

Moratorium Fact Sheet

What is the proposed moratorium?

The proposed moratorium has two parts: The first part is a temporary suspension in the Town of subdivisions in which an existing parcel is subdivided into five or more parcels. The second part prohibits the review or issuance of building permits for any structure or group of buildings that has more than 20,000 square feet of space (other than single family residential structures).

What is the purpose of the moratorium?

Based on community input collected over the past two years, the Town Board voted to initiate a revision of the Town's Comprehensive Plan, which essentially serves as an assessment of current demographics, housing stock, commercial activity, and public resources (parks, roads, communications infrastructure, etc.) as well as a guideline for future development and growth. This revision, the first since the plan was adopted in 1969, is expected to take as much as one year and will involve input from all of our community's stakeholders.

In the meantime, the Town has been growing faster than any other in Ulster County with 65 new residential building permits issued in 2005 as well as several proposals for significant development projects of 200 homes or more. The Town Board and other boards in Town have been overwhelmed by the pace of growth. The Town Board believes it is in the best interests of the future of the Town to impose a temporary halt to large scale development plans in order to ensure that all future development occurs within the guidelines of the comprehensive plan revision.

Is a moratorium required?

A moratorium is not required in order to revise the Town's comprehensive plan and not all of the Town's in our region have instituted moratoria while revising their comprehensive plans. Most towns have instituted moratoria and town officials in many towns that have not adopted moratoria have stated that, in retrospect, that a moratorium had been adopted. By adopting a moratorium in Rochester, we can be assured that all energy and resources will be devoted to adopting a consensus-based comprehensive plan that will work for our community.

How long will the moratorium last?

The proposed moratorium is a temporary one that will last for twelve months. The Town Board can extend the moratorium period for two-three month periods if it decides that an extension is necessary.

What if I absolutely must go forward with plans for a subdivision or commercial building that is adversely affected by the moratorium?

The moratorium law has a provision by which exceptions to the moratorium law can be granted by the Town Board on a case-by-case basis.

How did the Town Board determine the moratorium thresholds?

The Towns existing zoning laws make a distinction between subdivisions of four or fewer lots and those that have five or more. This threshold is mirrored in the moratorium law. As for non-residential structures/projects of 20,000 square feet or more, this number was determined to be large enough to accommodate commercial growth of all but the very largest projects.