Building Regional Capacity for Land-Use Reform: Environmental Conservation and Historic Preservation in the Hudson River Valley

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Abstract

In exploring new ways of building the capacity for regional land-use reforms, this paper, using a case study approach, compares the role of non-profit environmental and land-use organizations to public, state agencies that operate in the same or similar spheres. The context for the comparative study are two regions in the Hudson River Valley of New York State, a broad geography experiencing intense development pressures as well as corresponding calls for land conservation and historic preservation. Findings suggest that while state agencies can offer strategic incentives and protections to communities and regions that adopt regional-oriented land-use policies, both governmental and non-profit groups play an important role in educating and advising municipal officials and residents as well as fostering cross-jurisdictional communication. In addition, an advantage of non-profit agencies is their independence from the state and state budgetary constraints. Non-profit agencies are also capable of advocating on behalf of their public agency counterparts in the public arena.

Keywords: *Regional coalitions, land conservation, historic preservation, urban sprawl*

Introduction

Suburban sprawl persisted in the American context during the decade of the 2000s, and despite the prolonged economic downturn, these trends are predicted to continue into the foreseeable future (Lang 2004; Lang and LeFurgy 2007). With sprawl comes environmental threats including the diminishment of water and soil quality, the loss of farmland, forests, and other open spaces, and due to longer commutes and driving distances, air pollution. One valuable and recurring idea for moderating sprawl and promoting land conservation has been to enhance regional cooperation and capacity (Dreier et al. 2004; Benfield et al. 1999; Rusk 2003). Proponents argue that greater regionalization creates coherent land-use policies between municipalities. This leads to enhanced development efficiency and connectivity that counteract leapfrog development and waste-inducing zoning laws.

Due to the salience of these issues, combined with the related, unabated decline of numerous inner cities in the United States, over the last few decades scholars and policy makers have examined the issue of regionalism widely. Many have focused on regionalism through the lens of government consolidation and formal regional governments (Benjamin and Nathan 2001; Gainsborough 2001; Rusk 2000, 2003; White 2002; Yaro 2000; Lewis 1996; Orfield 1997; Weir 2000). Others have looked towards the role that private, public-private, and non-profit bodies have played or can potentially exercise in regionalist goals (Dreier et al. 2004, 302; Feiock 2009; Fontan et al. 2009; Gainsborough 2003; Kanter 2000; Orfield 2002, 183).

Using a case study approach, this paper zeros in on the final set of actors in that it explores and analyzes the role of non-profit environmental/land-use organizations in building the capacity for inter-municipal and regional land-use reforms. Their capacity in this regard is compared to that of formal government agencies that operate with similar objectives. Representing a highly suitable laboratory of sorts, the context of this study is the Hudson River Valley of New York State. Within the Hudson River Valley, I focus on groups that operate out of two regions: Albany-Schenectady-Troy-Saratoga Springs and Poughkeepsie-Newburgh-Middleton. Although these regions possess some the nation's foremost historic sites and awe-inspiring natural landscapes, such attributes have consistently been under threat by rapid suburban development. Therefore what has evolved is a delicate balancing act and negotiation between land development and land preservation.

The findings of this study suggest that natural resource and land-use concerns can be an effective way to foster regional and urban-suburban collaboration. Moreover, although non-profit environmental/land-use organizations lack regulatory authority, they can play a complementary role with state environmental/land-use agencies. While state agencies

can offer strategic incentives and protections to communities that adopt regional-oriented land-use policies, both governmental and non-profit groups play an important role in educating and advising municipal officials and residents as well as fostering cross-jurisdictional communication. Furthermore, an advantage of non-profit agencies is their independence from the state and state budgetary constraints. Non-profit agencies are also capable of advocating on behalf of their public agency counterparts in the public sphere.

Regions and Regionalism

Although abstract and with no widely recognized definition, a region, in most of the academic literature, is understood as a city, the surrounding suburbs, and the farms, forests, and open spaces just beyond the suburban fringe (Katz 2000). Regionalism likewise is broadly interpreted, but a good conception comes from Briffault (2000). Regionalism seeks to "shift certain authorities to institutions, organizations, or procedural structures with larger territorial scope and more population than existing local governments" (p. 1). The conception here is that metropolitan areas are real social units in which residents, businesses, and markets are integrated and inter-dependent.

Briffault (2000) contends that local democracy, problem solving, and rational land-use planning are best achieved through regionalism. As metropolitan areas continue to grow, the most important issues facing communities are largely beyond the scope, capability, and proficiency of local, decentralized governments. Numerous issues, including land-use and urban sprawl, transportation networks, pollution, the capacity of local tax bases, and economic development are generally beyond the adequate accommodation and resolution of local governments. In regards to local democracy, whereas certain decisions do not have consequences beyond local borders, an array of others do, and therefore both local and regional governance are needed.

Those who espouse the importance of regionalism (Bollens 1997; Briffault 2000; Orfield 2002; Richmond 2000; Rusk 2003; Swanstrom 2001, 2006; Wheeler 2002) argue that such governance structures enhance regional equity and enable more rational and coherent land-use and infrastructure planning. Regionalist policies also hedge against "effective fiscal zoning," or zoning that protects homeowners and keeps out lower status land uses, including affordable housing. These policies help to avert economic and racial segregation, wasteful land-use practices, and the related loss of open space (Lewis 1996). However, few examples of full-scale regional governance exist. Only two metropolitan areas in the United States have formal regional governments: Portland, OR, and Minneapolis-St. Paul, MN. Moreover, for a number of reasons the creation of such units is seen as relatively unlikely. The foremost detractor involves money and taxation. Local constituents, because of the centrality of the property tax for local municipal coffers, will not support regional governments if they believe they will be on the losing end fiscally (Savitch and Vogel 1996).

Gainsborough (2002) also notes that concerns about growth, urban sprawl, and development vary by geographic location, socioeconomic status, and racial/ethnic characteristics. This may undermine a coherent and coordinated political project involving regional government. To complicate matters further, central city leaders often see regional bodies as an infringement on their autonomy. This is especially relevant if racial/ethnic minorities control central city politics, in that regionalism might be construed as diluting minority voice and political power (Dreier et al. 2004; Frisken and Norris 2001; Norris 2001; Swanstrom 2006).

Because formal regional governments will most likely not appear even in a significant minority of metropolitan areas, scholars and public officials argue that informally-based, regional cooperation or cross-jurisdictional collaboration is the preferred and more realistic route for achieving some level of development coherence, equity, and efficiency between localities. Briggs (2006) argues that because neither urban- nor suburban leaders view regionalism as a major priority, coalitions should be built around *specific* interest areas including transportation, housing, and public education. These particular dimensions have a better chance of receiving attention from local policy makers.

One specific dimension has been economic development. Fontan et al. (2009), Gainsborough (2003) and Kanter (2000) examine the involvement of the business community with respect to regionalism. Their research suggests that businesses are likely to become involved primarily when regionalism is seen as an avenue to continued economic expansion.

Transportation and housing have also been key areas in which regional coalitions have emerged. Alpert et al. (2006) explore how informal ties among transportation stakeholders in South Florida strengthened and made possible formal and regional coordination in regards to transportation policy. Orfield (2002) has studied the creation of regional fair-share housing agreements in Minneapolis-St. Paul and metropolitan Washington, D.C. Included here are the work of non-profit, faith-based organizations in support of regional housing equity strategies. In addition, Blackwell and Bell (2006) and Pastor, Benner, and Matsuoka (2009) continue this analysis with their research on regional equity coalitions in Chicago, Washington, D.C., Boston, Detroit, and Los Angeles. In California, the Southern California Association of Governments (SCAG) has become the nation's largest metropolitan planning organization and works with 189 cities in six counties to

promote coherent housing, environmental, land-use, and transportation policy.[2]

Conservation-Based Coalitions

Foster (1997) in her research on regional "impulses" or opportunities, argues that natural resource-based concerns can potentially facilitate and build regional ties in that separate communities or jurisdictions have common interests in natural resources and environmental management. Some researchers have explored this topic. In her analysis of the factors of successful watershed management collaborations, for example, O'Neill (2005) finds that such outcomes rest on a clear definition of the scope of issues, the availability of technical and financial resources, and decentralized decision-making. The latter is particularly salient when communities must partner with federal agencies with a history of top-down management.

Echoing this framework, Barham (2001) notes that environmental-based partnerships must redefine preservation and eschew top-down, grand plans while accommodating the interests of rural landowners and farmers. Otherwise negotiations typically stall. In the past, preservation has typically meant setting land apart from human uses and creating "eco-islands" surrounded by destruction. Wondolleck and Yaffee (2000) argue that more effective environmental management instills a notion of shared ownership and responsibility for natural resources. They point to the success of the Tongass National Forest's Petersburg Ranger District in southeastern Alaska. Once plagued by distrust and controversy over timber planning, the agency, with the input of local towns, villages, and residents, developed a five-year recreational plan that through the process dramatically improved communication channels and relationships between the agency and the various communities and interest groups.

The creation of the Sterling Forest State Park in the Highlands Region of New York/New Jersey is another example of successful coalition building in the pursuit of environmental conservation. In the 1990s, a large network of groups including the Nature Conservancy, the Adirondack Mountain Club, the Appalachian Mountain Club, Audubon New York, Environmental Advocates, the Highlands Coalition, the New York-New Jersey Trail Conference, and others successfully blocked the Sterling Forest Corporation from developing the 20,000-acre Sterling Forest. Sterling Forest was the last remaining substantial expanse of land not yet lost to real estate development in the Highlands Region — a rapidly suburbanizing belt approximately forty miles northwest of New York City (Botshon, Botshon, and Botshon 2007).

Research Agenda and Methods

Despite the wealth of understanding the previous studies have afforded, gaps in the literature remain. Studies of urban-suburban collaborations have tended to ignore the work of local environmental and land-use agencies. Similarly, the literature on environmental-based coalitions mainly consists of rural examples and instances in which collaboration occurs across various agencies (i.e. the U.S. Forest Service and local environment groups) instead of inter-municipal partnerships. Furthermore, work on historic or cultural preservation has examined how these processes can boost city tax bases (Reichl 1997; Bures 2001) or dampen the need for growth on greenfield sites (Conway and Arnold 2003), but these studies have not examined regional coalition building through historic/cultural preservation. Therefore, this study explores and examines the processes by which local environmental/land-use organizations build the capacity for regional land-use reforms among municipalities and how these groups compare to formal government agencies that operate with the same or similar objectives. I include public agencies along with non-profits in that, despite the growth of civic collaboration over environmental issues, regulatory approaches have important roles to play (Mason 2008). I focus on groups that are based in two regions in the Hudson River Valley experiencing rapid land development: Albany-Schenectady-Troy-Saratoga Springs and Poughkeepsie-Newburgh-Middleton. I compare four groups overall, including two private organizations and two public agencies. Table 1 displays how the groups are characterized, including the size of their respective constituencies.

This study, part of a broader research project on development and preservation in upstate New York, relies on archival and qualitative interview data to examine the processes outlined above. The groups had to meet a selected criteria and were chosen based on their involvement in inter-municipal land-use planning and the manner in which they were arranged: public vs. private structure, and wide vs. narrow geographic territory. Preliminary archival research on regional planning in the Hudson River Valley was necessary in order to select the appropriate groups for this study. Much of the archival data were collected from the M. E. Grenander

Table 1. Hudson River Valley Groups

	Relative Geographic Territory	
Arrangement	Wide	Narrow
Private	Scenic Hudson	Saratoga PLAN
Public	Hudson River Valley Greenway	Albany Pine Bush Preserve Commission

Department of Special Collections at the University at Albany. The *Times-Union* of Albany, the *Saratogian* of Saratoga Springs, the *Poughkeepsie Journal*, and the *New York Times* were the main sources of newspaper data. I also relied on minutes from municipal meetings and data from agency and organizational websites. Furthermore, the selection of the groups relied on the recommendations of regional planning experts at the Capital District Regional Planning Commission and the Department of Geography and Urban Planning at the University at Albany. After the background research was completed, leaders from each group were interviewed by the author. Information was gathered about the various groups' undertakings, their views of and goals for regional cooperation, challenges the groups were facing, and future objectives. The interviews, generally lasting between one and two hours, were recorded and transcribed. The background and substantive research together yielded thirteen in-depth interviews.

The Hudson River Valley

For centuries New York's Hudson River Valley has captured the cultural, historical, and naturalist attention of Americans and other peoples. The traditional societies who originally inhabited the region called the Hudson, Muhheakantuck: the "river that flows two ways," for the constant mixing of fresh water from northern rivers with saltwater from the Atlantic Ocean (Open Space Institute 2010). The 315-mile-long river begins at Lake Tear on the western slope of Mt. Marcy, which at 1,629 meters, is the highest point in the Adirondack Mountains (Sirkin and Bokuniewicz 2006). Once out of the Adirondacks, the river develops into a broad meandering composition in its tidal reaches south of Albany. Reaching the Hudson Highlands south of Poughkeepsie, it cuts through a fjord-like ravine before arriving at the towering rock walls of the Palisades Escarpment. By the tip of Jersey City, the dramatic landscape moderates as the water flows to the Atlantic beyond the Narrows that separates Brooklyn and Staten Island.

As the climate in the area warmed between 11,000 and 9,000 years ago, spruce and pine species migrated northward and were largely replaced by forests of oak, hemlock, and hickory. By the time of European settlement lumbermen used the patchwork of streams to drive logs downward from the mountains to the sawmills in the valley. Mills, ore processing plants, and hydroelectric plants all utilized the power of the Hudson's water. Although in decline, agriculture is still a major presence. Corn, soy, vegetables, and alfalfa are common as are dairies and various types of orchards. The area is also home to historic battlefields and the homes and estates of some of the most notable figures in American political life and business. Overall, the area's eclectic landscapes inspired the Hudson River School of painting which helped define the American wilderness for more than a century.

Excluding the boroughs of New York City and the riverside counties in New Jersey, the area typically understood as the Hudson River Valley encompasses 7,964 square miles in twelve counties with a total population of 2,940,288. The pastoral reputation of the area is accompanied by highly urbanized belts. Westchester County, an established and affluent suburban environ of New York City, has nearly one million people itself. Adjacent to Westchester County are the populated and growing counties of Rockland, Putnam, Or-

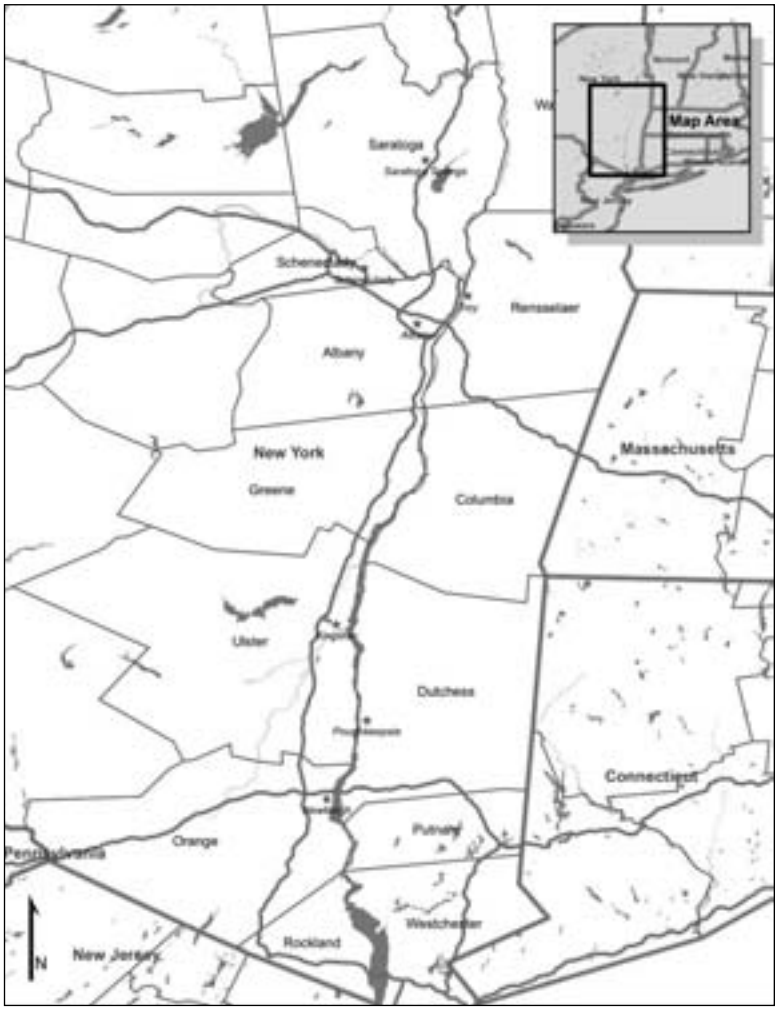

Figure 1. Map of Selected Hudson River Counties

ange, Dutchess, and Ulster. While having their own industries, particularly the Poughkeepsie area in Dutchess County, this region — with its more affordable housing and broader spatial expanses — has become a commuter hotbed for workers in New York City. Moreover, suburban inter-county commuting has dramatically risen in the last thirty years.[3]

The other area of significant population is the Capital Region, encompassing the cities of Albany, Schenectady, Troy, and Saratoga Springs. Although population growth in the region has been relatively low, the consumption of land has been intense. Between 1987 and 1997, roughly 15,000 acres were developed on land that prior to had been farmland, open space, and forest. This constituted a 15.8 percent increase in developed land area (Capital District Regional Planning Commission 2005). During the same period, however, the population of the region increased by only 3.4 percent. In Dutchess County, part of the Poughkeepsie-Newburgh-Middleton metropolitan area, one out of every four farming acres was lost to development between 1969 and 1995, leaving just 615 farms with 113,000 acres (Berger 1998). Furthermore, in the Hudson River Valley as a whole, urban and suburban development consumed approximately 79,000 acres of farmland between 1987 and 1997 alone, and this figure excludes forests and other types of terrain (Open Space Institute 2010).

Beyond the loss of open space, while suburbs and exurbs are growing, cities in the Hudson River Valley (Saratoga Springs excepted) are suffering. Table 2 documents the populations of the five largest cities in the Hudson River Valley outside of New York City and Westchester County. In comparison, Table 3 displays the population of the Albany-Schenectady-Troy-Saratoga Springs metropolitan area and the regional populations of Poughkeepsie and Newburgh. Nearly all population growth is occurring in the suburban and rural jurisdictions surrounding the urban cores.[4]

Table 2: Population of Hudson River Valley Cities

City	Peak Population	2000 Population	% Change
Albany	134,995 (1950)	95,658	-29.1
Schenectady	95,692 (1930)	61,821	-35.4
Troy	76,813 (1910)	49,170	-35.9
Poughkeepsie	41,023 (1950)	30,174	-26.4
Newburgh	31,946 (1950)	28,412	-11.1

Source: U.S. Bureau of the Census, 1998; 2009

Table 3: Metropolitan and Regional Populations

Region	1990	2000	% Change
Albany-Schenectady-Troy-Saratoga Springs	861,424	875,858	1.69
Poughkeepsie (Dutchess County)*	259,462	280,150	7.97
Newburgh (Orange County)*	307,647	341,368	10.96

Source: U.S. Bureau of the Census, 2009, *Poughkeepsie and Newburgh (as well as Middleton, NY) are part of a single, unified metropolitan area, but the data are presented this way to provide a clearer picture of population size and growth in the rural and suburban areas more directly adjacent to the cities of Poughkeepsie and Newburgh.

Overall, the predominant patterns in which development has occurred have led to numerous problems, including urban decentralization with the concomitant loss of critical open spaces and central city populations. These trends have not gone unnoticed by local and state lawmakers, leaders from the non-profit sector, and ordinary residents. In the next sections we turn to the undertakings of four groups that operate in the Hudson River Valley: the Albany Pine Bush Preserve Commission, Saratoga PLAN, Scenic Hudson, and the Hudson River Valley Greenway. Although each group has its own distinct mission and constituency, they are all widely involved with the promotion of inter-municipal and regional land-use planning as well as other reforms. I begin by providing a brief overview of each group followed by specific tasks and areas in which the groups operate.

Organizational/Agency Outlines

Saratoga PLAN is a land-use advocacy and preservation organization based in the historic resort community of Saratoga Springs, a city approximately 25 miles north of Albany. A predecessor of the group organized in the late 1980s and mainly worked on land-use issues pertaining to Saratoga Springs until it merged with the Land Trust of the Saratoga Region in 2003. This engendered a broader geographic scope to the organization. Though mainly working on land-use planning in Saratoga County, on a few issues, including riverfront restoration, Saratoga PLAN has partnered with sister agencies in neighboring Washington County on the east bank of the Hudson River.

Further inter-municipal coordination and reform surrounding land-use has arisen through the work of the Albany Pine Bush Preserve Commission. The group is a public-private partnership that was established by the New York State legislature in 1988 to oversee and protect what remained of the threatened Pine Bush, a geologically distinctive ecosystem that lies in Albany County with non-contiguous patches in Saratoga County. Rather complex, the agency is a public benefit corporation comprised of two state agencies: the Department of Environmental Conservation (DEC) and State Parks, and also the City of Albany, the Town of Guilderland, the Town of Colonie, Albany County, and the Nature Conservancy. Although the agency receives public and private funding, the vast amount of operating funds comes from the state

and federal government. The Commission oversees about 3,000 acres of Pine Bush that has remained despite rapid suburban development over the last several decades.

Despite the inter-municipal work the two preceding groups undertake, their geographic constituency is fairly small. In contrast, Scenic Hudson operates throughout much of the Hudson River Valley, particularly in the expansive area between New York City and Albany. The organization, based in Poughkeepsie, was founded in 1963 as an environmental advocacy group and gained wide attention and praise as it successfully preserved Storm King Mountain in the Hudson Highlands from Con Edison's (a major utility in New York State) plans for the world's largest pumped-storage hydroelectric plant (Scenic Hudson 2010). The organization's primary focus is land preservation and reclamation, including the protection of working-farms, environmentally sensitive wetlands, forests, and riverside areas. The group has also assisted in the creation of more than 25 parks — many of them on old brownfield sites. Some of the most visible land parcels the organization has preserved include tracts adjacent to the Home of Franklin D. Roosevelt National Historic Site. Nevertheless, it seeks to preserve fragile landscapes and public access to the river and waterfront whenever opportunities arise.

Akin to Scenic Hudson, the Hudson River Valley Greenway — with jurisdiction throughout much of the Hudson River basin — represents an entity with a broad reach. As a public body, however, the agency differs from Scenic Hudson and also combines its wide territorial scope with the backing of the state, a characteristic Scenic Hudson lacks. Through the Hudson River Valley Greenway Act of 1991, New York state government created the agency to promote voluntary regional cooperation among the 242 communities in the thirteen counties that lie within the much of the Hudson River basin extending from Saratoga County south to Manhattan. Beyond services that include public waterfront protection and a network of trails that span the entire length of the river, one of the agency's main programs provides technical assistance on community planning and incentives for inter-municipal land-use collaboration.

Inter-Municipal Planning and Open Space

All four groups undertake work related to advancing open space conservation through inter-municipal or cross-jurisdictional planning. Because of their broad territory, the Hudson River Valley Greenway (Greenway) and Scenic Hudson work with many of the same communities. Moreover, the Albany Pine Bush Preserve Commission and Saratoga PLAN share constituencies with the Greenway in Albany County and Saratoga County, respectively.

Operating solely within Albany County, however, is the Albany Pine Bush Preserve Commission, an agency formed primarily at the urging of citizen groups, most notably Save the Pine Bush, that had been working for decades to establish laws and bodies to protect the ecosystem from encroaching development within the municipalities of Albany, Guilderland, and Colonie. Even though the 3,000-acre study area boundary of the Commission is fairly delimited, it occupies parts of three different municipalities within which land management is overseen by representatives in each jurisdiction. The inter-municipal cooperation to protect the Pine Bush is salient in light of its precarious existence. The majority of the ecosystem has already been lost to suburban encroachment, particularly between 1950 and 1990. Although numerous smaller projects have taken their toll, two stand out: the construction and subsequent expansions of the Crossgates Mall in Guilderland and the expansion of the Albany landfill.

Concerning development, by law the Commission has to produce and update a management plan every five years. The plan is fundamentally oriented around conservation and protection in the study area boundary. As a result, developers that wish to build within the study area boundary have to submit plans to the Commission for review and comment. For example, if a developer wishes to build a hotel in Guilderland, the town's planning department would have to send the development plans to the Commission which would then be studied by both the Commission's staff and the technical committee. The technical committee is a subcommittee of the Commission's board. Both parties view the plans and subsequently offer comment. The planning board of Guilderland afterwards considers the comments and most often incorporates them into the development proposal.

The Commission's delicate and complex goal is to expand the preserve from 3,000 to 4,700 acres within the context of continual suburban development. As Chris Hawver, the executive director of the Commission, explains:

> *The Commission doesn't look at {land uses} as one is exclusive over the other. The preservationist groups look at it as, it's got to be all protected. Developers look at it as, it's got to be all development. So we try and balance it. We can't always. We don't always see eye to eye with developers, quite often we don't. So we provide those comments...We're not a regulatory agency. We're an advisory agency, so anything we provide is nothing but a recommendation, but our recommendations are taken pretty strongly. On one hand it might be more beneficial to have more authority to stop some project, but realistically, it wouldn't be as effective. We work hard to maintain relationships with the planning depart-*

ments, with the town boards, the common council in the city of Albany, the elected leaders, so they know what the priorities are to maintain a balance (personal interview, 02/25/2009).

Beyond the coordinated efforts to preserve land, the Commission's quarterly board meetings provide an important venue for dialogue between the different municipalities that would otherwise not occur (at least not to the same extent). Chris Hawver notes:

When you have groups like ours, even though it's small, it helps facilitate communications within {the various municipalities}...Our board meetings alone bring the {Albany} county executive, the mayor of the city of Albany, the town supervisors of Colonie and Guilderland for two hours, quarterly, and yes we talk about the Albany Pine Bush, but they take the time to discuss other issues that may be impacting their municipalities, obviously taxation, maybe {the discussion} has something to do with water infrastructure (personal interview, 02/25/2009).

Like the Albany Pine Bush Preserve Commission, Saratoga PLAN has also sought to bring municipalities together in order to balance the interests of land preservation and the continuing demand for development. One way has been to assist the county government in developing growth management plans. This has included the county's Green Infrastructure Plan. Designed to create "borderless communities," the plan sets out comprehensive county goals that protect working-farms, open spaces, wildlife areas, and watersheds, while developing a coordinated system of parks and recreational trails across city and town lines. The plan represents a first step that county officials — conscious of the growing discontent among residents about the pace and types of development occurring — have taken to address the issue.

The committee overseeing the Green Infrastructure Plan is formed of representatives from four major towns in Saratoga County. Each of these towns has experienced rapid population growth over the last thirty years and the corresponding pressures of residential and commercial development. While the plan is a start, the actual fulfillment of its goals presents a challenge. Nevertheless, Diane Metz, community planner for the organization, notes that:

The county has a Green Infrastructure Plan, which is unique in the state, and we're quite proud of ourselves for that. We can preserve more land through changing policy than by buying it up. Saratoga PLAN was actually the reason that got started. We worked with all of the {county} supervisors and other legislators on the county level and convinced them that it was a good idea. We worked to get it through {the county bureaucracy} and helped get it adopted by the {county's} Board of Supervisors. (personal interview, 09/26/2008).

The anticipation of a major semiconductor fabrication plant affiliated with Advanced Micro Devices (AMD) near Saratoga Springs made the Green Infrastructure Plan all the more prescient. Saratoga PLAN worked to influence development policy in relation to the factory, specifically surrounding the development of a countywide system of bicycle paths and trails. Metz noted, "AMD told us they anticipated that many of their employees had an interest in commuting by bicycle, and the company is very interested in providing that option for their workers" (personal interview, 09/26/2008). Based on continuous workshops that encourage and invite community residents to participate, the bicycle trails and recreational paths are among the most popular features of the plan.

Scenic Hudson operates many programs similar to Saratoga PLAN's. This includes offering technical and planning advice to communities as well as educating zoning and planning board members in the regional and environmental consequences of potential projects. The group also assists in inter-community projects for the purposes of fostering a regional consensus over land-use and conservation. Jeffrey Anzevino, the Assistant Director of Land Use Advocacy at Scenic Hudson, notes that the organization's work with communities primarily entails, "discussing the assets they have — trails, wetlands, historic sites — in hopes they appreciate what they have. And we make recommendations to them when they update their comprehensive plans and zoning regulations" (personal interview, 03/21/2010).

Although witnessing considerable success with its land conservation and planning objectives, Scenic Hudson encounters many of the same challenges as Saratoga PLAN in Saratoga County. The crux of this is the "conservative," property-rights orientation inherent in many of the exurban and rural areas in which the organization seeks to work. This includes Greene County, an area south of Albany with a long-standing agricultural presence as well as a much more recent crop of commuter-induced, exurban housing subdivisions. Seeing the need for better land protection and planning, Scenic Hudson has begun working with the Greene County town of Catskill. The organization has provided planning assistance and encouraged Catskill to limit "leap-frog" development and incentivize and direct development to areas that already have the necessary water, sewer, and road infrastructure in place.

Introducing the organization to communities is sometimes a challenge. With the Town of Catskill, Scenic Hudson

first worked its relationships with the mayor of the Village of Catskill. This assisted the organization in gaining good rapport with the larger town of Catskill. The process, however, varies. At times the organization will start with the community's environmental commission and afterwards proceed to the planning board, before finally reaching the town, village, or city board (Jeffrey Anzevino, personal interview, 03/21/2010).

Beyond addressing concerns over property rights and local control, a major concern the organization has had to confront is what it terms "cross-river misunderstandings." This happens when development occurs on one side of the river and said jurisdiction successively amasses new property tax revenues. Visible to communities on the opposite bank, municipal officials reactively encourage similar development despite the objections of many existing residents. Trees are cleared, marshes are filled in, and the overall altering of the riverbank harms the environment and the visual character of the community.

> *It sets up this devolution — let's all go down the drain. We try to go into these communities and explain to them how their development impacts their neighbors, how it affects the other side of the river....We also try to support appropriate training of their planning board members. Usually the board members are construction people and developer people — the foxes in the henhouse. This gets in the way of people taking a broader view of the region* (Jeffrey Anzevino, personal interview, 03/21/2010).

While encouraging a regional environmental outlook and culture that encompasses much of the Hudson River Valley, Scenic Hudson mostly involves itself with land and waterfront preservation. Although such activities protect sensitive and vital landscapes, most metropolitan scholars (Dreier et al. 2004; Fishman 2000; Richmond 2000) suggest that piecemeal preservation of fragmented tracts of open space cannot be the only solution to the problems associated with land consumption and sprawl. Fortunately, groups exist in the Hudson River Valley that possess more land-use regulatory power or "teeth," while simultaneously offering real carrots to communities for advancing cross-jurisdictional cooperation. This includes the Hudson River Valley Greenway (Greenway). Despite the Greenway's greater regulatory power, it owes its very existence in large part through the efforts of Scenic Hudson in the 1980s to establish a public entity to promote regional land-use planning and conservation in the Hudson River Valley. Furthermore, in 2009 Scenic Hudson lobbied intensely to preserve the Greenway when New York Governor David Paterson proposed its elimination as a way to redress the state's budget imbalance.

Thus the organizations operate in a largely cooperative fashion with the Greenway providing state incentives and legal protections for communities that adopt cross-jurisdictional and "smart growth" policies. Development regarded as smart growth tends to emphasize compactness, a mix of uses, and connectivity between uses. It is also argued to be fiscally prudent for both municipalities and property owners while simultaneously less environmentally intrusive (Mason 2008). The agency's Compact Communities Program is perhaps one of the most promising programs in both regards. Although the smart growth component is more difficult to measure, the program achieves inter-municipal coordination by offering specific carrots — meaning that if communities adopt certain planning policies, they will be financially rewarded by the state. By 2009 fifty-six communities throughout the thirteen-county Greenway area have become Compact Communities, and more than 150 have received financial assistance from the Greenway. Communities that attain Greenway grants typically use the assistance to hire planners for smart growth and cross-jurisdictional projects. In 2009 the Greenway awarded $238,750 in grants to communities within the Greenway area. Those funds secured an additional $546,921 in local matching grants (Hudson River Valley Greenway 2009).

John Dennehey, senior planner at the agency, explains how the process of greater regionalization works with the particular example of Dutchess County.

> *We worked with the Dutchess County government to develop a comprehensive plan for the entire county. And what we do is we have this compact program where communities pass into local law their support {for} conformity, and being in accordance with the county comprehensive plan. So what that does is that everyone in the county is on the same page. We even give them a little bit more money in funding. That goes a huge way with all of the other state agencies, and this shows that what you're doing in your community is based on what the county wants, based on a larger regional mission, based on what the* Greenway *wants because we give our stamp of approval on all of the county compact plans* (personal interview, 09/11/2008).

Developed in 2000, Dutchess was the first county to adopt the Greenway's Compact Communities Program. In addition, since 2000, 29 of the 30 municipalities in the county have adopted the Compact, while more than half have undertaken Greenway-related revisions of their comprehensive plans and zoning ordinances (New York State Local Government Hearings n.d.).

The county compacts are also important in part because they give extra weight and assistance to the communities

when they encounter growth interests. For example, a developer sued the Dutchess County town of Milan over its comprehensive plan because they felt it was being singled-out unfairly by the town. However, because Milan was a compact community, the Greenway was able to have the New York Attorney General's Office step in and represent the community and county in the lawsuit. "{That's} gigantic in terms of regional coordination, and really encouraging people to buy into this idea" (John Dennehey, personal interview, 09/11/2008). Indeed, indemnity against lawsuits has been a very important part of the program. The indemnity provision, which originally included a sunset clause, has been extended several times, most recently in 2007.

Another key component of the Compact Program involves the streamlining of regulatory provisions when a specific project aligns with the requirements of the Greenway's planning guidelines. Rocco Ferraro, executive director the Capital District Regional Planning Commission, argues that this is important because the arduous regulatory environment in New York State is sometimes blamed for retarding innovative development projects (personal interview, 04/13/2009). Such Greenway planning guidelines include cluster zoning that creates more efficient street networks while dampening sprawl. Other guidelines supported by the Greenway include historic preservation ordinances, transfer of development rights, conservation easements, and designation of critical environmental districts (Sampson 2004).

Robert W. Elliott, executive director of the New York Planning Federation, in a *Times-Union* article (Elliott 2006, B1) argues that in the absence of a regional government and the authority it possesses, the Greenway has a number of important tools at its helm. He explains:

> *Providing a combination of sound planning principles, grants, technical assistance, and training to communities has helped in a number of regions. With the carrot of grants to complete comprehensive plans and related projects, local communities are adopting sound planning principles or criteria to guide them, including taking a more regional approach. This is happening in {13} counties in the Hudson Valley* (Elliott 2006).

Although 13 counties are involved with the Greenway, Dutchess County has been a leader in forming partnerships with the agency. The county has allocated $5 million and authorized an additional $2 million to its Open Space and Farmland Protection program. Completed and forthcoming projects will protect 2,465 acres of farmland through the purchase of development rights and 556 acres of public open space through fee simple acquisition. Pleased with the earlier projects, municipalities in Dutchess County have also allocated roughly $9.7 million in local matching funds for additional open space and farmland protection (Hudson River Valley Greenway 2010).

"Green" Development through Inter-Municipal Collaboration

Beyond assisting communities in cross-jurisdictional planning, some of the groups have also encouraged inter-municipal collaboration as a way to address both economic and environmental concerns. In this section, I briefly discuss the involvement of Scenic Hudson in a cross-river community development project and Saratoga PLAN in an inter-county initiative. Scenic Hudson has formed strong relationships with the city of Poughkeepsie and the neighboring town of Highland. Poughkeepsie and its surrounding communities are of major concern to the organization as Scenic Hudson is based in the city. Historically an industrial center, Poughkeepsie has struggled to diversify its economy in the wake of significant plant closures and downsizings, particularly those connected to IBM which has major operations in the neighboring town of Fishkill. Further compounding the problem is the city's inability to expand its tax base outward. Engulfed by politically independent suburbs, Poughkeepsie has emphasized waterfront reclamation, redevelopment, and preservation.

One of the focal inter-municipal projects recently co-organized by Scenic Hudson was the $40 million Walkway Loop Trail between Poughkeepsie and the town of Highland which lies on the west bank of the Hudson River. The organization convened municipal leaders, the New York State DEC, the New York Office of State Parks, and the New York State Bridge Authority to devise a plan and move forward with the project. The four-mile loop trail links walkways on both sides of the river to the rehabilitated Poughkeepsie railroad bridge, a structure abandoned in 1974 that spans 1.25 miles, 212 feet above the Hudson River. The rehabilitated bridge allows hikers, cyclists, tourists, and others to access parks, historic sites, and the downtowns of the communities on both sides of the river. The walkway is now both a state park and a Hudson River Valley Greenway-designated trail. Since 2009 over 600,000 people have used this "linear" esplanade. Although no formal studies have been conducted, leaders in both Poughkeepsie and Highland anecdotally say that the trail has been a major attraction, bringing record foot traffic to their respective downtown shops and establishments (Jeffrey Anzevino, personal interview, 03/21/2010; State News Service 2010).

Considerably broader than the previous project, in Saratoga and Washington Counties, Saratoga PLAN has

helped advance Old Saratoga on the Hudson. The initiative is an inter-community and inter-county effort to advance a coherent development program based on protecting land, including sites adjacent to some of the nation's most notable battlefields, while also reclaiming and redeveloping sites along the Hudson River and various other waterways. The $30 million program began in 2003. It is part of the larger Historic Saratoga-Washington on the Hudson Partnership, a new state commission created by former state assemblyman Roy McDonald with the assistance of assemblymen Steve Englebright of Long Island and Jack McEneny of Albany.

Old Saratoga on the Hudson essentially creates new parkland and infrastructure in Saratoga and Washington Counties designed to connect and protect various historic, scenic, and recreational sites. The municipalities involved with the project are Schuylerville, Victory, and the towns of Greenwich, Saratoga, Northumberland, and Easton. Saratoga PLAN secured funding for the initiative from the American Battlefield Protection Program of the National Park Service and the Saratoga County Industrial Development Agency. With part of the funds, the organization hired a planner to work with the six municipalities involved with the project.

Besides developing a park system and a series of interconnected hiking and bicycling trails, the initiative aims to reopen boat traffic on the Old Champlain Canal and Harbor, permanently protect the Saratoga Apple Orchard and neighboring farmland from development, and implement the Waterfront Revitalization Area which includes the clean-up of sites along the Hudson River, the Champlain Canal, Fish Creek, and the Batten Kill River. Similar to Scenic Hudson's intent on assisting in the revitalization of downtown Poughkeepsie through the Walkway Loop Trail, part of Old Saratoga on the Hudson also entailed revitalization projects in the struggling river village of Schuylerville. This included the rehabilitation of historic downtown structures and making "adaptive reuse" of the city's old industrial district and brownfields along the Hudson River. The goal here has been to reduce uneven development and suburban sprawl by focusing on redevelopment of the existing built-up areas of the village.

The initiative's reception and the broader Historic Saratoga-Washington on the Hudson Partnership have been generally positive. Ed Kinowski, the town supervisor of Stillwater, one of the towns involved with the Partnership notes:

> *I go to that meeting once a month...that's a good group. You go to that thing and there are fifty-some people there. It's a large group, and the stronger it builds itself, the better. Our {town} historian is working with it. The {Saratoga Historical} National Park works with everybody and is part of it. Let's face it — the National Park is in Stillwater. So they're a strong proponent of {the Partnership} since it mixes with all of the other historical sites that are within Schuylerville, in Washington, all the other areas, plus the Old Champlain Canal and connecting all that and improving the river* (personal interview, 01/13/2010).

Discussion and Conclusion

In this paper we have seen that the work undertaken by environmental and land-use groups offers a viable path towards inter-municipal collaboration. Natural resource concerns can unite disparate jurisdictions and municipalities to pursue common goals. Cooperation organized around conservation and historic preservation is also a viable option for regional community development, especially in places that recognize the untapped resources in their communities.

The findings of this study also suggest that the work undertaken by private, non-profit organizations can complement and even strengthen the objectives of public agencies. This suggests a capacity for successful collaboration amongst non-profits and public agencies. The Hudson River Valley Greenway, for example, was in part the product of Scenic Hudson's efforts in the 1980s to establish a public agency that would help direct and oversee regional planning in the Hudson River Valley. Similarly, the Albany Pine Bush Preserve Commission arose in large part by efforts of the scrappy Save the Pine Bush grassroots group. These examples demonstrate how local environmental movements can lead to the establishment of broader regulatory bodies.

Although Scenic Hudson and Saratoga PLAN lack the regulatory and advisory powers of the Greenway and the Albany Pine Bush Preserve Commission, respectively, they can still influence public policy and their non-profit frameworks also endow them with advantages over their public counterparts. Scenic Hudson, for instance, is not dependent on unstable state funding upon which the Greenway is. Indeed, when Governor Paterson threatened to eliminate the agency in 2009 to save revenue, Scenic Hudson advocated on the Greenway's behalf. Similarly, the Albany Pine Bush Preserve Commission, though never threatened with a similar fate, witnessed a 30 percent reduction in state funding in 2009.

Although the voluntary programs offered by these four groups do not achieve that which could be accomplished with formal regional governments possessing real land-use powers, they represent a step that could evolve into a larger, more governance-based partnership. Scholars have also argued that important benefits exist within these voluntary structures of regionalism. Feiock (2009), for example, argues that volun-

Table 4. Comparison of Land-Use Planning and Preservation Capacity

Groups	Strengths	Limitations
Public Agencies	Regulatory power, ability to grant public incentives to jurisdictions/communities	Reliance on unstable public funding; negative connotations connected to "the State" by some in the public
Non-Profit Organizations	Ability to lobby state officials; somewhat greater autonomy over decision-making	Lack regulatory power and ability to offer public incentives to jurisdictions/communities

tary structures, by avoiding a hierarchical or top-down governance model, preserves the autonomy of self-governing municipalities and bodies in a way that reduces political conflicts around relinquishing existing authorities. Voluntary agreements, moreover, are generally premised on the consent of each member, and therefore the consensual nature of arriving at decisions strengthens the search for "mutually advantageous resolution of {inter-jurisdictional} problems" (Feiock 2009, 361). Voluntary policies in regards to land-use laws also diminish the likelihood of partisan politicking as those involved are able to remain "above the fray," with initiatives that are more likely to be interpreted by local political leaders as politically neutral and objective (Rocco Ferraro, personal interview, 04/13/2009).

The essentially "bottom-up" and community-based models of Saratoga PLAN and the Greenway, for example, stand in contrast to the more "top-down" structure of the Adirondack Park Agency (APA), a public entity created in 1971 by New York Governor Nelson Rockefeller to oversee the long-range future of the giant Adirondack Park. Diane Metz of Saratoga PLAN argued that the agency has not always been receptive to the concerns of municipalities and individual landowners within the Adirondacks, and that such tepid relations have undermined regional cooperation (personal interview, 09/26/2008). Such experiences over property rights concerns and the workings of large government agencies have not been unique to upstate New York (Wondolleck and Yafee 2000; Jackson-Smith, Kreuter, and Krannich 2005). Although the Greenway operates in a less top-down fashion than what has been commonly assumed about the APA, some communities are still slightly wary of partnering with "the state" (John Dennehey, personal interview, 09/11/2008)

Despite the democratic frameworks of the Greenway and Saratoga PLAN, an interesting question for future research might surround whether these groups accrue any risk by comingling land conservation with enhanced regional collaboration. Communities, for instance, might welcome the former but not the latter. Although this study does not pose this specific question, Saratoga PLAN hints that the risks might be worth it given that they "can preserve more land through changing policy than by buying it up (Diane Metz, personal interview, 09/26/2008).

Concerning future policy, possible now only in communities within the Greenway program area, a "Compact Community" program could be initiated statewide through an existing agency such as the DEC or another body. This would provide local officials with lucrative "carrots" to reform their comprehensive plans in ways that would dampen many of the negative outcomes of political fragmentation. New York and other states could also adopt policies similar to those recently enacted in Massachusetts. In 2005, Governor Mitt Romney and the state legislature approved legislation that reimburses communities for any increased education expenses sustained when families move into new, middle-income housing constructed in designated smart growth districts. The law complements a 2004 zoning law change that, with financial carrots, incentivizes communities to build new housing units adjacent to transit stations and town centers (Associated Press State and Local Wire 2005). Across the country, cities have enacted similar policies including San Francisco, Los Angeles, Portland, OR, suburban Washington D.C., and many others (Smart Growth Online 2010).

In the end, if demographic change and disruptions in the availability of fossil fuels results in the renewal of interest in urban areas to the extent that unsustainable types of suburban and exurban development no longer dominate the overarching patterns of development, perhaps these issues will become less relevant. In the meantime, however, there continues to be substantial demand for suburban and exurban properties, and novel approaches to enhancing coordination and planning between jurisdictions are needed. Ultimately, local municipal leaders will have to increasingly consider and take into account the consequences of local development plans on their neighbors and on the region as a whole.

Appendix A

Individuals Interviewed by the Author for this Study

Jeffrey Anzevino, Assistant Director of Land Use Advocacy, Scenic Hudson

Patrick Clear, Executive Director, The Environmental Clearinghouse (ECOS)

John Dennehey, Senior Planner, Hudson River Valley Greenway
Rocco Ferraro, Executive Director, Capital District Regional Planning Commission
Kenneth Green, Executive Director, Saratoga County Economic Development Corp.
Chris Hawver, Executive Director of the Albany Pine Bush Preserve Commission
Edward Kinowski, Supervisor, Town of Stillwater
Kate Maynard, Planning Director, Town of Wilton
Diane Metz, Director of Community Planning, Saratoga PLAN
Paul Sausville, Supervisor, Town of Malta
Julie Stokes, Executive Director (formerly), Saratoga PLAN
Michael Tucker, Executive Director, Center for Economic Growth
Robert Turner, Associate Professor of Political Science, Skidmore College

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Endnotes

1 Email: ptknudson80@gmail.com

2 SCAG has recently sponsored numerous "demonstration project" competitions that incorporate sustainable designs including the reduction of vehicle-miles-traveled and greenhouse gas emissions. The organization has also led inter-municipal discussions that have explored the reuse of abandoned street-car right-of-ways to expand light-rail transportation between Los Angeles and Orange Counties (SCAG 2010a; 2010b).

3 About 20 percent of working-age residents in the Lower Hudson Valley commute to employment in New York City (Federal Reserve Bank of New York 2005). Numerous commuter rail lines have operated throughout the area since the 1850s, and the remaining lines were organized under the publicly operated Metro North in 1981, a component of the Metropolitan Transit Authority. Suburban inter-county commuting, however, is also growing. Dutchess and Orange Counties have 25,000 and 29,000 in-bound commuters, respectively. Since 1980 this represents an increase of 64.4 and 103.8 percent, respectively (Federal Reserve Bank of New York 2005).

4 In the case of New York State, much of the suburban development is occurring in the geographically larger towns that either surround or lie adjacent to the urban centers. Once largely rural, many towns in the state have populations that are actually larger than the cities they abut. For example, in 2000 the population of the town of Poughkeepsie stood at 42,777 compared to 29,871 in the city of Poughkeepsie (U.S Bureau of the Census 2009).

5 U.S. Representative Maurice Hinchey-D, who represents a substantial part of the Southern Hudson River Valley, was also a key advocate of preserving the Hudson River Valley Greenway.

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