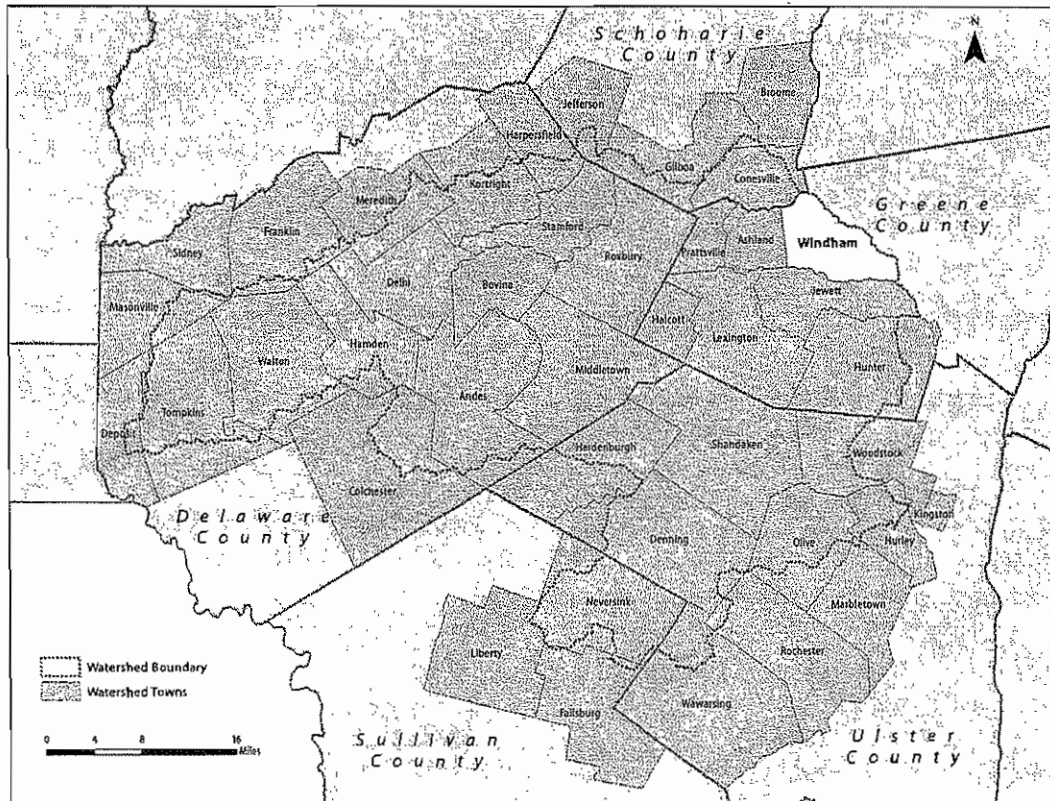


## TOWN OF WINDHAM

### EXISTING CONDITIONS

The Town of Windham is one of Greene County's "mountaintop towns." Windham's resident population in 2008 was estimated to be 1,755 – an increase of 5.7 percent since 2000. Windham is primarily rural in character, with a majority of its full-time residents concentrated in and around the hamlets of Windham, Hensonville and Maplecrest.

Figure 4-37: Map of Town of Windham in relation to west-of-Hudson watershed



#### Town of Windham – Quick Facts

Land area:	29,009 acres
Percent of town land area within the watershed:	100%
Percent of land protected	31%
Population (estimated), 2008:	1,755
Median age (estimated), 2008	46
Median household income (estimated), 2008	\$44,952

Windham has in recent years experienced more rapid growth and subdivision activity than most other towns in the West-of-Hudson watershed. Ski Windham, a large downhill ski resort adjacent to the hamlet of Windham that together with nearby Hunter Mountain attracts 600,000 visitors each year, has been among the leading drivers of this growth.

In addition to its full-time population, the Town has a relatively large seasonal or part-time population; in 2000, according to the Census Bureau, 56 percent of Windham's 2,002 housing units were for seasonal or recreational use – the highest percentage among all west-of-Hudson watershed towns. Second-home owners are drawn to the Town in part by Ski Windham and other outdoor recreational opportunities.

Most of the development in Windham since 1990 (as shown by the parcels outlined in black in Figure 4-38) has occurred on fairly small parcels in the southern, central and western parts of the town. Based on building permit data, it is estimated that between 2000 and 2008, 416 new housing units were built in Windham. The pace of development in Windham (as measured by either population or growth in the number of housing units) was significantly faster between 2000 and 2008 than it had been in the preceding decade. Land prices in Windham are among the highest in the West-of-Hudson watershed region – and as elsewhere in the region, prices rose sharply during the 2000-2008 real estate boom. The Town's popularity as a second-home destination appears to be a major contributor to high land costs. A Generic EIS prepared for the Town in 2009 noted that "slope-side development" at Windham Mountain "has greatly skewed local real estate prices."<sup>24</sup>

As Table 4-37 and Figure 4-38 shows, commercial and industrial uses make up only about 2.5 percent of the town area. Commercial activity is primarily clustered in and around the hamlets of Windham and Hensonville and along Route 296. The heart of Windham's economy – along with that of most of Greene County's other mountaintop towns – is the tourism industry, which brings skiers to Ski Windham in the winter and hikers, mountain bikers, anglers and hunters to the Town during the rest of the year. Agriculture has a limited role in Windham, accounting for only 2.4 percent of the Town's land area.

**Table 4-37: Land uses by type**

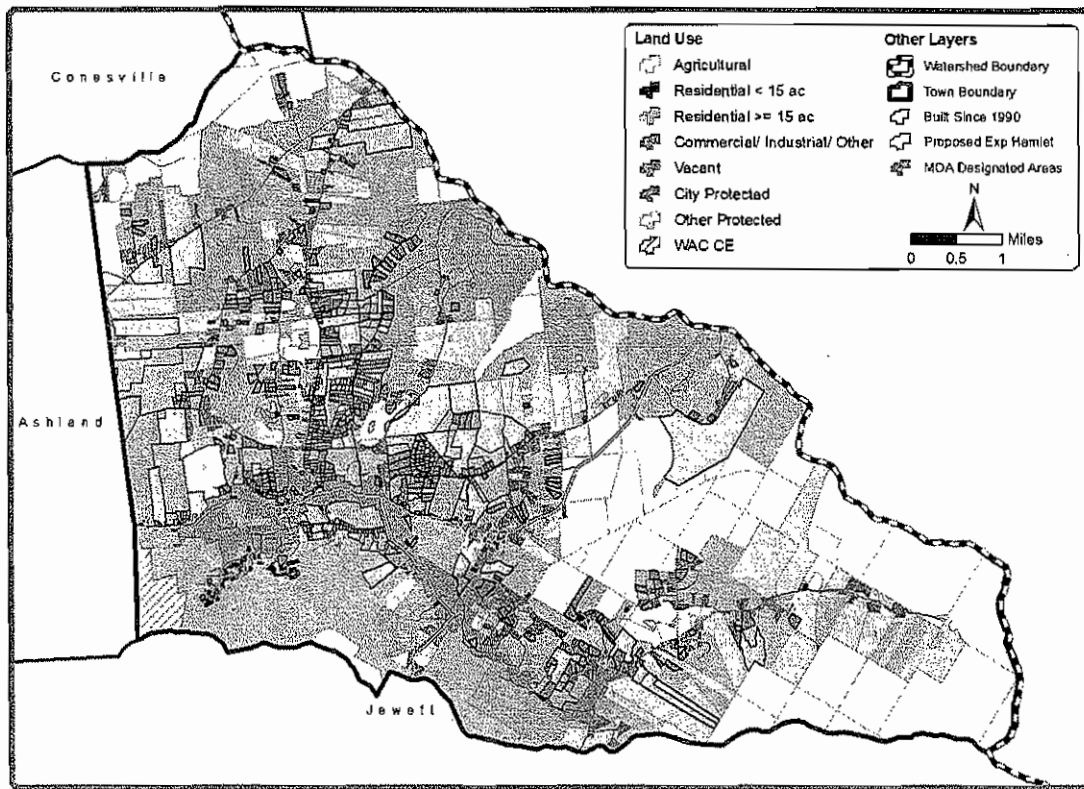
<b>Land Use</b>	<b>Acres</b>	<b>% of Total</b>
Agricultural <sup>25</sup>	599	2%
High-Density Residential	3,282	11%
Low-Density Residential	5,477	19%
Commercial/Other	1,319	5%
State/Other Protected	6,229	21%
City Protected	2,725	9%
Vacant	8,316	29%
<b>Total Town Acres</b>	<b>29,009</b>	

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<sup>24</sup> Town of Windham Draft Generic Environmental Impact Statement on the Development Capacity of the Town of Windham (May 2009), p. 9.

<sup>25</sup> The agricultural category includes WAC conservation easements.

Figure 4-38: Map of Windham, showing land use, protected land and proposed hamlet expansion areas



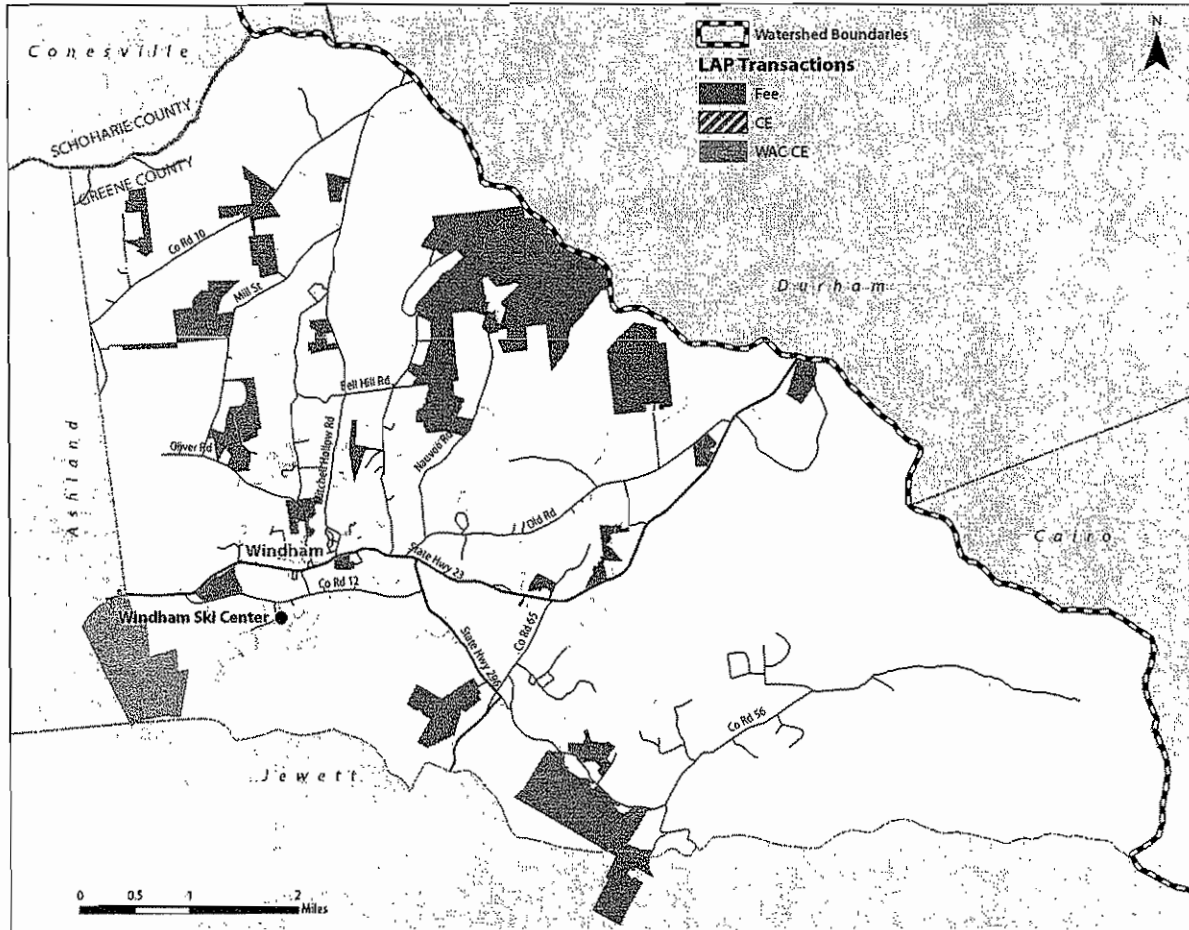
**Previous LAP Activity**

Through July 2009, NYCDEP had acquired a total of 2,889 acres in Windham pursuant to the 1997 MOA – just under 10 percent of the Town’s total land area. As shown in Table 4-38 below, purchases of land in fee simple account for 92 percent of the total acreage acquired under LAP. Figure 4-39 shows the location of LAP properties in Windham, by type of acquisition.

Table 4-38: Acquisitions in the Town of Windham through July 2009

Type of acquisition	Acres
Fee simple	2,662
Conservation easements	0
WAC agricultural easements	226
<b>Total acquired</b>	<b>2,889</b>

Figure 4-39: Map of LAP properties in Windham, by type of acquisition



Through June 2009, WAC had acquired easements on 226 acres of agricultural land in Windham, covering about 36 percent of the Town's farmland. As of October 2009, NYCDEP had also acquired in fee simple approximately 29 acres of land previously used for agricultural production. In 2006, NYCDEP issued a permit to a farm operator for use of 27 acres for agricultural production. This property is used primarily for the production of hay and alfalfa.

As of October 2009, a total of 1,261 acres acquired by NYCDEP in fee simple in Windham had been opened by NYCDEP for recreational use – more than 47 percent of the land that NYCDEP has acquired in fee simple in the Town since the beginning of the Land Acquisition Program. Opening additional land for public recreational use adds to what is already one of the Town's greatest assets – resources for outdoor recreation.

As shown in Figure 4-39, most of the land acquired in Windham by the Land Acquisition Program through July 2009 is located in outlying areas of the Town, not immediately adjacent to the Town's main hamlet areas, and the ski center. Pursuant to the 1997 MOA, Windham had designated hamlet areas totaling 1,148 acres and the Town Board voted in 2006 to make these

hamlet areas off-limits for acquisition in fee simple by NYCDEP. Accordingly, NYCDEP has not acquired any land in fee simple Windham's 1997 hamlet areas since 2006.

### **FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION**

Between 2010 and 2022, as discussed in Chapter 3, the resident population of Greene County is expected to grow by about 3 percent – significantly slower than the rate of growth in Windham during the past decade. At the same time, the demand for second homes in the mountaintop towns may not return to the peak levels of the last twenty years – in the near term due to economic conditions, and later in the forecast period (as also discussed in Chapter 3) due to a decline in the number of greater New York area residents in the 45-to-64 age bracket – the prime second-home-buying years.

For purposes of constructing a “reasonable worst-case scenario,” future residential development has nevertheless been based on the rate of development during the past two decades. Assuming the pace of new development in Windham (as measured by new residential units) remains the same as it was between 1990 and 2008, we can estimate that the land required to support new development through 2022 would total approximately 888 acres – including 540 acres of land characterized as developable.<sup>26 27</sup>

Several new development projects are in various stages of planning in Windham, including the Windham Mountain Sporting Club, a multi-phase development that would include 169 residential units on 465 acres, and Stonewall Glen, a recently approved project including 48 townhouse units, a clubhouse and some commercial space. Both are located near Windham Mountain. As noted in Chapter 3, as of March 2010, NYCDEP either had approved or was in various stages of the review process for developments in Windham totaling more than 600 units.

Even with a slower economy and changing demographic trends, Windham could thus experience greater growth between 2010 and 2022 than the great majority of west-of-Hudson watershed towns.

The 2009 Generic EIS cited above sets out a vision for the town:

*The Town desires to create a sustainable community primarily through the creation of a diverse economy. The key to a sustainable community is a stable employment base that provides a livable wage....To realize these goals, the Town will expand its tourism industry to become a full four-season destination community. The present tourism based*

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<sup>26</sup> For Windham, the calculation of land needed for housing unit development was based on a relatively conservative assumption that future development would consume lots somewhat larger than has been typical of recent development. Based on ORPS data, DEP calculated a median lot size of 0.8 acres per unit for housing units built since 2000. Applying a more conservative 2.0 acres per unit to the housing units projection, we project 888 acres being needed to support residential development.

<sup>27</sup> For purposes of this analysis, developable land includes all privately-owned vacant land and low-density residential land (the total area of all residential parcels of 15 or more acres, reduced by 5 acres per parcel to allow for existing homes on these parcels), but excludes from these two categories land that has any one or more of the following characteristics: a 100-foot buffer on streams and waterbodies, a 300-foot buffer on reservoirs and reservoir stems, DEC-mapped wetlands with a 100-foot buffer, federal jurisdiction wetlands with no buffer, FEMA 100-year floodplains, slopes of greater than 15 percent or land with slow infiltrating soils (NRCS Hydrological Soil Group D). Land with any one or more of these characteristic is considered undevelopable.

*local economy is too reliant on the ski industry and related businesses serving Windham Mountain...More diverse recreation and tourism are envisioned.<sup>28</sup>*

In line with this vision, the Generic EIS identifies certain goals and values as being critical to the Town's future. These include:

- a. Maintaining and increasing diversity in recreation, education, and appreciation of cultural, historic and natural resources.*
- b. Increased and higher quality of employment opportunities.*
- c. Sustainable and increased entrepreneurial, commercial and industrial opportunities.*
- d. Diversified sources of consumer services and retail products, especially in areas totally or substantially lacking.*
- e. Enhanced housing stock, with a distributed balance of value enabling people with a variety of incomes to reside in the towns.*
- f. Vehicular and traffic patterns and controls that function smoothly and do not interfere with the enjoyment of the Town by residents and visitors.<sup>29</sup>*

#### **FUTURE CONDITIONS WITH THE PROPOSED ACTION**

Based on LAP's experience in Windham to date, NYCDEP estimates that through 2022, it could acquire 2,127 additional acres either in fee simple or through conservation easements. Based on the percentage of the Town's vacant and low-density residential land that is developable as of 2009, it is estimated that this total could include approximately 880 acres of developable land. NYCDEP further estimates that WAC could during the same period purchase easements on 80 acres of agricultural land.

As shown in the following table, it is estimated that after taking into account both LAP acquisitions and the land required to support new development, Windham would still be left with approximately 73 percent of the Town's current stock of developable vacant and low-density residential land.

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<sup>28</sup> Town of Windham, op cit, p. 2.

<sup>29</sup> Ibid. p. 14.

Table 4-39: Remaining developable land after LAP and housing development, 2010-2022

Developable vacant or low-density residential land in 2009		5,272 acres
<b>LAP Acquisitions, 2010-2022</b>		
Projected fee and CE acquisitions	2,127 acres	
Developable vacant or low-density residential land acquired		880 acres
<b>Residential Development, 2010-2022</b>		
Projected housing units built	444 units	
Land needed for housing	888 acres	
Developable portion of land needed for housing		540 acres
<b>Remaining Town Land after LAP and Residential Development</b>		
Developable vacant or low-density residential land after LAP and development in 2022		3,853 acres
Percent of 2009 developable vacant or low-density residential land remaining in 2022		73 percent

Given the pace of development in Windham, projected LAP acquisitions through 2022 might be expected to have some impact on the availability of land for development, and possibly on the price of developable land. Several factors, however, are likely to reduce significantly any potential impacts:

- The Town has proposed an expansion of Windham's designated hamlet areas by 2,794 acres, to a total of 3,942 acres, which NYCDEP has determined is reasonable. This expansion could help ensure that areas near the existing hamlets that are particularly suited to new development would not be acquired by NYCDEP.
- Our estimate of the supply of developable land remaining in Windham is probably conservative. It excludes, for example, some smaller parcels in and around the hamlets that are already available for residential development, and it excludes land that might be made available by subdivision of residential parcels of less than 15 acres. It also excludes agricultural land – in effect assuming that no land currently used for agricultural purposes will be developed between now and 2022.
- Moreover, our projection of land required for new development through 2022 assumes an average of 2.0 acres per unit – a higher average than recent experience would suggest.

The potential impact of future acquisitions on the character of Windham can also be assessed relative to the future the Town has envisioned for itself. While additional acquisitions under LAP will not directly contribute to achievement of the Town's goals regarding diversification, expanded economic opportunity and affordable housing, such acquisitions are generally compatible with the Town's goals. They would help the Town maintain its rural character, protect its natural beauty and preserve some of its remaining farmland. Moreover, by opening up additional land for recreational uses other than skiing, LAP could in the future contribute in a modest way to the process of diversifying Windham's tourist business.

Perhaps most notably, the proposed expansion of designated hamlet areas would help ensure that the further acquisitions do not conflict with the types of development the Town is seeking to

promote in and around the hamlets. The Extended Land Acquisition Program thus appears to be consistent with many of the Town's goals.

## **CONCLUSIONS**

The pace of development in Windham in recent years suggests that this is one of several towns where there may be some potential for conflict between projected acquisitions under the Extended LAP and projected future development. For the reasons noted above, however, the rate of new development in Windham between 2010 and 2022 may be slower than it has been during the past decade, and the amount of land required to support such development may likewise be less. Moreover, the proposed expansion of the Town's designated hamlet areas would help ensure that new acquisitions under the Extended LAP take place primarily in outlying areas, and that Extended LAP would not acquire land that can support new development in and around the existing hamlets.

Beyond the availability of land for new development, the Extended LAP is not expected to affect the overall level of economic activity in the Town – and would help preserve the high-quality natural environment on which much of its economy depends.

On the basis of the analyses described above and in Chapters 2 and 3, the Extended LAP would not be expected to result in any potentially significant adverse impacts on land use, socioeconomic conditions or community character in Windham.