



# Affordable Housing & Conservation Planning

## March 25, 2026 Webinar

Hosted by the Hudson Valley Alliance for Housing & Conservation

**CLUSTER DEVELOPMENT with CONSERVATION DESIGN:**  
Housing that fits our towns

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# Today's Agenda

- 12:00 Welcome  
*Chris Brown, Columbia County*
- 12:10 Legal overview  
*Rhea Mallett, Pace Land Use Law Center*
- 12:20 Lessons and examples  
*Ted Fink, Greenplan*  
*Keith Libolt, Affordable Housing Concepts*
- 12:45 Discussion
- 1:00 Adjourn

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# Logistics

- ★ Thank you for being here!
- ★ Put questions you'd like discussed into the Q&A box
- ★ The chat is open for casual comments and engagement
- ★ Raise your hand to join the queue for verbal Q&A and discussion

# Hudson Valley Alliance for Housing & Conservation



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# The Hudson Valley Alliance for Housing & Conservation: Organizing Principles

Healthy and vibrant communities need a range of housing options that can be affordable for people of all income levels, and protected land that supports clean water, food production, climate resilience, and outdoor recreation.



We have banded together to take a holistic approach to these complex and urgent problems, and to have a larger-scale impact.

***Our Vision:*** The Hudson Valley is a sustainable and inclusive home to an economically and racially diverse community. Our work helps the region develop a holistic, equitable and proactive approach to housing, climate change, and land conservation.

# The Hudson Valley Is Increasingly Unaffordable, Fragmented And Vulnerable



**Skyrocketing housing costs**



**Scattered development fragmenting landscape**



**Climate impacts**

## MONTHLY RENT GAP TRENDS (2 BR FMR)

	2020	2021	2022	2023	2024	2025	\$ Change 2024-2025	% Change 2024-2025	\$ Change 2020-2025	% Change 2020-2025
<b>Columbia</b>	\$410	\$438	\$326	\$391	\$509	\$632	\$123	24%	\$222	54%
<b>Dutchess</b>	\$688	\$750	\$505	\$632	\$878	\$893	\$15	2%	\$205	30%
<b>Greene</b>	\$518	\$578	\$465	\$496	\$439	\$532	\$93	21%	\$14	3%
<b>Orange</b>	\$795	\$844	\$649	\$772	\$1,018	\$1,081	\$63	6%	\$286	36%
<b>Putnam</b>	\$1,304	\$1,336	\$1,419	\$1,530	\$1,884	\$1,903	\$19	1%	\$599	46%
<b>Rockland</b>	\$1,351	\$1,422	\$1,573	\$1,625	\$1,948	\$1,966	\$19	1%	\$615	46%
<b>Sullivan</b>	\$396	\$431	\$194	\$204	\$291	\$432	\$141	48%	\$36	9%
<b>Ulster</b>	\$653	\$703	\$648	\$745	\$944	\$1,041	\$97	10%	\$388	59%
<b>Westchester</b>	\$973	\$932	\$614	\$642	\$1,091	\$1,427	\$336	31%	\$454	47%

County	120% AMI - 2 Persons	30% of Monthly Gross	2024 Median Home Price	Mortgage Payment*	Affordability Gap
Columbia	\$108,647	\$2,716	\$475,000	\$3,158	(\$442)
Dutchess	\$118,428	\$2,961	\$450,000	\$3,041	(\$80)
Rockland	\$156,048	\$3,901	\$665,000	\$4,464	(\$563)
Ulster	\$115,418	\$2,885	\$440,000	\$2,976	(\$91)
Westchester	\$163,722	\$4,093	\$718,000	\$4,814	(\$721)
				<i>*3.5% down, 0 other monthly debts</i>	



# Legal Overview

Rhea Mallett, Pace Land Use Law Center



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# Conservation or **Cluster** Subdivision

**Town Law §278**

**Village Law § 7-738**

**General City Law §37**

# NY Town Law §278.

## Subdivision review; approval of cluster development

1. Definitions. As used in this section:

(a) “**cluster development**” shall mean a subdivision plat or plats, approved pursuant to this article, in which the applicable zoning ordinance or local law is modified to provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks, and landscaping **in order to preserve the natural and scenic qualities of open lands.**

...

2. Authorization; purpose.

(a) The town board may, by local law or ordinance, authorize the planning board to approve a cluster development simultaneously with the approval of a plat or plats pursuant to this article. Approval of a cluster development shall be subject to the conditions set forth in this section and in such local law or ordinance. Such local law or ordinance shall also specify the zoning districts outside the limits of any incorporated village in which cluster development may be applicable.

(b) **The purpose of a cluster development shall be to enable and encourage flexibility of design and development of land in such a manner as to preserve the natural and scenic qualities of open lands**

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### 3. Conditions.

(b) A cluster development shall result in a permitted number of building lots or dwelling units **which shall in no case exceed the number which could be permitted, in the planning board's judgment, if the land were subdivided into lots** conforming to the minimum lot size and density requirements of the zoning ordinance or local law applicable to the district or districts in which such land is situated **and conforming to all other applicable requirements.**

# Conditions & Requirements

1. Clustering may not achieve greater density than would otherwise be permitted for a conventional subdivision. §278(3)(d)
2. Planning Board's authorization subject to the conditions in the statute and such other conditions set forth in the local statute. §278(2)(a)
3. Must specify applicable zoning districts in which the cluster is allowed. §278(2)(a)
4. May construct a diversity of housing types; may authorize a planning board to permit "detached, semi-detached, attached, or multistory structures." §278(3)(d)
5. Does not allow a use not otherwise permitted in the zoning district. §278(6)
6. May require applicants for conventional subdivisions to submit a cluster application. §278(3)(a)
7. Public notice and public hearing requirements similar to conventional subdivision. §278(4)



**Zoning must be adopted “in accordance with a comprehensive plan.”**

Town Law §§263, 272-a  
Village Law §§ 7-772  
General City §28-a

# Affordable Housing Considerations

## **Mandatory Inclusionary Zoning**

**→ require specified % of affordable units**

## **Incentive Zoning**

**→ increased number of units for affordable housing**



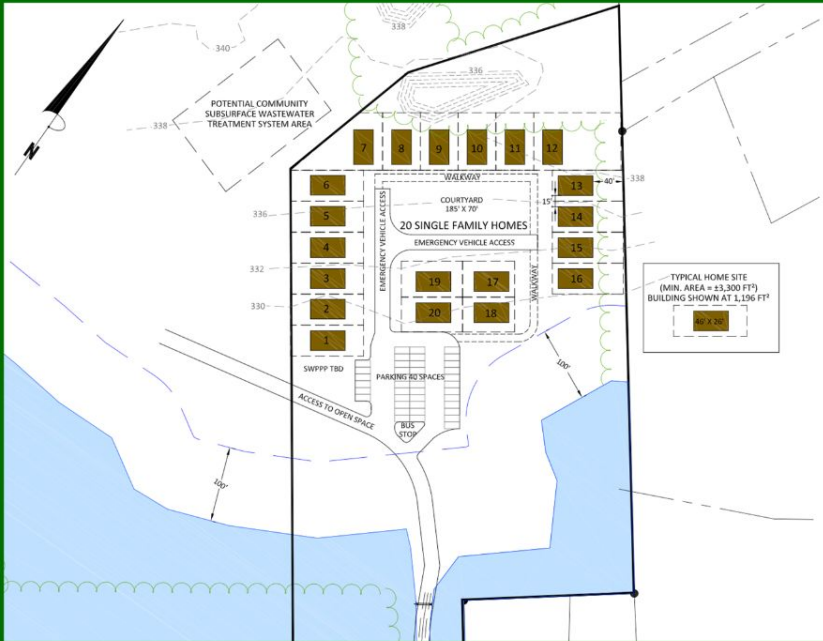
# Lessons from a municipal perspective

Ted Fink, Greenplan



# Hudson Valley Lessons

## Conservation Subdivision & Affordable Housing



Ted Fink | March 25, 2026

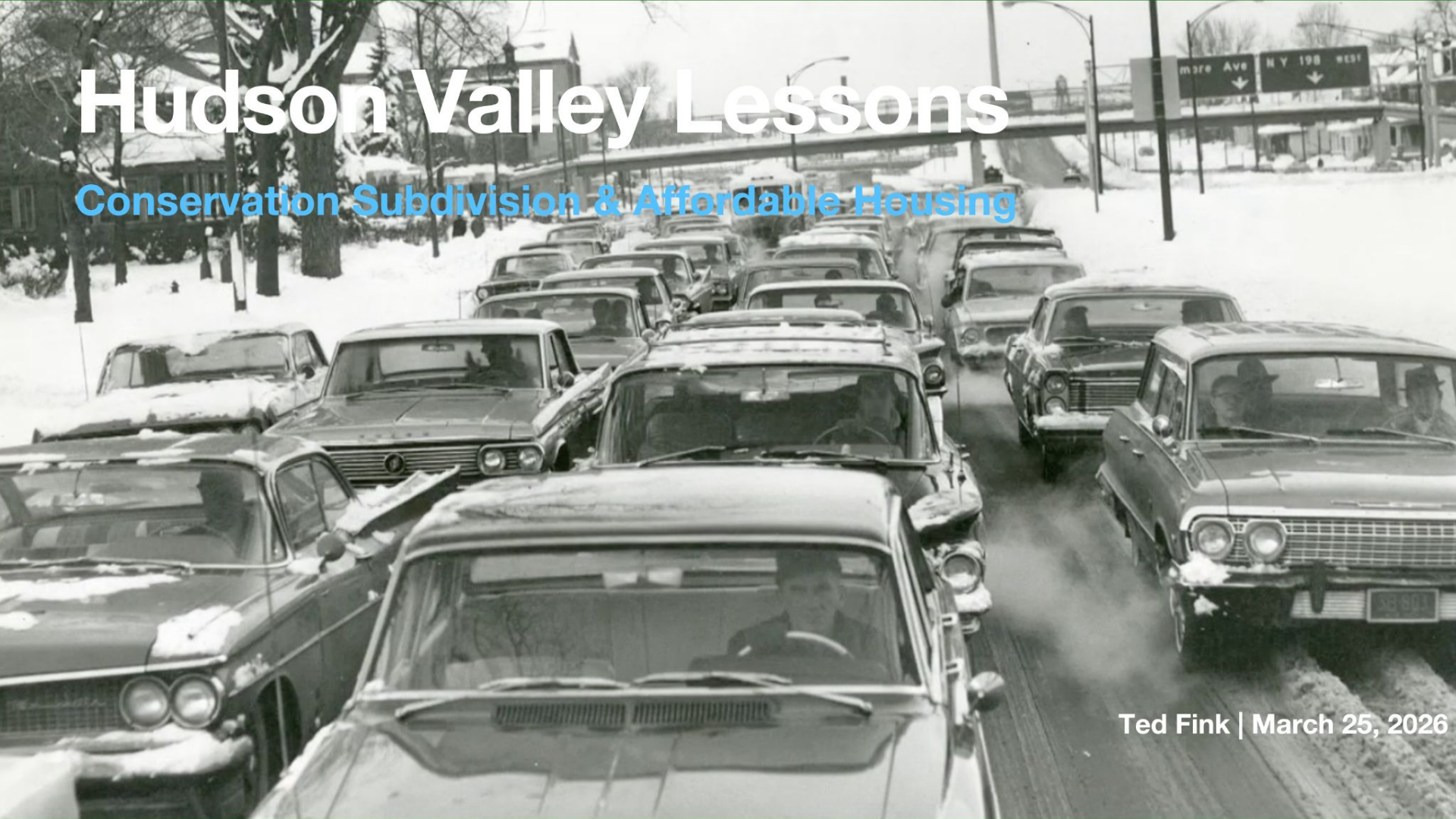
# Hudson Valley Lessons

Conservation Subdivision & Affordable Housing

Ted Fink | March 25, 2026

# Hudson Valley Lessons

Conservation Subdivision & Affordable Housing



Ted Fink | March 25, 2026

# Conservation Development and Affordable Living

## No single path to achieving success for both BUT:

- Begin with comprehensive planning
- Adopt policies for:
  - Housing needs
  - Green space preservation & access to parks/preserves everywhere (PDR)
  - Natural resource preservation & saving nature goals
  - Explore all housing options but remember “Small is Beautiful”
  - Include pedestrian, transit & bicycle networks
  - Start with easy like ADUs in/at SF homes
  - Address water (especially) & sewer for compact growth
  - Need for access to jobs & services (workforce)

Marbletown Action Plan Policies	
Goal	Proposed Action
1. Environment	1.1 Update the natural heritage plan as needed and develop a natural resources inventory. 1.4 Maintain the Open Space Plan and continue using the Community Preservation Plan. 1.6 Promote “conservation design” and adopt applicable standards and procedures for both subdivision and site plans.
3. Development Patterns	3.1 Develop standards for walkable mixed-use development in and adjacent to the hamlets to maintain historic character. 3.3 Promote conservation development. 3.6 Maintain the Community Preservation Plan program to continue purchase of development rights and fee acquisitions.
5. Housing	5.1 Establish incentives to provide affordable housing. 5.2 Expand opportunities for accessory dwellings. 5.4 Focus on the hamlets to provide affordable living opportunities. 5.5 Reduce transportation costs for renters and homeowners by continuing to support pedestrian and bicycle connections.
6. Infrastructure	6.1 Establish aquifer protection overlay districts. 6.3 Require interconnection of streets in adjacent developments. 6.5 Where applicable, coordinate sidewalk development in the hamlets with NYS Department of Transportation. 6.6 Continue to explore the potential for extending the High Falls Water District’s water supply infrastructure to Stone Ridge.

# Land Use Tools:

- “All hands on deck” approach
- Zoning overlays for hamlets, crossroads, villages along “corridors of movement”
- Adopt rules for missing middle housing, consider limits on unit size (i.e. \$\$/sq. ft.)
- Inclusionary units as bonus
- Require mix of units (1, 2, 3, multi-family)
- Understand context/preference; 12 du “home”
- Work with housing non-profits
- Work with land trusts
- Streamline conservation/housing actions under SEQR [see 617.5(b)]
- See Bedford, Cold Spring, Marbletown, Red Hook, Warwick approaches (links at end)



# Limitations:

- Can result in “leapfrogging” if only tool used
  - Plan new subdivisions in context with surroundings
  - Not affordable unless paired with housing rules
  - Consider new approaches like Rhinebeck’s special permit
- Address minimum open space % for each zoning district

Zoning District	Minimum Required Open Space
HP20	80%
RA10	80%
RC5	65%
RL5	60%
RM1	40%
Other Residential Districts	20%
ORP	50%
BP	40%
Other Non-residential Districts	20%

## Community by Design Rewards:

- Provides nature/parks walking distance from homes
- Advances State/federal 30% open space goals
- Creates intrinsic affordability when paired with unit size limits
- Expands housing options for all
- Complete streets for all users
- Pay attention to “wisdom of the ages” to create thriving walkable places

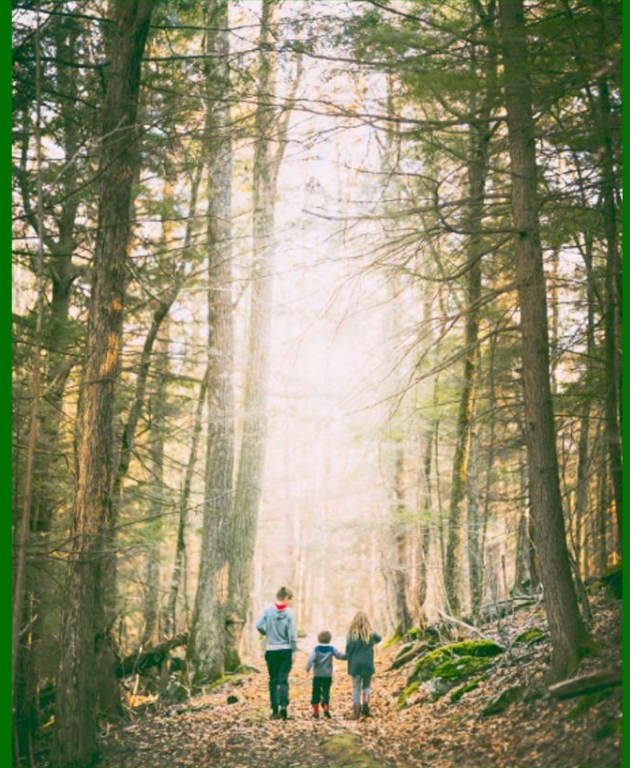


Photo: New York State 30 X 30  
Draft Strategies and Methodology

# Links to Plans/Codes

- Bedford [2025 Plan](#) and [Conservation Development Zoning Amendments](#) (in process) §§ 125-51 to 56 (see esp. inclusionary Middle Income Dwelling Unit bonus) + Community Preservation Plan (not adopted yet)
- Cold Spring [Planned Mixed Use Zoning District](#) § 134-12 requires 30% open space, mandatory mix of 1-family, 2-family, 4-family, & cottage courts, complete streets, 5-10% non-residential, reduced parking, maximum dwelling unit sizes, public engagement on plans, solar/energy efficient, green streets
- Marbletown's [2024 Adopted Plan](#) implemented through in process [Zoning Amendments](#) prepared for § 200-52 (Affordable Housing) especially - Town has inclusionary provisions already + Community Preservation Plan/Fund
- Red Hook updating [1993 Plan](#) with new Plan under development. For [Zoning](#) see § 143-33 Conservation Subdivision, § 143-39.1 Agricultural Business District, § 143-49.1 TND District, § 143-49.2 Open Space Incentive Zoning + Community Preservation Plan/Fund
- [Warwick Zoning](#) for Open Space (Cluster) Subdivision §§ 164-41.1 & 41.2, § 164-46.J.(100) Inclusionary Zoning, § 164-47 TND District, § 164-47.3 Ag Protection Overlay District, § 164-47.4 TDR, § 164-47.6 Incentive Zoning for Open Space Protection + Community Preservation Plan/Fund



# Lessons from a planning board & developer perspective

Keith P. Libolt, Affordable Housing Concepts



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## Reflections? Questions? Open conversation

- What has your experience with this zoning been?
- What lessons would you like to share?
- Questions for the presenters?