

July 27, 2017

Town of North East/Village of Millerton Comprehensive Plan Update Committee

Committee Attendance:

Edie Greenwood	Debbie Middlebrook	Ed Downey
John Crodelle	Lance Middlebrook	Dianne Engleke
Dale Culver	John Midwood	

Guest speaker: Rebecca Thornton, President of Dutchess Land Conservancy.

The Dutchess Land Conservancy (DLC) was formed in 1985. Becky stated that the objective of the DLC is to preserve unique agricultural resources in Dutchess County. To date, 41,000 acres have been protected. The DLC is focused on protecting working farms, intact forests, water resources, scenic view sheds and unique wildlife habitats.

Various ways to protect land include:

- Donated conservation easements (25,250 acres)
- Purchase of Development Rights (PDR) (3,830 acres)  
(most recently in North East, the Duncan Farm, Kevin Smith Farm, Pleasant View Farm (Pulvers) and Caora Farm)
- Municipal conservation area projects (620 acres)

Becky said the DLC also works with towns that own unique property and want to open these areas to the public (i.e. Dover Stone Church).

She described DLC as a very resource-based organization that looks closely at the land before making decisions.

Resources to protect include:

- Prime soils (farmland gets developed first - it is easy to develop since there are no trees to remove, the soil is deep and has good percolation for septic systems)
- Water resources (aquifers, wetlands, floodplains, streams)
- Specific habitats (Hudsonia mapped the Town of North East several years ago)
- Slope resources (potential erosion issue)

Whenever DLC works with a community they consider the town's zoning laws and master plan. When they are writing conservation easements, DLC tries to align the easement with the community's stated goals.

Becky gave an example of what DLC did years ago on the Schroeder Farm on Route 22. The DLC looked at the resources – i.e. soils, slopes, habitats; did a viewshed analysis; looked at what could happen to the farm (under current zoning laws) if a developer bought it; then did an overlay of resources to see what impact development could have. She said the goal is to figure out what resources to protect and what you want to build. Then, they work with the owner to figure out how to accommodate development on the property and protect as many resources as possible.

Becky explained that when the DLC holds a conservation easement, they have the responsibility to oversee the easement and make sure the protection is permanent. It's more complex when there are multiple landowners. Sometimes the building plans of one landowner encroach on the others and create a violation. It is then DLC's responsibility to enforce the easement.

An important consideration is the siting of structures, especially highly visible ones. The DLC produced a booklet that talked about preferred siting.

The DLC considers the master plan for a town when going through their review process. The DLC recommends that a town's master plan encourage open space zoning which includes conservation density subdivision, mixed-use zoning, density averaging, cluster subdivision and incentive zoning.

John Crodelle asked if the DLC has dealt with solar farms. Becky replied that the DLC can work with a town to figure out where to put them. She noted most large scale solar farms are commercial and not allowed in rural zones.

Edie asked what the process is when land is given to the DLC. Becky replied that the DLC will only take land if they can resell it to bring in money for conservation purposes. If a large property with farm structures is offered, the DLC will try to sell it with conservation easements.

John Midwood began his presentation on broadband by handing out information on defining broadband. Under Phase 2 of the New NY Broadband Program, \$294,000 has been awarded to the Town of Pine Plains and North East for Fairpoint Communications to upgrade 81 homes. According to the NYS broadband office, there are 635 additional homes in Dutchess County that need upgrading and when Phase 2 is complete, 93% of the homes in Dutchess County will be served.

He went to say that the NY Broadband Program is about to launch its third phase with a goal of having 100% broadband coverage for the state. Columbia County convened a 30 person County Committee to gather resources and lobby for broadband expansion. Columbia County was given a higher percentage of coverage which they questioned. The Committee conducted their own mapping and surveys and found that the census number was inaccurate.

John explained that NYS collects data on underserved communities and unserved homes. In rural areas where the population is spread out, it doesn't make business sense for cable companies to run the cable. That is where state funding is needed to provide an incentive to the internet providers to improve service to both unserved and underserved customers. The companies that provide internet service apply for the grants; municipalities don't apply. Dale asked that if the 81 homes don't have to apply, do the cable companies (with the help of the state subsidy) just run the service to these customers and hope that they take it. John said you have to agree to buy it but there is no obligation to sign up.

Lance noted that Fairpoint (now owned by Consolidated Communications) doesn't go by cable; it goes by your phone line. If there isn't a power station somewhere near you, you're not going to get the quality of service that the company says you will. He questioned if Fairpoint is planning to build outpost substations to service the more rural areas.

John Midwood said he had spoken with Ron Hicks, Assistant Dutchess County Executive, to ask for his help regarding broadband for North East and Millerton. With the Phase 3 application deadline being Aug. 15<sup>th</sup>, there is little time left. John said Ron Hicks and Marc Molinaro tried to get Verizon to increase their efforts to get grants for Dutchess County but they found Verizon to be unresponsive. John reported that he spoke with the NYS broadband office asking for maps of unserved and underserved households. All he was given was an excel spreadsheet and a 40-page mapping primer. They told him to read the primer; enter the data from the spreadsheet using Google maps and generate his own maps. He said this is work that the 30-person group in Columbia County had done. John suggested that the Mayor of Millerton and the Supervisor of the Town of North East should make calls to the broadband providers that serve our community urging them to apply for this grant by the Aug. 15 deadline.

John said he would like to have a sub-committee to help with finding existing maps and make phone calls to the broadband providers to find out what grants they are applying for. Lance and Edie said they would help John with gathering information.

Ed asked about transmission speed. Lance explained that cable is faster than DSL. He went on to say that cable uses coaxial cable and DSL uses the phone lines. Lance said fiber optics is the next level and gave Verizon Fios as an example.

Edie said there will be no meeting in August. She would like everyone to review the current plan and list its accomplishments, what is missing from it, and what is beyond the scope of what they should take on.

Meeting adjourned at 5:35PM.

*Follow up note from Lance Middlebrook. Dated August 11, 2017*

I finally spoke with Bill Maury at Fairpoint who handles the broadband initiative. In the census blocks on the NYS site, we are list D for Phase 3.

When Phase 2 began Fairpoint and Optimum were bidding for unserved areas. Optimum was evidently successful in securing most of the area for expansion. Hence in Phase 3, Fairpoint cannot bid against a competitor who controls a majority of the customers. Optimum is the only provider for any expansion of broadband in our area.

I'm still trying to reach Waldron at Optimum. Not getting any calls back so far. I will continue to try to reach him.