

**Town of Washington  
Comprehensive Plan Review Committee  
Background and Charge**

The Town Board of the Town Washington has created a Comprehensive Plan Review Committee [the “Committee”] to perform a limited review of the 2015 Town of Washington Comprehensive Plan. The Town Board provides the following background and charge to this Committee.

**I. Background**

Washington adopted its first Town Comprehensive Plan in 1987. After some minor amendments of the plan over the years, in 2007 the Washington Town Board initiated a review of the Comprehensive Plan. As described in the 2015 Comprehensive Plan:

the focus of that review was to be an examination of primary land use concerns; specifically the protection of agriculture, preservation surface and ground water quality and quantity, along with the need for additional environmental protections. ... The final product would reflect the priorities, hopes, and aspirations of the public; the commonly shared community values and goals for the future. Simply put, it would plan for what people want the Town of Washington to be like now and in the future.<sup>1</sup>

Eight years after 2007 on December 10, 2015, the Town of Washington adopted the current 2015 Town of Washington Comprehensive Plan. A section entitled “Acknowledgments” at the bottom of the cover of the Plan says:

For eight years, dozens of individuals worked cooperatively to prepare the 2015 Town of Washington Comprehensive Plan. The Comprehensive Plan Committee members, together with Town residents, farmers and business owners, made this plan possible.

The Plan says also says of the process:

A written survey was distributed to residents and lively public workshops were well-attended. Several vision statement meetings were held and consensus was ultimately reached on a vision for our Town.<sup>2</sup>

Historically, Washington’s Comprehensive Plans and Zoning Laws have served the community well. The present initiative to review the 2015 Comprehensive Plan did not arise from within our community, but has been prompted by a hospitality development project proposed in the Town by a developer. The proposed development is not consistent with our 2015 Comprehensive Plan, and is not allowed by our Zoning Law.

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<sup>1</sup> *Id.*

<sup>2</sup> *Id.*, at P 6.

The Town Board is interested in reviewing whether a hospitality use would be appropriate and beneficial to the Town of Washington. The Town Board has always been sensitive to the real property tax base in the Town. The 2015 Comprehensive Plan states that the “[f]iscal consequences of this Plan and potential zoning changes will affect the future of Town budgets.”<sup>3</sup>

As stated in the 2015 Comprehensive Plan:

Open, inclusive governing and responsible management of financial resources is vital for our community’s success. Elected officials are charged with the safeguarding and proper use of taxpayer funds. Financial resources of the Town of Washington are not committed to policies, practices and projects that are inconsistent with the Town’s vision for the future.<sup>4</sup>

The Comprehensive Plan also notes that:

Businesses located in the Town provide generous employment opportunities. These businesses also increase economic development, tourism and sales tax revenue. Agribusiness and recreational activities attract visitors from the tri-state area and beyond.<sup>5</sup>

The Town Board is also concerned about the viability of businesses in the Village of Millbrook and in the hamlets of Mabbetsville and Washington Hollow. And the Board is also concerned about recent, broad socioeconomic changes such as online shopping and working from home, that could impact life and land use in the Town.

Associated land uses and the Town’s economy were part of the review that resulted in the 2015 Comprehensive Plan as well. Key findings from this part of the review which were cited in the 2015 Comprehensive Plan were:

- Slightly more than half the survey respondents strongly agree that the Town should improve the environment for small business, however expanding the amount of land in the Town for commercial use was only supported by 7% of the respondents.<sup>6</sup>
- The Economy Subcommittee [of the Comprehensive Plan Review Committee] concluded that the Town should plan to remain largely a rural, open area that retains its agricultural economic base and serves as an aesthetic and recreational amenity to the Village of Millbrook and Dutchess County as a

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<sup>3</sup> *Id.*, at Chap. I “Introduction,” at p. 6.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*, at Chap. III “Community Profile,” Section J “Parks, Recreation, Services and Government,” at p. 34.

<sup>6</sup> *Id.*

whole.<sup>7</sup>

- Avoid creating land new Hamlet-Mixed Use Zoning, or new commercial areas in the Town.<sup>8</sup>

That said, the eight years of work that culminated in the 2015 Comprehensive Plan also culminated in a set of four overall goals<sup>9</sup> as follows:

- Goal I: Keep the Town scenic and rural and the Village the one developed center.
- Goal II: Protect land, water, and the natural environment.
- Goal III. Strengthen the Village center.
- Goal IV. Maintain a high quality of life.

To keep the Town rural and scenic, the Plan set the following policies: (a) preserve traditional land use patterns; (b) enhance and preserve the duality between the Town and Village; (c) avoid new or denser zoning that would create village-like areas in the Town; (d) maintain the scenic beauty and natural diversity of the Town by avoiding the disruption of scenic vistas, viewsheds, corridors, ridgelines, natural areas, and historic resources; and (e) cooperate with organizations that conserve rural character to preserve open space, and protect scenery and natural resources.<sup>10</sup>

The 2015 Comprehensive Plan also focuses on the protection of the Town's precious water resources. The Plan recognizes that "almost all of the water used in the Town is ground water and its protection is critical to all Town residents."<sup>11</sup> The Plan also says that the areas south of Mabbetsville along Mill Brook are especially important because this recharge zone feeds the aquifer that is the sole source of the municipal water supply for the Village. Indeed, the survey performed for the 2015 Comprehensive Plan showed that Town residents strongly support protecting water supplies and aquifers.<sup>12</sup> Consequently, the Land Use Plan in the Comprehensive Plan:

... the Land Use Map also recognizes the desire to avoid construction or extension of water and sewer facilities outside of the bounds of the Village of Millbrook, as well as preventing development of stand-alone water and sewer

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<sup>7</sup> *Id.*, at Chap. V "Goals," Goal I at p. 39.

<sup>8</sup> *Id.*, at p. 40.

<sup>9</sup> *Id.* at Chap. V "Goals," at p. 38.

<sup>10</sup> *Id.*, at p. 40.

<sup>11</sup> *Id.*, at Chap. V "Goals," Goal II at p. 43.

<sup>12</sup> *Id.*, at Chap. III "Community Survey", at p. 35.

facilities as part of development proposals, in order to avoid sprawl that would likely harm the essential rural character of the Town. (Comp Plan, Ch. II “Land Use Plan,” at p. 8)

As recognized in our 2015 Town Comprehensive Plan, a comprehensive plan identifies the needs of a community and recommends goals, objectives, and actions to improve the health, safety, and general welfare of its citizens.<sup>13</sup>

The Comprehensive Plan is a document of critical importance. The Plan also says that a comprehensive plan is the policy foundation for the future development and preservation of a community.<sup>14</sup> The content of our Comprehensive Plan represents our community’s vision for itself. It describes what we want to preserve and how we want to grow.

Now in 2021, the Town Board wishes to explore whether the Comprehensive Plan should be amended to allow commercial hospitality uses. The Town Board also wishes to determine if the community supports such an amendment, and whether such an amendment would be in the best interests of the Town.

Large-scale hospitality businesses present possible positive impacts in drawing visitors, creating employment opportunities, and increasing the tax base. But they also present possible negative impacts from being too self-contained and generating off-site impacts such as traffic, noise and light pollution. Such businesses may also contradict the 2015 Comprehensive Plan’s goal of “maintaining and improving those appropriate land uses ... that work toward supporting contrasts between a rural town and a more urbanized Village.”<sup>15</sup> Hence, we have created a Committee of Town citizens to examine this issue and to make recommendations to the Town Board.

In furtherance of the foregoing, the Town Board charges the Committee as follows:

## **II. Committee Charge and Governance**

1. The Committee is charged to undertake a review the 2015 Comprehensive Plan. The Committee shall engage with the community, work with a professional planner of its own recommendation, and shall determine, based on community desire and the interests of our community, whether any change should be made to our 2015 Comprehensive Plan with regard to allowing new commercial hospitality land uses in the Town.
2. If the Committee determines that the people of the Town are satisfied with the 2015 Comprehensive Plan, and there is no desire in the community to allow new commercial hospitality land uses, and that changing the 2015 Comprehensive Plan will not be in the interests of the people of the Town, then the Committee will have fulfilled its charge and its work will be complete.

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<sup>13</sup> 2015 Town of Washington Comprehensive Plan, Section I “Introduction,” at P. 5.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*, at Chap. V “Goals,” Goal III “Strengthen the Village Center,” at p.49.

3. If the Committee determines that there is a community desire to allow new commercial hospitality land uses in the Town, and that such would be in the best interests of the people of the Town, then the Committee is charged to take the next steps and determine and make reasoned recommendations to the Town Board as to: (1) what type and scale of new commercial hospitality uses should be allowed in the community; (2) where in the Town those new uses should be permitted; (3) how the 2015 Comprehensive Plan should be amended; (4) how the Town Zoning Law should be amended; and (5) what regulatory controls and land use approval criteria should be placed on the new uses and incorporated into the Zoning Law.
4. In fulfilling its charge, the Committee shall avail itself of professional planning assistance to be chosen by the Committee by a majority vote of its membership. The Committee shall engage a professional planner certified by the American Institute of Certified Planners [AICP] and experienced in assisting communities like ours that are predominantly rural residential and agricultural in character.
5. Community input is essential to the Committee's review process. In fulfilling its charge, the Committee shall engage with the public. The Committee is directed in conjunction with its planner to prepare a survey and circulate that survey town-wide. In addition to a survey, with the assistance of its planner, the Committee shall also hold at least three meetings in which the Committee can meet with members of the public and hold an interactive dialogue about the possibility of new hospitality uses.
6. In the event that the Committee shall encounter legal questions, the Town Board shall arrange for the Committee to engage independent legal counsel to be chosen by a majority vote of the Committee membership.
7. The Committee will be given a page on the Town web site as a means of communicating with the public and to post documents germane to the Committee's work..
8. Notice of the date and time of Committee meetings shall be posted on the Town web site reasonably in advance of each Committee meeting, and Committee meetings shall be open to the public.
9. The Committee shall keep minutes of its meetings, and it shall designate one member of the Committee at each meeting to be responsible for drafting the minutes of the meeting. Minutes of each meeting shall be filed thereafter in the office of the Town Clerk. After the meeting minutes are filed, a copy of the meeting minutes shall be posted on the Committee's page on the Town web site.
10. Regardless of the conclusions the Committee reaches in performing its work, when the Committee concludes its work, it shall issue a report to the Town Board in writing which explains in reasonable detail the Committee's findings. The report shall also set forth the Committee's recommendation(s) based on its findings and provide a reasoned elaboration of the basis for each of its recommendations. After the report is handed up to the Town Board, a copy of the report shall be posted on the Committee's page on the Town web site.

Dated: June 28, 2021

Town of Washington Town Board