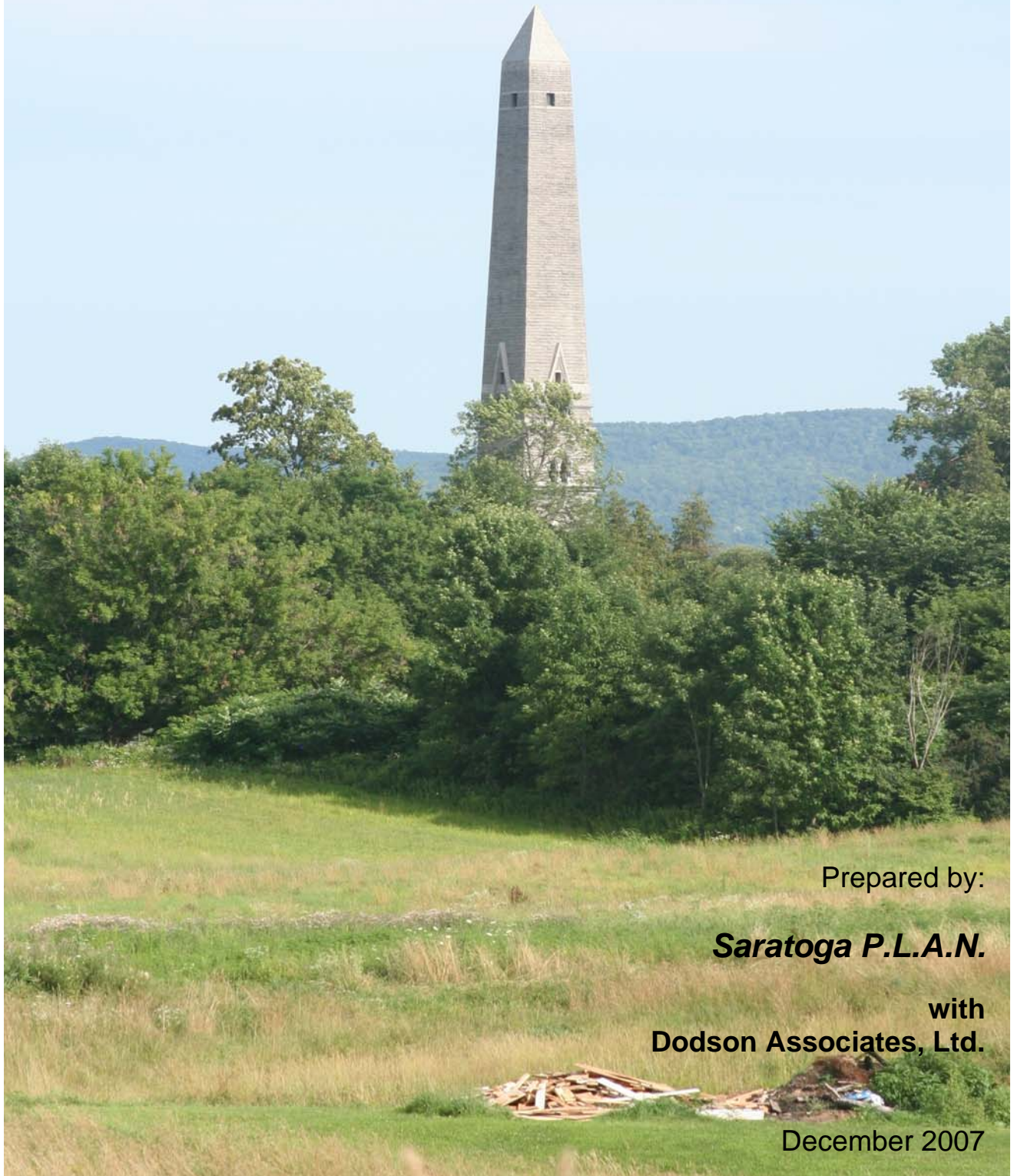


Battles of Saratoga Preservation and Viewshed Protection Plan

Old Saratoga on the Hudson Region, New York



Prepared by:

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with
Dodson Associates, Ltd.

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Old Saratoga on the Hudson Region, New York

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Appendix B:	Saratoga National Historical Park Viewshed Analysis; LA Group
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1.0 Introduction

The Old Saratoga region was the location of the Battles of Saratoga, internationally acknowledged for its impact on the history of the United States and the world as the “turning point of the Revolution” in 1777. Within its boundaries are historically significant battlefield and battle related sites including: the Field of Grounded Arms where the British Army surrendered to American forces after the Battles of Saratoga, the General Philip Schuyler House and the Saratoga Monument, a 155-foot tall granite obelisk, that is within the 18th-century British lines of defense in the Village of Victory.

The Saratoga Monument overlooks the grounds where Burgoyne had his last camp, where the decision was made to surrender the British army and beyond. The monument was intentionally situated on its high bluff (at the time of construction it was known as the Heights of Saratoga) to afford not only a view of the final British camp (from whose ashes the monument to victory literally arises) but to also include sweeping views of the surrounding region. At the time of construction the 19th century landscape was much less inhabited with mature trees than today. The view from the top then encompassed broad views of the Hudson Valley within which so many of the events associated with the battles occurred.

The Battles of Saratoga and the landscape of the battlefield grounds continue to have a profound influence on the character of the communities that surround it. The rural countryside that surrounds much of the historic battlefield retains the cultural landscape much as it existed 200 years ago. The surroundings have enabled residents and visitors alike to truly appreciate and understand the significance of the Battles of Saratoga that are among the most decisive battles in world history.



Saratoga National Historical Park
Photo credit: Dodson Associates, Ltd.

The Revolutionary War history of the region is distinguished by the protection of the Saratoga National Historical Park but much of the surrounding contextual landscape is under threat. Today, the region is seeing escalating growth and with it a tangible threat to the cultural and historical interpretation of the battles. The identification and assessment of significant historic resources related to the battles, siege and surrender at Saratoga, as well as critical scenic resources, is the first step in their long-term preservation and protection.

1.1 Purpose

The Battles of Saratoga Preservation and Viewshed Protection Plan is taking place under the Old Saratoga on the Hudson program. The Old Saratoga on the Hudson program is an ambitious effort to revitalize one of the most historic and scenic areas in upstate New York. Historic buildings, working farms and orchards, sweeping mountain views, the Hudson River, the Old Champlain Canal and The Saratoga National Historical Park are just a few of the unique features of the area.

The Plan seeks to protect historic sites associated with the Battles of Saratoga, beyond the Saratoga National Historical Park's (SNHP) borders, and preserve the viewshed and cultural landscape of this significant area while fostering economically sustainable development. The Plan prioritizes parcels within the seven municipalities involved in the process according to historic, viewshed and scenic values according to recognized standards. For a complete discussion of the methodology of the inventory and analysis, see the Phase One Report, attached as Appendix A hereto. The Plan then outlines the tools by which each municipality could protect the resources within its borders as well as potential funding sources to accomplish preservation. Each community will need to assess its current status, its own priorities for preservation and the tools most compatible with its long-term goals and objectives.

1.2 Planning Process

The process was managed by and the final plan was prepared by Saratoga PLAN, Preserving Land and Nature and the Historic and Scenic Resources Inventory was conducted by Dodson Associates, LTD., under a grant from the American Battlefields Protection Program, a National Park Service (NPS) program to assist communities. The Plan was guided by a Steering Committee of representatives from The Towns of Saratoga, Northumberland, Greenwich, Easton and Stillwater and the Villages of Victory and Schuylerville; historians from each of the communities; NPS; and members of each community. In addition to acting as a Steering Committee member, NPS, through staff and resources at the Saratoga National Historical Park, provided data, reports, photographs, historical information and a wide range of additional resources to guide the development of this inventory and plan.

In Phase 1, Dodson Associates conducted an in-depth inventory and assessment process, mapping and visual analysis using Geographic Information System technology and a public participation process. Through this approach, priority resources were identified and an analysis was prepared that provided the basis for the creation of a community-based Preservation Plan for the ultimate protection of the unique and culturally important scenic and historic resources of the region. For complete discussion of Dodson's methodology, please see the Phase One report in Appendix A. Additionally, an assessment of the threats to the viewshed of the Saratoga National

Historical Park was completed and updated previously by the LA Group and informed this Plan. The LA Group's reports are included as Appendix B. In Phase 2, based on current land use regulations in each of the seven municipalities in which these priorities are found and preservation tools available in New York State, Saratoga County and each individual municipality, preservation strategy were developed for the different resources.

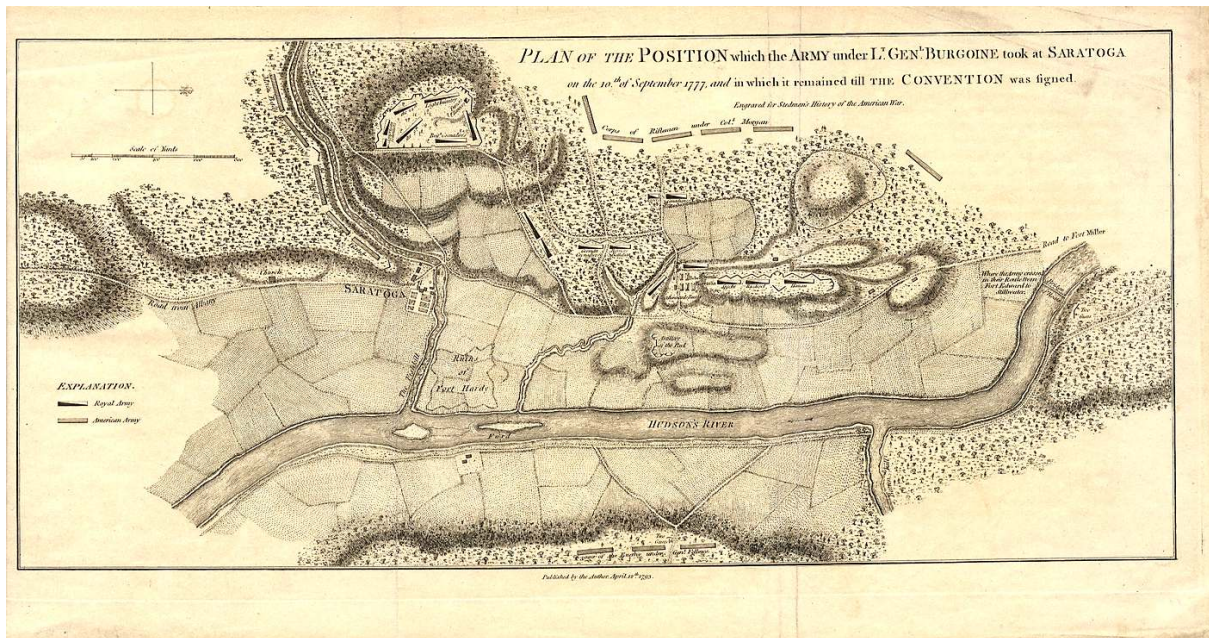
1.3 Timeline

2/06	Complete consultant selection process
6/1/06	Completion of Battles of Saratoga Preservation and Viewshed Protection Plan Fact Sheet
6/15/06	Introductory Steering Committee Meeting
6/15/06	Completion of Work Plan with ABPP and consultant
7/18/06	First public meeting to introduce the project, review process for inventory review, review process for assessment and analysis, explain guidelines for treatment options and present sample protection criteria.
10/19/06	Second public meeting to discuss Phase 1 of the project, the Historic and Scenic Resource Inventory and Analysis and present rankings and mapping.
11/6/06	Conducted Image Poll
11/20/06	Meeting with Steering Committee and Town and County Historians to review Phase 1 of the project, the Historic and Scenic Resource Inventory and Analysis and present rankings and mapping and to discuss necessary modification.
12/06	Completion of Phase 1 Report
1/12/07	Meeting with National Park Service and NYS Assemblymember Englebright to present Phase 1.
6/07	Complete revisions to Phase 1 Report and mapping
6/07	Submission of Draft Plan to ABPP and NPS staff for review and comment
10/18/07	Distribution of Draft Plan to Committee Members
11/8/07	Close of Committee Draft Plan Review

12/07 Complete creation of individual municipality mapping

12/07 Final Draft prepared for submission

2.0 Historical Significance



Many historians consider the Battles of Saratoga the major turning point of the American Revolution. The battles and subsequent surrender by Major General Burgoyne proved to the world that the fledgling American army was an effective fighting force capable of defeating the highly trained British forces in a major confrontation. As a result, the European powers, particularly the French, took interest in the cause of the Americans and began to support them.

2.1 Background

In the British Campaign of 1777, Major General Burgoyne planned a concentric advance of three columns to meet in Albany, New York. He led the main column, which moved southward along the Hudson River from Canada. A second column under General Barry St. Leger served as a diversionary attack, moving eastward from Canada along the Mohawk River. General Howe was expected to direct the third element of the attack. According to the plan, General Henry Clinton, under the direction of Howe, would move northward along the Hudson River and link up with Burgoyne in Albany. Through this campaign, the British hoped to isolate and destroy the Continental forces of New England, by controlling



Portrait of Major General John Burgoyne by Sir Joshua Reynolds, Now in the Frick Collection, NYC

the Hudson River Valley and cleaving New England from the rest of the colonies.



Portrait of General Philip Schuyler by **Jacob H. Lazarus** (1822-91) in 1881, from a miniature painted by John Trumbull about 1792.

Initially, the British plan appeared to be working, with British victories at Ticonderoga and Hubbardton. Burgoyne's army continually pushed back the Americans southward along the Hudson River with only minor casualties. In an attempt to slow the British advance, the American General Philip Schuyler detached 1000 men under the command of Major General Benedict Arnold. This force moved west to thwart St. Leger's eastward advance along the Mohawk River. Arnold returned with his detachment after repelling St. Leger in time to serve in the Battles of Saratoga.

Burgoyne's progress toward Albany had slowed to a crawl by late July, and his army's supplies began to dwindle. Burgoyne sent a detachment of about 800 troops under the command of the Lieutenant Colonel Friedrich Baum from Fort Miller to Bennington. On August 13, 1777, en route to

Bennington, Baum learned of the arrival in the area of 1,500 New Hampshire militiamen under the command of General John Stark. The resulting Battle of Bennington on August 16, 1777, marked the first significant American victory of the campaign against Burgoyne.

2.2 First Battle (The Battle of Freeman Farm)

On September 13 and 14, 1777, Burgoyne crossed to the west side of the Hudson with his whole army and encamped on the heights of Saratoga. On September 15, 1777, he marched his army slowly down the five miles to Dovegat where he stayed two days for the purpose of repairing the roads and bridges in his advance, and of sending out scouts to reconnoiter the enemy. Strangely, it is said that no enemy was discovered. Burgoyne at this time seemed to know nothing about the position or the numbers of the American forces, but went on marching blindly through the woods in search of an enemy supposed to be somewhere in the forest before him. On the morning of September 17, 1777, Burgoyne himself headed a scouting-party, and proceeded as far as Sword's House, which was within four miles of the American lines, encamped his whole army there during the 18th, and until the morning of the 19th.

On the east side of the river, a few miles to the east of the armies stood Willard's Mountain. From the top of this mountain American scouts had full view of both armies. On September 19, 1777 the Royal army advanced upon the American camp in three separate columns. Two of them headed through the heavy forests covering the region; the third, composed of German troops, marched down the river road. American scouts on Willard Mountain had seen the forward movement of the British, and notified General Horatio Gates, who had replaced General Schuyler.

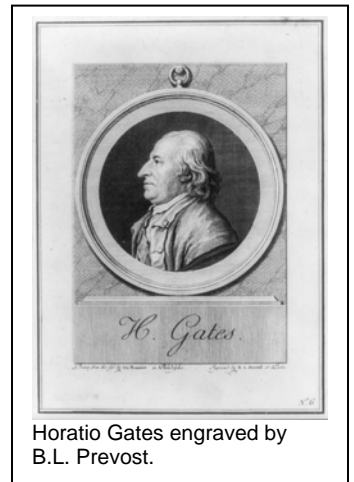


Willard Mountain in the left distance.
Attributed: Life Magazine

General Gates ordered Col. Daniel Morgan's frontier riflemen to track the British march. Some of Morgan's men brushed with the advance guard of Burgoyne's center column in a clearing known as the Freeman Farm, about a mile north of the American camp. The general battle that followed swayed back and forth over the farm for more than three hours. Then, as the British lines began to waiver in the face of the deadly fire of the numerically superior Americans, German reinforcements arrived from the river road. Hurling them against the American right, Burgoyne steadied the wavering British line and gradually forced the Americans to withdraw. Except for this timely arrival and the near exhaustion of the Americans' ammunition, Burgoyne might have been defeated that day.

Though he held the immediate field of battle, Burgoyne had been stopped about a mile north of the American line and sustained serious loss.

During this First Battle of Saratoga, the American forces lost ground to the British. Disagreements in tactics and personalities led to a heated argument between Generals Gates and Arnold. General Gates relieved Arnold of command as a result. The Ezekiel Ensign farm was occupied by the British army and his house turned into a hospital. It is reported that twelve officers died there and were buried in the rear.



Horatio Gates engraved by
B.L. Prevost.

2.3 Second Battle (The Battle of Bemis Heights)

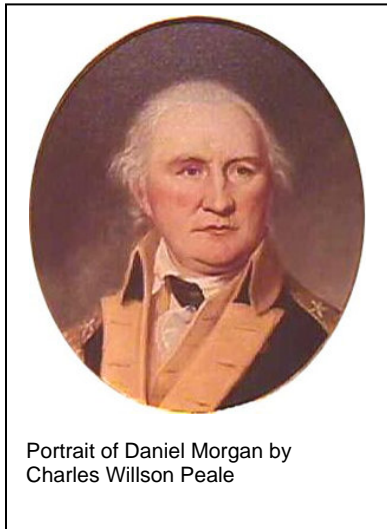
Shaken by his "victory," General Burgoyne ordered his troops to entrench in the vicinity of the Freeman Farm and await support from Clinton, who was supposedly preparing to move north toward Albany from New York City. For nearly three weeks he waited but Clinton did not come. By now Burgoyne's situation was critical.

Without hope of help from the south and with supplies rapidly diminishing, the British army became weaker with each passing day. Meanwhile, militia regiments were called up around New England as reinforcements for the American Army and marched quickly to join the gathering forces of General Horatio Gates.

On the evening of October 5, 1777, General Burgoyne called a council of war. His army had rations only for sixteen days longer and he had heard nothing from General Clinton. As the British officers sat around the council-board, the gloom of the occasion was

heightened by the frequent firing of the American pickets harassing the British lines, and by the dismal howling of the large packs of wolves that had come out of the wilderness to eat the dead.

Burgoyne had to choose between advancing and retreating. After council, he decided to risk a second engagement, which came to be known as the Battle of Bemis Heights, and on October 7, 1777, ordered a reconnaissance-in-force to test the American left flank. Burgoyne made plans to assault the American lines in three columns and drive them from the field. The main assault would be made by the Germans under Major General Riedesel against the American forces.



Portrait of Daniel Morgan by
Charles Willson Peale

By now the Americans knew that Burgoyne's army was again on the move and at about 3 p.m. attacked in three columns under Colonel Daniel Morgan, Gen. Ebenezer Learned, and Gen. Enoch Poor. Holding their fire until the troops were well within range, Poor's brigade devastated the British in the first attack and routed the survivors in a counter attack.

Colonel Morgan and his sharpshooters attacked and routed the Canadian infantry and began to engage Fraser's British regulars. Fraser began to rally his division, and Benedict Arnold arrived, who although relieved of duty, could not resist the call of battle. Against orders, he arrived on the field and ordered Morgan to concentrate his fire on the officers, particularly the generals. One of

Morgan's sharpshooters fired and mortally wounded Fraser.

After finishing on Morgan's front, Arnold next rode to Learned's brigade. Learned's men, facing the German assault, were beginning to falter. With Arnold and Learned in the lead, the Americans counter-attacked. By now Poor and Morgan were closing in on either side of the Germans, and their front gave way. The British retreated to their original positions. Arnold next led Learned's men in an assault on the Germans' redoubt. Although Arnold was wounded, the Americans took the redoubt. Before being carried off the field, Arnold tried to bring forward another brigade, but a messenger sent by Gates to retrieve Arnold finally caught up to him and he was removed with the other wounded as darkness fell over the field.

The next night, the British began their retreat northward. On the evening of the 9th the British army reached the Fishkill, and, crossing the ford, took possession of the heights of Saratoga. In twenty-four hours of marching, they advanced a distance of eight miles in a pitiless rainstorm. Scarcely able to stand from cold and exposure, they encamped on the sodden ground, without food or campfires, until the morning of the 10th. Because the Fishkill was swollen by the abundant rains, turbulent and dangerous, the artillery was not taken across until daylight on the morning of the 10th.

2.4 Siege

Because of the pouring rain and the almost impassable condition of the roads, General Gates did not reach the south bank of the Fishkill, with the main body of his army, until late afternoon on the 10th. Upon his arrival there he encamped his army along the heights bordering Fishkill on the south. Assuming that General Burgoyne would continue his retreat, General Gates ordered an advance across the creek at daybreak in the morning. On the morning of the 11th, Colonel Morgan crossed the Fishkill, and, to his surprise, found the enemy's pickets in position, indicating that the main body was close at hand. General Nixon, with his brigade, also crossed the Fishkill, and surprised the British pickets at Fort Hardy. General Learned, at the head of two more brigades, crossed the creek and advanced to the support of Colonel Morgan.

During all this time, a thick fog persisted, and the Americans could not see more than twenty yards before them. General Learned advanced, and had arrived within two hundred yards of Burgoyne's strongest post, when the fog suddenly cleared up and revealed to the astonished Americans the whole British army in their camp under arms. The Americans beat a hasty retreat in considerable disorder across the Fishkill, under a heavy fire from the British, and soon regained their camp on the heights along the south bank of the stream.

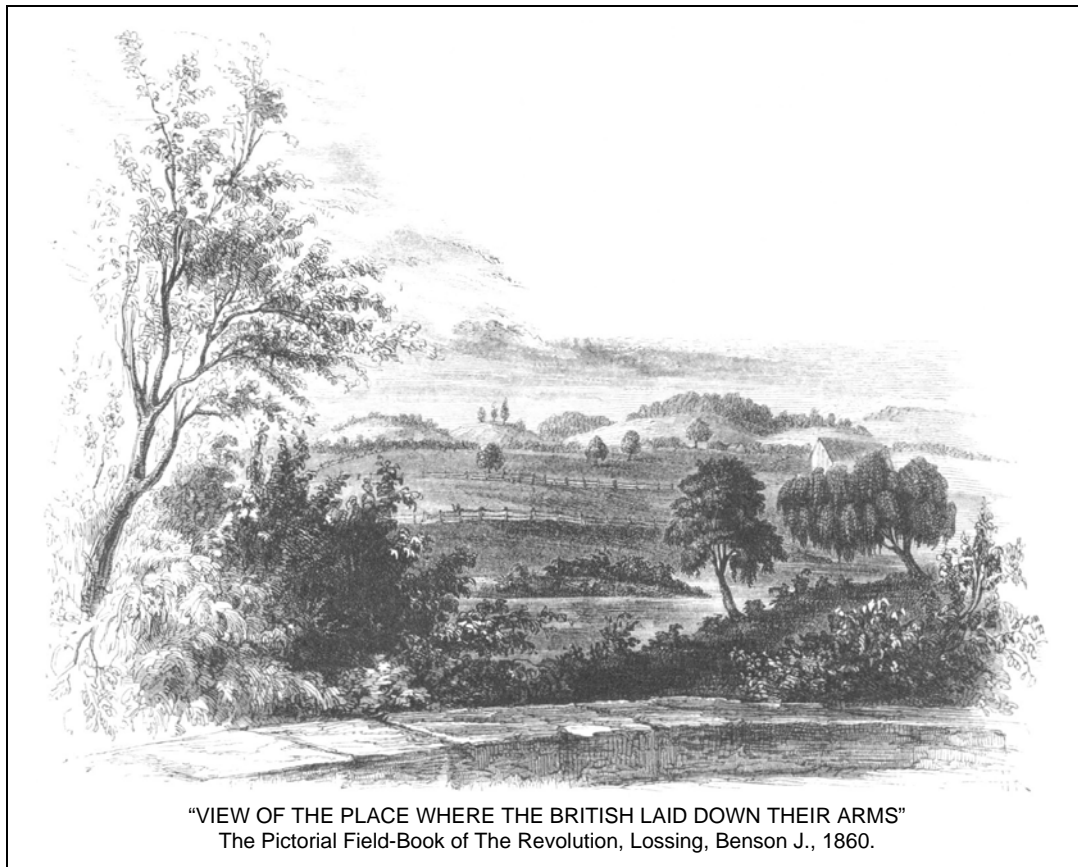
When the British vanguard reached Saratoga, Brigadier General John Fellows was encamped on the west side of the Hudson, with a small body of Americans, his main force being posted on the hills on the east side of the Hudson, upon the site of old Fort Clinton of the colonial period. Upon the approach of Burgoyne, General Fellows retired with his detachment to this strong position on the hills on the east side of the river, to cut off the retreat of the British in that direction. A strong detachment of American troops had also been sent by General Gates to take possession of the roads and bridges above Saratoga, in the direction of Fort Edward. The British army was effectively hemmed in and surrounded on every side by the American force, which had grown to nearly 20,000 men.

The British army was now in a most critical position. The main body of the line under General Burgoyne was encamped on the heights north of the Fishkill. The Germans under Riedesel were located on the ridge extending northerly towards the Marshall House, and the artillery was on the elevated plain extending between the Germans and the river flats. In this exposed position, the British army was completely surrounded by the American forces. Captain James Furnival of the New England militia was positioned atop a hill on the east side of the river with artillery. There was not a spot anywhere throughout the whole British encampment which was not exposed to the fire of the American batteries positioned on the heights surrounding it.

Escape north along the military road (now Route 32) remained possible until October 12th, but on the 13th a contingent under General John Stark crossed the Hudson from the east side and blocked the road by establishing a position between Stark's Knob on the west and an area of marshy ground along the Hudson on the east. Stark's Knob provided the bottleneck through which lay the only avenue of British escape. The occupation of this gap was said to be the "corking of the bottle."

2.5 Surrender

Faced with such overwhelming numbers, Burgoyne surrendered his sword to General Gates on October 17, 1777. By the terms of the Convention of Saratoga, Burgoyne's depleted army, some 6,000 men, marched out of its camp "with the Honors of War" and stacked its weapons along the west bank of the Hudson River at the Field of Grounded Arms.



Lieutenant William Digby of the British 53rd Regiment of Foot recounted the following:

"...About 10 o'clock, we marched out, according to treaty with drums beating and the honours of war, but the drums seemed to have lost their former inspiring sounds, and though we beat the Grenadiers march, which not long before was so

animating, yet then it seemed by its last feeble effort, as if almost ashamed to be heard on such an occasion...I shall never forget the appearance of their troops on our marching past them; a dead silence universally reigned through their numerous columns, and even then, they seemed struck with our situation and dare scarce lift up their eyes to view British troops in such a situation.”

Thomas Anburey, a volunteer who served with the British Grenadier Company of the 29th Regiment of Foot, wrote of the surrender:

“On the plain where we piled up our arms, there were numbers of dead horses, from the stench of which, and from the performance of so humiliating an act, you will easily imagine our haste in quitting such a spot.”

Surrendered troops marched south along the River, crossing from Stillwater to the Vandenburg House in Schaghticoke, on their way to Boston.

Thus was gained one of the most decisive victories in American and world history. The news that an entire British Army had been not only defeated, but captured with all its weapons, gave the American forces great credibility. France, in particular, threw its support behind the American forces, and years later, the French navy and military played an important role in the surrender of the British at the Battle of Yorktown, and the ultimate end of the war.

3.0 Context

3.1 Location and Geographical Area

The Hudson River in Old Saratoga forms part of a historic transportation corridor extending to the St. Lawrence Valley. For centuries before the Battles of Saratoga, this corridor provided a route for trade and invasion. Old Saratoga became a battlefield because of its strategic location on this waterway system.

3.2 History of Preservation Efforts

The Battles of Saratoga Preservation and Viewshed Protection Plan builds on many years of preservation efforts focused on Revolutionary War resources as well as on other historic resources. Because the Old Saratoga area is so rich in historic resources that open space, recreation, revitalization and restoration efforts also include efforts to preserve historic resources.

Saratoga National Historical Park

Under a 1926 law, New York State began to acquire battlefield lands related to the Battles of Saratoga in the Town of Stillwater in preparation for the sesquicentennial of the Battles and surrender. The battlefield was made part of the national park system in 1938. Since 1938, the portion of the Battlefield Unit in the Town of Stillwater owned by the National Park Service has been enlarged and three sites of the Old Saratoga Unit in the Town of Saratoga have been added to the park: the General Philip Schuyler Estate in the Village of Schuylerville, and the Saratoga Monument and Victory Woods in the Village of Victory. The Saratoga National Historical Park currently encompasses the 3,336 acre Battlefield, 30 acre Schuyler Estate, 22 acre Victory Woods and 4 acre Monument site.

Preservation efforts have also included sites related to the Battles of Saratoga as well as the viewshed from these important historic resources. In 1971, the Saratoga National Historical Park and the Town of Easton collaborated on the creation of a land use map for the Town, relative to the viewshed of the Park. In 2001, the Saratoga National Historical Park undertook a survey of sites associated with the Battles of Saratoga, the Siege and the Surrender through the American Battlefields Protection Program. In 2004, the Park issued an analysis of threats to the viewshed of the Park which was undertaken as a part of the 2004 General Management Plan. The 2004 viewshed analysis was updated in 2006. In 2006, the site at which British Major General Burgoyne surrendered his sword to American General Horatio Gates was acquired through a partnership between the Historic Saratoga-Washington on the

Hudson Partnership and the Open Space Institute with the support of Saratoga National Historical Park.

These prior studies and initiatives are the foundation for this Plan.

Revolutionary War

Fort Hardy Park Committee: The Fort Hardy Committee, which included citizens, town and county historians, The Old Saratoga Historical Association, non-profits and municipal officials, created a master plan for the Field of Grounded Arms and surrounding lands to incorporate historical interpretation, recreational opportunities and municipal services in 2005. The field is currently owned by the Village and is used as recreational ball fields.

Stark's Knob: A plan was completed in 2006 for additional interpretive opportunities at Stark's Knob, which is already protected by the New York State Museum due to the presence of unique geological resources. The plan was a culmination of processes including the Saratoga County Historian, the New York State Museum, municipalities, the Friends of Stark's Knob citizen's group, the SNHP and other citizen groups and non-profits.

German/Canadian Encampment Pocket Park: A plan was completed in 2005 by a coalition of citizens, town and county historians, The Old Saratoga Historical Association, non-profits and municipal officials for an interpretive park near the site of this encampment.

Other Preservation

New York State has undertaken many historic preservation planning processes as well as open space conservation planning processes to address the needs of sites of statewide significance.

In 1998 the National Park Service completed a study that resulted in the Erie Canalway National Heritage Corridor Act in 2000. The Erie Canalway National Heritage Corridor is one of nearly 30 federally designated national heritage areas. Its purpose is to help preserve and interpret the historical, natural, scenic, and recreational resources reflecting its national significance and to help foster revitalization of canal -side communities. The Corridor includes 524 miles of navigable waterway that makes up the New York State Canal System. It includes (amongst others) the Champlain Canal and its historic alignments and the cities, towns and villages that touch the canal system. The Canalway Commission began its Preservation and Management Plan in 2003. Rather than a physical master plan detailing infrastructural or building projects to be undertaken, the Corridor's Plan offers guidance to its community partners in formulating

comprehensive regional policies and taking action to achieve the Corridor's full potential.

The Agricultural Stewardship Association, a land trust serving Washington County and towns in northern Rensselaer County, completed a strategic farmland conservation plan in 2006 that designated six Priority Conservation Areas containing significant amounts of high quality farmland that are conducive to long-term agricultural business environment. The Hudson River/Route 40 Corridor was ranked as its highest Priority Conservation Area. This PCA is notable because it not only contains the highest concentration of prime soils and large productive farms, but it also contains the highest concentration of conserved farmland in the region. It is also notable because it makes up a large part of the viewshed of the Saratoga National Battlefield.

Old Saratoga on the Hudson is a community-based intermunicipal effort, begun in 2003. Its vision is to unite the communities along both sides of the Hudson River in the historic region known as "Old Saratoga" in one revolutionary, regional effort to protect the area's extraordinary beauty, history and heritage while enhancing the quality of life and economic stability of the people who live in the region today, and for those who will follow. The plan to carry out this vision includes steps to celebrate and restore the area's waterfront heritage, foster sustainable economic development, connect the community's past with its future, work to protect the area's rural and scenic landscape, and promote well planned, proportioned, high quality tourism development.

As a natural progression from Old Saratoga on the Hudson, the Historic Saratoga-Washington on the Hudson Partnership was recently formed by New York State Legislature due to the tireless efforts of New York State Assembly members Roy McDonald and Steven Englebright. This visionary organization will address collaborative agriculture and open space protection, tourism development, revitalization efforts, recreational development and protection of natural, cultural and historic heritage. The organization is charged with creating a stewardship plan to protect the unique historic and natural significance as a primary birthplace of the United States of America. Beginning with Native Americans in pre-colonial times to early European trading posts, the French and Indian War, the American Revolution, and the 19th century commercial and industrial development related to the building of the Erie and Champlain Canals, the area is distinguished by its scenic and natural features, agricultural uses and historic Hudson River towns.

Also as an outgrowth of the Old Saratoga on the Hudson initiative, the Old Saratoga on the Hudson Waterfront Revitalization Plan was completed in June 2007. The Advisory Committee included the Town of Saratoga Supervisor Thomas N. Wood, III, Town of Northumberland Supervisor Bill Peck, Town of Easton Supervisor John Rymph, Village of Schuylerville Mayor John Sherman, Village of Victory Mayor George Sullivan, Town of Greenwich Planning Board Member Daniel Spigner, Saratoga County Environmental Services Director and Northumberland Town Councilman George Hodgson, Easton Planning Board Chair and Saratoga National Historical Park staff representative Joseph

Finan, and Saratoga P.L.A.N. staff representative Diane Metz. This Plan identified a wide range of projects to preserve historical, scenic, recreational and open space resources and projects to preserve or interpret historical sites and events related to Early French and Indian Wars, the Old Champlain Canal and the Revolutionary War. The Plan is a locally prepared, comprehensive land and water use program for the area's natural, public, working waterfront, and developed coastal area. It provides a comprehensive structure within which critical waterfront issues can be addressed. The Waterfront Revitalization Plan is a voluntary, grass roots effort which brings together local and state governments, commerce and industry, environmental interests, private organizations, and community citizens to assess current opportunities and constraints and to build a consensus on the desired future of the community's waterfront. More importantly, this Waterfront Revitalization Plan provides a strategy for achieving that vision and Old Saratoga on the Hudson Waterfront Revitalization Plan for managing local resources.

Lakes to Locks is a regional planning organization which concentrates efforts for regional tourism and historic preservation around Lakes George and Champlain and the Champlain Canal. Planning has included historic tours and interpretive opportunities.

3.3 Community Characteristics

The project area encompasses a portion of the region known as the Old Saratoga on the Hudson region. The Old Saratoga on the Hudson region includes the towns of Easton and Greenwich in Washington County and the towns of Northumberland, Saratoga, and Stillwater and villages of Schuylerville and Victory in Saratoga County. The Advisory Committee determined the geographic project area to be the geographic locations of significant events that took place 24 hours prior to the start of the First Battle through the siege and surrender. A graphic representation of the geographic study area can be found the in Phase One Report by Dodson Associates, Appendix A.

Saratoga and Washington Counties differ in a number of important respects. Saratoga County has 519,580 acres within its boundaries and had a population of 200,635 in 2000, roughly 247 people per square mile. Washington County is comprised of 534,680 acres with a 2000 population of 61,042, roughly 73 people per square mile.

The character of the Washington County is identified by its agricultural history, traditions and culture. The region's agricultural industry remains healthy and viable due to the combination of sufficient farmland and farm size, skilled and knowledgeable farmers, and the surrounding agricultural infrastructure. It is the only remaining region of this type in the Hudson Valley. Washington County ranks within the top 10 counties in New York State for production of maple products, dairy products, beef and calves, and tomatoes. Washington County ranks 12th in New York for number of farms and 10th for land in agriculture.

Sprawl, the scourge of many formerly productive agricultural regions, is a serious threat to Washington County. The productive land, the agricultural way of life, the beautiful vistas and the healthy environment are threatened by nearby and internal development and real estate price pressures. With its proximity to the expanding communities of the Capital District and with lower real estate costs than neighboring areas, Washington County is experiencing significant development pressure.

Within the region, first and second home owners are buying and developing farmland for mainly residential purposes. From 2005 to 2006, Washington County is estimated to have lost 10 farms (845 to 835), totaling 1400 acres (203,200 to 201,800). In 2003, there were 205,800 acres in farms, 38 percent of the county's total 534,680 acres. There were 880 farms in the county averaging 234 acres per farm. The county's farmers are concerned that if greater action is not taken to protect the land base, the present agricultural viability of the region will lose its critical mass and begin to collapse.

While Saratoga County has much less land in agricultural use than Washington County, it still has approximately 74,400 acres of farmland, which is nearly 15% of the total land base. Most of this farmland is within the municipalities comprising this study area. Importantly, in 1950, there were 200,349 acres of farmland making up 38.6% of the total land base in the county.

In spite of Saratoga County's relatively fewer acres in agricultural production, in 2005, Saratoga County ranked as the number one county in New York for both number of equine and total value of equine. This is a reflection of the significance of the Saratoga Race Course to Saratoga County's economy, as well as that of the surrounding counties. It is estimated that the economic impact of the Race Course to Saratoga, Washington and other surrounding counties is between \$186 million and \$214 million annually.

With the exception of the Village of Victory, all of the communities in the study area experienced a significant increase in the number of households between 1990 and 2000, increasing the pressure for additional residential development beyond that expected based solely on population increase (Table 3.1). In the future, it has been estimated that Saratoga County will grow by an additional 58,000 people over the next 35 years. Because the size of the average household is decreasing, the number of housing units will grow at a rate faster than expected based just on population changes.

Adding to the current rate of growth and the expected, future rate of growth, Luther Forest, a large technology park, has recently been planned for Saratoga County. AMD, a large employer expected to locate in Luther Forest, is expected to bring 1,100 highly skilled, technical jobs with it. With unemployment rates in both Washington and Saratoga Counties (4.9 and 4.1, respectively, for January 2007) below the overall rates for both the State and the Country (5.2 and 5.1, respectively, for January 2007), it can be expected that many of the necessary employees will relocate from other areas, further increasing the pressure for development.

Table 3.1

Municipality	Population			Households			Household Income
	1990	2000	Change	1990	2000	Change	
Town of Northumberland	3,645	4,603	26.3%	1,173	1,593	35.8%	37,676
Town of Saratoga	3,124	3,400	8.8%	1,135	1,301	14.6%	32,806
Village of Schuylerville	1,364	1,197	-12.2%	519	536	3.3%	29,016
Village of Victory	581	544	-6.4%	205	189	-7.8%	29,388
Town of Stillwater	7,233	7,522	4.0%	2,539	2,786	9.7%	38,145
Study Area in Saratoga County	15,947	17,266	8.3%	5,571	6,405	15.0%	*
Saratoga County	181,276	200,635	10.7%	66,425	78,165	17.7%	42,364
Town of Easton	2,203	2,259	2.5%	737	854	15.9%	43,194
Town of Greenwich	4,557	4,896	7.4%	1,680	1,927	14.7%	39,138
Study Area in Washington County	6,760	7,155	5.8%	2,417	2,781	15.1%	*
Washington County	59,330	61,042	2.9%	20,256	22,458	10.9%	37,524
New York State	17,990,455	18,976,457	5.5%	6,639,322	7,056,860	6.3%	43,393

Source: US Bureau of the Census; Census 2000; Census 1990.

* Study area is not a unit of measure by the US Bureau of Census; therefore no data is available.

3.4 Current Land Uses and Regulations

Compounding the increased development pressure linked to increased population, Upstate New York is experiencing the phenomenon of “sprawl without growth.” The total urbanized land increased in Upstate New York between 1982 and 1997 by 30% while the population grew only 2.6%, reducing the overall density of the built environment by 21%. The immediate area surrounding Saratoga and Washington Counties saw an overall population growth of slightly less than 9%, with an associated decrease in density by 29%.

While all development displaces open space to some degree, sprawling development displaces at a higher rate. Unplanned, sprawling development displaces farmland, habitat, historic sites and landscapes, and wetlands, compromising the quality of life enjoyed by residents.

One important factor in controlling sprawl is municipal land use regulations. The land use practices and regulations of each municipalities included in this study were evaluated for presence of a comprehensive plan, zoning regulation, subdivision regulation, site plan review, conservation subdivision accommodations, land conservation regulations related to open space, agriculture and scenic values, and historic preservation. The summary of those land uses follows in Table 3.2, with zoning maps, where available, in appendices.

Also, in New York State, most projects or activities proposed by a state agency or unit of local government, and all discretionary approvals (permits) from a NYS agency or unit of local government, require an environmental impact assessment as prescribed by the New York State Environmental Quality Review Act (SEQRA). SEQRA requires the sponsoring or approving governmental body to consider environmental impacts equally with social and economic factors during discretionary decision-making, and to identify and mitigate the significant environmental impacts of the activity it is proposing or permitting. Under SEQRA, local agencies may designate specific geographic areas within their boundaries as "Critical Environmental Areas" (CEAs). State agencies may also designate geographic areas they own, manage or regulate.

Table 3.2

	Town of Easton (Appendix F)	Town of Greenwich (Appendix G)	Town of Northumberland	Town of Saratoga	Village of Schuylerville	Town of Stillwater (Appendix H)	Village of Victory
Comprehensive Plan	Yes, Update 1990; Funding received for another update	Yes, 2004	Yes, Update 2003	Yes, Update 2002	Yes, 2005	Yes, 2006	Yes, 2004
Open Space Plan	No	No	Yes, jointly with Saratoga	Yes, jointly with Northumberland	No		No
Zoning	No, although 1984 Plan includes land use overlays	Draft available for public review	Yes	Yes, and currently under review	No	Yes	Yes
Subdivision	Yes	Yes	Yes	Yes, and currently under review	No	Yes	Yes
Conservation Subdivision	No	Cluster Zoning in draft	Cluster Zoning; PUDD model ordinance	Yes, and currently under review	No	Cluster subdivision, PDD	Yes, through PDD
Site Plan Review	No	Yes	Yes	Yes, and currently under review	Yes	Yes	Yes
Design or Development Guidelines	Yes	Included in draft, but only if site plan review required		No, but archeologically sensitive and conservancy zones have increased restrictions & siting requirements			

Land Conservation	Critical Environmental Area (CEA) Designation; land use designation of "conservation" in 1984 Plan; Steep Slopes (>15%)	CEA - Hudson & Battenkill set backs and Ag land in draft; Steep slopes >15% and ridgelines in draft design guidelines;	Shoreline Overlay; Watercourse Protection Article	Wetlands Conservancy District and Steep Slopes (>15%); Conservancy Zone around the Fish Creek and Hudson River. All currently under review	No	?	Fish Creek Drainage Overlay
Historic Preservation / Overlay	No	No; Architectural guidelines applicable on Main St. in Village in draft	No	A map of archeologically sensitive areas in included in the comp plan and is used in site and planning board review, and currently under review	No	?	Recreation and Historic District
Agriculture Preservation / Overlay	Ag District Overlay	No; although design stds applicable on prime ag soils or soils of statewide importance, per draft	Ag Protection District	Yes, and currently under review	No	Ag District	N/A
Scenic Preservation / Overlay	1971 Viewshed Map - SNHP	No	Rural Road Overlay	Recommended in Comp Plan	No	?	No

4.0 Preservation Priorities

Benefits

Beyond the obvious historic, educational, commemorative and cultural benefits of the preservation of battlefields and other historic sites, preservation yields economic and environmental benefits. These additional positive effects of preservation of sites related to the Battles of Saratoga will be felt by all the municipalities in the study area in many ways.

Reasonably, municipal officials are concerned with their tax base, tax rates, tax revenue and the cost of provision of services. However, approaches presumed to be beneficial to these concerns may actually be detrimental. For instance, broadening the tax base does not always mean that tax rates will go down. Costs for roads, water and sanitary sewer, schools and emergency service can far outweigh the tax revenue, especially when development is primarily residential. While commercial development puts less of a direct strain on schools and emergency services (although associated residential development will exert those strains), required infrastructure can minimize any gain made.

While it may seem counterintuitive at first blush, protection of open space, including battlefields and other historic sites preserved as open space, whether open to the public or not, is beneficial to the tax base. Protection of open space increases local property value, thereby increasing a municipality's property tax base. Potential property tax increases associated with construction of the infrastructure necessary to support development, such as roads and schools, can be minimized by the preservation of battlefields as open space. Management of the quality and supply of open space prevents flood damage and provides a less expensive and natural alternative for providing clean drinking water.

Protection of historical sites offers a boon to local economies. Historic sites open to the public draw visitors interested in our heritage. As an income generator, battlefields attract the direct economic benefit from tourism and site management, which create jobs. Battlefields and other historic sites have an advantage over other industries: they are permanent. While other employers may relocate when they have exhausted natural resources or outsource work, battlefields are necessarily committed to their communities.

The Saratoga National Historical Park, made of three sites currently open to the public and one to be opened in the future, is proof of this significance. In 2004, SNHP hosted 114,007 visitors to its sites. On average, each of those visitors spent \$62 per day, resulting in a total contribution to the local economy of \$7 million. Expanding the activities and sites to visit will encourage visitors to stay longer, requiring meals, lodging

and entertainment. It is reasonable to assume that more activities and sites will draw a larger total number of visitors in addition to increasing the stay of those already visiting.

An increase in visitors to the Old Saratoga Region could have a significant effect on the economies of the municipalities. The Cobb Historic Tourism Survey, an economic study of the benefits of tourism done in Cobb County, Georgia, which includes the Kennesaw Mountain Battlefield, highlights the increased benefits. In 1991, Kennesaw Mountain Battlefield hosted 787,400 visitors. In that same year, the county realized 22,700 travel-related jobs and \$871 million in visitor spending, which translated to local tax receipts of \$34 million.

Preservation of battlefields as open space can offer a variety of environmental benefits in addition to historic, cultural and economic benefits. Preservation of battlefields as open space can also protect important habitats and provide wildlife corridors and linkages. Preservation can also protect aquifer recharge areas, ensuring continuation of working wetlands that protect the water supply and protect against flood damage. Open space preservation, including protection of historic sites and battlefields, protects working lands by removing the development pressure and redirecting new growth to existing developed areas.

The SNHP is a good example of environmental benefits secondary to historic preservation. Four tributaries of the Hudson River drain the Park and an aquifer recharge area exists under the Park. Forty-nine wetlands have been inventoried in the Park, and the Hudson River's 100 year flood plain encompasses nearly 12% of the Park. One hundred eighty species of birds, 39 species of mammals, 16 of amphibians, 14 of fish and 10 of reptiles are documented in the park. Of the wildlife species known to inhabit the park, 16 bird species and 4 amphibian species are on the New York State list of endangered, threatened, rare and of special concern list.

Clearly, a community needs a balance of residential and commercial development and land preservation to maximize benefits of each. When assessing the benefits of battlefield preservation open to the public, it will be important for each municipality to balance the economic benefits with the stress that may be created on the infrastructure and environment of increased visitation.

Priorities

The case for preservation of significant historical sites is clear; which sites to preserve and how to preserve them is not quite as clear. It is the intent of this plan to assist communities in identifying priority sites for preservation. The Old Saratoga Region is rich in prehistoric and historic resources, including those related to the Battles of Saratoga, arguably one of the most decisive battles in history. The region is already fortunate to have much of the battlefields of the Battles of Saratoga, Burgoyne's final encampment, Victory Woods, and the Schuyler House protected by the National Park Service and Burgoyne's sword surrender site protected by the Historic Saratoga-

Washington on the Hudson Partnership and Open Space Institute (OSI). However, there are many documented sites and sites that need more investigation related to these important battles that are threatened and deserving of protection.

The Old Saratoga Region is also fortunate for its magnificent viewshed around the protected and unprotected sites related to the Battles. Briefly, a viewshed is the landscape that can be seen from a particular point, in this case, from any of the significant historic sites including the SNHP. Viewshed is important to the understanding of a particular historic site and the events that occurred there. Scenic values represent a landscape that draws visitors and residents alike to it. Contextual values help interpret an historic site's significance in relation to the people, places and events around it. For a complete discussion of scenic, viewshed and contextual values, please refer to Dodson's Phase One Report.

Much of the view from the Saratoga National Historical Park is as it was at the time of the Battles. The viewshed adds to the total experience of the community's members as well as visitors to the Park and provides increased interpretive opportunities. This is not the case at every historical park, making this a resource worth protecting. A community should plan carefully for the use of land adjacent to a battlefield or other historic site, so that the adjacent use does not detract from the solemnity and significance of the site, whether it is open to the public or not.

As outlined in Section 3.0, the project area encompasses the geographic locations of significant events that took place 24 hours prior to the start of the first Battle. Because the British loss was so unexpected and significant, events through the siege, surrender and the march of the British troops back to Boston, up to the geographic edge of the Old Saratoga on the Hudson region, were included. A graphic representation of the geographic study area can be found in the Phase One Report by Dodson Associates, Appendix A.

The first phase of this Plan, completed by Dodson Associates, Ltd., identified priority historical sites, highest visibility features and the most scenic views. Dodson Associates undertook an in-depth inventory and assessment process, mapping and visual analysis using Geographic Information System technology and a public participation process. Through this approach, priority resources were identified and an analysis was prepared that provides the basis for the creation of this Plan for the ultimate protection of the unique and culturally important scenic and historic resources of the region. Map 4.1 represents the mapping of the verified historic sites and those sites requiring further investigation. Map 4.2 represents the viewshed analysis, Map 4.3 represents the combination of priority historic sites and viewshed and Map 4.4 represents the scenic analysis. For a complete discussion of Dodson's qualifications to complete this phase as well as its methodology and findings, see Appendix A.

Dodson combined the results of their historic resources inventory and ranking, scenic resources assessment and viewshed analysis with data from a threat assessment

completed by the LA Group for the Saratoga National Historical Park (Map 4.5) to create a composite map of sites most in need of protection (Map 4.6). The LA Group's report is included in Appendix B.

To make the mapping accessible and useful to each of the municipalities for planning purposes, an enlarged view of the historic resources, viewshed and composite maps for each municipality is included (Maps 4.7 through 4.13). The historical significance of each site noted can be found in Section 2.

4.1 Town of Easton, Map 4.7 a-c



Cooke Hollow, Easton
photo © 2005 ASA

The results of this viewshed analysis echo those of the viewshed analysis completed in 1971 by the Town of Easton and the Saratoga National Historical Park. The Town of Easton boasts the significant historic sites of Willard Mountain, Fording Point of General Fellows Troops, General Fellows Battery, East Bank River - British Tete-du-Point, East Bank River - American Tete-du-Pont, and General Fellows Camp. Easton also has a number of contextual sites that retain much of

their integrity including the site of the DeRidder Ferry, the Battenkill, the site of the Sarles Ferry, the Becker Farm and Ferry and the Coffin Farm. The Town of Easton is also home to significant viewshed and scenic areas. Along the eastside of the Hudson River, the ridge forming the river valley is highly visible from many of the prioritized historic sites and the National Park, as is the ridge encompassing Willard Mountain. Also along the eastside of the Hudson, the extensive agricultural lands in Easton are scenically valuable.

The Coffin Farm and a number of parcels with high scenic value in Easton have already been protected by conservation easements. However, since Easton does not have zoning regulations per se, although the Town has other land use regulations that function much like zoning regulations, the threat assessments done by the LA Group found many of the significant areas under a high threat level. Further discussion is included in the Implementation section.

4.2 Town of Greenwich, Map 4.8 a-c

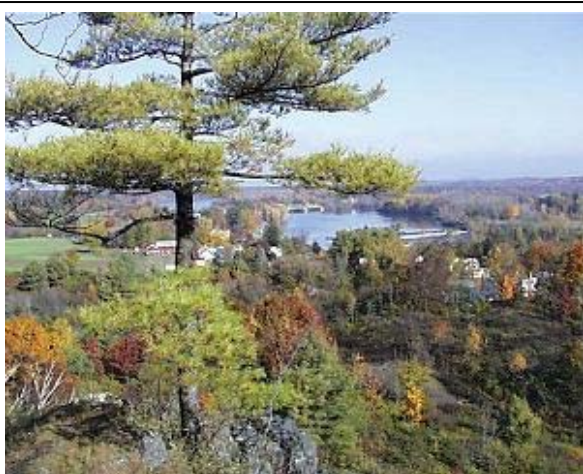
Because of the decision to limit this study to events occurring 24 hours before the first Battle, many important historical sites were excluded, including the confirmed continuation of the Great War Trail. One site worthy of further investigation is a parcel now known as the Georgia Pacific site. There are secondary sources indicating that the Great War Trail, which Burgoyne traveled to the fording point across the Hudson River, crossed this site.



Battenkill
photo © Jim Newton

Within the chronological scope of this plan, Greenwich hosts the Pontoon Bridge site and Furnival's Battery, both significant historical sites that have retained much of their integrity. Interestingly, the only shot fired from Greenwich in the Battles of Saratoga, Siege and Surrender came from Furnival's Battery. Additionally, much of land between the Hudson River and the Battenkill are important scenically, to the viewshed, as well as to the context of the Battles. The original threat assessments completed by the LA Group found significant areas in Greenwich to be under a high threat level because the Town did not have zoning regulations. Since those assessments, Greenwich has published draft zoning regulations which may alter the threat level of these areas.

4.3 Town of Northumberland, Map 4.9 a-c



View from Stark's Knob
New York State Museum

As with the Town of Greenwich, because of the time frame limitation of this study, only a portion of the Town of Northumberland is included in the study area. However, two highly significant historical sites are included: Stark's Knob and Morgan's Line. Also notably, the March of British Troops began on the Northumberland side of what is now known as Lock 5 Island. Much of the remainder of this area is scenically significant.

Stark's Knob is owned by New York State Department of Education and already

protected. However, due to development pressure and development suitability, the LA Group assigned the lots including the majority of Morgan's Line as moderately high risk.

4.4 Town of Saratoga, Map 4.10 a-c

Saratoga is fortunate to host many sites the significance of which are confirmed by primary historic sources. The Yaegers Camp, Gates Floating Bridge, American Earthworks attributed to Learned, Dovegat Home site, High Ground British Encampment, Gates Headquarters, British Camp (North End), the continuation of Morgan's Line from Northumberland, Wilbur Road and Burgoyne's Sword Surrender Site are all within the Town. The march of British troops to the main field of engagement continues through Saratoga.



Dovegat Home Site
Photo credit: www.revolutionaryday.com

Since this planning process began, the Sword Surrender site has been protected, as previously noted, and Gates Floating Bridge has been protected by OSI through a conservation easement. Because of the Town's proximity to the SNHP and significant areas of troop movements outside of the Park proper, there are large parcels along the Town's southern border that are worthy of protection. Because these parcels are also contiguous with other protected parcels, the benefits of further protection will be increased. One such parcel, the Ritson Property, has also been identified as a site worthy of further investigation - secondary sources indicate that there may have been a British encampment on this property. The Ritson Property is in process of protection by Saratoga P.L.A.N. (Preserving Land and Nature).

4.5 Village of Schuylerville, Map 4.11 a-c



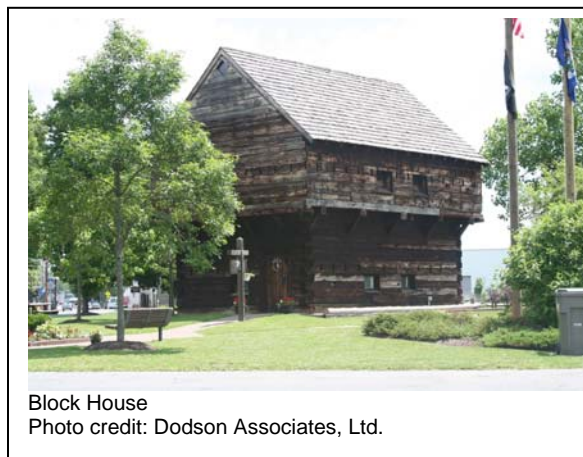
Schuyler House
Photo credit: www.villageofschuylerville.org

Much of the Village is significant to the viewshed of Saratoga National Historical Park properties. In addition, the Village boasts many significant historic sites outside the SNHP including the mouth of Fish Creek, the Assembly Area, the Field of Grounded Arms, the site of the Convention signing, a British Artillery camp, one of Burgoyne's War council sites, including earthworks, and Revolutionary War graves. The Assembly Area and the Field of Grounded Arms are part of the Town's park, and therefore are protected from development. However, while the park is used primarily for recreation

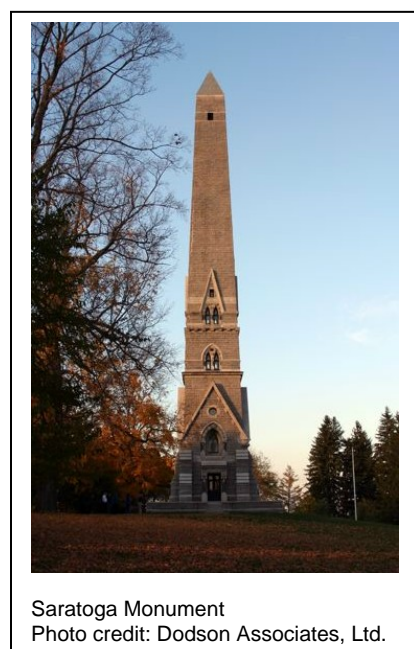
including ball fields, planning has begun to incorporate more interpretive opportunities without sacrificing residents' recreation opportunities.

4.6 Town of Stillwater, Map 4.12 a-c

A large portion of the study area within the Town of Stillwater is included in the Saratoga National Historical Park. The Town has taken great strides towards protecting the viewshed of the SNHP already. A number of parcels surrounded by the SNHP have already been placed under agriculture easements, ensuring the views remain much as they were during the Battles and protecting the March of British Troops, British Pickets and British Fortification sites from development. Significant historical sites including Morgan's Flank Defense (the Munger Farm), American Fortifications, Swampy Place, Ezekiel Ensign Home Site and Wright's Ferry Site, as well as areas significant to the viewshed are included in parcels that are contiguous with the Park.



4.7 Village of Victory, Map 4.13 a-c



The Village of Victory also houses the Saratoga Monument and a unit of the Saratoga National Historical Park known as Victory Woods, which is slated to be open to the public in the future. Victory also is home to the British Camp, American Earthworks Remains, General Burgoyne's Fortified Camp, Gates Line and the Dutch Church. Victory's East side is significant to the viewshed of the SNHP and other historical sites.

Because there is such variety in the types of sites to preserve, goals of preservation, current ownership of priority sites, municipality land use regulations, and potential partners in preservation, it is also necessary to have a variety of preservation tools available. Sections 5 and 6, below, outline voluntary, regulatory and incentive tools that can be used individually or in combination to craft a preservation plan that appeals to a wide range of partners.

5.0 Voluntary Preservation Tools

Conservation values of land, agricultural, historic, scenic or environmental, can be directly protected in a variety of ways. Partial or full interest in land can be purchased or donated to a municipality or a qualified non-profit organization. Donation brings with it a variety of tax credits, which are outlined below.

Once protected, ownership, either full or partial, of lands with conservation values brings with it the duty to responsibly steward the land. This will mean at least annual professional monitoring of the property for violations and necessary remediation or challenge to violators. The cost of stewardship can vary widely, depending on the nature of the abutting land uses, the size and terrain of the property, the availability of staff trained in the technology necessary to monitor conservation lands and the cost of the GPS and mapping technology.

The archeological resources of a historic site require additional consideration in stewardship. According to the National Park Service, development has posed a significant threat to archeological sites across the country in recent years. Although Section 106 of the National Historic Preservation Act (NHPA) requires an assessment of historic properties (which include archeological sites) affected by federal undertakings, many sites on private lands are destroyed by construction projects. Development poses a greater risk to sites on non-federal land because few laws regulate private property, although changes to historic land may require compliance with the State Historic Preservation Office's requirements, increasing the costs of stewardship and access.

Damage to protected archeological sites can occur through environmental or human degradation. Although environmental degradation can be significant, human degradation is generally the main source of site damage and is the most difficult type of site destruction to control. Human degradation can take several forms, including development, unintentional damage, vandalism, looting, and mismanagement and each must be managed differently.

There are two resident land trusts in Old Saratoga: Saratoga PLAN, Preserving Land and Nature, which covers Saratoga County, and Agricultural Stewardship Association, which covers the Washington County area. Also protecting property in the Old Saratoga region is the Open Space Institute, based in New York City. As professional lands trusts protecting thousands of acres, each has the staffing and expertise to monitor and steward conservation lands properly.

5.1 Fee Interest

The land can be purchased outright, with a fee interest (meaning that the owner controls all rights associated with the parcel, including development) being transferred to the purchasing municipality or qualified non-profit. The land can be purchased for full

market value or at a bargain sale, each of which have different tax implications for the seller of the land. The purchaser would then be responsible for maintenance, stewardship and monitoring, public access and liability issues.

This approach reduces conflicts over conservation approaches since the public bears the cost. On the downside, acquisition reduces the amount of land on the tax rolls initially. However, in the long-term, land acquired by either a municipality or non-profit typically raises the value of nearby property, increasing tax rolls.

Because political will can change in a municipality, it is often recommended that conservation lands owned in fee by a municipality also have a conservation easement placed on them. The conservation easement would be held by the local land trust, giving the land trust the responsibility, along with the Town, of proper stewardship. Under such an arrangement, the municipality would retain responsibility for liability issues.

Acquisition in fee affords the most protection for a sensitive property, since all of the rights owned and stewarded by an appropriate entity. However, it is too costly to reasonably protect all resources. Therefore, ownership of just the rights most important to the protecting entity, through conservation easement or purchase of development rights programs, is often a useful compromise.

5.2 Conservation Easement

A conservation easement is a voluntary and legally binding agreement between a private landowner and a municipal agency or qualified non-profit corporation to restrict the development, management, or use of land in perpetuity. The non-profit or municipality holds the conservation interest and is empowered to enforce its restrictions against the current landowner and all subsequent owners of the land. A conservation easement does not enable the holder to use the development rights or to assign them to another holder for use. A conservation easement is a negative restriction enforceable by a party who may have no other interest in the subject land than the conservation easement.

The landowner retains the rights to sell, transfer and use the property in any way consistent with the provisions of the conservation easement. The landowner and all future landowners use the property in any way that is consistent with the terms of the conservation easement, while protecting the conservation values of the land.

A conservation easement is superior to protection by deed restriction in a number of ways. Deed restrictions place limitations on purchasers of a property within the deed itself. On its face, this option would seem easy and efficient. However, enforcement of deed restrictions is left to neighboring property owners, who can choose not to exercise that authority. Deed restrictions can also be extinguished by the written agreement of

all neighboring property owners. Because of this lack of assurance of permanent restriction, deed restrictions do not qualify landowners for state and federal tax benefits.

An agricultural conservation easement permanently limits the type of non-agricultural development that can occur on the land. Many easements allow limited future development to occur if the resource values of the property are not unduly compromised. Development can be allowed for structures necessary to agricultural production, distribution and sale, depending on the needs of the landowner and the conservation values to be preserved.

A preservation easement protects a significant historic, archaeological, or cultural resource. As with other conservation easements, a preservation easement provides assurance to the owner of a historic or cultural property that the property's intrinsic values will be preserved through subsequent ownership. In addition, the owner may obtain substantial tax benefits. Historic preservation easements can be used to protect historic structures, an historic landscape, a battlefield, or archaeological site. Under the terms of an easement, a property owner grants a portion of his or her property rights to an organization whose mission includes historic preservation.

Conservation easements are less expensive than fee purchase and more restrictive and permanent than zoning regulations. Since landowners decide to protect their land and may benefit from tax incentives, the restriction encounters less resistance from the public. Easements, however, leave land in private ownership, denying public access and lessening public influence in which lands or resources should be protected.

5.3 Lease-to-Purchase Contracts

Lease-to-purchase contract can be used when a decision has been made to buy a property but upfront funds are unavailable. Under such an arrangement, acquisition can be paid for in periodic payments, or installments, that include principal, interest, and associated costs. These contracts do not necessarily bind a future government to a purchase. Most governments can, however, enter into a conditional agreement to pay principal and interest subject to annual appropriation. In general, the economic effect of a lease-to-purchase is similar to that of a bond, but the arrangement is structured so that it does not violate constitutional limitations on borrowing or affect the debt ceiling. A drawback is that the more complicated a transaction is, the higher the transaction costs, unless these are offset in other ways.

5.4 Purchase of Development Rights

Similar in concept to a conservation easement is a purchase of development rights (PDR) program that allows a municipality to pay a landowner for restricting the future use of the land. In some cases, municipalities would change the zoning of a property in such a way as to limit the uses available to the landowner and make the property less valuable. In their use as zoning tools, PDR programs were invented as a way to ensure

that landowners receive fair compensation for a decrease in the number and type of rights that can be exercised.

PDR programs can utilize a variety of tools that vary in their actual protection of the land. Traditionally, in the study area, PDR programs utilize conservation easements as the protection mechanism, which afford the most protection. Although this is not the case for PDR programs in existence within the study area, if the land is not permanently protected by a conservation easement, such programs may be subject to revision or abolition in the future.

In light of this, the restriction in a PDR program should take the form of a conservation easement under which the landowner retains title to the land and the municipality or land trust gains the right and responsibility to enforce the restriction that the easement imposes on the land's development. The cost of the development rights is the difference between the value of the land with the development restriction on it and the value of the land for its "highest and best use," which is usually commercial or residential development. In exchange for placing the development restriction on the property, the owner may receive a number of tax benefits including reduced property taxes and estate taxes.

Both Washington and Saratoga Counties have successful PDR programs in place. Both counties focus primarily on agricultural lands, but other resources could be protected either through the County programs or through locally created and funded programs.

5.5 Voluntary Transfer of Development Rights

Transfer of Development Rights (TDR) programs are typically considered in their mandatory form, which is discussed more fully in Section 6.2.4. In mandatory TDR, development in sensitive sending areas is decreased by "sending" it, through the use of credits developers purchase from land owners in sending districts, to receiving districts deemed more appropriate for development. In its voluntary form, incentives could be given to a developer for preserving land in a sensitive sending area and developing land in the less sensitive receiving area.

Generally, voluntary techniques for land preservation are much less controversial and generate more public support than regulatory strategies. Voluntary approaches assume that landowners are willing to sell their land or easements and contractually agree to the approach. Regulatory techniques, on the other hand, can be politically unpopular. The Old Saratoga region is very near the Adirondack Park Agency boundaries and as such may be particularly sensitive to government intrusion and bureaucracy. As a result, if voluntary measures are to be used, it would be wise to specifically note that land will be acquired only from willing sellers.

However, regulatory approaches can be effective in preventing development in sensitive areas and controlling patterns of development. They can be used to raise fees to pay for improvements and conservation measures with responsibility placed on developers, as is discussed more in Section 7. Incentive zoning may give developers more options and incentives to tailor development to fit the site and community needs.

6.0 Regulatory and Incentive Tools

6.1 Comprehensive Planning

All of the Towns and Villages involved in this preservation plan have already taken the important step of creating a comprehensive land use plan. Because a community's comprehensive plan is its fundamental land management plan and the basis for the community's zoning or other land use ordinance, planning should precede any adoption or amendment of a land use regulation. Within the plan, provisions can be made for open-space planning and open-space preservation goals of the community.

6.2 Land Use Regulations and Zoning

Zoning is the separation or division of a municipality into districts, the regulation of buildings and structures in such districts in accordance with their construction and the nature and extent of their use, and the dedication of such districts to particular uses designed to serve the general welfare. It is intended to protect the character, harmony and stability of residential and business areas. Zoning has traditionally been used to separate incompatible types of development geographically. Zoning districts allow certain types of development as of right and others by special permit, although those not allowed as of right or by special permit are prohibited within that district.

This negative control of development may allow for the separation of incompatible land uses, but it does not necessarily provide a means for encouraging development patterns that are beneficial or desirable to the community. Some municipalities have attempted to minimize the impact of development in sensitive areas by lowering the density required by zoning and increasing the minimum lot size. However, this is often unsuccessful. There may be a reduction in the number of houses, but there is no corresponding reduction in the loss of scenic values or agricultural, forest and recreational land use. Without design guidelines for the siting of houses, there is little control over the ultimate visual impact of development.

6.2.1 Incentive or Average Density Zoning

Incentive zoning is a development in land use regulation that addresses that limitation of traditional zoning. The purpose of incentive zoning is to advance the locality's physical, cultural and social objectives, in accordance with the comprehensive plan, by having land developers provide specific amenities in exchange for zoning incentives. The incentives that may be offered to developers include adjustments to the density of development, building height, open space, use or other requirements of the underlying zoning ordinance. These incentives are given in exchange for the developer providing one or more community benefits, including open space or parks, or cash payments to the locality in lieu of such amenities.

A local legislature can provide a system of zoning incentives to land developers in exchange for the provision of community benefits by those developers. In setting up such a system, the legislature leaves existing zoning provisions in place, but permits more intensive development of the land in exchange for certain community benefits. Incentives can be provided to developers who propose the expansion of existing structures, the adaptive reuse of older buildings, or the redevelopment of brownfield sites and other distressed parcels in older, developed areas.

6.2.2 Overlay Districts

Overlay districts act as an additional protective layer over existing zoning districts. Their boundaries typically follow a significant natural resource, making them neither parcel- nor district-based. The resource could be wetlands, agricultural land, a scenic area, an historic area, a shoreline, a mountain ridge or other significant feature. The district is overlaid on the existing zoning districts of the town, and supplements the zoning regulations of the underlying districts. This approach allows a town to maintain current zoning codes while addressing the special needs of particularly sensitive areas.

Overlay districts offer flexible design and solutions to a broad range of land use problems, are easy to adopt, and maintain a municipality's home rule while offering an opportunity for consistent region-wide planning around critical features. Towns have no additional financial burden in the review process since the procedure remains the same and may actually experience a savings by minimizing conflicts between interested parties. Municipalities have greater control over preservation of critical resources while still allowing appropriate development.

In overlay districts, property owners and developers have a clear understanding of the town's expectations and realistic development possibilities at the beginning of the approval process, before major commitments or expenditures are made. Since measures to protect the environment are built into the overlay district review process from the beginning, the SEQRA review process can be more effectively focused, leading to a quicker and less-costly approval process. Early cooperation can eliminate the expense of protracted legal battles. Savings can also be realized in infrastructure costs, based on efficient guidelines.

The community benefits from the protection of significant resources for present and future enjoyment. Invaluable wildlife and recreation corridors can be protected while possibly reducing or eliminating the need for state and federal funds to acquire and manage significant resources.

Agricultural Overlay or Zoning Districts are portions of a municipality where agricultural uses are permitted as of right and non-farm land uses either are prohibited or are allowed subject to limitation or condition imposed to protect the business of agriculture. It is intended to protect the areas where soil and topographic conditions are best

adapted to the pursuit of agricultural uses and to prevent the mixture of urban and rural uses which would contribute to the premature termination of agricultural pursuits.

Ag Overlay Districts preserve and protect agricultural lands that are being used for the commercial production of agricultural commodities. They can restrict the use of the land to crop production, the raising of animals and to similar and related uses compatible with agricultural operations. They encourage agricultural uses in places where more intensive development is not desirable and the compatibility of all agriculture uses with the surrounding neighborhood. They prohibit land uses that are not compatible with commercial agricultural operations and minimize conflicts with non-agricultural neighboring uses.

Historic Overlay. State law allows communities to adopt and enact zoning ordinances that protect historic and architecturally valuable districts and neighborhoods by restricting or placing conditions on exterior alterations, additions, demolitions or relocations of structures in those areas. Studies across the nation have shown that having local preservation overlay zoning in place not only protects the historic properties, it protects the value of those properties. Thus owners of historic properties in these protected districts see the value of their investments increase. See "Historic Preservation" below.

Scenic Overlay. Old Saratoga's unique scenic quality and sense of place is derived from the interrelationship between rural farmland, areas of undeveloped open space, and its historic hamlets and villages. This rural character, enforced by the maintenance of its historic settlement patterns and graced with significant natural and historic resources is the quality that maintains its economic vitality as a visitor attraction, and also as an attractive place to live and work. Old Saratoga is also an example of the principle of a working landscape: land actively being farmed, forests being managed as well as the Champlain and Erie Canalways.

Visual quality and amenities go hand in hand with long term economic development strategies, and can provide an indication of the stability and desirability of the community. Thus, in order to continue to be attractive to residents, visitors and businesses, the municipalities of Old Saratoga must be concerned about its appearance, physical character and livability. Existing real estate values are in many ways closely tied to the visual character of a municipality or area, from the value of residential areas to the desirability of business locations that cater to tourist clientele.

A Scenic Overlay District can encourage reasonable and appropriate development that is sensitive to aesthetic, environmental, historic and economic concerns. Development in this district should be compatible with the area's natural resources, cultural history, wildlife habitat, and scenic landscapes while promoting tourism and recreational activities for both residents and visitors to the area. Such a district can be useful in siting development in a way that is sensitive to the viewsheds of the National Park and

other historic sites. This will ensure a complete and rewarding experience for visitors, encouraging them to stay longer and return in the future.

Ridge Protection Overlay. Here the actual district is delineated by the ridge itself. Allowable uses, and site plan and subdivision standards are then written in the context of a topographic district. Regulation of the construction of buildings or structures on mountain ridges can ensure that adequate water supply is available to such development, that the disposing of sewage will not infringe on the ground water rights and endanger the health of those persons living at lower elevations, that adequate fire protection can be made available, and such buildings will not detract from the natural beauty and historic resources of the ridge.

6.2.3 Planned Development Districts

Planned development districts (PDD) involve site-specific rezoning of parcels to provide flexibility to developers while maintaining a high degree of local control and providing certain benefits to the community. PDD ordinances may allow mixed uses, greater densities, and design flexibility. From the town's point of view, PDDs may require the payment of impact fees to the town, provision of infrastructure, or other community benefits. A PDD may be used as a vehicle to combine the benefits of clustering and incentive zoning by providing a density bonus in exchange for the preservation of prime open space or agricultural lands.

6.2.4 Transfer of Development Rights (Appendix C)

As part of a zoning regulation or local law, municipalities can require the transfer of development rights from sending areas, where conservation is desired, to receiving areas where denser development can be managed. Specifically allowed in New York State under Chapter 40 of the Laws of 1989, TDR maintains a property owner's rights to develop, yet seeks to have use of some of those rights transferred to more suitable locations. Below is a discussion of what can be called mandatory TDR programs. For a discussion of voluntary TDR programs, see section 5.5.

The purpose of a TDR program is to protect the natural, scenic or agricultural qualities of open lands, to enhance sites and areas of special character or special historical, cultural, aesthetic or economic interest or value and to enable and encourage flexibility of design and careful management of land in recognition of land as a basic and valuable natural resource. An effective TDR program allows a community, whose zoning ordinance creates a hard to service, spread out development pattern (such as those requiring 2- to 5-acre lots), to develop in a more cost-effective manner. An effective TDR program can increase the tax base while minimizing the costs of servicing land development and preserve threatened conservation areas while allowing owners of land in that area to be compensated through the sale of some or all of their former development rights. Because such a program is completely voluntary, less resistance is encountered.

TDR programs usually establish some method of valuing the development rights that are to be transferred from the sending to the receiving district. Landowners in sensitive, sending areas sell the development rights on their land either directly to landowners wishing to develop in receiving areas or to development rights banks, established by the municipality, which in turn sell them to landowners in receiving districts.

Purchased credits translate into financial incentives to landowners in receiving areas such as increased density, faster permit processing, less stringent design review, or tax breaks to encourage developers and landowners to take advantage of the program. Sending development to already developed areas with established infrastructure saves costs for both municipalities and developers. Participation in such a TDR program would be voluntary and would allow landowners in sending areas to retain the value of their land while protecting it and the local community to control development and land preservation within their municipality.

TDR programs can be administered within one municipality or can rely on inter-municipal cooperation. Since resources do not necessarily follow municipal lines, some of the most successful TDR programs are inter-municipal. One example of a successful inter-municipal TDR program is New York State's Central Pine Barrens on Long Island, Suffolk County. The Towns of Brookhaven, Riverhead and Southampton and the Suffolk County Department of Health Services cooperate in the selling and redemption of credits. As of June 2006, 615 parcels in sensitive, sending areas had been protected.

However, TDR programs are complex to create and manage. They require municipalities to perform sophisticated analysis of the impacts of the program in both sending and receiving districts. As with other regulatory strategies, TDR programs can raise significant concerns for residents and owners in both sending and receiving districts. A particularly difficult aspect of designing a TDR program is determining how to define and value the development rights that are severed from the land and eligible to be transferred. How development rights are valued and a market for them created will determine the viability of the TDR program. For this market to function there must be development pressure in the receiving area resulting in a desire by landowners to purchase development credits from the sending area. Whether such ratios can be established and whether sufficient development pressures exist are factors that must be considered by local leaders who create TDR programs.

An alternative to mandatory and voluntary TDR programs could be thought of as a partial TDR program. Voluntary TDR programs would be possible because there is no requirement that zoning be changed in sending district. Similarly, there is no requirement that any zoning changes in a sending district have to take away all development rights. For example, when a conservation value could be protected by reduced densities and clustering the remaining development on unconstrained portions of the land, some development rights can remain attached to the land rather than

severed and made transferable. The owners of land in the sending district could be allowed still to develop but at a lower density than allowed under current regulation and awarded fewer development credits as a result.

6.2.5 Cluster and Conservation Subdivision (Appendix C)

Cluster Subdivisions allow a developer to vary the dimensional requirements of the existing zoning in order to “cluster” the residences and create greater areas of open space. The enabling statute states that overall density of the site may not be greater than the existing zoning would otherwise allow. Cluster subdivisions typically maximize development density away from agricultural land, parkland, or the natural resource area to be preserved such as wetlands or stream corridors. The resultant open space created may be owned by a homeowners association, dedicated to the town as parkland, donated to a conservation organization or added to a single private lot with a conservation easement.

A local law empowers the Planning Board to require submission of both conventional and cluster lot layouts for new subdivisions. Normally, land is subdivided and developed in conformance with the dimensional requirements of the local zoning ordinance. Zoning usually requires that the entire parcel be divided into lots that conform to minimum lot sizes and that buildings on subdivided lots conform to rigorous set-back, height and other dimensional requirements. Under cluster development, the locality permits a land developer to vary these dimensional requirements.

Conservation subdivisions are an enhancement of the cluster development concept that enables land to be developed while simultaneously preserving community character, reducing environmental impacts, protecting the rights of property owners, and enabling a developer to benefit from a high-quality project. A conservation subdivision accomplishes these goals through a creative design process that identifies primary and secondary conservation areas. Sensitive areas are set aside from clearing, grading, and construction. Instead, lot sizes are reduced and the allowed development is arranged to fit onto the unconstrained land.

6.2.6 Design Guidelines

Design guidelines are both written and graphic advice to use when considering the appropriateness of new construction and proper siting, relative to scenic values, viewshed and historic sites. Guidelines may also be created and used on a voluntary basis, before design review is in place.

Design guidelines can explain, expand, and interpret general design criteria in the local preservation ordinance. They can also help reinforce the character of a scenic or historic area while protecting its visual aspects. They can also protect the value of public and private investment, which might otherwise be threatened by the undesirable consequences of poorly managed growth.

Design guidelines cannot limit growth, or regulate where growth takes place. Guidelines address only the visual impact of individual work projects on the character of a location. Growth itself is a separate issue that must be separately addressed through zoning ordinances and preservation planning.

6.3 Designate as Critical Environmental Area

Local municipalities can protect areas of exceptional character by designating them as Critical Environmental Areas (CEAs). Exceptional character can relate to an inherent geological, hydrological or ecological sensitivity; historic, archeological, social, cultural or recreational value; large, agriculturally viable areas; naturally and esthetically attractive settings; or other reasons for sensitivity to development. CEA is a significant designation under the New York State Environmental Quality Review Act that requires local and state agencies to examine a proposal's environmental impacts and methods of mitigation prior to committing to, funding, or approving an action. Actions include projects or physical activities; agency planning and policy making activities; or adoption of agency rules, regulations and procedures that may affect the environment.

6.4 Historic Preservation

6.4.1 District and Commission

Historic districts are areas in which historic buildings, landscapes and settings are protected by a local public design review process. Historic districts are more than attractive places for tourists to visit: they are one of the best ways to keep the look and feel of a place through a local design review process. Historic districts comprise a municipality's significant historic and architectural resources. Inclusion in a historic district signifies that a property contributes to an ensemble that is worth protecting by virtue of its historic importance or architectural quality.

Establishing a historic district under Federal law usually involves nominating the district for listing on the National Register of Historic Places. Listing on the National Register gives official recognition of the district's significance, and is a prerequisite for receiving various kinds of Federal benefits. However, National Register listing or eligibility for listing provides consideration of possible effects on historic properties only when there is a Federal involvement in an action that may threaten the resources in the district. If there is no Federal involvement, the Federal designation of the district as historic does not help to protect the resources.

Creating a historic district under local law can provide more protection to historic resources than either Federal or State level designation. This is because most land-use decisions are made under the authority of local law. Local historic districts require

adoption of a local preservation ordinance with provisions for designating historic resources, creating a local review board, and writing local design review guidelines. Local preservation ordinances protect historic properties by officially recognizing historic areas, buildings and sites as local historic districts and landmarks.

Local historic districts offer many benefits beyond those afforded by either State or Federal designation. Local historic districts designate historic properties on the basis of local criteria and local procedures, ensuring nuanced protection that is not overly burdensome on land owners. Local historic districts protect the investments of property owners, can stabilize declining areas and can protect property values. Future buyers of properties within historic districts know that the historic aspects will be protected over a time. Often, real estate agents will use historic district status as a selling point when marketing properties.

Local historic districts offer unique educational opportunities, helping to explain the development of a community as well as the State or the Nation. A local district can result in a positive economic impact from tourism. A historic district that is well promoted can be a community's most important attraction leading to a positive economic impact from tourism. The protection of local historic districts also can enhance business recruitment potential. Companies often relocate to communities that offer workers a higher quality of life, which is greatly enhanced by successful local preservation programs and stable historic districts.

Property owners may be concerned with the burden placed on them by the adoption of a local preservation ordinance and formation of a local historic district. However, local decision-making can be responsive to the needs of the specific community, limiting the burden. Designation does not require that historic properties be open to the public, restrict sale of the property, require particular improvements or restoration nor limit interior changes.

It is important that historic districts be self-sustaining to withstand changes in political will or policy. The community as a whole must support the designation and believe that the stability afforded is valuable. Historic districts only work if the community agrees.

6.4.2 Designation as a Certified Local Government

The Certified Local Government (CLG) program, a federal initiative established in 1980 to foster partnerships between SHPOs and municipalities, offers communities tools for advancing local preservation efforts. A city, county, town or village can participate in the CLG program after the SHPO and the National Park Service certify that the local government has enacted preservation legislation and appointed a review commission that meets state and federal standards. In New York State, the SHPO works with approximately forty CLGs offering training opportunities, technical assistance, legal advice, and grants that support community preservation activities. Between 1997 and

2001, the SHPO awarded close to sixty grants to eligible CLGs, totaling more than \$500,000

6.4.3 Listing in the National or State Historic Register

Listing in the National Register honors a property or district by recognizing its importance to its community, State, or the Nation, based on national criteria. As with local districts, owners of properties on the register are not obligated to open their properties to the public. Private property owners can do anything they wish with their property, provided that no Federal license, permit, or funding is involved. However, owners of listed properties may be able to obtain Federal historic preservation funding, both pre-development planning and repair, and be eligible for Federal investment tax credits for rehabilitation.

Similarly, there is a New York State Register process through which a historic district can be recognized as significant under State law. However, this State law designation will have benefits and limitations that parallel a Federal designation. The best combination is local historic district designation as well as federal National Register designation. While local designation creates an opportunity for local design review, federal designation provides additional potential for federal grant-in-aid funds and tax credits.

Model Ordinances can be found in Appendix D.

6.5 New York State Environmental Quality Review Act (SEQRA)

New York State Environmental Quality Review Act (SEQRA) is powerful tool that is often underutilized by municipalities. SEQRA requires the sponsoring or approving governmental body to consider environmental impacts equally with social and economic factors during discretionary decision-making, and to identify and mitigate the significant environmental impacts of the activity it is proposing or permitting. Beyond the plain-language meaning, environmental impacts also include those to aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character. This includes impacts on historic sites or on the viewshed of historic sites.

All discretionary decisions of an agency to approve, fund or directly undertake an action which may affect the environment are subject to review under SEQR, except those predetermined not to have a detrimental environmental effect (Type II actions). All other actions may be subject to SEQRA review. SEQRA review may result in project modifications or in project denial if the adverse environmental impacts are overriding and adequate mitigation or alternatives are not available.

7.0 Implementation Strategy

7.1 Regional Implementation

7.1.1 Historic Saratoga-Washington on the Hudson Partnership

The recommendations in this Plan could be a key element to the Historic Saratoga-Washington on the Hudson Partnership's stewardship plan for the Old Saratoga Region. While the geographic and historic scope of the Partnership is greater than that of this Plan, the Plan's scope is an excellent core for the Partnership's revolutionary war focus. The Plan is also an excellent model upon which to build the additional plans needed to truly protect all the historic and other assets in the Region.

7.1.2 Presentation to Town, Zoning and Planning Boards of Each Partner Municipality

Because municipal bodies are required to consider all information reasonably related to the effects of a proposed project or action when making SEQRA determinations, it is important that the Plan be clearly explained to all those affected by it. Only through careful understanding by all decision-making bodies will the objectives of the Plan be met. Saratoga PLAN and its partners should obtain necessary funding to make presentations to all decision-making bodies in the study area.

7.1.3 Strategic Partnerships to Protect Valuable Resources

Because the resources that plan seeks to protect do not follow political boundaries, it is important for the municipalities within the study area to work together to smooth the pace and execution of protection. Similar to the partnerships between the Towns of Saratoga and Northumberland in creating an Open Space Plan; the Saratoga National Historical Park and the Town of Easton in creating a 1971 viewshed analysis; the Town of Saratoga, the Village of Schuylerville, and the Fort Hardy Park Commission in creating the Fort Hardy Park Master Plan; Saratoga PLAN, the Town of Saratoga, Saratoga County and Open Space Institute to protect the Ritson Property; New York State, Open Space Institute and SNHP to protect Burgoyne's Sword Surrender site on the Germain property; and others, strategic partnerships should be created to protect shared resources.

The Quality Communities program represents New York State's commitment to working with local government leaders and community organizations to find smart, innovative solutions to strengthen the economy, environment, and improve the quality of the State's communities. QC grants seek to strengthen intergovernmental and community partnerships to improve the delivery of services to communities; encourage sustainable economic development; conserve open space and other critical environmental

resources; revitalize downtowns and community centers; and enhance and encourage the use of technology, all of which support the goals of this plan.

The Villages of Schuylerville and Victory should consider a Quality Communities grant to study the possible provision of shared services including protection of historic resources and creation of tourism and recreational opportunities.

Because the Villages of Schuylerville and Victory provide the historic business and population centers to the Town of Saratoga, a Transfer of Development Rights program encompassing all three municipalities could be considered. Agreements surrounding tax revenue and expenditures would be necessary in addition to the agreements surrounding sending and receiving areas. The Pine Barrens on Long Island is an excellent example of such an inter-municipal TDR program. Development is directed away from the shared, sensitive area of the Pine Barrens and directed to population centers representing the historic settlement patterns.

The Saratoga National Historical Park (SNHP) has a long history of working collaboratively with local and county municipalities, the State and community organizations and should continue that tradition. Some potential collaborations and actions could require expansion of its enabling legislation, which could be considered when appropriate, but many joint protection actions would not. Specific suggestions concerning specific municipalities are considered under that municipality's section, below.

7.1.4 County Geographic Information Systems Programs.

Saratoga County

Saratoga County should consider the addition of the composite overlay data generated in this Plan to its GIS programs, with access to further information available on request. Saratoga County should also post or link to land use regulations, comprehensive plans and open space plans for each of the towns and villages, as well as this Plan, the Old Saratoga on the Hudson Waterfront Revitalization Plan and other regional plans.

Washington County

Washington County should consider making its GIS data available online and, once online, the County should consider adding data from this Plan. Washington County should also post or link to land use regulations, comprehensive plans and open space plans for each of the towns and villages, as well as this Plan, the Old Saratoga on the Hudson Waterfront Revitalization Plan and other regional plans.

7.2 Local Implementation

Because the study area includes municipalities with diverse land use and open space planning histories and tools in place, the implementation approach will have to be tailored by each. The combination of voluntary preservation, regulatory and incentive tools outlined in this plan will depend heavily on current land use practices, public sentiment and input, and financial and staffing constraints faced by each municipality.

In the prioritization of historic sites, viewsheds and scenic areas for preservation, one important criterion considered was the potential threat level of development of the parcel in question. One important aspect of that threat assessment was the presence or absence of zoning regulations protecting the parcel. The municipalities within the study have the option to use zoning controls to restrict the amount, location and design of development. However, doing so requires that each municipality carefully define the public purposes and public needs while being careful to allow property in private ownership to retain reasonable economic value and benefit of the land.

Changes to current land use regulations should involve extensive citizen and land owner involvement, to ensure that rights are protected, all voices are heard, and support can be garnered. Sensitivity to landowner and citizen concerns is especially important in the study area in light of other overarching planning processes and New York's status as a home rule state.

7.2.1 All Municipalities

To ensure consideration of all aspect of the Plan in decisions related to land use, each partner Town could consider formally adopting the Plan.

To ensure an engaged and educated public, each Town should provide all land use regulations and policies, including comprehensive plans, open space plans, zoning or other land use regulations, land use maps, waterfront revitalization plans, recreational plans, resource inventories, resource management plans and other land use and resource protection plans, as widely as possible. One option would be to post them on the internet. Zoning regulations published through General Codes can be posted on General Codes' E-codes website as well as on Town and Village websites. In those municipalities without the web capabilities necessary to allow this information to be accessed online, investigation and assessment of possible expansion of web capabilities.

Since not all citizens have access to computerized information or the knowledge necessary to access such information, it is important that each municipality provide information in multiple formats. To ensure citizens are not lost to the "digital divide" (the gap between those who are able to access computerized information and those who are not), copies of all plans, policies and inventories should also be available at libraries,

Town and Village halls and other public places to ensure access beyond typical business hours.

7.2.2 Town of Easton

The Town of Easton is already undertaking the most important step in any preservation plan, regardless of the resource to be preserved: updating its Comprehensive Plan. Since the Comprehensive Plan is the blueprint for the town, it will be important to include historic site, viewshed and scenic area identification and prioritization in the discussion and planning processes. It should also determine the need for an open space plan.

Although the Town of Easton does not have zoning regulations, per se, it does have many land use regulations in place. The Comprehensive Plan should detail what types of voluntary preservation approaches the town could undertake and what additional regulatory and incentive tools the town could enact. During this discussion, Easton may wish to consider revision to its current subdivision regulation to include a provision for conservation or cluster subdivisions. The Town already has limitations on the number of subdivisions allowable on a parcel, and those limitations run with the land and not the owner. Clustering could be incorporated, perhaps with the use of incentives.

Important viewshed resources include Easton's ridgelines – one immediately to the East of the Hudson River and the ridgeline including Willard Mountain. Easton does not allow development on slopes greater than 15%, which already affords some protection to these ridgelines. For those slopes that are highly visible but perhaps somewhat less than 15% slope, Easton could consider an addition to its design guidelines that would assess sensitive site placement for new development or consider a ridgeline overlay. Additionally, Easton completed a mapping project of its historic homes. Historic districts and design guidelines could provide added protection to the historic sites identified in this study as well as those identified in the Town's mapping effort.

Easton's extensive active farmland is scenically and economically valuable to the region and contributes to the security of the Nation's food source. Easton contains the highest concentration of prime soils, commercial farms and conserved farmland in the region. Easton's Critical Environmental Area designation of its entire agricultural district adds protection to the Town's subdivision limitations. To further protect the working landscapes, the Town could consider either a voluntary or regulatory transfer of development rights program. Development could be directed to the existing hamlet, residential, commercial and industrial land use overlays, taking further pressure off the working agricultural lands. Also scenically and contextually important to the Battles is the Battenkill. The segment of the Battenkill from the Hudson River to Easton's border with the Village of Greenwich already has a Critical Environmental Area designation. Easton could consider a buffer along the length of the Battenkill, to ensure proper setback for allowable development.

Easton is fortunate to have a well-regarded and effective land trust in Washington County – Agricultural Stewardship Association (ASA) and a long history of voluntary preservation efforts. ASA has been able to leverage through Washington County’s Purchase of Development Rights (PDR) Program, State and Federal governments, and private donations to protect more than 2,360 acres in Easton and OSI has protected another 950 acres. Easton could investigate funding a locally-controlled PDR program that could stand on its own or be used to augment County and private efforts.

Easton also boasts many highly-ranked historical sites that can be protected in a variety of ways, depending on desired use. General Fellows Troops Fording Point is not only historically significant to the Battles, it also retains much of its original form (high integrity) and is in close proximity to other significant sites. If public access was desired, the site could be purchased and protected by either the town or a non-profit interested in interpreting the site. Other sites that are more significant for the context of the Battles they bring to the area, such as the Site of the Sarles Ferry, could be protected through a purchased or donated easement. Willard Mountain, which does not rank highly on connectivity to other sites but is important for context, could be protected along with the rest of the ridge by a ridge protection overlay that assists developers in identifying sensitive siting.

7.2.3 Town of Greenwich

In addition to its comprehensive plan, Greenwich has recently adopted its draft zoning ordinance. The proposed agricultural district affords some protection to agricultural lands significant to the viewshed and scenic values of the area by discouraging uses that convert productive farmland. However, because the district encompasses so much of the town, it allows for many uses by special permit. It might be useful to break down this district farther or to limit the businesses allowed to those directly related to farming. A well-designed TDR program, either voluntary or regulatory, could help direct development away from productive agricultural lands to the town’s historic hamlets more effectively, protecting farms from “rural sprawl” resulting from low density rural development.

In addition to proposed cluster zoning, Hudson River and Battenkill setbacks and Hamlet/Mixed Use District, Greenwich could consider an historic district or overlay for the areas surrounding the Hudson and Battenkill, including the Pontoon Bridge site. For those significant historic sites and those warranting further investigation, the town could, singly or in concert with neighborhood groups and non-profits, consider purchase for public access and protection. For example, the Thomson-Clarks Mills Residents Committee for a Heritage Park advocates use of the former Georgia Pacific site for a heritage park. There is some evidence that the Great War Trail continued across the Georgia Pacific parcel and that General Burgoyne followed the trail on his way to the Battles. Furnival’s Battery, which does retain some of its original structure, could be protected by a purchased or donated easement that allows continued agricultural use but restricts disturbance to the remains.

7.2.4 Town of Northumberland

The Town of Northumberland already has many tools in place to protect areas significant the area's viewshed and scenic resources. Although recommended in the comprehensive plan, Northumberland does not yet have a historic preservation committee. Because Northumberland is rich in historic sites outside the scope of this study, such a committee in conjunction with historic district overlays would have far-reaching benefit.

Since farming is an important industry in Northumberland, the town could protect agriculture, and, by extension, viewshed and scenic resources through purchase of development rights, either on its own, through Saratoga County's Farmland and Open Space Preservation Program or through partnerships with nonprofits. Northumberland could also consider a TDR program, either voluntary or mandatory, to direct growth away from farms and open space to the hamlets of Gansvoort, Bacon Hill and Northumberland.

7.2.5 Town of Saratoga

The Town of Saratoga recently updated its comprehensive plan and is currently reviewing its zoning ordinance. In those deliberations, the town could consider any of the regulatory or incentive tools outlined in Section 6. In its current incarnation, the Town's zoning ordinances include provisions for conservation subdivision and site plan review. Continuation of the Wetlands Conservancy District and Agricultural District can preserve some of the important viewshed and scenic resources. Expansion of overlay districts to include environmental protection overlay, scenic overlay or historical overlay districts would supplement the protections already afforded. A ridge overlay, in conjunction with the Town's current prohibition of development on steep slopes of greater than 15%, could protect the highly valuable viewshed along the Hudson River. A PDR program, independently or in conjunction with the County program, would protect scenic open and agricultural resources.

Purchase or donation of conservation easements, either by the town or a non-profit could protect scenic resources as well. For example, protection of Saratoga Apple would protect the Yaeger's camp site, a portion of Morgan's Line as well as viewshed and scenic resources. Near its border with Stillwater, the Town already has a significant block of protected land including the National Veterans Cemetery, and farms protected with conservation easements (Hanehan and Ritson). Protection of significant viewshed and scenic resources surrounding this block of protected land, as identified on the Composite Analysis Map, particularly since it is in close proximity to the SNHP, would have a much greater effect than if the resources were isolated. Also in this area, Wilbur Road is historic in that it was the site of troop movements. A scenic or rural road overlay could protect the approach to the SNHP.

Although the Town does not have design guidelines per se, site plan and planning board review does take into consideration the archeologically sensitive areas mapped in the comprehensive plan. Set backs, lot sizes, siting and archeology requirements are all more stringent in these sensitive areas. The Town could consider in its deliberations the adoption of specific design guidelines for these areas, ensuring consistent treatment of historic resources.

7.2.6 Village of Schuylerville

Because the Village of Schuylerville is extremely rich in historic sites and crucial to the viewshed of adjoining and abutting historic sites, it should consider creating a local historic district and review committee. State and Federal recognition could follow local recognition, increasing the protection afforded to traditional, historic population and business centers.

The Assembly Area is a highly significant site that the Village already controls. The execution of the Fort Hardy Park Plan would provide important opportunities for interpretation of this and other close significant sites. The British Artillery Camp, the Earthworks at the War Council Site, and the Convention Signing site are significant sites that could be protected through purchase or easement by strategic partnerships.

7.2.7 Town of Stillwater

A large portion of the area in the Town of Stillwater that is also within the study area is already protected as the Saratoga National Historical Park. Stillwater and its partners have successfully protected additional farmland, lying between the SNHP and the Hudson River, through conservation easements. Additional abutting land is currently zoned rural residential or low density residential and is in an agriculture district. The town or SNHP could consider purchase of easements on the additional abutting land. For those lots with historic remains, Stillwater could, through its cluster subdivision, planned development district and site plan review, steer development away from sensitive areas on the parcel, require sensitive design and siting and require protection of those areas. Additionally, as recommended in its comprehensive plan, the Town could create a buffer district around the SNHP, with specific design guidelines for parcels abutting the Park.

Morgan's Flank Defense (Munger Farm) retains little integrity of the original farm, but is an active cow pasture, which is contextually consistent. An agricultural easement, donated or purchased, could afford the necessary protection. The American Fortifications in Stillwater still retain a few sections of breastworks. The parcel containing these fortifications is currently zoned rural residential, with a minimum lot size of 2 acres. Design guidelines and site plan review could require sensitive siting, to ensure the breastworks are avoided during development. However, since the breastworks are so close to the parcel's boundary with the SNHP, the Park could consider purchase of a subdivision that includes the breastworks. Swampy Place, while

historically significant with some retained integrity, is already afforded some protection as a designated wetlands. If the owner were interested, the Town could investigate adding the Ezekiel Ensign House to either the State or National Historic Registers.

7.2.8 Village of Victory

As with the Village of Schuylerville, the Village of Victory is extremely rich in historic sites and crucial to the viewshed of adjoining and abutting historic sites. The Village should consider creating a local historic district and review committee. State and Federal recognition could follow local recognition, increasing the protection afforded to traditional, historic population and business centers.

Because many of the Region's important historic sites do not follow political boundaries, many continue from one Village to the other. The Villages could consider sharing an historic district, committee and designation, limiting the resources needed for management.

Of the parcels that flank the Dutch Church remains, one contains two billboards and one is vacant. These parcels might be an opportunity for the Village protect significant sites including the remains and a portion of Gates Line and provide interpretation. Brookfield Power, the owner of the abutting property that flanks the Fish Creek, is already creating a Fish Creek trail, which would add interest to these sites.

7.3 Funding of Implementation

Funding for planning and implementation can come from a variety of sources including County, State and Federal grants, and corporate and non-profit partners. Potential partners, funding and assistance sources are outlined generally in the following section. Municipalities can also self-fund initiatives through a number of mechanisms. Although self-funded, assistance for the various approaches can be found among the partners that follow in Section 9.

7.3.1 Payments in lieu of amenities

For municipalities with incentive zoning ordinances, a cash payment can be substituted by the developer for the amenity normally required by the regulation. Payments in lieu of amenities have the benefit of being an additional funding stream that does not impact existing funding streams needed for current service provision. Such payments do require existing zoning that allows for substitution of a monetary contribution in place of a required public benefit or amenity.

7.3.2 Bonding

Bonds can raise significant funds, however bonds taking long than five years to repay require a referendum. Bonds have an advantage over appropriations in that the money they generate is “up front.” However, bonding can be a time-consuming endeavor.

7.3.3 Real Estate Transfer Tax

Funding may also be procured by levying a tax on the sale of real estate in the community. Because there is no general state enabling legislation that permits municipalities to impose such a tax, a municipality must first seek passage of specific enabling legislation from the state legislature pursuant to Municipal Home Rule Law. Once approved by the state legislature, the transfer tax must then be approved by local voters through a local referendum. Because of the required steps, a real estate transfer tax can be complicated. It has the added benefit, however, of being an additional funding stream that does not impact existing funding streams needed for current provision of service.

7.3.4 Annual and Multiyear Appropriations

Municipalities can use local property taxes to protect sensitive properties as part of local annual budgeting process. This method has the advantage of being simple, requiring no bond. The time required to accrue necessary funds can be a disadvantage if time is of the essence.

7.3.5 Tax Abatement

Municipalities can choose to offer land owners a tax abatement, whereby a landowner or developer is excused from all or a part of a tax obligation in return for a concession on land use. While not exactly a financing mechanism, tax abatement can provide an incentive to protect properties of interest. A tax abatement can linked to a term conservation easement. Although not a permanent solution, the term can buy a community time to explore permanent options. Tax abatements can also be linked to farm or historic structures to give an incentive to improve existing farms and increase the possibility of permanence through financial viability.

8.0 Recommended Actions

Historic Saratoga-Washington on the Hudson Partnership

- Adopt Plan as a key element in its stewardship plan
- Model additional plans needed to truly protect all the historic and other assets in the Region on this Plan
- Provide technical and funding support to municipalities, non-profits and other organizations for efforts related to any of the scenic, viewshed or historic resources identified in this Plan
- Encourage and coordinate inter-municipal and inter-organizational efforts to advance this Plan
- Partner with existing organizations to coordinate agri-tourism and heritage tourism efforts throughout the Old Saratoga Region

Saratoga P.L.A.N. and Partners

- Obtain necessary funding to present this Plan to all decision making bodies in included municipalities
- Present this Plan to all decision making bodies in included municipalities
- Forge strategic partnerships to protect resources

Saratoga National Historical Park

- Forge strategic partnerships to protect resources
- Investigate purchase of a potential subdivision that includes the breastworks of the American Fortifications in Stillwater

Saratoga County

- Add the composite overlay data generated in this Plan to its GIS programs, with access to further information available on request
- Post or link to land use regulations, comprehensive plans and open space plans for each of the towns and villages
- Post or link to this Plan, the Old Saratoga on the Hudson Waterfront Revitalization Plan and other regional plans.

Washington County

- Add the composite overlay data generated in this Plan to its GIS programs, with access to further information available on request
- Post or link to land use regulations, comprehensive plans and open space plans for each of the towns and villages

- Post or link to this Plan, the Old Saratoga on the Hudson Waterfront Revitalization Plan and other regional plans.

Inter-municipal Partnerships

- Strategic partnerships between municipalities in the study area, with other municipal bodies, and with non-profit and other organizations should be created to protect shared resources
- The Villages of Schuylerville and Victory should consider a Quality Communities grant to study the possible provision of shared services including protection of historic resources and creation of tourism and recreational opportunities
- The Town of Saratoga and the Villages of Schuylerville and Victory should investigate a joint Transfer of Development Rights program

All Municipalities Individually

- Adopt this Plan
- All decision-making municipal bodies should consider this Plan as it relates to the effects of a proposed project or action when making SEQRA or other determinations
- Consider a Local Historic District
- Consider a Historic Review Committee
- Consider the voluntary and regulatory preservation strategies presented here when drafting, implementing or revising any land use regulation
- Forge strategic partnerships to protect resources
- Provide all land use regulations and policies, including comprehensive plans, open space plans, zoning or other land use regulations, land use maps, waterfront revitalization plans, recreational plans, resource inventories, resource management plans and other land use and resource protection plans, as widely as possible
 - Investigation and assessment of possible expansion of web capabilities, as needed
 - Post to municipality's websites
 - Post on General Codes' E-codes website
 - Copies of all plans, policies and inventories available at libraries, Town and Village halls and other public places to ensure access beyond typical business hours
- Investigate those potential historic sites that are not supported by primary authorities but that have significant secondary authority support

Town of Easton

- Historic, viewshed, scenic and contextual sites to consider for protection:
 - Willard Mountain

- Fording Point of General Fellows Troops
- General Fellows Battery
- East Bank River – British Tete-du-Point
- East Bank River – American Tete-du-Point
- General Fellows Camp
- DeRidder Ferry
- Battenkill
- Sarles Ferry
- Becker Farm and Ferry
- Ridgelines
- Eastern farmland
- Complete Comprehensive Plan update
 - Include historic site, viewshed and scenic area identification and prioritization
 - Determine the need for an open space plan
 - Detail what types of voluntary preservation approaches, regulatory and incentive tools the town could enact
- Revise subdivision regulation to include a provision for conservation or cluster subdivisions
- Adopt ridge protection measures
 - Design guidelines for sensitive siting
 - Ridgeline overlay
- Create historic districts and design guidelines
- Investigate a voluntary or regulatory transfer of development rights program
- Create a buffer along the length of the Battenkill
- Investigate funding a locally-controlled PDR program
- General Fellows Troops Fording Point and other historically significant with high integrity
 - Consider purchase by either the town or a non-profit interested in interpreting the site
- Site of the Sarles Ferry and other sites significant for the context of the Battles
 - Protection through a purchased or donated easement
- Willard Mountain can be protected along with the rest of the ridge by a ridge protection overlay that assists developers in identifying sensitive siting

Town of Greenwich

- Historic, viewshed, scenic and contextual sites to consider for protection:
 - Great War Trail continuation
 - Pontoon Bridge
 - Furnival's Battery
 - Land between the Hudson River and the Battenkill
- Sites requiring further investigation:
 - Georgia Pacific site

- Refine the agricultural district to limit the businesses allowed to those directly related to farming
- Investigate a voluntary or regulatory transfer of development rights program
- Create historic districts and design guidelines for the areas surrounding the Hudson and Battenkill, including the Pontoon Bridge site
- Inventory the Georgia Pacific site for evidence of the continuation of the Great War Trail and its use by General Burgoyne
- For those significant historic sites and those warranting further investigation, the town could, singly or in concert with neighborhood groups and non-profits, consider purchase for public access and protection
- Furnival's Battery can be protected by a purchased or donated easement that allows continued agricultural use but restricts disturbance to the remains

Town of Northumberland

- Historic, viewshed, scenic and contextual sites to consider for protection or further protection:
 - Stark's Knob
 - Morgan's Line
 - March of British Troops
- Create a historic preservation committee
- Create historic district overlays for the sites included in this study and those outside the boundaries of this study
- Investigate a voluntary or regulatory transfer of development rights program
- Investigate funding a locally-controlled PDR program
- Access Saratoga County's PDR program

Town of Saratoga

- Historic, viewshed, scenic and contextual sites to consider for protection and interpretation:
 - Yaegers Camp
 - Gates Floating Bridge
 - American Earthworks attributes to Learned
 - Dovegat Home site
 - High Ground British Encampment
 - Gates Headquarters
 - British Camp (North End)
 - Continuation of Morgan's Line from Northumberland
 - Wilbur Road
 - March of British Troops
- Consider all regulatory and incentive zoning tools outlined in Section 6 during its review of its zoning regulations

- Expand overlay districts to include environmental protection overlay, scenic overlay or historical overlay
- Create a ridge overlay, in conjunction with the Town's current prohibition of development on steep slopes of greater than 15%, to protect the highly valuable viewshed along the Hudson River
- Investigate funding a locally-controlled PDR program
- Access Saratoga County's PDR program
- Protection of Saratoga Apple through conservation easement would protect the Yaeger's camp site, a portion of Morgan's Line as well as viewshed and scenic resources
- Protection of significant viewshed and scenic resources surrounding the block of protected land that includes the National Veterans Cemetery and a number of farms, as identified on the Composite Analysis Map, would have a much greater effect than if the resources were isolated.
- Create a scenic or rural road overlay to protect Wilbur Road
- Create specific design guidelines for the archeologically sensitive areas mapped in the comprehensive plan
- Investigate, with the Villages of Victory and Schuylerville the creation of an inter-municipal TDR program

Village of Schuylerville

- Historic, viewshed, scenic and contextual sites to consider for protection and interpretation:
 - Mouth of Fish Creek
 - Assembly Area
 - Field of Grounded Arms
 - Site of Convention Signing
 - British Artillery Camp
 - Burgoyne's War Council site, including earthworks
 - Revolutionary War graves
- Apply for a Quality Communities grant with the Village of Victory for the protection of historic resources and creation of tourism and recreational opportunities
- Investigate, with the Village of Victory and the Town of Saratoga, the creation of an inter-municipal TDR program
- Create a local historic district and review committee
- Execution of the Fort Hardy Park Plan
- Investigate strategic partnerships that could protect the British Artillery Camp, the Earthworks at the War Council Site, and the Convention Signing site

Town of Stillwater

- Historic, viewshed, scenic and contextual sites to consider for protection and interpretation:
 - Morgan's Flank Defense (the Munger Farm)
 - American Fortifications
 - Swampy Place
 - Ezekiel Ensign Home Site
 - Wright's Ferry Site
 - Areas significant to the viewshed included in parcels that are contiguous with the SNHP
- Cooperatively purchase of easements on unprotected land abutting the SNHP, such as Morgan's Flank Defense (Munger Farm), that retain little integrity of the original farm, but which are contextually consistent as farmland
- For those lots with historic remains, such as the parcel with the American Fortifications, steer development away from sensitive areas on the parcel, require sensitive design and siting and require protection of those areas through cluster subdivision, planned development district and site plan review
- For those lots with historic remains, such as the parcel with the American Fortifications, the area with the remains could be subdivided and purchased by SNHP
- Create a buffer district around the SNHP, with specific design guidelines for parcels abutting the Park
- Investigate adding the Ezekiel Ensign House to either the State or National Historic Registers, if the owner is willing

Village of Victory

- Historic, viewshed, scenic and contextual sites to consider for protection and interpretation:
 - Victory Woods (slated to be open to the public by SNHP)
 - British Camp
 - American Earthworks remains
 - General Burgoyne's Fortified Camp
 - Gate's Line
 - Dutch Church
 - Victory's East side is significant to the viewshed of the SNHP and other historical sites
- Apply for a Quality Communities grant with the Village of Schuylerville for the protection of historic resources and creation of tourism and recreational opportunities
- Investigate, with the Village of Schuylerville and the Town of Saratoga the creation of an inter-municipal TDR program
- Create a local historic district and review committee

- Investigate purchase of the parcels that flank the Dutch Church remains for protection and interpretation of the remains as well as protection of the viewshed
- Connect to the Fish Creek trail that is being created by Brookfield Power and Saratoga PLAN.

9.0 Potential Partners and Funding and Assistance Sources

9.1 County Government

- 9.1.1 Saratoga County Farmland/Open Space Preservation Program
Saratoga County Planning Department
50 West High Street
Ballston Spa, NY 12020
518-884-4705

www.co.saratoga.ny.us

RFP generally available: April/May

Application deadline generally: July

- 9.1.2 Washington County Purchase of Development Rights Program
Administered by: The Agricultural Stewardship Association
28R Main Street
Greenwich, NY 12834
Phone: (518) 692-7285

E-mail: asa@agstewardship.org

Application deadline generally: April 1

9.2 State Government

- 9.2.1 New York State Historic Preservation Office
Peebles Island, PO Box 189
Waterford, New York 12188-0189
(518) 237-8643

<http://nysparks.state.ny.us/shpo>

- Communities may apply for matching grants from the SHPO to:
 - Create or update design guidelines
 - develop or revise a preservation ordinance
- SHPO offers training for members and staff of historic preservation commissions and architectural review boards and responds to special information requests.
- Local preservation ordinances and historic districts can lead to a municipality becoming a Certified Local Government (CLG).
 - CLG status makes a municipality eligible to compete for funds allocated to SHPO specifically for CLGs.
 - Tax incentives for the certified rehabilitation of income-producing properties listed in the National Register
 - Tax incentives for charitable contributions for conservation purposes

- 9.2.2 New York State Department of State

41 State Street
Albany, NY 12231-0001

Division of Coastal Resources
Telephone Number: 518-474-6000
Fax Number: 518-473-2464
<http://www.nyswaterfronts.com>

- The New York State Environmental Protection Fund - grants to eligible municipalities for planning, design, feasibility studies, and construction projects that advance preparation or implementation of a Local Waterfront Revitalization Programs.
- The Brownfield Opportunity Areas Program - provides municipalities and community based organizations with assistance to complete area-wide approaches to brownfields redevelopment planning.
- The Quality Communities Grant Program - assists Counties, Cities, Towns, Villages, Indian Tribes/Nations, Local Public Authorities, Public Benefit Corporations, and, in some circumstances, Not-for-Profits with planning efforts to: encourage community growth, improve community centers, promote intermunicipal growth, enhance mountain communities, preserve open space, and more.

Division of Local Government Services
Telephone: (518) 473-3355
Fax: (518) 474-6572
localgov@dos.state.ny.us

- Training for planning and zoning boards

9.2.3 The New York State Canal Corporation
Administrative Headquarters
200 Southern Blvd., P.O. Box 189
Albany, NY 12201-0189
(518) 436-2700
www.canals.state.ny.us/welcome

Can provide assistance related to redevelopment of the Canal System and the communities located within its Corridor. The Canal Corporation created the Canal Revitalization Program to foster economic development in municipalities along the Canal, and provides information about a wide variety of State and federal grants (www.nyscanalbusiness.com) and direct assistance programs for Canal development strategies.

9.2.4 New York State Housing Trust Fund Corporation

- Office for Small Cities
4 Empire State Plaza, Ste. 600
Albany, New York 12223-1401
Phone: 518-474-2057
Fax: 518-474-5247

www.nysmallcities.com

- Community Development Block Grant Program
 - Eligible applicants: Cities, towns and villages having a population under 50,000
 - To revitalize neighborhoods, expand affordable housing and economic opportunities and or improve community facilities and services
- New York Main Street Program
Hampton Plaza
38-40 State Street
Albany, NY 12207
1-866-275-3427

www.nymainstreet.org

New York Main Street was created to

- Provide funding for Main Street and downtown revitalization efforts
- Serve as a resource to communities looking for financial and technical assistance to revitalize their Main Street
- Eligible applicants:
 - Not-for-profit community-based organizations
 - Business improvement districts
 - Other entities incorporated pursuant to the Not-for-Profit Corporation Law
- Eligible areas:
 - Majority of the residents of the target area earn 80% or less than the Area's Median Income
- Eligible activities:
 - Façade Renovation - Matching grants of up to \$10,000 per building, but not to exceed 50% of total cost, can be provided to owners for façade renovations
 - Building Renovation - Matching grants of up to \$50,000 per building, but not to exceed 50% of total cost, can be provided to owners for renovation of commercial/civic space on first floor and residential units above
 - Downtown Anchors - Matching grants of up to \$100,000 per building, but not exceeding 25% of project cost, can be provided to owners to help establish or expand cultural or business anchors that are identified in a local plan as key to the revitalization effort. Developments that incorporate residential units on the upper floors will receive priority for funding
 - Streetscape Enhancement - Grants of up to \$25,000 for programs to plant trees and other landscaping, install street furniture and trash cans, provide appropriate signs in accordance with a local signage plan, and other appurtenant activities. Street lighting may be eligible for funding where

applicants can satisfy all feasibility issues. A streetscape enhancement grant will only be awarded if it is ancillary to a program providing building renovation or downtown anchor grants

- Most recent deadline: March 2007

9.2.5 New York State Department of Environmental Conservation

625 Broadway, 10th Floor
Albany, NY 12233-1080
(518) 402-9240

www.dec.state.ny.us

Hudson River Estuary Program

- Eligible recipients include municipalities and not-for-profit organizations
- 75% matching funds
- Types of projects are eligible for funding
 - Open Space: Natural Areas and Scenic Resources - planning, inventory and acquisition
 - Community-based Habitat Conservation and Stewardship
 - Watershed Planning and Implementation
 - Hudson River Access: fishing, boating, swimming, hunting, hiking, or river watching
- Current Deadline: June 29, 2007

Environmental Restoration Program

- Provides grants to municipalities to reimburse up to 90 percent of on-site eligible costs and 100% of off-site eligible costs for site investigation and remediation activities.
- Once remediated, the property may then be reused for commercial, industrial, residential or public use
- The purpose must be to investigate or remediate hazardous substances or petroleum on the property
- Applications accepted continually until funding is exhausted

Technical Assistance Grants

- Citizen participation tool available to eligible community groups to increase public awareness and understanding of remedial activities taking place in their community
- Eligible community groups may apply to receive grants for up to \$50,000 per eligible site
- There is no matching contribution required on the part of the grant recipient
- Applications continuously accepted

9.2.6 New York State Office of Parks, Recreation and Historic Preservation

Saratoga-Capital District Region
19 Roosevelt Drive

Saratoga Springs, NY 12866
(518) 584-2000
www.nysparks.com

- Parks Program
 - A matching grant program for the acquisition or development of parks and recreational facilities for projects to preserve, rehabilitate or restore lands, waters or structures for park, recreation or conservation purposes. Funds may be awarded to municipalities or not-for-profits with an ownership interest, for indoor or outdoor projects and must reflect the priorities established in the NY Statewide Comprehensive Outdoor Recreation Plan (SCORP).
- Historic Preservation Program
 - A matching grant program to improve, protect, preserve, rehabilitate or restore properties listed on the National or State Registers of Historic Places. Funds are available to municipalities or not-for-profits with an ownership interest.
- Heritage Areas Program
 - A matching grant program for projects to preserve, rehabilitate or restore lands, waters or structures, identified in a management plan approved by the Commissioner. Projects must fall within a New York State Designated Heritage Area.
- Acquisition
 - A matching grant program for the acquisition of a permanent easement or fee title to lands, waters or structures for use by all segments of the population for park, recreation, conservation or preservation purposes. To be used for all three program areas where acquisition is of more importance than development.
- Land and Water Conservation Fund Program
 - A matching grant program for the acquisition, development and/or rehabilitation of outdoor park and recreation facilities. Funds are available to municipal public agencies and Indian tribal governments. Funded projects must reflect the priorities established in SCORP and be available to the general public. Source of funds: The National Park Service.
- Snowmobile Trail Grant Program
 - A grant program that allocates funds to local governments that engage in the development and maintenance of snowmobile trails designated as part of the State Snowmobile Trail System. The authorization for the program is found in Article 27 of NY Parks, Recreation and Historic Preservation Law. Funding is allocated on a pro-rated basis.
- Recreational Trails Program
 - A matching grant program for the acquisition, development, rehabilitation and maintenance of trails and trail-related projects.

Funds are available to non-profit organizations, municipal, state and federal agencies, Indian tribal governments and other public agencies and authorities. Funded projects must be identified in, or further a specific goal of, the SCORP and must be available to the general public. Source of funds: Federal Highway Administration.

9.2.7 New York State Department of Agriculture and Markets

Division of Agriculture Protection and Development

10B Airline Drive

Albany, NY 12235

(518) 457-5606

www.agmkt.state.ny.us

- Farmland Protection Implementation Grants
- Agricultural and Farmland Protection Plans

9.2.8 New York State Council on the Arts

175 Varick Street

New York, NY 10014

Tel: (800) 510-0021

www.nysca.org

Design and Planning Studies and Adaptive Use Studies

- Funding is available for any nonprofit organization or local governmental agency in New York State
- To engage the services of an architect, or planning, design, or historic preservation professional for a wide variety of planning and design studies
- Most recent deadline: March 2007

9.2.9 New York State Legislature (Member Items)

Another possible source of public funding is the New York State Legislature. Requests for financial assistance should be sent to the State Senator and/or the Member of Assembly representing the district in which the property/project is located. There is an application process -- contact your State Legislators (Assembly and Senate) for more information.

9.2.10 Historic Saratoga-Washington on the Hudson Partnership

The Partnership was recently formed by New York State Legislature due to the tireless efforts of New York State Assembly members Roy McDonald and Steven Englebright. This visionary organization will address collaborative agriculture and open space protection, tourism development, revitalization efforts, recreational development and protection of natural, cultural and historic heritage. The organization is charged with creating a stewardship plan to protect the unique historic and natural significance as a primary birthplace of the United States of America. Beginning with Native Americans in pre-colonial times to early European trading posts, the French and Indian War,

the American Revolution, and the 19th century commercial and industrial development related to the building of the Erie and Champlain Canals, the area is distinguished by its scenic and natural features, agricultural uses and historic Hudson River towns.

Contact Information: While the Partnership is still in its formation, contact Assembly member Roy McDonald, (518) 455-3727 or (518) 747-7098.

9.2.11 Empire State Development Corporation

30 South Pearl Street
Albany, NY 12245
1-800-782-8369
E-mail: esd@empire.state.ny.us

Regional Office – Capitol Region
Hedley Park Place
433 River Street, Suite 1003
1st Floor
Troy, NY 12180
Phone: 518-270-1130
Fax: 518-270-1141
Email: nys-capitaldist@empire.state.ny.us

- I Love New York
www.iloveny.com
(800) CALL-NYS
(518) 474-4116
- Empire Zone - Saratoga County
Shelby Schneider
Saratoga Economic Development Corporation
28 Clinton Street
Saratoga Springs, NY 12866
(518) 587-0945
(518) 587-5855
sschneider@saratogaedc.com
- Empire Zone – Washington County
Mac Sanders
Washington County Development Corporation
Washington County Local County Office Building
383 Broadway
Ft. Edward , NY 12828
(518) 746-2295
(518) 746-2293
msanders@co.washington.ny.us

9.3 Federal Government

9.3.1 National Park Service www.nps.gov

- Heritage Preservation Services
National Park Service
1849 C Street, NW (2255)
Washington, DC 20240
 - Helps citizens and communities identify, evaluate, protect and preserve historic properties for future generations
 - Provides a broad range of products and services, financial assistance and incentives, educational guidance, and technical information
 - American Battlefield Protection Program
 - Promotes the preservation of significant historic battlefields associated with wars on American soil
 - Protects battlefields and sites associated with armed conflicts
 - Assists in planning for the preservation, management, and interpretation of battlefields and associated sites
 - Focuses primarily on land use, cultural resource and site management planning, and public education
 - Federal Historic Preservation Tax Incentives
 - Foster private sector rehabilitation of historic buildings and promotes economic revitalization
 - Available for buildings that are National Historic Landmarks, that are listed in the National Register, and that contribute to National Register Historic Districts and certain local historic districts
 - Historic Landscape Initiative
 - Promotes responsible preservation practices that protect designed landscapes such as parks and gardens, as well as vernacular historic landscapes such as farms and industrial sites
 - Historic Preservation Planning Program
 - Develops national policy related to historic preservation planning
 - Develops and delivers technical assistance and guidance in historic preservation planning to SHPOs, federal agencies, tribes, and local communities
 - Technical Preservation Services
 - Provides the tools and information necessary to take effective measures to protect and preserve historic buildings
- Save America's Treasures program

- Save America's Treasures grants are available for preservation and/or conservation work on nationally significant intellectual and cultural artifacts and nationally significant historic structures and sites.
- Grants are awarded to Federal, state, local, and tribal government entities, and non-profit organizations through a competitive matching-grant program
- Administered by the National Park Service in partnership with the National Endowment for the Arts, the National Endowment for the Humanities, the Institute of Museum and Library Services and the President's Committee on the Arts and the Humanities
- Preserve America matching-grant program
 - Funding to designated Preserve America Communities to support preservation efforts through heritage tourism, education and historic preservation planning
 - Grants are available to assist local economies find self-sustaining ways to promote their cultural resources through heritage tourism.
 - Designated Preserve America Communities eligible
- National Register of Historic Places
 1201 Eye St., NW
 8th Floor (MS 2280)
 Washington, DC 20005
 Main telephone: 202-354-2213
 - Makes a property eligible for pre-development planning grants (such as plans and specs) and also "bricks and mortar" repair grants.
 - Owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings.

9.3.2 National Endowment for the Humanities

- Challenge Grants
 Office of Challenge Grants
 1100 Pennsylvania Avenue, NW
 Room 420
 Washington, DC 20506
 202-606-8309
challenge@neh.gov
 - Awards are made to museums, public libraries, colleges, research institutions, historical societies and historic sites, public television and radio stations, universities, scholarly associations, state humanities councils, and other nonprofit entities.
 - Activities supported:

- Maintenance of facilities
- Faculty and staff development
- Acquisitions
- Preservation/conservation programs.
- We the People Initiative
 - 1100 Pennsylvania Avenue, NW
 - Room 511
 - Washington, DC 20506
 - (202) 606-8337
 - wethepeople@neh.gov
 - Enhances the teaching and understanding of American history through grants to scholars, teachers, filmmakers, museums, libraries, and other individuals and institutions
 - Disseminates knowledge of American history through exhibitions, public programs, and partnerships with the state humanities councils

9.3.3 United State Department of Agriculture

- Natural Resources Conservation Service
 - 14th and Independence Avenue, SW
 - Washington, DC 20250
 - Greenwich Service Center
 - 2530 State Route 40
 - Greenwich, NY 12834-9627
 - (518) 692-9940
 - (518) 692-9942 Fax
 - Ballston Spa Service Center
 - Municipal Center, 50 W High St
 - Ballston Spa, NY 12020-0600
 - (518) 885-6300
 - (518) 884-9101 Fax
 - Farm and Ranch Lands Protection Program
 - Provides matching funds to help purchase development rights to keep productive farm and ranchland in agricultural uses
 - Recipients: State, tribal, or local governments and non-governmental organizations that have existing farmland protection programs
 - Marilyn Stephenson, New York FRPP Manager
Phone: (518) 431-4110; marilyn.stephenson@ny.usda.gov
 - Resource Conservation and Development Program
 - Provides technical assistance to local communities through designated USDA areas led by RC&D Councils
 - Helps complete project designs and get projects underway by assisting the council to locate the necessary resources

- RC&D activities address land conservation, water management, community development, and land management issues, such as:
 - Improving opportunities for recreation and tourism
 - Protecting agricultural land, as appropriate, from conversion to other uses
 - Creating, improving, and protecting fish and wildlife habitat
- Rivers, Trails and Conservation Assistance
- Assistance to nonprofit organizations, community groups, Tribes or Tribal governments, and local or state government agencies
- Project examples:
 - Link parks, schoolyards, open spaces and residential areas with safe, quiet greenways
 - Restore significant cultural and historic assets
 - Recycle abandoned railways into trails that link neighborhoods and communities
 - Preserve open spaces for future generations

9.3.4 United States Department of Transportation Federal Highway Administration

<http://www.bywaysonline.org/grants/application>

Byway's Lead Organization: Lakes to Locks Passages, Inc.

814 Bridge Road
Crown Point, NY 12928
(518) 597-9660

- Consult the byway's lead organization or lead individual to determine support for your project concept. Identify potential project sponsors.
- Categories of eligible projects:
 - State and Tribal Programs
 - Corridor Management Plan
 - Safety Improvements
 - Byway Facilities
 - Access to Recreation
 - Resource Protection
 - Interpretive Information
 - Marketing Program

9.4 Non-profits

Agricultural Stewardship Associates
28R Main Street
Greenwich, NY 12834
Phone: (518) 692-7285
E-mail: asa@agstewardship.org

- As a land trust, ASA conserves farmland and permanently protects the land available for agriculture in the Washington County Region.
- ASA has helped landowners conserve over 7,050 acres of agricultural and forest land by placing those lands under conservation easement. These lands have been protected primarily through the donation of development rights (DDR) and purchase of development rights (PDR), in cooperation with the Washington County Agricultural and Farmland Protection Board, the State of New York and the United States Department of Agriculture.
- ASA works in cooperation with municipalities and county Agricultural and Farmland Protection Boards, the State of New York, the United States and private organizations.
- The ongoing commitment to monitor, defend, and enforce the easement ensures protection in perpetuity.

Battenkill Conservancy
P.O. Box 327
Cambridge, NY 12816
Phone: 518.677.2545
E-mail: bc@battenkillconservancy.net

- As a land trust, the Battenkill Conservancy can hold conservation easements and professionally monitor, defend and steward protected land.
- The Conservancy works with municipalities, state agencies and other non-profit organizations to preserve and enhance the quality of the watershed and to guide growth and development along the river and within the watershed.
- The Conservancy has assisted towns during the comprehensive planning.
- The Conservancy monitors the water quality of the Battenkill.

The Conservation Fund National Office
1655 N. Fort Myer Drive, Suite 1300
Arlington, Virginia 22209-2156
Phone: 703-525-6300
Fax: 703-525-4610

Email: postmaster@conservationfund.org

- Land & Water Conservation Services
 - Land Acquisition
 - Land Advisory
 - Property Disposition
 - Conservation Financing
 - Mitigation & Restoration
 - Strategic Conservation
- Conservation Financing
 - Revolving loan fund, nonprofits only

- Land trust loan fund, nonprofits only
- The Kodak American Greenways Awards Program
 - RFP available generally: March
 - Application Deadline generally: June
 - Small grants to stimulate the planning and design of greenways
 - Eligible: Local, regional, or statewide nonprofit organizations.
 - Although public agencies may also apply, community organizations will receive preference.

Land Trust Alliance

The New York State Conservation Partnership Program

Land Trust Alliance Northeast Program

112 Spring Street

Saratoga Springs, NY 12866

(518) 587-0774

Fax: (518) 587-9586

Contact: Ethan Winter; ewinter@lta.org

<http://www.lta.org/resources/nyscpp.htm>

- Land trusts eligible for funding
- At least a 1:1 match ratio with awards historically ranging from \$1,000 to \$46,000
- Land Conservation Transaction Grant
- Conservation Catalyst Grant
- Deadline generally: January

The National Trust for Historic Preservation

Northeast Regional Office

7 Faneuil Hall Marketplace

Boston, MA 02109

617 523 0885

www.nthp.org

This national NFP membership organization provides a wide range of preservation services across the country, including grant programs.

- The John E. Streb Preservation Services Fund for New York
 - Financial assistance for consultant services, feasibility studies, and education.
 - The applicant must be a NFP organization or municipality.
 - The average grant award is \$1,000 to \$1,500.
 - Application deadlines are February 1 and October 1.
- The National Preservation Loan Fund
 - Establish or expand local and statewide preservation revolving funds, to acquire and/or rehabilitate historic buildings, sites, and districts, and to preserve National Historic Landmarks.
 - The National Trust's office in Washington, D.C. administers the loan fund.

- The Johanna Favrot Fund for Historic Preservation
 - Support to NFP organizations and governmental agencies
 - Individuals and for-profit businesses may apply for funding only if the project for which funding is requested involves a National Historic Landmark.
 - Eligible activities and projects include consultant services, the production of educational materials, and conference or workshop costs.
 - Grants generally range from \$2,500 to \$8,000.
 - The application deadline is February 1.
- The Cynthia Wood Mitchell Fund for Historic Interiors
 - Aids in the preservation, restoration, and interpretation of historic interiors
 - Applicants eligible to receive grant awards include NFP organizations, government agencies, for profit businesses, and individuals
 - Typically, grants range from \$5,000 to \$25,000
 - Eligible activities include hiring professional design services, obtaining professional advice to strengthen management capabilities, production of print and video communications materials, sponsoring conferences and workshops, and developing innovative education programs.
 - The application deadline is February 1.
- The Daniel K. Thorne Intervention Fund
 - Provides immediate assistance for urgent preservation needs, such as structural analysis, feasibility studies, and critical outreach and education.

Open Space Institute
 1350 Broadway, Suite 201
 New York, NY 10018-7799
 Phone: (212) 290-8200
 Fax: (212) 244-3441

www.osiny.org

- The mission of the Open Space Institute is to protect scenic, natural and historic landscapes to ensure public enjoyment, conserve habitats and sustain community character.
- OSI achieves its goals through land acquisition, conservation easements, special loan programs, and creative partnerships.

Loan Program: Established non-profit land conservation organizations and land trusts

Public entities are not eligible, although applications are welcome from their non-profit partners

Rolling application acceptance

Marc Hunt, mhunt@osiny.org, (828-278-0134).

Grant Program: The Northern Forest Protection Fund (NFPF) is a matching capital fund created to support the permanent protection of large forest landscapes in northern New York

Pre-proposals are accepted throughout the year from land trusts

Peter Howell, 212-290-8200, phowell@osiny.org

Preservation League of New York State

44 Central Avenue

Albany, NY 12206

(518) 462-5658

- Preserve New York Grant Program
 - In association with the New York State Council on the Arts
 - Applicant must be a not-for-profit group with tax-exempt status or a unit of local government
 - Grants are likely to range between \$3,000 and \$10,000
 - Eligible activities:
 - Historic Structure Reports
 - Historic Landscape Reports
 - Cultural Resource Surveys
 - Most recent deadline: May 2007

Saratoga PLAN

112 Spring Street, Room 202

Saratoga Springs, NY 12866

(518) 587-5554

www.saratogaplan.org

- Saratoga PLAN is the land trust of the Saratoga Region, directly protecting and managing land and water resources through conservation easements and outright acquisition of property. Saratoga PLAN has preserved 2,772 acres to date.
- Saratoga PLAN is an advocate for smart growth, encouraging comprehensive regional planning to preserve and enhance our quality of life.
- Saratoga PLAN is a collaborative conservation partner, working closely with landowners, developers, government agencies and community organizations throughout the region.
- Saratoga PLAN provides community planning support to local and county agencies.

9.5 Other Sources

Tourism Cares' Worldwide Grant Program

585 Washington St.

Canton, MA 02021

Tel: 781-821-5990

Fax: 781-821-8949

info@tourismcares.org

www.tourismcares.org

- Charitable grants to worthy tourism-related non-profit organizations
- Capital improvements that serve to protect, restore, or conserve sites of exceptional cultural, historic, or natural significance
- The education of local host communities and the traveling public about conservation and preservation of sites of exceptional cultural, historical, or natural significance

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