

PLANS AND STUDIES

Reference Form

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Town of Penfield



Open Space Plan

September, 2001

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Adopted by the Penfield Town Board on September 5, 2001

Town of Penfield
Open Space Plan

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Part One – Introduction

Statement of Purpose

The Town of Penfield, in an effort to be prepared for the 21st century, needs to be mindful of the features that make Penfield unique and desirable. It is with this premise that the Town pursues a preservation strategy for open space. It is intended that this plan become a living document and tool for a structured implementation program that will preserve those areas that define the character of our community. The recommendations contained herein are intended to be used in making sound land-use planning decisions at the local government level.



This Penfield Open Space Plan is dedicated to continuing the spirit and legacy that has made Penfield a wonderful place to live and raise a family. This plan provides a logical strategy for preserving the Town's natural landscape, environmental features and residential/rural character. It will help lay the foundation for a proud legacy to leave to future generations.

Goals

During the development of the Town of Penfield 2000 Comprehensive Plan Update, the Town identified several goals that reflect the character and protective attitude of the community. It is this list of goals that prompted the next logical step....development of an Open Space Inventory. Once the inventory was completed....once we knew what we had, we had to determine what we wanted to do with it! These goals, which were the catalyst for this process include:

KEY GOAL Preserve and protect the quality residential character of the Town of Penfield. The Town of Penfield should remain a predominantly single family residential community and maintain the high standards of quality of life that are expected by its residents.

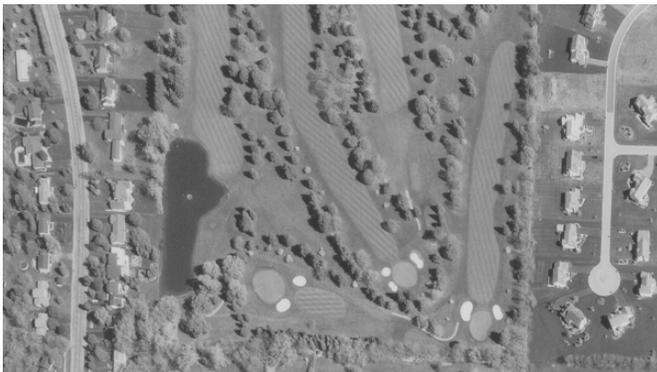
- GOAL** Preserve the historical and architectural character of certain sites, structures and districts within the Town of Penfield; prevent impairment of or injury to their historical, architectural and cultural value to the community.
- GOAL** Maintain the town's desirability as a residential community with high standards and attractive features that guide development and the preservation of open space.
- GOAL** Protect and promote continued agricultural operations within the town.
- GOAL** Provide parks, recreational opportunities, and leisure services as necessary components of the social fabric and quality of life of the town and its residents.
- GOAL** Promote land use development patterns that respect environmentally sensitive areas.
- GOAL** Enhance, preserve and protect the overall functions and benefits derived from wetlands including the role of wetlands in the treatment and management of stormwater runoff throughout the town.
- GOAL** Preserve and protect steep slope areas in the town by ensuring that all development is consistent and compatible with the capabilities and limitations of the natural terrain and retain the natural character of unique and significant topographic features.
- GOAL** Preserve and protect natural wooded areas in the town for the benefits they provide as natural habitats, recreation lands, water management areas, and for their aesthetic effects.
- GOAL** Protect the health, safety, and welfare of the inhabitants of the town from hazards due to periodic flooding and prevent loss of property and potential loss of life in flood-prone areas.
- GOAL** Utilize town watercourses (and stream banks) to provide greater recreational opportunities.
- GOAL** Preserve and protect natural functions of town watercourses.
- GOAL** Protect the rate and quality of runoff and the impact of development on the important natural resources that support wildlife, agriculture, recreation, and aquatic habitat within an overall watershed approach.
- GOAL** Provide a network of sidewalks and trail linkages for the safe use and enjoyment of pedestrians.

What is Open Space?

This was the first question posed to the committee that developed this plan. It generated a substantial amount of discussion and everyone had opinions. There is a need to have a consensus on what we want to preserve, before it can be preserved.

It is generally accepted that farmlands are an integral part of Penfield's character. We currently have about 5600 acres in the Agricultural District, and many more acres being actively farmed. There is a strong sentiment by the community that substantial efforts are needed to maintain a healthy farming presence in Penfield. The town has been supportive of the efforts of Monroe County through its *Agricultural and Farmland Protection Plan*. Several recommendations are compatible with this plan. Farmland preservation is addressed in Part Six of this plan.

Penfield's character is also framed by its substantial amount of natural areas. The central focus revolves around the 1000 Acre Swamp, both environmentally and geographically. This area is a unique, sensitive ecosystem that is treasured by all who visit. It is owned by The Nature Conservancy and monitored by a dedicated group of volunteers. Penfield has numerous wetlands, substantial stands of mature trees, heavily wooded steep slopes, clean streams and a substantial amount of shoreline on Irondequoit Bay. All of these features add to the quality of Penfield's character.



The existing public and private parks and recreational systems, including public and private school systems and golf courses provide facilities for a demanding suburban population. Critical needs have been identified and expansion of some facilities is now underway.

One key feature that was made abundantly clear in the committee process is that Open Space does not have to be synonymous with public access. Indeed, the recommendations in this plan provide for a variety of techniques to allow parcels to remain in private ownership. Benefits of open space are not all associated with an active public presence. There are many benefits from “just not developing lands”. These include improved water quality, wildlife habitat, quality views and vistas, positive economic return for school districts and less demand on municipal services, among others.

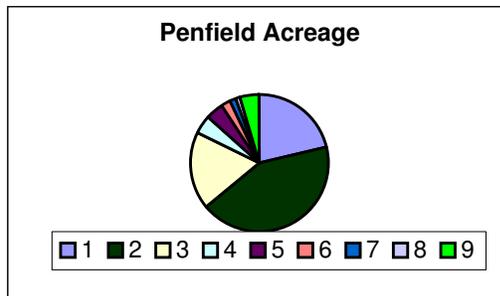
Why Do We Need Open Space?

The Town of Penfield is situated at the eastern gate of Monroe County and is truly a transitional community. The more densely developed western portions of the town are in stark contrast to the eastern agricultural and rural areas. Penfield is in a uniquely

desirable position of still possessing substantial amounts of open space. Results of the Comprehensive Plan Update indicate a strong desire to maintain significant open spaces to help maintain the character of the town.

| Category | Name | Parcels | Percent of Total | Acres | Percent of Total |
|--------------------|---|--------------|------------------|-----------------|------------------|
| 100 |  | | | | |
| 200 | Agricultural  | 113 | 0.9% | 4,997.0 | 21.5% |
| 300 | Residential  | 10,770 | 87.9% | 9,865.4 | 42.4% |
| 400 | Vacant Land  | 889 | 7.3% | 4,266.2 | 18.3% |
| 500 | Commercial  | 291 | 2.4% | 1,004.5 | 4.3% |
| 600 | Recreation/Entertainment  | 41 | 0.3% | 1,003.0 | 4.3% |
| 700 | Community Services  | 65 | 0.5% | 499.1 | 2.1% |
| 800 | Industrial  | 9 | 0.1% | 348.8 | 1.5% |
| 900 | Public Services  | 51 | 0.4% | 266.9 | 1.1% |
| | Wild, Forest, Conservation Lands & Public Parks | 21 | 0.2% | 1,016.0 | 4.4% |
| Grand Total | | 12250 | | 23,266.9 | |

Total acreage for Town of Penfield – 24,246.10 (Including Right of Ways)
 Total Sq. Miles for Town of Penfield – 37.87



Source: Monroe County G.I.S., 1999 LAND USE CODES

Part Three highlights some of the economic reasons that confirm a strategy of preservation of open space helps provide a solid foundation for a community.

However, economics is not and should not be the sole driving force behind a solid open space plan. Community benefits of open space are many and varied.



◆ Open Space provides wildlife habitat areas that attract and maintain a healthy wildlife population without significant adverse encroachment into residential areas. Maintaining hedgerows and wildlife corridors allows for anticipated movement patterns to minimize conflicts with the human element.

- ◆ Open Space provides necessary active and passive recreational opportunities for a growing, healthy community.
- ◆ Open Space provides lands for continued investments in agricultural production.
- ◆ Open Space in reasonable proximity to residential neighborhoods helps provide stability in property values.
- ◆ Open Space provides for adequate storm water controls to help prevent flooding, recharge groundwater supplies and naturally filter storm water pollutant loads before discharging into our waterways.
- ◆ Open Space lessens the potential demand on public services. There are fewer roads to maintain, open space does not send children to school, nor does it require public water or sewer service. Police, ambulance and fire department demands are also lessened.
- ◆ Open Space provides tranquility...a functional transition from an active, developing community to a natural, undeveloped environment.

CONCLUSION: Open Space is a precious commodity in need of proper stewardship from the community. It is a resource too valuable to be lost forever.

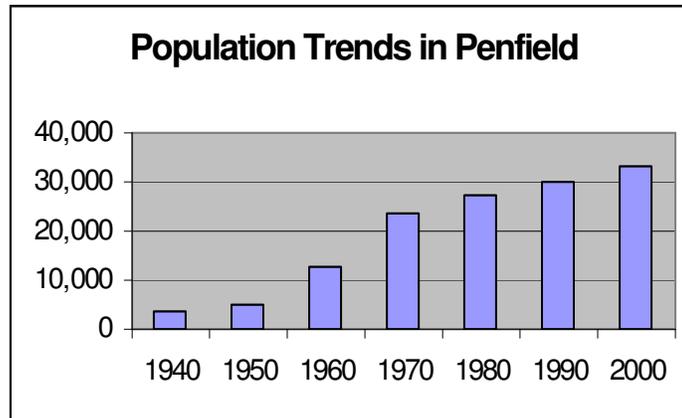
Historical Perspective

Daniel Penfield had the township surveyed into large farm lots and built a sawmill (1800), a grist mill (1803), and a flouring mill (1814) on Irondequoit Creek to encourage settlement. He was literally the first developer in town.

By 1810, a self-sufficient town was thriving here. Land was being cleared and crops planted. Mills along the creek were turning the harvest of the land into usable commodities. In that year Penfield was set off from the larger town of Boyle (originally

Northfield), as a separate entity by the New York State Legislature. It was the first of the seven townships on the northeast side of the Genesee River to be so recognized.

Population in the town grew rapidly and reached 1,874 in 1814. It is interesting to note that the site of the future city of Rochester had only a few inhabitants in 1812. The rate of growth in Penfield slowed after several decades as larger milling interests were developed along the Genesee River, but by 1835, the census stood at 4,905. However, when the Town of Webster was set off in 1840, Penfield's population was reduced to around 3,000. It remained at this level for almost a century.



(Federal Census Figures, 2000 Est.)

In the 1950's and 1960's, a sanitary sewer district was established in the Four Corners area, followed by a second district to serve the four mobile home parks on Linden Avenue, and a third district in Penfield's Eastway Plaza area. Three water tanks were erected in the town, lines were laid through most of Penfield, and water was supplied by the Monroe County Water Authority. Suburban growth patterns exploded.

In 2001, with an estimated population of over 34,000, Penfield faces the challenges of a burgeoning demand for more development, both residential and commercial. Most growth has taken place on the west side of the town toward Rochester. The eastern half remains largely agricultural, encouraged to remain that way through the formation of agricultural districts, open space easements and large lot zoning. The protection of fertile, productive farmland in the beautiful rolling countryside must be a prime focus for Penfield.

In spite of significant growth during the past fifty years, the atmosphere of an earlier era still prevails in Penfield. Unique to the town are the churches and homes built by early residents, including the two "Mud" houses; the water course of Irondequoit Creek that supported an early, flourishing milling industry; the Daisy Flour Mill that still stands downstream from the Falls area of the creek; the changing but historically important Four Corners; the relatively unchanged hamlets of Lovett's Corners and Roseland; and the Dayton Corners 19th century working schoolhouse.

Penfield contains several parks owned by both Monroe County and the Town of Penfield. These dedicated open spaces are intended to meet the recreational needs of the residents of Penfield and eastern Monroe County. In 1981, Penfield also implemented Environmental Protection Overlay Districts for woodlands, wetlands, watercourses, steep slopes and floodplains. Preservation of these natural areas has been encouraged and regulated for two decades.

As the population grows, the demand for improved quality of life issues also increases. Residents want to maintain the community character that drew them to Penfield in the first place. This is directly related to the open, rural character that is dwindling.

How the Plan was Created

In the Fall of 1998, the Penfield Conservation Board recognized the need to update the Penfield Open Space Index, one of its charges under State legislation. A sub-committee of the Board and some dedicated citizens developed an update, entitled *Open Space Inventory Report, Sept. 1999*. This report was a “snapshot” of the existing open lands of Penfield as they existed in 1999. Once the inventory was completed, the Town Board recognized the need to prepare an action plan for appropriate measures to ensure that future generations of Penfield residents would be able to enjoy open spaces.

On October 6, 1999, Town Board Resolution No. 279 established the Town of Penfield Open Space Plan Committee. With representation from the Town Board, Planning Board, Zoning Board of Appeals, Conservation Board, Parks & Recreation Board, Town Staff and citizens-at-large, the Open Space Committee conducted its first official meeting on October 25, 1999.

The process began as a learning experience, with committee members being introduced to the findings of the Conservation Board *Open Space Inventory Report* and to the results of an Open Space Planning exercise prepared by students of SUNY Syracuse School of Environmental Science and Forestry. The committee was introduced to the powerful computer tool of the town’s Geographic Information System (GIS).

The committee began a detailed look at establishing a value-based system upon which to prioritize lands, including portions of parcels, individual parcels, and groups of parcels. A series of features attributable to land use and open space was identified, defined and values assigned. Through the use of the GIS, the committee began the task of analyzing the graphic data.

It was soon determined that the Town’s Open Space Committee could not solely rely on the computer analysis to establish priority listings of lands that are important for preservation. However, the computer allowed the committee to establish a smaller list of parcels for consideration, based upon a screening process. First, the committee eliminated those parcels that were already in some form of “permanent” open space, such as parks, schools, public lands and golf courses.

Next, the Committee selected parcels of 20 acres or more, a size determined manageable by the committee. Some exceptions were made on smaller parcels due to unique characteristics. Then developed parcels were eliminated.

Now the committee needed an additional way to analyze the eligible parcels. The GIS was again used to assign values to certain features, as determined by the committee to be important attributes to consider. These attributes were then assigned a weighting based on the Committee's perception of importance for open space preservation. This process of evaluating eligible parcels against each of the attributes was rigorous, but it gained the support of the committee as a reliable tool to help in the analysis of lands.

The attributes that were used in the analysis included (in order of importance):

Vulnerability to Development:

- Infrastructure availability (sanitary sewers)
- R-1-20 zoning
- Potential for near term sale or owned by a developer
- Adverse impact expected within 2/5/10 years

Significant Geological Features:

- Eskers, drumlins, moraine
- Coastal erosion hazard areas
- Cliffs (man-made or natural)
- Rock outcropping (as known).

Significant Wildlife Habitat:

- Endangered species habitat
- Migratory bird habitat
- Prime example of native natural communities
- Animal corridors

Few Equivalent Sites in the Area:

- Undeveloped sites surrounded by development
- An *oasis* within busy developed area

Woodlots:

- Twenty (20) or more trees ten (10) inches or more in diameter per acre
- Woodland plants and flowers including rare or endangered botanical species



Contiguous Parcels: Located within 1,000 feet of currently preserved open space including state and federal wetlands, school-owned land, town-owned land, county-owned land, golf courses, cemeteries, land owned by the Monroe County Water Authority and/or Rochester Gas & Electric, the YMCA, and land owned by the Genesee Land Trust and/or the Nature Conservancy.

Aesthetic Beauty: Elevation above 450 feet with panoramic view
Varied picturesque landscape (woods, hills water)
Pleasing blend of natural and man-made features
View of significant geological features
Potentially accessible to the public by viewpoint

Agricultural Value: Within an agricultural district
Agricultural exemption
Active farmland (classified by Real Property Services)
Urgent or difficult intergenerational land transfer



Reclamation: Private, commercial or public land that has potential for returning to open space from its current use (eg. Quarries, landfill, gun clubs, golf courses)

Floodplains: Within FEMA designated 100 year floodplain
Includes floodways

Recreation Potential: Reference sites recommended by the Parks & Recreation Board (top 6 criteria – potential for multiuse, safety concern, proximity to area of greatest need, suitability for athletic fields, suitability for trails, ease of access)

Watercourses: 50 feet from the centerline of year round active streams meeting DEC classification

Cultural/Historic: Designated landmarks
Historic preservation districts
Lands designated on the New York State
Archeological Site Locations map

Steep Slopes: Slopes greater than 15%
Soil subject to erosion

Wetlands: State and Federally designated wetlands

Trail Linkages: Trails Master Plan identified areas

Based on the screening of parcels and a consideration of the open space preservation attributes, the committee determined that there were over 30 parcels or groups of parcels that warranted further analysis. The Committee concurred that further analysis would require visitation of these sites. Walking these sites and talking with the owners would enable a fair evaluation of the importance for open space preservation.

An inventory of all semi-final sites was prepared and notices mailed to each property owner with a permission slip requesting the owner's permission to walk the lands being considered. The committee received permission from about 2/3 of the identified property owners. Site visits were scheduled with those granting permission. "Drive-by" visits were performed on those where no permission had been granted.

A Site Analysis worksheet was used for each parcel to determine a preservation value.

| Criterion | Weight | Sample Site | Weighted Sample Site | Site #1 | Weighted Site #1 | Site #2 | Weighted Site #2 | Site #3 | Weighted Site #3 |
|----------------------------------|--------|--------------------------|----------------------|----------------------|------------------|----------------------|------------------|----------------------|------------------|
| Vulnerability to Development | 10 | 3 | 30 | | | | | | |
| Significant Geological Features | 9 | 1 | 9 | | | | | | |
| Significant Wildlife Habitat | 9 | 2 | 18 | | | | | | |
| Few Equivalent Sites in the Area | 9 | 3 | 27 | | | | | | |
| Woodlots | 8 | 3 | 24 | | | | | | |
| Contiguous Parcels | 8 | 1 | 8 | | | | | | |
| Aesthetic Beauty | 7 | 2 | 14 | | | | | | |
| Agricultural Value | 7 | 3 | 21 | | | | | | |
| Reclamation | 6 | 1 | 6 | | | | | | |
| Floodplains | 6 | 1 | 6 | | | | | | |
| Recreation Potential | 6 | 3 | 18 | | | | | | |
| Watercourses | 6 | 1 | 6 | | | | | | |
| Cultural/Historic | 5 | 1 | 5 | | | | | | |
| Steep Slopes | 5 | 1 | 5 | | | | | | |
| Wetlands | 4 | 3 | 12 | | | | | | |
| Trail Linkages | 2 | 1 | 2 | | | | | | |
| | | Sample Site Total | 211 | Site #1 Total | | Site #2 Total | | Site #3 Total | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

Step 1: Rate each of your identified properties against each criterion according to the following levels of importance:

- 3 *Great Importance for Preservation*
- 2 *Moderate Importance for Preservation*
- 1 *Low Importance for Preservation*

Step 2: Multiply that importance level by the weighing factor identified in the **Weight** column.

Step 3: Add all of the weighted values and compute the total for each property

See sample site above.

The higher the value, the more important a parcel is to community character and the more important an effective preservation strategy is.

The Committee, divided into three evaluation teams, analyzed their assigned parcels and groups of parcels, agreeing within each team on the ranking of their assignments. Then each evaluation team reported their findings to the entire committee for discussion and concurrence. Through a series of meetings, the final rankings were agreed upon by the entire committee. Those results are reported in Part Four.

It also became apparent that the efforts of the committee were being directed to the preservation of open spaces with a more generic focus on agriculture. Several of the ranked parcels are actively farmed, but it became evident that the process the committee was using was not intended to provide a town-wide agricultural preservation strategy. Therefore, a group of committee members met with representatives of Monroe County and Wayne County to discuss effective strategies for agricultural preservation.

The Committee determined that a more concentrated effort was needed to specifically focus on agriculture in Penfield. With on-going efforts of the Monroe County Agricultural and Farmland Protection Board and the Farmland Preservation Specialist, the committee suggested a strategy that the Town should pursue in further advancing agricultural preservation efforts. These are outlined in Part Six.

Part Two – Open Space Inventory Summary

It is recognized that as a community grows and develops, its open spaces become more precious. By providing an inventory of available open space, a community is better able to prepare for the future needs and desires of its residents. *The Open Space Inventory Report* is intended to serve as a continuing reference guide, requiring periodic updates.

One of the direct consequences of the Open Space Inventory is this Open Space Plan. Basically, now that we know what is out there, what does the Town of Penfield want to do with it?

The following brief summary of the sections of the Open Space Inventory Report are intended to give the reader a sense of the Town's open space available in 1999/2000. The actual Open Space Inventory is a separate document and incorporated by reference within this plan.

Existing Land Uses

In 1999, the pattern of existing land use tends to be somewhat complex. Generally, the western portion of the town is the most heavily developed. This is where the heaviest residential concentration occurs. Appropriately, this is where the sanitary sewers are also available. Lands east of NYS Route 250 are generally more sparsely developed and this is where the heaviest concentration of agricultural uses occurs.

This pattern of development has closely followed the previous Master Plans and Comprehensive Plans of the town. The commercial development has been primarily scaled to service the town's population and areas within a reasonable surrounding distance. There are presently five main commercial centers in Penfield. Starting in the northwest, the Empire Boulevard corridor is a heavy concentration of retail and service businesses. A smaller commercial area has developed at the intersection of Browncroft Boulevard/Creek Street/Blossom Road. The Panorama valley area has developed into another heavy concentration of retail and service businesses. The historic commercial center of the town is located at the intersection of Penfield Road and Five Mile Line Road. Often referred to as "The Four Corners," this area is a mix of historic structures, residential and commercial uses, divided by a four-lane main highway. An actively developing commercial area is located at the intersection of two main state highways; NYS Route 441 and NYS Route 250.

The town has very limited area where light industrial uses occur. These uses can be found in the southwest corner of the town, primarily along NYS Route 441. Based upon available infrastructure, it is unlikely that significant expansion to this land use category will occur.

Environmental Protection Overlay Districts

The Town of Penfield has made great strides in identifying and protecting a number of natural features that are important to this community. These features warrant special consideration by way of their value, natural uniqueness, sensitivity and functional value to the town and its residents.

As Penfield continues to grow, development pressures on these natural assets are becoming great. The town has mapped these areas, known as Environmental Protection Overlay Districts (EPODs) and has incorporated regulatory ordinances to guide development in the preservation of the integrity of these features. The legislation that has been implemented by the town to regulate certain activities in these EPODs can be found in Article III of Chapter 29, the Zoning Ordinance of the Town of Penfield. Currently the town has five (5) EPODs.

Steep Slopes

This classification encompasses those changes in topography of 15% or greater. These slopes are primarily located in the western portion of the town, along the Irondequoit Creek valley and in proximity to the Irondequoit Bay shoreline. These areas are usually heavily wooded and are underlain with very erosive soils. Maintenance of the fragile vegetative cover and thin layer of topsoil on these slopes is extremely critical in preservation of these natural features.

Woodlands

Penfield began as an agricultural community, and has grown over the years through residential, commercial and industrial development. Areas, which were not readily conducive to these types of activities historically, have been left in a natural state, encouraging the growth of mature trees. Typically, these woodlands occur in areas of wetlands and steep slopes, but also exist where farming activities have been abandoned or reduced. The town has mapped its woodlots of 5 acres or more and recognized these areas as being in danger of further reduction without additional protection. Benefits provided by wooded areas include wildlife habitat, groundwater recharge, aiding oxygen levels in developing areas, stabilization of soils and aesthetic value as a visual resource

Wetlands

Wetlands are areas where groundwater levels approach or cover the surface of the land. The amount of water coverage varies from standing water to seasonal flooding to spongy soils. Wetlands are generally identified by vegetation, but the presence of certain soil types and water regime can also be identifying factors.

Floodplains

Floodplains are low areas adjacent to streams, lakes and rivers that tend to flood during heavy periods of precipitation. These lands provide storage of floodwaters and the protection of these storage areas is critical to minimize impacts to the health, safety and welfare of the Town's population. Floodway and floodplain mapping for the Town of Penfield has been provided by the Federal Emergency Management Agency (FEMA) for all of the major watercourses and Irondequoit Bay. These maps provide geographical assistance in determining where the areas are most likely to flood under certain rainfall conditions.

Watercourses

Watercourses collect and convey surface water flows within a geographically defined drainage basin or watershed. These environmentally sensitive areas are closely related to floodplains and wetlands and are affected by many of the same conditions. The prime focus of the Watercourse EPOD is preservation of the water carrying abilities of the streams, creeks and ditches of the town

Soils

Penfield has a variety of soils and geologic features. Interesting glacial structures have played an important role in the development of local soil characteristics and land surface contours. Bedrock, in the form of Lockport Dolomite, Rochester Shale, Clinton Series, Medina Sandstone and Queenston Shale, is predominantly buried by glacial deposits in Penfield.

For the purpose of this inventory discussion, the overlying soils will be divided into six (6) general categories. These are groups of soils that have similar characteristics or patterns and are classified into a soil association or general soil area. The dominant soils in these groups will vary as to slope, stoniness and erosion but generally have the same internal characteristics. More specific soil information can be obtained from the *Soil Survey – Monroe County, New York* and ultimately from site-specific data collection where appropriate.

Unnamed Series – Appleton Association: Well to somewhat poorly drained glacial till soils on nearly level to moderately sloping terrain. This association incorporates approximately 40% of the land area in Penfield.

Ontario – Hilton Association: Well to moderately well drained glacial till soils on nearly level to moderately sloping terrain. This association incorporates approximately 25% of the land area in Penfield.

Unnamed Series – Sun Association: (Moderately deep to bedrock): Moderately deep to shallow, moderately well to poorly drained medium textured soils on nearly level to gently sloping terrain. This association incorporates approximately 7% of the land area in Penfield.

Rhinebeck – Hudson Association: Somewhat poorly to moderately well drained lacustrine clayey soils on nearly level to gently sloping terrain. This association incorporates approximately 7% of the land area in Penfield. Rhinebeck soils are the most dominant, with Hudson soils making up about 1/3 of this dominant group.

Arkport – Collamer – Associated Alluvial Soils: Nearly level to very steep, excessively to very poorly drained silty and sandy soils. This association incorporates approximately 11% of the land area in Penfield and soil unit comprised of Arkport, Dunkirk and Colonie soils is the dominant type.

Organic Soils and Poorly and Very Poorly Drained Associated Mineral Soils: Level to nearly level, very poorly drained organic soils and poorly and very poorly drained mineral soils with mucky surfaces. This association incorporates approximately 10% of the land area in Penfield. Poorly and very poorly drained soils comprise slightly less than half of this association. Organic soils comprise approximately 1/3 of this association.

Bedrock Geology

The bedrock classifications are explained starting from the Irondequoit Valley, running west to east through the town .The age of the material is identified in two categories, the Late Silurian Period and the Early Silurian Period, which are within the Paleozoic Era (408-438 million years ago).

The bedrock in Penfield has an oceanic origin and occurs primarily in parallel formations. The formations primarily run from east to west and some of the classifications overlap. Most of the bedrock deposits are overlaid with glacial deposits, as identified in the soils section. There are few bedrock outcroppings in the town.

Cultural Features

The Town of Penfield has a long and storied history. Part of the character of the town is made up of preserved pieces of the past. The Town of Penfield has established three (3) historic preservation districts. In addition, there are many landmark structures that have received local and/or national designation.

Public/Private Recreation and Parks

County Park Locations

The County of Monroe has jurisdiction over two of the parks located wholly or partly within the Town of Penfield.

Ellison Park contains 447 acres, of which approximately two-thirds are in Penfield and the remainder are in Brighton. Located along Irondequoit Creek at the western edge of the town, Ellison Park serves the larger metropolitan area as well as Penfield residents. Facilities are available and are maintained for both active and passive recreation.

Also located within the town is the Irondequoit Bay Park East. This primarily undeveloped county park contains 182 acres along the eastern shore and slopes of Irondequoit Bay. The park contains a hiking trail.

Town Park Location

The largest park owned by the town is the Town Hall Park. This 93-acre park adjacent to the town hall (3100 Atlantic Avenue) is located at the geographic center of the town. Facilities are available and are maintained for both active and passive recreation.

Harris Whalen Park is a 44.9 acre park that serves as a site for townwide activities. Approximately 31 acres of the park are developed. Ten acres are woodland, leaving four acres available for future development.

Linear Park consists of 40 acres along Irondequoit Creek in the southwestern corner of the town located on Linear Park Drive. The site of Linear Park is adjacent to an area of historic value as many mills used the water of Irondequoit Creek for power.

Greenwood Park is a 20-acre park that is located on the northwest corner of Embury and Scribner Roads in the northwestern portion of the town. Facilities are available and are maintained for both active and passive recreation.

The Penfield Community Center and Library are situated on an 8-acre site on Baird Road behind and adjacent to the Penfield High School. The Community Center houses many opportunities for recreation, including a senior citizens' lounge and activity room, a local history room, a gymnasium with a stage, and a children's play area. The Community Center is also the home of the Penfield Public Library and a local office of the New York State Police. Several other town administration offices and the Penfield Town Court are also located in the building.

Dayton's Corner School is a renovated one room school house, built in 1857 on a 2 acre site, and was acquired by the town from the Webster Central School District to be used "in a manner consistent with the protection, preservation, and enhancement of the school house as an historic building representing the original function of the building as a 19th century school house."

Other

The Town of Penfield has a number of privately owned recreational opportunities that are available to the public. Among these facilities are golf courses, fitness facilities, and privately owned nature preserves.

- ❑ Big Oak Driving Range is located at the intersection of Panorama Trail South and Washington Street.
- ❑ The Penfield Country Club is a private club and is located on a 190 acre site near the center of Penfield at 1784 Jackson Road.
- ❑ Shadow Lake Golf and Racquet Club is located on 110 acres at 1850 Five Mile Line Road.
- ❑ Shadow Pines Golf Course is located on 220 acres at 600 Whalen Road.
- ❑ The Bay View YMCA is located on a 26 acre site adjacent to the Irondequoit Bay Park East at 1209 Bay Road in the northwest corner of the town.
- ❑ Camp Haccamo is a day camp on 11.6 acres that is operated by Rotary Clubs of Monroe County, located in the southwestern part of the town and is accessible from Panorama Creek Drive.
- ❑ The Genesee Conservation League is a private shooting club on 33 acres that is located at 1570 Penfield Road.
- ❑ The Outlet Rod and Gun Club is located just east of the Town Hall at 3201 Atlantic Avenue (NYS Route 286) on 31.5 acres.
- ❑ The Monroe County Water Authority owns a 130 acre parcel located at the northwest corner of the intersection of Penfield Road (NYS Route 441) and Watson-Hulbert Road near the town's eastern border.
- ❑ The Thousand Acre Swamp is a large regulated wetland area that is centrally located within the town and is accessible only from Jackson Road.

Agriculture

The Town of Penfield has a long history of being an active farming community. The predominant land use has slowly evolved from agriculture to residential. Penfield is experiencing non-farm growth on agricultural lands at a quickening pace. A certified agricultural district program was established in the late 1970's as part of the New York State Agriculture and Markets Law. While the number of farms and farm acreage has been decreasing, the size of the farms and average market value of agricultural market products have experienced slight increases. This appears to reflect trends in areas near higher population centers. Preservation of viable agricultural activities has been an on-going pursuit of the town for the last several decades, meeting with varied success.

An inventory of agricultural lands in Penfield is of prime importance for a number of reasons. Farms are businesses. When these farms thrive, the farmlands will remain in agricultural production. The local community receives the economic benefits of local food production, jobs, lower demands on services, and also retains the open space benefits that these farmlands provide. Knowing where these farmlands are and how they are being affected by local, regional and state land use decisions generates important information for the future of a community.

Agricultural District

The *Monroe County Agricultural and Farmland Protection Plan* (March, 1999) identifies the Northeast Agricultural District #3 as having a high economic viability. The establishment of a certified agricultural district permits a local assessor to provide assessment reductions to those lands, which qualify under the program. Qualifications require an active farm to be greater than 10 acres and produce an average of \$10,000 in gross sales for the last two years. This reduced assessment applies to land value based upon soil type. Stiff penalties are also encountered for conversion of this land to development.

Part Three – Cost of Community Services

One of the factors that a community should consider is the relationship of development to cost of community services. Several studies have been conducted throughout the country on this subject. The intent of these studies is to determine what the taxes paid by specific land use categories are versus the cost of services demanded by these uses. Service costs relate to roads, sewers, water, schools, administration, recreation, emergency services, etc.

A summary of these national studies is provided by the American Farmland Trust – Farmland Information Center and is incorporated for reference (Table 1). It is easy to determine from the study results that for every dollar paid in taxes by agricultural, commercial or industrial uses, less than one dollar is expended for services. Conversely, for every dollar paid in taxes by residential uses, more than one dollar is expended for services.

Additional references in the *Monroe County Agricultural & Farmland Protection Plan* identify two municipalities closer to Penfield have done similar studies.

Town of Pittsford

The Town of Pittsford study looked at tax impacts on residents from 1993-2005 under several development scenarios, based upon the assumption that 80% of the land area would be developed. The report was prepared by the Center for Governmental Research (CGR). It viewed alternative development patterns with mixes of residential and office uses in varying degrees. The conclusions drawn from the study indicate:

- Tax rates would rise through 2005, regardless of the mix of housing ranges, as a primary result of school taxes;
- A “break even” home (taxes paid = services demanded) would have to be priced at \$350,000;
- Homes costing less than \$350,000 would add to the aggregate cost rather than to the aggregate revenue of the town;
- A mix of 20% agriculture/vacant, 69% residential and 11% office uses would result in no net increase in taxes;
- When the office uses are increased to 15% of the developable land, residents would see a \$14 million decrease in taxes over 20 years.

Town of Ontario, Wayne County

A similar study **Case Study: The Rothfuss Farm** was done by the Town of Ontario (Town of Ontario Growth Ad Hoc Committee, 1995). The Committee looked at number of homes to be built, tax rates, costs of municipal services for new homes, cost of education of students, etc. The conclusions, although more generic than Pittsford, resulted in similar findings that:

- Increase in residential development increases taxes;
- Commercial/industrial development decreases taxes;
- Less expensive homes pay less in taxes without a significant decrease in the demand for services, as compared to the average priced home in the community.

Town of Penfield

In 2000, the Town of Penfield hired the Center for Governmental Research (CGR) to perform a study to project development scenarios versus service costs. The study is included as Appendix A to this report. The findings indicate that the “break even” home in Penfield needs to be in the low-\$200,000 range in order to off-set the cost of educating the assumed 1.4 children per home. New home prices over the last few years have been in that range. However, there may be other price range homes to be proposed in the future that could affect this outcome.

There are also other “costs” to additional development of residential properties. These include more traffic on the roads, higher demand for recreational facilities and emergency services. As noted in the CGR report, there are assumptions that indicate moderate increases in population over time can typically be supported by most services. However, the report appropriately points out that the cost assumptions stated cover only the cost to educate a student, and does not anticipate the future needs for more classrooms and schools.

One of the most specifically pointed costs that is not measured in dollars is the cost to the community character as vacant land is developed into new housing. It is very appropriate to consider the inherent value of nice, scenic views and vistas that exist in Penfield. Even if there is no public access to enter private, vacant lands, there is always pleasure in looking at open fields, woodlots and pastures. Once land is developed it has exacted a cost from the community that may be difficult to measure, but is no less real.

A case study was performed and incorporated into the report using the model developed by CGR on the recently purchased Rothfuss Farm. The Rothfuss Farm was a prime site for residential development. It has sewers available to it, plenty of road frontage, ½ acre zoning densities....all the features attractive to a developer. It also had one feature that was unique...a land owner with a sincere intent to keep it undeveloped.

In a voluntary negotiation with the Town of Penfield and the Nature Conservancy, the owners, Jim and Lois Rothfuss, settled for less money per acre than a developer had

previously offered, if the Town and the Nature Conservancy would keep it from being built up with houses. It is included in this report as it appears in the CGR report:

“The Town of Penfield recently purchased the Rothfuss Farm, an 89 acre parcel located on Five Mile Line Road. The Planning Department estimates that 142 dwellings could have been built on the parcel had it been developed. Homes adjacent to the parcel sell for prices ranging from below \$100,000 to \$150,000. This analysis assumes that new homes built on the parcel would sell for \$160,000.

“This price is below the ‘break even’ home value. We assume that there would have been no business development on the site to offset the expenditure burden of new residential dwellings. CGR estimates that the construction of 142 dwellings on this site would cost the community about \$170,000 annually, i.e. that the added revenue would fall short of added cost by this sum. Over a 10-year period, the discounted present value of the stream of savings would equal about \$1.4 million. As the parcel cost the town \$979,000, the Town’s “investment” in a reduction of home construction is worth about \$400,000. The timing of the benefits and costs is significant, of course. If the land development were delayed, the present value of the benefit would fall.”

TABLE 1

AMERICAN FARMLAND TRUST · FARMLAND INFORMATION CENTER

SUMMARY OF COST OF COMMUNITY SERVICES STUDIES, REVENUE-TO-EXPENDITURE RATIOS IN DOLLARS

| State/Town | Residential including farm houses | Combined Commercial & Industrial | Farm/Forest Open Land | Source |
|-------------------------|---|--|--------------------------|---|
| Connecticut | | | | |
| Bolton | 1 : 1.05 | 1 : 0.23 | 1 : 0.50 | Geisler, 1998 |
| Durham | 1 : 1.07 | 1 : 0.27 | 1 : 0.23 | Southern New England Forest Consortium, 1995 |
| Farmington | 1 : 1.33 | 1 : 0.32 | 1 : 0.31 | Southern New England Forest Consortium, 1995 |
| Hebron | 1 : 1.06 | 1 : 0.47 | 1 : 0.43 | American Farmland Trust, 1986 |
| Litchfield | 1 : 1.11 | 1 : 0.34 | 1 : 0.34 | Southern New England Forest Consortium, 1995 |
| Pomfret | 1 : 1.06 | 1 : 0.27 | 1 : 0.86 | Southern New England Forest Consortium, 1995 |
| Idaho | | | | |
| Canyon County | 1 : 1.08 | 1 : 0.79 | 1 : 0.54 | Hartmans and Meyer, 1997 |
| Cassia County | 1 : 1.19 | 1 : 0.87 | 1 : 0.41 | Hartmans and Meyer, 1997 |
| Kentucky | | | | |
| Lexington-Fayette Co | 1 : 1.64 | 1 : 0.22 | 1 : 0.93 | American Farmland Trust, 1999 |
| Maine | | | | |
| Bethel | 1 : 1.29 | 1 : 0.59 | 1 : 0.06 | Good, Antioch New England Graduate School, 1994 |
| Maryland | | | | |
| Carroll County | 1 : 1.15 | 1 : 0.48 | 1 : 0.45 | Carroll County Dept. of Management & Budget, 1994 |
| Cecil County | 1 : 1.12 | 1 : 0.28 | 1 : 0.37 | Cecil County Office of Economic Development, 1994 |
| Frederick County | 1 : 1.14 | 1 : 0.50 | 1 : 0.53 | American Farmland Trust, 1997 |
| Massachusetts | | | | |
| Agawam | 1 : 1.05 | 1 : 0.44 | 1 : 0.31 | American Farmland Trust, 1992 |
| Becket | 1 : 1.02 | 1 : 0.83 | 1 : 0.72 | Southern New England Forest Consortium, 1995 |
| Deerfield | 1 : 1.16 | 1 : 0.38 | 1 : 0.29 | American Farmland Trust, 1992 |
| Franklin | 1 : 1.02 | 1 : 0.58 | 1 : 0.40 | Southern New England Forest Consortium, 1995 |
| Gill | 1 : 1.15 | 1 : 0.43 | 1 : 0.38 | American Farmland Trust, 1992 |
| Leverett | 1 : 1.15 | 1 : 0.29 | 1 : 0.25 | Southern New England Forest Consortium, 1995 |
| Southborough | 1 : 1.03 | 1 : 0.26 | 1 : 0.45 | Adams and Hines, 1997 |
| Westford | 1 : 1.15 | 1 : 0.53 | 1 : 0.39 | Southern New England Forest Consortium, 1995 |
| Williamstown | 1 : 1.11 | 1 : 0.34 | 1 : 0.40 | Hazler et al., 1992 |
| Minnesota | | | | |
| Farmington | 1 : 1.02 | 1 : 0.79 | 1 : 0.77 | American Farmland Trust, 1994 |
| Lake Elmo | 1 : 1.07 | 1 : 0.20 | 1 : 0.27 | American Farmland Trust, 1994 |
| Independence | 1 : 1.03 | 1 : 0.19 | 1 : 0.47 | American Farmland Trust, 1994 |
| Montana | | | | |
| Gallatin County | 1 : 1.45 | 1 : 0.16 | 1 : 0.25 | Haggerty, 1996 |
| New Hampshire | | | | |
| Deerfield | 1 : 1.15 | 1 : 0.22 | 1 : 0.35 | Auger, 1994 |
| Dover | 1 : 1.15 | 1 : 0.63 | 1 : 0.94 | Kingsley et al., 1993 |
| Exeter | 1 : 1.07 | 1 : 0.40 | 1 : 0.82 | Niebling, 1997 |
| Fremont | 1 : 1.04 | 1 : 0.94 | 1 : 0.36 | Auger, 1994 |
| Stratham | 1 : 1.15 | 1 : 0.19 | 1 : 0.40 | Auger, 1994 |
| New Jersey | | | | |
| Freehold Township | 1 : 1.51 | 1 : 0.17 | 1 : 0.33 | American Farmland Trust, 1998 |
| Holmdel Township | 1 : 1.38 | 1 : 0.21 | 1 : 0.66 | American Farmland Trust, 1998 |
| Middletown Township | 1 : 1.14 | 1 : 0.34 | 1 : 0.36 | American Farmland Trust, 1998 |
| Upper Freehold Township | 1 : 1.18 | 1 : 0.20 | 1 : 0.35 | American Farmland Trust, 1998 |
| Wall Township | 1 : 1.28 | 1 : 0.30 | 1 : 0.54 | American Farmland Trust, 1998 |

SUMMARY OF COST OF COMMUNITY SERVICES STUDIES, REVENUE-TO-EXPENDITURE RATIOS IN DOLLARS

| State/Town | Residential including farm houses | Combined Commercial & Industrial | Farm/Forest Open Land | Source |
|-----------------------|---|--|--------------------------|--|
| New York | | | | |
| Amenia | 1 : 1.23 | 1 : 0.25 | 1 : 0.17 | Bucknall, 1989 |
| Beekman | 1 : 1.12 | 1 : 0.18 | 1 : 0.48 | American Farmland Trust, 1989 |
| Dix | 1 : 1.51 | 1 : 0.27 | 1 : 0.31 | Schuyler County League of Women Voters, 1993 |
| Farmington | 1 : 1.22 | 1 : 0.27 | 1 : 0.72 | Kinsman et al., 1991 |
| Fishkill | 1 : 1.23 | 1 : 0.31 | 1 : 0.74 | Bucknall, 1989 |
| Hector | 1 : 1.30 | 1 : 0.15 | 1 : 0.28 | Schuyler County League of Women Voters, 1993 |
| Kinderhook | 1 : 1.05 | 1 : 0.21 | 1 : 0.17 | Concerned Citizens of Kinderhook, 1996 |
| Montour | 1 : 1.50 | 1 : 0.28 | 1 : 0.29 | Schuyler County League of Women Voters, 1992 |
| Northeast | 1 : 1.36 | 1 : 0.29 | 1 : 0.21 | American Farmland Trust, 1989 |
| Reading | 1 : 1.88 | 1 : 0.26 | 1 : 0.32 | Schuyler County League of Women Voters, 1992 |
| Red Hook | 1 : 1.11 | 1 : 0.20 | 1 : 0.22 | Bucknall, 1989 |
| Ohio | | | | |
| Madison Village | 1 : 1.67 | 1 : 0.20 | 1 : 0.38 | AFT and Lake County Ohio SWCD, 1993 |
| Madison Township | 1 : 1.40 | 1 : 0.25 | 1 : 0.30 | AFT and Lake County Ohio SWCD, 1993 |
| Pennsylvania | | | | |
| Allegheny Township | 1 : 1.06 | 1 : 0.14 | 1 : 0.13 | Kelsey, 1997 |
| Bedminster Township | 1 : 1.12 | 1 : 0.05 | 1 : 0.04 | Kelsey, 1997 |
| Bethel Township | 1 : 1.08 | 1 : 0.17 | 1 : 0.06 | Kelsey, 1992 |
| Bingham Township | 1 : 1.56 | 1 : 0.16 | 1 : 0.15 | Kelsey, 1994 |
| Buckingham Township | 1 : 1.04 | 1 : 0.15 | 1 : 0.08 | Kelsey, 1996 |
| Carroll Township | 1 : 1.03 | 1 : 0.06 | 1 : 0.02 | Kelsey, 1992 |
| Maiden Creek Township | 1 : 1.28 | 1 : 0.11 | 1 : 0.06 | Kelsey, 1998 |
| Richmond Township | 1 : 1.24 | 1 : 0.09 | 1 : 0.04 | Kelsey, 1998 |
| Stewardson Township | 1 : 2.11 | 1 : 0.23 | 1 : 0.31 | Kelsey, 1994 |
| Straban Township | 1 : 1.10 | 1 : 0.16 | 1 : 0.06 | Kelsey, 1992 |
| Sweden Township | 1 : 1.38 | 1 : 0.07 | 1 : 0.08 | Kelsey, 1994 |
| Rhode Island | | | | |
| Hopkinton | 1 : 1.08 | 1 : 0.31 | 1 : 0.31 | Southern New England Forest Consortium, 1995 |
| Little Compton | 1 : 1.05 | 1 : 0.56 | 1 : 0.37 | Southern New England Forest Consortium, 1995 |
| West Greenwich | 1 : 1.46 | 1 : 0.40 | 1 : 0.46 | Southern New England Forest Consortium, 1995 |
| Utah | | | | |
| Cache County | 1 : 1.27 | 1 : 0.25 | 1 : 0.57 | Snyder and Ferguson, 1994 |
| Sevier County | 1 : 1.11 | 1 : 0.31 | 1 : 0.99 | Snyder and Ferguson, 1994 |
| Utah County | 1 : 1.23 | 1 : 0.26 | 1 : 0.82 | Snyder and Ferguson, 1994 |
| Virginia | | | | |
| Clarke County | 1 : 1.26 | 1 : 0.21 | 1 : 0.15 | Piedmont Environmental Council, 1994 |
| Northampton County | 1 : 1.13 | 1 : 0.97 | 1 : 0.23 | American Farmland Trust, 1999 |
| Washington | | | | |
| Skagit County | 1 : 1.25 | 1 : 0.30 | 1 : 0.51 | American Farmland Trust, 1999 |
| Wisconsin | | | | |
| Dunn | 1 : 1.06 | 1 : 0.29 | 1 : 0.18 | Town of Dunn, 1994 |

American Farmland Trust's Farmland Information Center acts as a clearinghouse for information about cost of community services studies. Inclusion in this table does not signify review or endorsement by American Farmland Trust.

Part Four – Open Space Recommendations

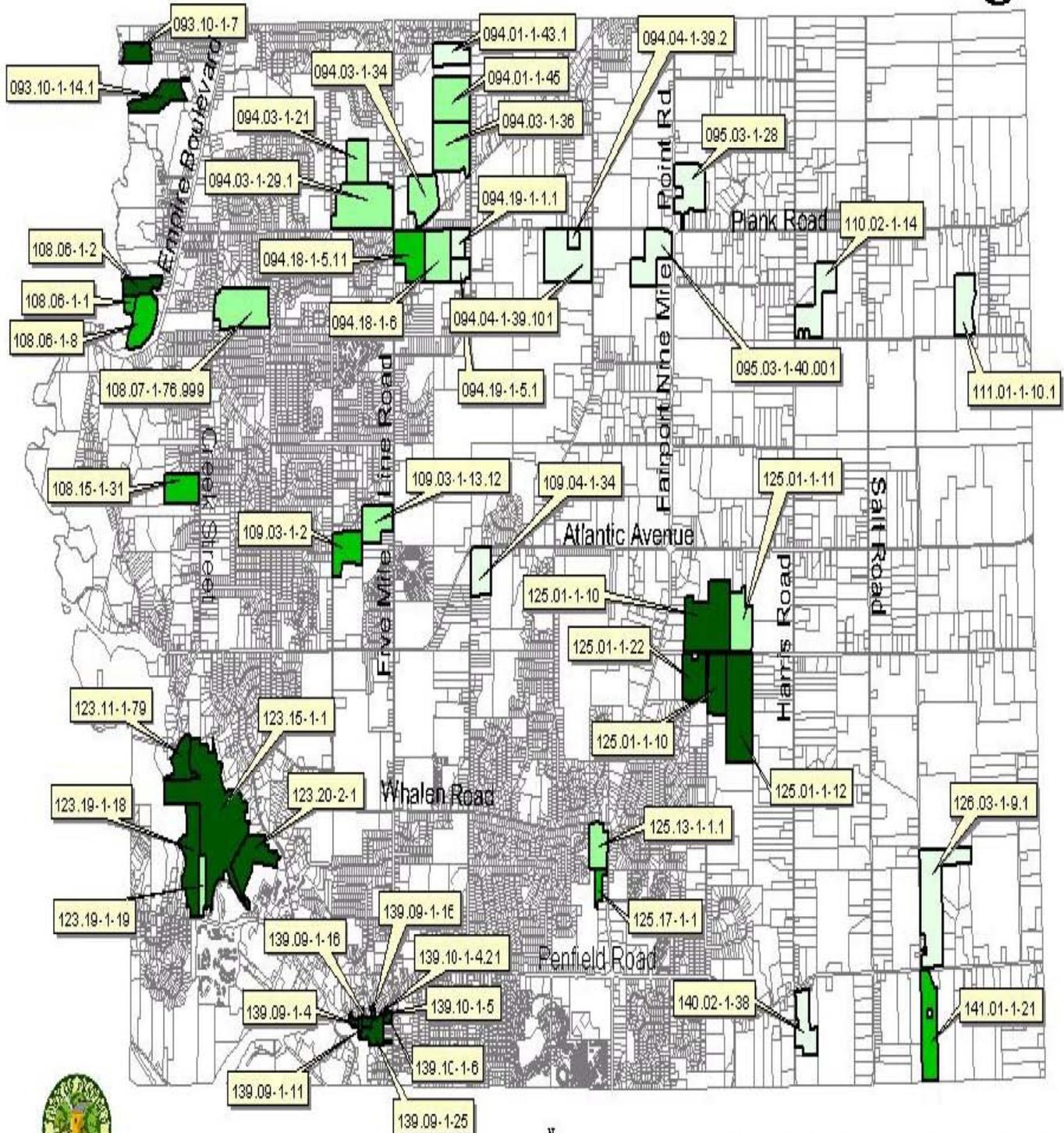
Prioritized Candidate Areas

As a result of the analysis described in Part One, the Open Space Committee developed the list of Candidate Areas for Open Space Preservation. The summary sheet is followed by a map of the locations and a description of each property or group.

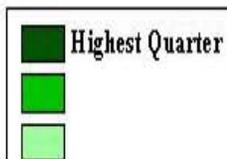
It is important to note that the parcels herein identified are listed for their importance to the Penfield as having desirable qualities. As noted previously, not all property owners gave permission to walk the lands. The reader should not assume that all property owners listed are in full agreement with the Plan and its recommendations. Indeed, the recommendations, in order to be implemented, need voluntary participation of the property owner(s) before any action can take place. Property owners are under no obligation as a result of being listed in this report.

While this list is the product of months of evaluation and effort by a dedicated committee, it is not intended to remain static. This listing should be updated periodically by the Town to determine the effectiveness of the plan and what future directions the Town needs to focus on. Changing conditions, such as development patterns or funding opportunities may warrant additional analysis of these recommendations.

Final Candidate Parcel Rankings



Town of Penfield
Open Space Plan



0 2000 4000 Feet

The Town of Penfield certifies that this GIS document is a digital reproduction of a map or data collected in-house by the Town of Penfield for the convenience of and use by the Public and Town Staff. The Town of Penfield does not make any representations, expressed or implied, as to the accuracy of such record(s). The Town of Penfield, its Agents and Employees, shall not be responsible or

| | | | | |
|---|------------|------------------------|----------------------------------|----------|
| 1 | 123.20-2-1 | 1580 Old Penfield Road | Genesee Conservation League Inc. | 279 pts. |
|---|------------|------------------------|----------------------------------|----------|

There are currently two shooting ranges on the property – a rifle range and a pistol range. There is also an archery range, which takes up the majority of the land and consists of woodlands, steep slopes and watercourses. Irondequoit Creek and Hipp Brook meander through and around the property. The owners may look into the option of conservation or open space easements in order to preserve the land as it is now. There are no current plans to alter the existing site.

| | | | | |
|---|-------------|--------------------------|-----------------|----------|
| 2 | 125.01-1-10 | 1350 Sweets Corners Road | Dana D. Willmes | 275 pts. |
| | 125.01-1-22 | 1315 Sweets Corners Road | Dana D. Willmes | |

The parcels on Sweets Corners Road are mostly planted as a grape vineyard. The terrain is rolling hills and is wooded at the north end and Commission Ditch runs along that side also. The highest points give wonderful views of the Rochester skyline and views of all of Penfield. This property is very visible from Route 250. Sewers are within feet of the southwest property line, and the owner has declined numerous offers from developers. The owner has no current intention to sell, and has no offspring and no relatives interested in continuing to farm the property.

| | | | | |
|---|-------------|--------------------------|------------------|----------|
| 3 | 125.01-1-12 | 1411 Sweets Corners Road | Calvin G. Braman | 272 pts. |
|---|-------------|--------------------------|------------------|----------|

The Braman property has been a Dairy farm and is contiguous to the Willmes property and shares the terrain of that parcel. Both parcels are aesthetically pleasing.

| | | | | |
|---|------------|-------------------------|--------------------|----------|
| 4 | 108.06-1-2 | 1527-C Empire Boulevard | Joseph J. DiMaggio | 265 pts. |
|---|------------|-------------------------|--------------------|----------|

This 13.5-acre property is located behind the DiVincenzo’s restaurant at 1527-C Empire Boulevard. The property extends westward away from Empire Boulevard and descends down to Irondequoit Bay on its west boundary. The property borders the Irondequoit Bay Park East along its 1,300 ft. northern boundary. Waters Edge Restaurant and Sudore properties are to the south.

Dr. Joseph DiMaggio of Florida owns this property and is zoned LLD as part of the LaSalle's Landing Development zoning.

This property is heavily wooded and contains steep slopes and wet marshy areas that extend inward from the Bay along its northwest corner. Several marked and well-used trails are located on this property. These trails connect with the trail system in Bay Park East and extend into the Sudore property to the south.

This property has high value for preservation because of its bay front location, wooded steep slopes, aesthetic beauty, wild life and its location contiguous with Bay Park East on the north border. The potential for including this property along

with the Sudore property to extend Bay Park East to the south to Empire Boulevard is very attractive.

This would enable further expansion of the existing trails and would support the long-range plan to complete a trail system around the bay.

The preservation of this property and its incorporation into Bay Park East could best be accomplished by its purchase by or donation to Monroe County.

| | | | | |
|---|------------|------------------|-----------------------|----------|
| 5 | 093.10-1-7 | 50 Leedale Drive | Vito & Marie Slapelis | 265 pts. |
|---|------------|------------------|-----------------------|----------|

This 12.8-acre property is located on the cul de sac at the end of Leedale Drive, which runs to the west off of Bay Road in northwest Penfield. The property extends from the end of Leedale down to the eastern boundary of several waterfront properties on Irondequoit Bay. There is a narrow 35 ft. panhandle that provides access to the bay at the south west corner of the property.

This property which is owned by Vito and Marie Stapelis of 11 Leedale Drive is zoned CR-2 (Conservation Residential). It is heavily wooded and contains steep sandy hills as it descends to the bay.

The property is currently for sale and has a development application pending at the time of this writing. Significant fill would appear to be required for any residential development because of the limited flat land fronting on the cul de sac.

This property has high value for open space preservation because of its bay front location, wooded steep slopes, aesthetic beauty and wildlife. The potential for eventually including this parcel along with other bay front properties (YMCA and Baywinde steep slope areas) to extend Irondequoit Bay Park East to the north is very attractive. This northward extension would enable further expansion of the network of trails within Bay Park East and supports the longer-range plan to complete a bay encircling trail system.

The preservation of this property and its eventual incorporation into the Irondequoit Bay Park East would require that it be purchased by or donated to Monroe County. Establishment of a conservation easement may also be feasible if park extension is not possible for other reasons or is delayed.

There is currently a development proposal on this land for two homes. Preservation of the natural wooded area of the site should be considered.

| | | | | |
|---|-------------|----------------------|----------------------------|----------|
| 6 | 123.11-1-79 | 479 Thomas Cove Road | Dolomite Products Co. Inc. | 264 pts. |
| | 123.15-1-1 | 1530 Penfield Road | Dolomite Products Co. Inc. | |
| | 123.19-1-18 | 1070 Penfield Road | Dolomite Products Co. Inc. | |

This group of properties is currently being used as a sand and gravel mining operation. It is located in close proximity to Ellison Park. There is a medium sized body of water being created by the mining and the site is adjacent to Irondequoit Creek. The site has natural and man-made steep slopes and appears to be within the Irondequoit Creek floodplain. This site would be a prime candidate for reclamation, once the mining operation ceases.

| | | | | |
|---|---------------|--------------------------|---------------------------------|----------|
| 7 | 139.09-1-11 | 1767 Penfield Road | Richard A. Calabrese | 262 pts. |
| | 139.09-1-16 | 1785 Penfield Road | Jonathan A. Ludwig | |
| | 139.09-1-25 | 2171 Five Mile Line Road | Natapow Realty/Management Corp. | |
| | 139.09-1-4 | 1751 Penfield Road | William A. & Dorothy G. Centner | |
| | 139.10-1-6 | 2149 Five Mile Line Road | David & Judith Watt | |
| | 139.10-1-4.21 | 9 Motts Lane | Ronald T. & Joyce Baroody | |
| | 139.10-1-5 | 11 Motts Lane | Ronald T. Baroody | |

This area of approximately 20 acres actually including seven contiguous properties located behind the currently developed area in the southwest quadrant of the four corners of Penfield. These properties extend from the developed land along Route 441 and Five Mile Line Road down to Irondequoit Creek and the Town of Penfield Linear Park land along the creek.

The largest of these properties (11.5 acres) owned by Natapow Realty contains the multiple residence Penfield Village Apartments that occupy less than 50% of this parcel. The remainder of the parcel is considered not developable due to very steep slopes as the land descends to Irondequoit Creek perhaps 150 feet in elevation down from the apartment area.

The other properties within this area are: The David Watt property at 2149 Five Mile Line Road with a residence on the south side and a wooded area sloping down to Honey Creek on the north; the Ron Baroody property (2 parcels) on the south side of Motts Lane which overlook the Honey Creek wooded slopes to the south; the Warner property on the north side of Motts Lane which are relatively flat with some woods, the Jonathan Ludwig property at 1785 Penfield Road which contains the Humphrey House Restaurant along Route 441 but then extends to the south and west behind several other properties and contains wooded area that slopes down to Honey Creek; the Calabrese property at 1767 Penfield Road which has only a narrow 25' frontage, but becomes wider as it extends behind the two properties to the west and extends to the south over Honey Creek and down steep wooded slopes to Linear Park along Irondequoit Creek; the Centner property at 1757 Penfield Road (the Lawless? House) extends behind the two properties to the east and runs south down steep wooded slopes to Linear Park.

These seven properties comprise an area that as a whole has high value for preservation because of its location along Irondequoit Creek and Linear Park steep wooded slopes, wildlife and aesthetic beauty. These attributes, which are in contrast to the business of the adjacent Four Corners area, make this an even more unique and valuable site for preservation.

The preservation plan for this area would probably involve several of the available preservation tools including incentive zoning, overlay district as well as land purchase by the Town. The goal would be to expand and improve Linear Park and improve its access in trails and perhaps roadway. This park expansion would be consistent with the Four Corners Revitalization Plan goals for this area.

This 26.6-acre property is located in northwest Penfield off of Bay Road. The property is located to the north of Irondequoit Bay Park East and has an up-land flat area containing the YMCA building, fields and other facilities, and a wooded steep slope area that descends down to the Bay.

The property is zoned for residential, and limited business. The YMCA is expanding outdoor facilities for its summer program and talks about future expansion of indoor facilities to accommodate its membership growth. The Y currently uses the boat launch area in the adjoining Bay Park East for launching canoes but is talking about developing a canoe launch on their bay frontage.

The western steep slope area of this property has high value for preservation because of its bay front location, its wooded steep slopes, aesthetic beauty and wild life. The YMCA has no plans to develop this other than the canoe launch area.

The preservation strategy for this property would be dependent on the potential for expansion of Bay Park East to the north to include this west part of Baywinde and perhaps Leedale property along with the steep slope area of the YMCA property.

In exchange for the steep slope area the YMCA could receive a portion of the flat upper area of Bay Park East to accommodate future expansion needs.

The potential for the County or the Town to further develop the remainder of the flat upper area of Bay Park East for both active and passive use by the residents of this area should also be considered.

Over 30 acres on Plank Road, abutting Rothfuss property. Zoned R-1-20 and BN-R. Sewers in 5 years. Significant wildlife habitat/corridor. Unique scenic wooded oasis with stream flowing through. Development to South and West. High aesthetic beauty with ½ -mile view. In Tufa Glen Watershed. Actively farmed. Highly vulnerable to development.

Approximately 25 acres zoned R-1-20 on Scribner Road. One-third mile to Greenwood Park; near Scribner Road School; abuts Town land (wetland) behind Pennicott subdivision. Over 2/3 of property is wooded with many mature hardwood trees. Supports significant wildlife and flora. Unique property. House is historically designated and the lands were probably used for Underground

Railroad. High aesthetic value. Currently under open space easement that was recently renewed.

| | | | | |
|----|-------------|-------------------|----------------------|----------|
| 11 | 108.15-1-31 | 1617 Creek Street | SDSJ Associates Inc. | 227 pts. |
|----|-------------|-------------------|----------------------|----------|

This property is a unique parcel in a residential area on Creek Street. The property is mostly open with woods at the west end that are on a steep slope. There is a large barn and a homestead on the property that lends a rural touch to this area. A cell tower was erected at the rear portion of the property in the mid-1990's.

| | | | | |
|----|-------------|--------------------|----------------------------|----------|
| 12 | 141.01-1-21 | 2701 Penfield Road | Henry R. & Sarah Couch Jr. | 227 pts. |
|----|-------------|--------------------|----------------------------|----------|

Approximately 40 acres zoned RA-2 off Penfield Road east of Rte.250. House on property is a national and state landmark. In Finger Lakes watershed and Northeastern Ag District. Property is a drumlin that supports a significant amount of wildlife and flora. The land measures at 694' elevation with terrific views in all directions. Currently under an open space easement that was recently renewed. Willing to discuss trails through property.

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|----|------------|-----------------------------------|------------------|---------|
| 13 | 125.17-1-1 | 2005 Fairport Nine Mile Point Rd. | Loren H. Filkens | 226pts. |
|----|------------|-----------------------------------|------------------|---------|

This 6.7-acre property is located at 2005 Nine Mile Point Road (Route 250). This property contains the north most residence along the west side of Route 250 between Route 441 and Whalen Road. The property is "L" shaped with the long leg of this "L" extending behind the 6 properties to the south along Route 250. The long leg of the "L" which is approximately 300 ft. wide over most of its length is contiguous with the northern wooded section of Harris Whalen Park.

The property is owned by Alice Filkins, daughter of the deceased Loren Filkins. The property is zoned R-1-20. It is heavily wooded, has some standing water in spring at the bottom of the sloping hillside. The lower east side trails in Harris Whalen Park woods runs very near the Filkins property boundary. The long leg of the "L" of this property is perceived to be part of the park and would have significant negative impact to the park if ever developed.

Although there are no plans for or discussions about development, the risk to the park if it were to ever happen probably justifies high priority for preservation of this contiguous wooded segment.

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|----|------------|-----------------------|-------------------|----------|
| 14 | 108.06-1-8 | 1440 Empire Boulevard | Joseph Sudore Jr. | 223 pts. |
|----|------------|-----------------------|-------------------|----------|

This 26.7 acre property is located at the south east corner of Irondequoit Bay. The property borders the Waters Edge property and the Bay on the west, the DiMaggio property on the north and Empire Boulevard along the south and east.

The property is zoned LLD for LaSalle's Landing Development restrictive zoning.

The property is currently listed for sale as it has been for quite some time. There are on-going discussions about development of residential apartments and townhouses on this site.

A significant portion of the land on this site has been altered by the removal of sand and also dumping of what appears to be primarily construction debris. The steep slope areas along the bay front sections of the property are not disturbed and still provide a pleasing panoramic view of the south end of the Bay.

The northern 1/3 of this property, which adjoins the DiMaggio property, is undisturbed with mature woods, steep slopes and wild life. The trail bordering the Bay that runs through Bay Park East and the DiMaggio properties also crosses this property.

The preservation value of this property probably lies primarily as a site for a southern trail head for this eastern bay side trail system. The excavated flat areas could be used for parking and (with work) an open park-like setting.

If developed in other ways, an effort should be made to at least set aside the northern 1/3 as open space for possible trail use.

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|----|------------|-----------------------|---------------|----------|
| 15 | 108.06-1-1 | 1384 Empire Boulevard | Empire Marina | 219 pts. |
|----|------------|-----------------------|---------------|----------|

This 13.5-acre property is located at the southeast corner of Irondequoit Bay. The Waters Edge Restaurant and Marina occupy the southern parcel of this property. There is a non-contiguous parcel to the north across a small inlet that is land locked by the Sudore property to the east and the DiMaggio property to the north. The restaurant and marina appear to fully utilize the southern parcel but the land locked northern parcel is undeveloped with very steep slopes and mature woods.

The preservation value of the land locked parcel is high because of the steep slopes, mature woods, bay front, wild life and aesthetic beauty. The trail bordering the bay on the east also appears to cut across the higher ground northeast corner of the parcel.

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|----|-------------|---------------------|----------------|----------|
| 16 | 094.01-1-45 | 1221 Shoecraft Road | Lillian Galvin | 216 pts. |
| | 094.03-1-36 | 1307 Shoecraft Road | Lillian Galvin | |

These parcels are located east of the Mayer Farm subdivision on the southwest corner of Shoecraft and State roads. The parcel is separated from the Reichardt parcel by a five-acre lot with a home on it.

This property is ideal for development as a park for flat field development and because of its location and easy accessibility.

The land is mostly flat farmland divided by a man-made ditch that runs diagonally from the middle of the southernmost property northwest to the Mayer farm parcel. The ditch/stream has trees and vegetation growing on both sides that function as a wildlife corridor. The most notable features are woodlots in the north end and southeast corner, approximately 1 acre of Christmas trees, a small wetland in the southeast corner and the flat terrain that is good for flat recreation fields. The owner of this property would not be particularly interested in selling development

rights, but would like to sell outright. This property should be reviewed with nearby farm parcels for protection as a whole.

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|----|----------------|--------------------------|--------------------------|----------|
| 17 | 109.03-1-13.12 | 1651 Five Mile Line Road | James L. & Lois Rothfuss | 214 pts. |
|----|----------------|--------------------------|--------------------------|----------|

This site is over 25 acres and is zoned R-1-20. It is currently farmed. It is located in the Ross Brook watershed and contains a significant wildlife habitat/corridor. It is located across from property recently sold to the Town and The Nature Conservancy. There are nice woodlands on the south side and is very attractive aesthetically. Nearby sewers mean that it is highly vulnerable to development.

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|----|------------|----------------|-----------------------|----------|
| 18 | 094.18-1-6 | 895 Plank Road | James Thomas Rothfuss | 208 pts. |
|----|------------|----------------|-----------------------|----------|

This property is over 30 acres and zoned R-1-20. It is within the Northeastern Ag District and is actively farmed. It lies within the Tufa Glen watershed. The site contains a year-around stream with vegetation; hardwoods, woodlot and a significant wildlife habitat/corridor. Sewers are approaching this site and will likely be available within 5 years. This site is highly vulnerable to development.

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|----|--------------|------------------|---------------------|----------|
| 19 | 125.13-1-1.1 | 1115 Whalen Road | I-chen & Yue-Na Sun | 205 pts. |
|----|--------------|------------------|---------------------|----------|

This 17.9-acre property is located on the southwest corner of the intersection of Rt. 250 and Whalen Road. This property runs from the east of the Maple Hill Farm Subdivision to Rt. 250 with the exception of the two residential sites on the south-side of Whalen near the Rt. 250 intersection, and from Whalen Road south along Rt. 250 to the Filkins property at 2005 Nine Mile Point Rd.

This property shares a common boundary in its south west corner with 7 Harris Whalen Park. There is a Water Authority easement that runs along the western border of the property from Whalen Rd. up to the Park where it continues through to the water tower.

This property is zoned for ½ acre residential. There has been discussion with the town regarding development on this parcel, which raises the priority regarding preservation.

If this property is to be developed steps should be taken to assure an easement for the planned Harris Whalen Park to Town Hall Park Trail and a buffer area on the south along the Harris Whalen Park border.

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|----|-------------|----------------|----------------------|----------|
| 20 | 094.03-1-34 | 900 State Road | John & Tina Domenica | 204 pts. |
|----|-------------|----------------|----------------------|----------|

This parcel is located on State road and shares the woodlot and wetland on the Mayer Farm parcel and the Galvin Parcel. It is flat and currently farmed. It would be a good candidate for protection if it were included in a package with Galvin, Merz, Plank Road Rothfuss, Laudadio, Galvin and Bauman properties in a farm protection grant.

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|----|---------------|----------------------------|-------------------|----------|
| 21 | 093.03-1-21 | 1343-B Five Mile Line Road | Barbara S. Bauman | 202 pts. |
| | 094.03-1-29.1 | 1343 Five Mile Line Road | Barbara S. Bauman | |

This site is approximately 60 acres in size and is zoned R-1-20, located on the NW corner of Plank Road and Five Mile Line Road. The west end has woods, wetlands, and supports significant wildlife. It lies within the Tufa Glen and

Shipbuilder's Creek watersheds. The property is actively farmed, including a Christmas Tree Farm and supporting a successful farm market. The land is surrounded by development. It can be viewed from ½ mile. The site appears to have excellent variety of soils for farming. This site has also received a high rating for recreation potential. Sewers are approaching this area and expected within five years. This site is highly vulnerable to development.

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|----|-------------|--------------------|------------------|----------|
| 22 | 123.19-1-19 | 1080 Penfield Road | Robert T. Gentle | 202 pts. |
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This property is only 10 acres in size, its proximity to existing neighborhoods and to the Dolomite holdings on Penfield Road warranted special consideration. It is one of few actively farmed parcels in western Penfield and has significant development potential. It is one of the key farmlands that help support the very popular Gentles Farm Market on Old Penfield Road.

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|----|-----------------|-------------------|----------------------|----------|
| 23 | 108.07-1-76.999 | 1447 Creek Street | Anna M. Brown Estate | 194 pts. |
|----|-----------------|-------------------|----------------------|----------|

This is a very unique parcel located on Creek Street. Currently farmed, it is a flat parcel perfect for flat field recreation. The property is surrounded by residential subdivisions. There is a small woodlot at the eastern edge of the property which provides a buffer from the residential homes.

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|----|-------------|--------------------------|-----------------------|----------|
| 24 | 125.01-1-11 | 1410 Sweets Corners Road | Donald J. Miglioratti | 192 pts. |
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This property on Sweets Corners road is contiguous to the Willmes property and across the street from the Braman farm. It is overgrown and very wet. The Commission Ditch runs through the property.

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|----|-------------|-----------------------------------|----------------|----------|
| 25 | 095.03-1-28 | 1330 Fairport Nine Mile Point Rd. | Mario Di Marco | 181 pts. |
|----|-------------|-----------------------------------|----------------|----------|

This 33.4-acre property is located on the northeast corner of Rt. 250 and Plank Rd. and is owned by Mario DiMarco of Scottsdale, Arizona. Four Mile Creek runs through this low wet area. Most of the property is wooded with heavy underbrush and falls within the 100-year flood plain. It is a significant wildlife habitat, which is perhaps similar to 1000-Acre Swamp on a smaller scale.

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|----|--------------|---------------------|-----------------------|----------|
| 26 | 094.19-1-1.1 | 1377 Shoecraft Road | Bernice Parent et. al | 178 pts. |
| | 094.19-1-5.1 | 1399 Shoecraft Road | Dale & Mary Merz | |

The property is approximately 11 acres on Shoecraft Road consisting of wetlands with scrub brush. It is zoned R-1-20. It lies within the Tufa Glen watershed. Minimum hardwoods are present on the property. It appears on the Parks and Recreation priority list. The owners are willing to discuss trail linkage. This site is vulnerable to development.

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|----|--------------|--------------------|------------------|----------|
| 27 | 126.03-1-9.1 | 2716 Penfield Road | James N. Hopkins | 178 pts. |
|----|--------------|--------------------|------------------|----------|

This property contains 72 acres zoned RA-2 along Penfield Road in Northeastern Ag District. It is also in the Finger Lakes and Commission Ditch watersheds. About 8 to 10 acres of the site are mature woodlots. Significant wildlife habitat exists on the property. Portions of the site are currently farmed. Sewers are not available. Owners are willing to discuss possibility of trails through the parcel.

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|----|-----------------|-------------------|--------------------------|----------|
| 28 | 094.04-1-39.101 | 1395 Jackson Road | Jerome Stumpf | 175 pts. |
| | 094.04-1-39.2 | 1095 Plank Road | Anthony & Anna Tarantino | |

This 61.5-acre property is located on the southwest corner of Jackson and Plank Roads. The main parcel (56.2 acres) is owned by the estate of Jerome Stumpf and a 5.4-acre parcel that was previously sold to Anthony Tarantina is assumed to be included in this property.

This property is zoned rural residential and currently has a purchase option with a west side developed through August 2000. Others have expressed interest if the option is not exercised.

This site was rated high by the P+R board for active recreation purposes. Preservation of this property could best be achieved by purchase or transfer of development rights if a purchasing farmer can be found.

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|----|---------------|---------------------|------------------|----------|
| 29 | 094.01-1-43.1 | 1205 Shoecraft Road | John W. Reichert | 169 pts. |
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The parcel is approximately 20 acres with the original home and 1 acre removed. The land was farmed until the 1950's. The middle ¼ of the parcel was an orchard that is overgrown to the point of being impenetrable. The western end abuts the Mayer farm and Rosewood subdivisions. This section of the parcel is desirable and easy to develop, and a good location for a trail. The Green Pine subdivision is on the west border as well as town land and a retention pond.

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|----|---------------|-------------------|-----------------|----------|
| 30 | 111.01-1-10.1 | 1800 Kennedy Road | Timothy Waldnig | 169 pts. |
|----|---------------|-------------------|-----------------|----------|

This property on Kennedy Road was purchased only a few years ago for the private enjoyment of the owner and his family. The parcel is mostly wooded with many beautiful mature trees. The owner has built trails and campsites throughout. He would be interested in granting trail easements through his property.

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|----|-------------|--------------------|----------------|----------|
| 31 | 140.02-1-38 | 2491 Penfield Road | James N. Derue | 167 pts. |
|----|-------------|--------------------|----------------|----------|

This 25.5-acre property is located on the southeast corner of Penfield Road and Huber Road in East Penfield.

This property is zoned for rural residential and does not have access to sewers. There are some steep slopes and wooded areas that run through the center of the property. The residence on the northwest corner of this property is a proposed landmark.

Preservation of portions could be achieved by granting an open space easement.

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|----|-------------|-------------------|------------------|----------|
| 32 | 110.02-1-14 | 1530 Kennedy Road | Norbert H. Meyer | 167 pts. |
|----|-------------|-------------------|------------------|----------|

The Meyer Farm on Kennedy Road is a beautiful property. It is not directly vulnerable to development and as a parcel located in an agricultural district should be looked at as a farm to be protected. The parcel is flat and has some woodlots. It is currently actively farmed.

33 095.03-1-40.001 1271 Plank Road Michael P. & Sue Curran 159 pts.

This 36.3-acre property is located on the southwest corner of Plank Rd. and Rt. 250. This property is zoned rural agricultural.

Approximately 50% of the property is being farmed and the other 50% contains woods and wetlands with Four Mile Creek running through the east section near Rt. 250.

Preservation of the agricultural segment could be through purchase or transfer of development rights. The wooded wetland could be preserved by grant of a conservation easement.

34 109.04-1-34 2961 Atlantic Avenue Daniel F. Scorza 159 pts.

The property is approximately 24 acres and is zoned R-1-20. It lies within the Hipp Brook watershed with sewers nearby. Significant wildlife habitat with a vegetated watercourse is present. A portion of property is actively farmed. It is adjacent to Penfield school-owned property on the south side of Atlantic Avenue.

Part Five – Implementation Tools

The Town of Penfield has many tools available to implement the recommendations contained in Part Four. The final Candidate Parcel list in Part Four lists the recommended techniques for each candidate parcel.

List of Available Techniques

Agricultural Zoning (AZ)

This zoning classification does not exist, but if created would designate a portion of Penfield where agriculture is permitted by right, and non-farm uses are either limited or prohibited. This could contain a limited amount of non-farm uses, such as a homestead + one additional lot per farm, or other uses at densities that preserve the rural character. It is likely that as the potential to develop is decreased through restrictive zoning, the value of the land would also decrease, as would the property taxes.

Conservation Easement (CE)

Conservation Easements are voluntary restrictions placed upon a piece of property by the landowner. These legally bind the current landowner and all future owners by allowing owners to exercise certain rights, such as timber cutting or farming activities and restricting other rights such as subdivision of lands or further development. These restricted rights are transferred to an organization such as a Land Trust or a government body by a legal document.

Historic District (HD)

The Town Board may establish Historic Preservation Overlay Districts, typically upon the recommendation of the Penfield Historic Preservation Board. The purpose of these districts is to provide a superimposed set of regulations over the primary zoning district for "...an additional level of review and regulation related specifically to the preservation of Penfield Landmarks, Landmark Sites, Preservation Districts or Preservation Structures."

Donation of Development Rights (DDR)

This is a voluntary program where a property owner places restrictions on lands that essentially abandon future development opportunities. With the reduced development potential, the value of the property is also reduced, thereby affecting assessed value and taxes. It may be possible to also achieve tax-related benefits if the development rights are donated to an organization such as a Land Trust or a governmental body.

Environmental Protection Overlay Districts (EPOD)

The Town of Penfield currently has five (5) EPODs, which cover sensitive environmental features. They are floodplains, steep slopes, woodlands, watercourses and wetlands. They are incorporated into the Penfield Zoning Ordinance and provide an additional level of review with any project that proposes disturbance in or near these features. There is a specific mapping series that identifies all the EPODs and the Ordinance contains minimum standards that must be met before permitted activities can occur within the district limits.

Farmland Grouping (FG)

The benefit of identifying groups of farms is to promote the common features, such as proximity to the main farm, similar soils, common ownership or rentership, etc. It is recognized that by designating farmland groupings, it is easier to identify preservation strategies and pursue grant opportunities.

Fee Simple Purchase (FSP)

Fee Simple Purchase identifies the actual transfer of property in its entirety to an organization such as a Land Trust or a government body. This typically involves an appraisal on the lands to be transferred and an exchange of funds to execute the transfer. This transfer can occur with or without restrictions or covenants.

Incentive Zoning (IZ)

Local Law No. 2 of 1995 empowers the Town Board to provide for a system of zoning incentives, or bonuses, as the Town Board deems necessary and appropriate. These incentives are intended to advance the town's specific physical, cultural and social policies in accordance with the Comprehensive Plan. Incentives, such as increased density or inclusion of uses not permitted within a certain district could be offered in exchange for community benefits, such as donation of lands, purchase of development rights or cash for land purchases. This process requires input from the Planning Board and at least one public hearing.

Land Donation (LD)

This category is provided for a voluntary donation of lands to an organization such as a Land Trust or government body. This typically involves a transfer of lands where the value of the property transferred exceeds the amount it was transferred for. This often is transferred at no cost to the organization or government body but can also be at a rate lower than the appraised value. Typically, land donations provide tax benefits for the donor.

Land Swap (LS)

This describes the option of an exchange of lands or rights with a private landowner and an organization such as a Land Trust or a government body. Typically, this exchange offers benefits to both parties and may or may not involve an exchange of funds or implementation of restrictions.

Open Space Easement (OSE)

Local Law No. 1 of 1992 empowers the Town Board to enter into a formal agreement with a property owner to acquire specific rights to the lands for a specified period of time. During the time that the land is encumbered by an Open Space Easement, the value of the vacant lands is reduced to reflect the restriction, thus resulting in a tax break. In exchange, the owner of the lands agrees to not subdivide or further develop the lands under easement. A minimum length of time is 5 years for such an easement.

Open Space Zoning District (OSZ)

Creation of OS zoning could provide a base-zoning district for parks, natural areas, recreational areas (public and private) and historic or cultural areas. Permitted uses with such a district could include:

- ◆ Parks and other active or passive recreational facilities
- ◆ Agricultural uses
- ◆ Regional stormwater management facilities
- ◆ Cemeteries
- ◆ Golf Courses
- ◆ Public or private camping facilities
- ◆ Large lot residential

Overlay District (creation or extension) (OD)

Overlay districts are intended to put an additional layer of regulations on a primary zoning district. They do not replace the underlying zoning requirements. The Town has several overlay districts, where specific additional standards are imposed, such as the Four Corners Overlay District and the TF Overlay District for lands in the vicinity of Penfield Road and NYS Rte. 250. A new overlay district could be imposed to provide an additional set of regulations or standards for development within the defined area. This requires a legislative change to the ordinance by the Town Board.

Purchase of Development Rights (PDR)

This process involves purchasing the difference between the market value of land for a potential (permitted) use and the market value of the land as it is currently used. PDR on farmland keeps the land available for farming in perpetuity. The dollar value of the development right is paid to the property owner, who gives up the right to develop the land, but retains all other rights to the land. This typically requires one or more appraisals and then negotiations with the property owner. PDRs must be recorded as a conservation easement against the property.

Right of First Refusal

This involves a voluntary agreement with a property owner who may be unwilling to participate in other techniques at this time. It would involve an agreement that at such time as the owner may wish to sell the identified property, the Town of Penfield has a right to offer to purchase it or match an existing offer for the land. The limitation for the Town may be that it is limited to spending no more than the appraised fair market value and therefore may not be able to compete with a developer who is willing to pay more.

Site Plan Approval (SP)

Article IX of the Penfield Zoning Ordinance empowers the Planning Board to approve, approve with conditions or deny site plans. The Board must consider many factors in its decision-making process. These include, but are not limited to:

- Traffic
- Drainage
- Lot layout
- Design features such as lighting and architecture
- Open Space and recreation
- Infrastructure
- Landscaping and buffering

Town Law §278 (278)

This law, which has been adopted by the Town of Penfield in Article VIII-8-4, enables the Penfield Planning Board to cluster subdivision lots by modifying the applicable provisions of the Zoning Ordinance. The stated purpose is for “...enabling and encouraging flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economic use of streets and utilities and to preserve the natural and scenic qualities of open lands.” The Planning Board must first decide on a conventional plan that complies with all zoning requirements to determine the density of lots. The Board may then “cluster” those lots on less land area to meet

the stated purpose, but cannot increase the density of the project over that conventional plan density.

Transfer of Development Rights (TDR)

TDR allows a community to designate sending and receiving zones within which landowners can buy and sell the rights to develop land. The sale is voluntary and occurs at whatever price the parties agree upon. The sale is recorded as a conservation easement on the sending property and may result in lower taxes. The receiving property must demonstrate the ability to develop the land at a higher density without environmental degradation. The Town maintains its tax base while protecting sensitive land and targeting development to land it wants to see developed. TDR may only operate within a town and it is recommended that sending and receiving units remain separate within each of the two major school districts in Penfield. It is acknowledged that TDR requires significant development pressure to operate effectively.

This process requires the municipality to identify “sending” and “receiving” areas. Sending areas are areas where the town has determined that certain properties exist that are important to retain in an undeveloped state. Receiving areas are those areas where the town has determined that the available infrastructure is capable of accommodating additional density. Lands in the sending area would be covered by conservation easements once the rights had been transferred. In Penfield’s case, lands should be consistent within separate school districts. For example, a sending area in the Penfield School District should utilize a receiving area in the same district.

Watershed Study Recommendations (WS)

The Town of Penfield has established a program of watershed studies for all watersheds within the town. Recommendations within these studies include target areas within watersheds or sub-basins for regional stormwater management. Coordination with the Open Space Plan can assist in achieving the goals of regional stormwater management in Penfield, as well as other benefits identified in the Plan.

Open Space Funding Sources

General Observations

After doing some preliminary research on some of the funding opportunities for open space preservation, it is clear that there are relatively few pots of government money to draw on, and the competition is very fierce. In addition, some of the funding sources are only secondarily focused on open space preservation. For example, there is funding to protect farmland or to purchase land to benefit the environment in some specific way, but preservation of open space for its own sake is not very fundable on its own. With that in mind, it is very important that we substantiate the quantitative and qualitative roles that Open Space plays in our community.

State Opportunities

- *Farm Protection Plan:* Applications due in August. The state provided up to 75% of the cost of purchasing development rights on working agricultural land. So far, Pittsford received about \$750,000 for its program. Macedon in Wayne County recently received about \$800,000 to protect 834 acres of farmland. Our chances at receiving this funding increase if we:
 1. Identify the community's finest farmland that is most likely to support successful farming into the future;
 2. Preserve blocks of farmland instead of one parcel;
 3. Attempt to save farmland near an environmentally significant resource, such as the 1,000 Acre Swamp Sanctuary;
 4. Over match the required 25 percent local funding, perhaps through bargain sale donations from farmers;
 5. Have the enthusiastic support of participating farmers;
- *Environmental Protection Fund/Bond Act:* Provides up to \$350,000/\$500,000 for environmental and recreational projects. Working with The Nature Conservancy, the Town received this during the last round of grants for the purchase of the Rothfuss Farm. It is extremely unlikely we will receive funding again for the next several years. This awarded amount was \$17 million statewide last year.
- *Recreational Trails Program:* State provided up to 80% of funding for comprehensive trail projects that connect points of interest. This pot of money is grounding the \$1.2 million Irondequoit Trail announced in 2000.

- *Member Items:* In 1999, the state legislature awarded \$170 million to fund local projects.

Federal Opportunities

- *Farmland Protection Program:* This is the same as the state program, but it only provides 50% of the cost of the development rights.
- *TES-21 Funding:* Approximately \$10 million will be pumped into Upstate New York for transportation enhancement programs within the next couple of years; in part this is for the purchase of scenic easements or historic sites on certain roads. This will probably be available in 2002, at the latest.

Foundation & Other

- *Foundations:* There are about 20 foundations in our region that we could appeal to for smaller sources of funding (a few thousand at a time). In addition, with more research, there are hundreds of larger foundations on the national level that may have an interest in helping us out. The key to this funding is that we must partner with a 501 (c)3 organization or establish one of our own to be eligible for this kind of money.
- *Public Fundraising Campaign:* It is clear that this is a popular issue with Penfield residents. With a comprehensive and energetic campaign, we could probably raise a significant amount of money through community donations.
- *Public Referendum:* Place a specific amount for purchase of development rights and/or fee simple purchase of identified lands on the ballot to determine if taxpayers are willing to support a tax increase if it is for preservation of open space. This would require a specific, focused effort on educating the public on the benefits from this investment.

Part Six – Agriculture and Farmland Preservation

Past Master Plans and Comprehensive Plans have strongly recognized the importance of Penfield's Agricultural heritage and have recommended ways to continue to make farming a viable industry in our community. The Open Space Inventory also identifies the significant presence of agriculture in our town. Indeed, it is this presence that helps define our *Community Character*.

The Open Space Inventory and the work done with this Open Space Plan identifies where the active farms are in Penfield. The difficult part of the Plan is to identify how to keep them active and viable.

Monroe County also recognizes the benefits of an active, viable farming presence. This position is summarized in the Penfield Open Space Inventory, as an appendix.

The Northeastern Agricultural District #3 encompasses portions of the Towns of Penfield and Webster. The Town of Penfield currently has about 5,650 acres in the district (1999 update). District legislation requires specific consideration of agricultural uses when a local municipality considers modifications to land use changes. Municipalities cannot enact local laws or ordinances that unreasonably restrict farming practices or structures. Participating in the Agricultural District provides the landowners with exemptions, and therefore reduced taxes, if the properties meet certain requirements. These requirements are explained below.

This Open Space Plan has made recommendations in other sections for preservation of specific lands within Penfield. Several of those lands identified are currently being actively farmed. However, there are many more farms in Penfield that deserve attention.

IMPLEMENTATION TOOLS

The Town of Penfield has several tools available to it to proceed with a plan for agricultural preservation. These are summarized below:

A. Agricultural District and Agricultural Exemptions

Article 25-AAA of the NYS Agricultural Protection Act was enacted, in part, to promote local programs for preservation of agriculture and farmlands. These programs provide for an exemption, based upon soil types, for properties that are actively farmed. The properties must be greater than 10 acres and produce an average of \$10,000 in gross sales for the last 2 years. There are roll-back penalties if the lands are converted for development. There is an annual filing of renewal and an 8-year commitment. These programs should continue and the Town of Penfield should remain supportive of these exemptions.

B. Incentive Zoning

The Town Board is empowered by Local Law # 2 of 1995 “to grant incentives or bonuses to advance the Town’s specific physical, cultural and social policies in accordance with the Town of Penfield’s comprehensive plan and in coordination with other community planning mechanisms or land use techniques.” This Local Law was the subject of a Generic Environmental Impact Statement, which identified how Incentive Zoning could help achieve the goals of preserving the best farmlands in the rural eastern portion of Penfield:

“Incentive Zoning could have a positive impact on the preservation of agricultural lands if the amenity granted was the ability of more land to be continued to be farmed while allowing a bonus of smaller lot sizes that would still accommodate a residence, septic system, expansion area and reasonable yard area. This may be warranted especially in areas with prime soils for farming. Although not always owned by farmers, many of the prime lands are currently rented for agricultural purposes by farmers and preservation of these lands must be considered.”

Funds acquired through incentive zoning should be set aside for the implementation of this plan.

C. Open Space Easement and Agricultural Easement Program

Local Law No. 1 of 1992 enables the Town Board to grant reduced assessments for vacant acreage, based upon a review by the Town of Penfield and Monroe County Department of Planning & Development. Once considered appropriate for entry into this program, the property owner and the Town enter into a formal agreement to not subdivide or further develop the lands under easement, for a specified term of years (minimum 5 years), in exchange for a reduced assessed value. This generally results in lower property taxes. In most instances, farmers taking advantage of the Agricultural Exemption are better off financially than if they were to enter into the Open Space Easement/Agricultural Easement program. Therefore, the Town should consider modifying the amount of exemption under the Agricultural Easement portion of the local program to be more cost effective for farmers. This would also provide a longer term approach to the commitment and should carry much stiffer penalties for withdrawal from the program. The penalty funds accrued from this program should be used to purchase development rights.

D. Purchase of Development Rights (PDR)

The Purchase of Development Rights program in New York has its roots in Section 247 of the New York State General Municipal Law. It authorizes local governments to use public funds to acquire interests or rights to real property for the preservation of open spaces and agricultural land. This is a program that is gaining momentum across the country and is becoming more popular locally.

The purchase of development rights to a parcel or farm places a deed restriction, usually in the form of a Conservation Easement, on the property, protecting the land for agricultural purposes, usually in perpetuity. The value of the easement is generally the fair market value of the property minus the restricted value of the property, as determined by a qualified appraisal.

The American Farmland Trust has summarized the recognized benefits of a PDR program:

- ◆ PDR protects farmland permanently, while keeping it in private ownership.
- ◆ Participation in PDR programs is voluntary.
- ◆ PDR allows farmers to capitalize on undeveloped assets—their land.
- ◆ PDR can be implemented by state or local governments, or by private organizations.
- ◆ PDR provides farmers with a financially competitive alternative to development.
- ◆ PDR programs can protect ecological as well as agricultural resources.
- ◆ PDR removes the non-agricultural value of land, which helps keep it affordable to farmers.

IMPLEMENTATION STRATEGY

In order to establish a initial plan for farmland preservation, the Town was confronted with the dilemma of determining which farmlands should be pursued first. Discussions with Penfield farmers identified a significant amount of interest in pursuing a Purchase of Development Rights (PDR) effort.

In order to keep the number of acres and number of farms manageable, the Town identified a total of eight farms that are owned by farmers in Penfield who solely make their living from farming. Initial discussions regarding a PDR initiative determined that one of the farmers was not interested in participating, so the number of farms was reduced to seven. It is these seven farms that comprise the first phase of implementation of Penfield's Agricultural and Farmland Preservation program. These are identified in Table A-1 and shown on the accompanying map.

The farms comprise several different agricultural venues, including orchards, vineyards, dairy, field crops and farm markets. All have soils identified as "Prime and Unique" for farming, all have demonstrated that they can be successful in production. All can continue to be farmed, either by the existing farmer or by another farmer.

Indeed, continuation of the land as a working farm is of paramount importance. National statistics and local surveys support the fact that family farms are declining in our country. Passing down the farm to the next generation is not always an option. It is critical, therefore, to keep mindful of the factors that make up a successful farm, so that it is likely that the farm will continue. These factors include good soils, proximity to other farmlands, minimal conflicts with residential neighbors, participation in the Agricultural District program and agricultural exemptions. These factors do not guarantee success, but can contribute to maintaining farming as a viable business in Penfield.

The seven farms previously identified are the important core of Penfield agriculture. They are, by no means, the sole agriculture base of our community. There are several thousand acres of actively farmed land in Penfield, most of them rented by someone other than the landowner. These lands are

no less important than the seven core farms and actually support this core. However, to manage a plan for Purchase of Development Rights, this core group of farms has been determined to be the starting point.

The following process is recommended to implement Penfield's Agricultural Preservation strategy:

STEP 1 – Determine the level of interest in this program by the affected farm owners. This early communication is critical to the success of the program.

STEP 2 – Conduct an appraisal of each farm to determine the agricultural value of the land and the development value of the land. The difference in these two values equals the value of the Development Rights.

STEP 3 – Negotiate with each farmer to enter into an agreement to purchase the development rights of the farms. Bargain sales should be encouraged, where a farmer may sell the development rights for something less than the appraised value, taking a charitable donation credit for the difference. This means that the development rights are still secured, but at a lower price than appraised, and the farmer may find some tax benefits from this option.

STEP 4 – Secure the funding. The majority of funding will likely become a taxpayer supported effort, with the possibility of some grant funding. The use of Incentive Zoning could also produce funding opportunities. There needs to be a significant public relations campaign to inform the taxpayers of the benefits of such a Purchase of Development Rights program. Previous sections of this Open Space Plan identify the long term cost savings of preserving open space. Indeed, this must be considered a long-term investment. Medium to long-term bonding (up to 30 years) could be secured to finance such a program. This should be subject to a mandatory voter referendum.

STEP 5 – Execute the previously negotiated agreements. This will require the filing of Conservation Easements that legally restrict the future uses of the farms to only those uses that are agriculturally related. The farmers would be the "Grantors" of the development rights. The Town of Penfield or a land trust could be the "Grantees", holding them in perpetuity.

The execution of successfully negotiated Purchase of Development Rights easements is not the Town's only responsibility, if agriculture is to be preserved as a community asset. It is, however, the most important first step. Once the core properties are protected, surrounding farmlands that meet minimum established criteria (minimum acreage, good soils, close proximity to protected farms, etc.) should be pursued, as well.

The Town should show continued support of Monroe County's Agricultural and Farmland Protection Plan. Some areas that can be helpful in achieving preservation goals include:

- 1.) Continued Coordination with the Monroe County Agricultural Preservation Specialist.
- 2.) Encourage farmers who are not in the district to join.

- 3.) Mapping of Class I and Class II soils for preservation.
- 4.) Property Disclosure Notification – handled through subdivision and site plan review process.
- 5.) Tracking agricultural characteristics and trends.
- 6.) Focus preservation efforts on dwindling field crop land, vacant land and truck crop land.

The efforts identified above may not result in immediate perceived benefits, but this program to preserve agriculture in Penfield will be producing benefits for many future generations. It is indeed, a good long-term investment in our community.

| MAP # | SBL | ST# | STREET | OWNER | MAILING ADDRESS | CITY | ACRES | LAND* | TOTAL AV | EXEMPTION |
|-------|-----------------|--------|---------------------|------------------------|------------------------|-------------------|--------|-----------|-----------|-----------|
| 1 | 126.01-1-36.1 | 1866 | Gloria Drive | EAST PENVIEW FARMS | 1920 GLORIA DR | FAIRPORT NY 14450 | 133.20 | \$443,600 | \$539,000 | AG EXEMPT |
| 1 | 126.03-1-3 | 1920 | Gloria Drive | EAST PENVIEW FARMS | 1920 GLORIA DR | FAIRPORT NY 14450 | 77.11 | \$269,800 | \$467,400 | AG EXEMPT |
| 2 | 094.03-1-21 | 1343-B | Five Mile Line Road | BAUMAN BARBARA | 86 TALL TREE | PENFIELD NY 14526 | 23.90 | | \$121,000 | AG EXEMPT |
| 2 | 094.03-1-29.101 | 1343 | Five Mile Line Road | BAUMAN BARBARA | 86 TALL TREE | PENFIELD NY 14526 | 59.48 | \$337,600 | \$402,000 | AG EXEMPT |
| 3 | 126.01-1-48 | 1687 | Sweets Corners Road | ROTHFUSS FLOYD & TERRY | 1865 GLORIA DR | FAIRPORT NY 14450 | 62.00 | \$217,000 | \$220,000 | AG EXEMPT |
| 3 | 126.01-1-39 | 1871 | Gloria Drive | ROTHFUSS FLOYD | 1865 GLORIA DR | FAIRPORT NY 14450 | 69.70 | \$258,900 | \$300,000 | AG EXEMPT |
| 3 | 126.03-1-2.3 | 1920 | Salt Road | ROTHFUSS FLOYD | 1865 GLORIA DR | FAIRPORT NY 14450 | 41.15 | \$180,900 | \$202,400 | AG EXEMPT |
| 4 | 111.01-1-32.2 | 1530 | Salt Road | WILBERT JAMES | 1515 SALT RD | PENFIELD NY 14526 | 98.60 | \$345,100 | \$350,000 | AG EXEMPT |
| 4 | 110.02-1-23 | 1515 | Salt Road | WILBERT JAMES | 1515 SALT RD | PENFIELD NY 14526 | 67.00 | \$242,500 | \$411,000 | AG EXEMPT |
| 5 | 125.01-1-10 | 1350 | Sweets Corners Road | WILLMES DANA | 1320 SWEETS CORNERS RD | PENFIELD NY 14526 | 101.20 | \$377,200 | \$683,300 | AG EXEMPT |
| 5 | 125.01-1-22 | 1315 | Sweets Corners Road | WILLMES DANA | 1320 SWEETS CORNERS RD | PENFIELD NY 14526 | 25.70 | \$90,000 | \$91,000 | AG EXEMPT |
| 5 | 125.01-1-21 | 1689 | Dublin Road | WILLMES DANA | 1320 SWEETS CORNERS RD | PENFIELD NY 14526 | 8.60 | \$30,100 | \$37,400 | AG EXEMPT |
| 6 | 110.02-1-40 | 1511 | Harris Road | WOODWARD DAVID | 1530 HARRIS RD | PENFIELD NY 14526 | 40.60 | \$101,500 | \$103,000 | AG EXEMPT |
| 6 | 110.02-1-25 | 1530 | Harris Road | WOODWARD DAVID | 1530 HARRIS RD | PENFIELD NY 14526 | 93.60 | \$230,000 | \$368,000 | AG EXEMPT |
| 7 | 094.04-1-30.101 | 1068 | Plank Road | SCHUTT CHARLES | 1058 PLANK RD | WEBSTER NY 14580 | 49.85 | \$249,300 | \$253,000 | AG EXEMPT |

TOTALS 951.69 \$3,373,500 \$4,548,500

*Land Value as of 10/11/00



Town of Penfield
May 25, 2001

Agricultural Preservation Groupings



1000 0 1000 2000 Feet

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