of the three partner communities to identify appropriate federal, state, county and private funding to assist them in implementing their biodiversity protection strategies.