

LAND USE

(Further Guidelines and Criteria, LWVUS Impact on Issues, 2010-2012 p. 49)

League members have been active in their communities in many land use issues. In 1976, the League did a state study that among other things supported establishing a statewide intergovernmental system for land resource management. This position has been re-examined over the years and found to still be valid. As a result of the 1996 Watershed study, “such as watersheds” was added.

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Statement of Position

As announced by the State Board, May 1976

As amended, (underlined), April 1997

The League of Women Voters believes that New York State must develop an intergovernmental system for land resource management. Such a system would require:

- 1. Local governments to adopt local land use plans under minimum state standards with direct or indirect financial and technical help from the state.**
- 2. Review by higher levels of government of those land use decisions which have larger-than-local impact, such as watersheds.**
- 3. The development of land to meet public needs (such as low and moderate-income housing, recreational and open space uses) under a system which fairly distributes the costs and benefits of such uses within a region.**
- 4. The strengthening of county and multi-county regional planning bodies.**
- 5. The use of regional commissions to represent larger-than-local interest in managing unique natural resource areas of the state.**

The League of Women Voters is concerned that inadequate planning at the state level wastes resources: natural, social and fiscal.

The state must coordinate functional plans of state agencies with each other, with federal programs, and with the budgetary process. The combined impact of state plans and actions upon land use should be considered.

The state must coordinate standards and guidelines in state programs to reduce inconsistencies, which frustrate citizens and local governments.

The State Environmental Quality Review Act of 1975 (SEQRA), updated in 1996, was supported by the League. We strongly opposed attempts to weaken.

We supported the laws on Coastal Zone Management in 1981 and the update of these laws in 1992. In 1996, we supported the inclusion of funds of waterfront revitalization plans in the Clean Water/Clean Air Bond Act.

The League supports the inclusion of the principles of the Public Trust Doctrine into our land use laws. Because they have laws that date back to colonial times, New York and the Long Island region have unique status with rights and privileges granted to them. The recognition of these laws has resulted in opening up bodies of water for the public's use.

In 1978, LWVNYS agreed on key components of an intergovernmental process for managing land within the state and supported the Adirondack Park Agency (APA). The key features of the APA that the League supports include:

1. Support the Adirondack Park Agency and the State Land Master Plan, including the unit management plans for state-owned lands. This plan calls for comprehensive review every five years.
2. Support the Land Use and Development Plan applied to the private lands in the Park.
3. Support the concept of the state and local governments sharing the planning and control process over use of private lands in the Adirondack Park.
4. Support local government in providing sound local land use planning throughout the Park.
5. Support preservation of open space, consisting of both private and public lands, and development of supporting facilities necessary to the proper use and enjoyment of the unique wild forest atmosphere of the Park.

The League continues to monitor changes to the Park, supporting some that we feel strengthen the original legislation and opposing proposed laws that weaken the purposes of protecting this unique natural resource.

The League supported legislation designed to improve the quality of land use planning and enforcement. Passage of these bills was an attempt to codify court decisions that have occurred over the years and to provide a uniform basis for zoning.

In 1990, we supported the Environmental Quality Bond Act, which was defeated by the voters. However, we continue to support the establishment of an Environmental Trust Fund/Act that follows the NYS Open Space Plan for land acquisition. This Trust Fund could be used for such environmentally necessary purposes as closing landfills, supporting recycling programs, and funding sewage treatment projects. We have also supported the creation of a dedicated fund to finance these activities. This dedicated fund has been subject to raids on the monies or non-disbursement of funds and has been the subject of much dispute.

Funding for the Environmental Protection Fund received no monies in the 2001 executive budget. It continues to be funded by fees (\$125 million this year). The legislation did not add any funds in the "bare-bones" budget and following the September 11 attacks; there was no impetus to include any new monies.

In the spring of 1999, the LWVNYS was a co-sponsor of the National Audubon Society of NYS's Smart Growth Conference held in Albany.