

# Town of Middletown Comprehensive Plan



Adopted  
December 13, 2011

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## **Acknowledgements**

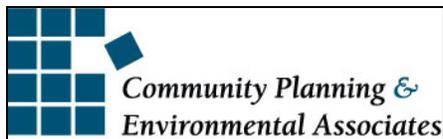
### **Town Board**

Leonard Utter, Supervisor  
John J. Roucek  
Brian Sweeney  
Jacob Rosa  
Michael Finberg

### **Planning Board**

John Sanford, Chairman  
Richard Andersen  
John Nolan Jr  
Barbara Puglisi  
Katherine Somelofski  
Susanna Finch  
Kathryn VanBenschoten  
Paula DeSimone, Alternate  
Glenna Herz, Alternate  
Carl Patrick Davis, Code Enforcement Officer  
Beth Bush, Planning Board Secretary

### **Assistance Provided by**



Nan Stolzenburg, AICP, Principal Planner  
Don Meltz, AICP

### **Delaware County Planning Department**

Nicole Franzese, Director  
Kent Manuel, Senior Planner  
Spencer DeVaul, GIS Planner

## 1. Introduction

A comprehensive plan is a written document that identifies the goals, principles, policies, and strategies for the growth and development of the community. It is not a law in itself, but state statutes require that all land use laws in a municipality be consistent with a comprehensive plan. The town is authorized to develop and adopt a comprehensive plan by New York State Town Law Section 272-a.



Since decisions and actions affecting the immediate and long-range protection, enhancement, growth and development are made by local governments; New York State considers adoption of a comprehensive plan to be a critical means to promote the health, safety and general welfare of the people of the town and to give consideration to the needs of the people. It is the policy foundation upon which communities are built.

There are several implications of having a comprehensive plan. First, all government agencies involved in planning capital projects in Middletown must first consider this plan. That means the Town now has a much larger stake in what other governmental agencies want to do when they are proposing a project in town. Second, all land use regulations must be in accordance with a comprehensive plan (Section 272-a). The plan provides the basis for regulatory programs. All land use laws should be reviewed, and updated where necessary to be in accordance with this plan. Finally, programs and regulations may be adopted to implement the plan to address the Town's needs and to encourage desired development and growth.

This Comprehensive Plan attempts to answer three questions for Middletown:

- 1) What are the current conditions in the Town?
- 2) What do we want for the future of our Town?
- 3) How can we achieve that future?

Appendix A (public input) along with Appendix B (profile and inventory) of this plan answer the “what are current conditions?” and “what do we want the future to be?” questions. They describe current conditions, demographics, physical and cultural features, and information from the residents. The vision statement for Middletown sets the tone and overall direction the Town should take in the future. It was developed directly from a resident survey, two planning workshops, and other public comments received. The vision statement depicts in words what the community is striving to become.

This plan contains several goals that are broad statements that reflect “ideal” future conditions desired by the Town. The goals offer more specific direction and are consistent with the stated vision of the Town. The actions and implementation strategies are a series of recommended steps that the Town can take to accomplish each goal contained in this plan.

The Town Board assigned the task of updating a 1984 version of a Town Comprehensive Plan to the Town Planning Board. The Planning Board met monthly between April 2008 and April 2010. The planning process included the following steps:

- Prepared background studies on current conditions;
- Hosted a planning and visioning workshop for the community;
- Outlined issues to be addressed by the plan;
- Defined a long-term vision and a set of goals for Middletown;
- Hosted a planning workshop to gain feedback on goals and discuss strategies with community members;
- Held a youth workshop to gain feedback on vision and goals with area youth;
- Drafted recommended strategies to help the Town reach those goals;
- Presented the plan to the public for comments;
- Presented the Final Draft Plan to the Town Board for review and adoption; and
- Adopted the Plan (public hearing, SEQRA, County Planning Board review) (TBA).

## Implementing the Plan

This plan offers the Town options and guidelines that can chart Middletown's future. This Comprehensive Plan is not a local law but it will be implemented over time through local laws and programs. Should the Town decide to develop or amend a local law, public hearing(s), review by the county planning board, and an environmental review will be necessary.

To begin implementation of this Plan, it is recommended that the Town Board take the following steps:

1. Use the Implementation Schedule included in this plan to develop an annual work plan of actions. The Town Board should work on a yearly basis to prioritize the strategies so that they can direct implementation efforts and review progress on an annual basis. Assign tasks to appropriate staff, boards, or appoint ad hoc committees as recommended in the Plan to assist the Board in carrying out actions.
2. Appoint the Planning Board to work on zoning and subdivision law updates that translate the options and guidelines presented in the plan into specific language needed for local laws.
3. As per NY Town Law 272-a, the whole plan should be reviewed and updated by the Town Board, the Planning Board or a special "Ad-Hoc" committee every five years. The update process should include public input to reassess the vision and goals, a review and update on what progress has been made in implementing the various recommendations, and changes made to keep the plan relevant to conditions in Middletown at the time. The process for updating the plan is the same as adopting the original plan and would include public hearings, county review, SEQRA review, and adoption by a Town Board resolution.

## 2. Vision Statement

In the future, the Town of Middletown hopes to be a place where the scenic beauty of the mountains remains a hallmark that defines our community. We also hope our community has open spaces and a clean environment that support outdoor recreation, wildlife habitats, and that contribute to a high quality of life for residents. Our Town fosters thriving farms and forests and preserves farmland and open space to support a diversity of traditional and alternative agricultural and silvicultural businesses that provide fresh and safe local foods for year round economic stability in the region. We promote quality housing that meets the needs of people at all income levels. Middletown offers many housing opportunities to our Senior citizens so that they can stay here to age in place and remain active members of our community. Middletown has recreational programs and facilities that offer indoor, outdoor, passive and active activities for all ages.



In the future, we hope to have beautiful hamlets and villages that are vital and thriving, and that are the central focus for shopping and cultural opportunities. It is important that our area continue to be supported by an excellent school system and this will help our Town have a high quality of life that makes Middletown an attractive location for new year- round employment and residential opportunities. We encourage all residents and landowners to take an active role in all aspects of our community life.

We look forward to helping our villages be vibrant and remain the economic focus of our community by having a variety of retail, service, dining, and cultural opportunities that meet the everyday needs of our residents. We hope our future brings new, innovative, clean and green light industrial and commercial businesses that are developed and operated in ways that honor our small town and aesthetic character and our desire to remain environmentally sustainable. These businesses can provide jobs for varying skill levels and ages and provide for working wages and salaries for all. Modern telecommunication services including cellular and high speed internet support residents and businesses.

Roads and adequate parking will be well maintained. We hope to have increased transportation opportunities, including bus or rail. Our vision includes designated byways that showcase our scenic beauty, and link our villages and hamlets to promote economic opportunities related to tourism and recreational development.

Our natural beauty, traditional villages and hamlets, cultural and historic resources, attractive streets, buildings and roads all contribute to our community character. A small town lifestyle that promotes neighborliness, community spirit, and pride are vital parts of who we are as a community and we hope that continues. Parks and recreation facilities, a diversity of quality retail services, thriving main streets, and active community life will continue to define our community character. We hope to maintain our uniqueness by ensuring that our built and natural environment including signage, buildings, roads, and development patterns reflect these values. Quality public services exist, including a full service hospital. The tax burden needed to provide quality local services will be supported through fair taxes paid by New York City.



### **3. Goals**

Goals describe future expected outcomes. They provide programmatic direction and focus on ends rather than means.

1. To preserve and extend the enjoyment of peace and tranquility of residents on their land and to provide an improved quality of life for the Town.
2. To conserve the land, water, forest, mineral, historic and scenic resources of the Town for the use and enjoyment of all its residents.
3. To prevent degradation of the quality of the surface and groundwater supply.
4. To encourage the properly regulated development of housing, business, industry and community facilities according to a master plan of balanced use.
5. To assure that every dwelling and place of work is supported by an adequate supply of potable water, sewage treatment and disposal, solid waste disposal, energy and access.
6. To promote safe, efficient, and well-maintained and designed pedestrian and vehicular traffic.
7. To provide adequate land and resources for recreation and preservation of the Town's rural character.
8. To maintain a balanced and equitable tax base.
9. To protect buildings and people from the harm of flood, fire, detrimental land use, and impairment of their natural resources.
10. To ensure that this area is a place where you can live, work and thrive economically ones' entire life.

## 4. Middletown's Character Defined

The Town of Middletown recognizes the importance of a positive community image and maintenance of community character to assist the Town in instilling a sense of pride and well-being in the community, assuring quality employment, and improving tourism. A quality built environment contributes to the overall economic, environmental, and social well-being of Middletown. Community character contributes to the quality of life and community livability into the future.



The most recognizable aspect of community character is the physical appearance of the landscape and the built environment and their relationship to each other. Many components comprise community character. Based on community input during the Comprehensive Plan process, the following are terms used to describe the community character of Middletown:

- Beautiful
- Scenic
- Friendly
- Long way from the City but not too far
- Picturesque
- Convenient village walking
- Beautiful mountains
- Economic diversity of population
- Rural with farms, woodlands, open space, small town features, low density, hamlets and villages, barns
- Peace and quiet
- Outdoor recreation
- Artistic and creative community
- Easy for visitors to get to and at the cross roads of two state highways
- People are entrepreneurial and resourceful
- Second homeowners
- A bedroom community
- Has full public services such as hospital and grocery store (these features are here but there is not a lot of variety)

## 5. Recommendations

This section offers detailed objectives and recommended actions that support the goals of this Plan. Objectives are clear and measurable statements of strategy which when completed will move Middletown towards achieving the vision and goals stated in this Plan. Recommended actions offer more specific, realistic steps that the Town can apply over time to achieve the objectives, goals, and ultimately, the vision established by the community.

### Topic 1. Jobs, Business and Economic Development

**Objective 1.** *Diversify commerce and industries in the area by promoting Middletown as an attractive destination for visitors, home occupations, and new businesses. Build on the many outdoor recreational resources in Middletown to promote tourism and recreational business growth. (See Appendix B for descriptions of existing recreational resources.)*

*Develop a comprehensive economic development strategy.*

**Objective 2.** *Support growth of the area in a way that integrates new businesses with existing ones in a manner that promotes the unique character of Middletown. Provide for the careful development of retail and commercial uses in specific locations including Arkville, in commercial nodes along Route 28, adjacent to the Village of Margaretville, and in other appropriate locations such as hamlets. In order to build on the beauty and character of the area to draw visitors and new businesses, new commercial development should be consistent with the character of Middletown.*

### Recommended Programs and Policies

- A. **Support and Implement the Route 28 Corridor Plan.** Continue to support development, and then implement the Route 28 Corridor Plan that is being developed in cooperation with M-ARK, Delaware County, other agencies and organizations, and neighboring towns and villages.
- B. **Support and Implement the Regional Economic Development Plan.** Continue to support development, and then implement the Esopus/Delaware Revitalization Plan that is being developed in cooperation with M-ARK, Delaware County, adjacent towns, and regional

economic development agencies and organizations.

1. When this plan is completed, consider incorporating the revitalization plan as an addendum to this Comprehensive Plan.



2. In the short term, work to attract, develop or expand retail businesses which will serve as a “draw” for people to visit Middletown. Concentrate on businesses oriented to the outdoor resources, tourism, agri-tourism, and recreational opportunities in Town.

C. **Cooperate with Local Organizations.** Work cooperatively with the Central Catskill Chamber of Commerce and area organizations to secure and expand appropriate business opportunities in town.

D. **Promote Agri-tourism.** Promote activities that can expand small scale and specialty farming. There are many opportunities for agri-tourism, organic, and other specialty farms to play a much bigger role in the economy of the area.

E. **Consider Local Tax Incentives to Encourage Redevelopment and Reinvestment.** Section 485b of the New York State Real Property Tax Law establishes a schedule for property tax abatements for new commercial, business, or industrial projects. This exemption is a local option. Consider offering additional incentives to support, retain and attract businesses, retail and restaurant operations, service businesses and home-based businesses to Middletown.

F. **Work With the County and Neighboring Towns to Improve Telecommunications Services.** Foster improved telecommunications and utility infrastructure, including cellular, broadband services, fiber optic, Wi-Fi, DSL, high speed Internet, and/or cable access connections. Seek locations on public land that may be technically and aesthetically feasible for placement of new transmission tower structures and participate in federal and State-level programs aimed at improving telecommunication technologies in rural areas.

G. **Seek Funding for Economic Development Programs.** Consider applying for available Community Development Block Grants, USDA

(Rural Business Opportunities) and other available funding for economic development. Consider using these funds to promote cooperative programs that provide area youth job training and opportunities to learn to provide businesses manpower resources and keep our young people in the community.

## **Recommended Actions Related to Local Laws**

- A. **Review zoning in terms of business uses in Town.** The Planning Board and Zoning Board of Appeals should review currently allowed businesses in relation to the goals of this Plan and the purposes for each zoning district and make recommendations for changes to the Town Board. This evaluation should be conducted within a reasonable time frame so that the Town Board can update the zoning law where needed. This review could include, but is not limited to determining if there should be restrictions or changes to the allowable business uses in the R-5 and Hamlet zoning districts; whether there are any opportunities for expanding the Business Commercial district (BC); and what commercial design and siting standards could be used to ensure new businesses fit in the landscape of the area and character of the Town. This review should also evaluate if the existing Commercial and Industrial Use Floating Zone could be improved to promote appropriate commercial development in Town. In conducting this review, the boards can use Appendix E (Zoning and Subdivision Audits) as a guide. (see Audit in Appendix E for full details and rationale):
  
- B. **Clarify Zoning District Purpose Statements.** Zoning should clarify the purpose of each zoning district, and be more specific about what the role of commercial development in the R3 district will be.
  
- C. **Promote more home occupations.** Create two categories of home occupations – minor and major. Minor home occupations should be permitted by right with no further review, and major home occupations should require site plan review and/or a special use permit. Minor home occupations usually have no employees and have no exterior evidence of commercial use. Major home occupations have several employees and have vehicles, material, or equipment storage on the property with parking, signage and client or supplier traffic.

**Topic 2. Open Space and Resource Protection (Land, Water, Forest, Mineral, Historic, Scenic, Wildlife)**

*Environmentally sensitive areas and historic and cultural resources should be identified and protected when new development is proposed.*

*Objective 1. Promote land uses that are consistent with the capacity of the land and other resources.*

*Objective 2. Promote the protection of environmentally sensitive areas (wetlands, steep slopes, streams, stream corridors, floodplains, critical habitats, unfragmented forests, and open spaces).*

*Objective 3. Promote the protection of cultural and historic resources that contribute to the character and environment of Middletown including scenic and historic resources.*

**Recommended Programs and Policies<sup>1</sup>**

**A. Provide Educational Materials to Help Town Residents Understand both the Environment and Zoning.** Consider developing an education program for landowners and applicants so that they understand the Town's environment and zoning requirements in place to protect those resources. Brochures, CD's, and websites can all be used to assist in providing this information in a cost effective and accessible manner to landowners.

**B. All Projects should be Developed in a Way that also Protects the Environment and Middletown's Rural Character.** Any large development project in the Town of Middletown should be designed and permitted in a way that meets and balances development with the goals of the community as expressed in this Comprehensive Plan especially those related to environmental protection and maintenance of rural character, and protection of quality of life.

**C. Participate In Watershed And Stream Corridor Management Activities.**

1. The Town of Middletown should implement the previously adopted

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<sup>1</sup> Many of these actions come from the Zoning Audit and Recommendations document (See Appendix E). For more detailed explanation and reasoning for the land use oriented recommendations in this section.

Stream Management Plan recommendations to minimize the negative impacts of flooding, erosion, sedimentation and storm drainage on natural resources. Middletown should incorporate the following stream stewardship principles into local programs and policies (See also recommendation D and F of this Topic):

***Stream Stewardship Principles***

*Work toward the protection and/or restoration of:*

- The environmental services provided by streams and floodplains
- The health of stream and floodplain ecosystems
- The naturally effective channel form and function of streams
- Floodplains as part of the natural stream system
- Riparian buffers by minimizing removal of streamside vegetation

*In the process of managing streams to protect public safety and infrastructure, avoid threatening:*

- Stream health - upstream or downstream
- The upland ecosystem through which the stream runs
- The stream bank stability of neighboring properties

**D. Minimize Impacts of Stormwater Runoff When Land is Developed.**

Work to minimize impervious surfaces, and avoid compaction of soils over large areas in areas having hydrological vulnerability. Update land use laws to reference existing NYS DEC Notice of Intent and NYC DEP stormwater requirements. These require an erosion and stormwater control plan for all land disturbances over 1 acre in size.

**E. Work to protect critical wildlife habitats.** Map and keep an up-to-date inventory of the biological resources in the Town, including rare, threatened, and endangered species and habitats. Consider the implications to these resources when planning future development. During project reviews for subdivision, site plan, and special use approvals, work to locate developments away from important plant and animal habitats and migration corridors.

**F. Help promote protection of historic resources in Town by:**

1. Supporting landowners who desire to list their properties on the National Register of Historic Places.
2. Evaluating new development impacts on historic resources within the Town during site plan and special use permit reviews.



3. Working with the Villages of Margaretville and Fleischmanns to develop a historic renovations guideline pamphlet. This could be based on the US Department of Interior Standards for Renovation of Historic Properties and could encourage appropriate restoration of historic structures.

4. Asking the Historic Preservation Field Services Bureau of the New York State

Historic Preservation Office to be involved in project review. This review is required for publicly funded projects that come before the Planning Board, ZBA or Town Board.

#### **G. Involve the public in an inventory of scenic locations in Town.**

### **Recommended Actions Related to Local Laws**

#### **A. Consider updating zoning and subdivision regulations to strengthen protection of environmental resources:**

1. Consider allowing conservation and clustered subdivisions on a voluntary basis.
2. Consider removing the existing DL Overlay (Section 410 of Zoning) because these requirements are already covered by rules and regulations of other agencies.
3. Consider amending site plan, special use sections of zoning, and the subdivision law to strengthen these review processes so that the importance of environmental resources are elevated during permitting.

*Environmental features should be mapped and analyzed during project review. Middletown should give careful attention to the environmental resources of a parcel to ensure new development does not negatively impact these features that contribute to the character of the Town.*

**B. Use the existing average lot size provisions that are in zoning more.**

Current zoning already allows for use of average lot sizes. Make this provision more prominent in the zoning and encourage its use as it has many advantages to meet Middletown's goals. This method allows for more flexibility, a variety of lot sizes, and more opportunities for protecting open spaces. For example, use of average lot sizes on a 35 acre parcel in a zoning district that requires a 5 acre average lot size would allow 7 lots to be created. On this parcel, creation of 5 small lots and two larger lots would preserve the most open space and maintenance of environmental features more than creating five different seven-acre parcels. This technique results in the creation of the largest amount of open field and unfragmented forest as possible during development.



**C. Consider adding density bonus incentives into zoning to help motivate land developers to protect important open space features during development.**

Density bonuses are an incentive that can encourage protection of features that are of value to the entire Town. It offers a land developer the opportunity to build more houses than would otherwise be allowed under the zoning for that district. Density bonuses are implemented through a zoning revision that would detail eligibility for and amount of density bonuses available. If the Town of Middletown offers density incentives, consider offering a bonus for preservation of important farmlands, including timberlands.

**D. Update the Floodplain Law and Help Educate Landowners about It.**

Consider adopting the new floodplain law and work to educate the public and all local officials about the flood damage prevention laws and why these regulations are important.

**E. Incorporate stream stewardship and management as recommended in the SMP into local planning efforts.**

This can be achieved by careful review of projects going through subdivision, site plan, and special use processes as follows:

- a. New projects should provide for on-site stormwater infiltration;
- b. Protect existing streamside vegetation buffers in the riparian zone or create new buffers where none currently exist;
- c. Use cluster or conservation subdivision designs to limit impervious surfaces;
- d. Preserve undisturbed areas;
- e. Reduce clearing and grading;
- f. Locate areas to be disturbed in less sensitive areas: Avoid floodplain and wetland areas, steep slopes, drainage ways, and areas with the least permeable soils;
- g. Reduce roadway and driveway lengths and maintain with pervious surfaces;
- h. Reduce building foot-print size or other impervious surfaces;
- i. Reduce parking lot size and maintain with pervious surfaces;
- j. Use Low Impact Design Stormwater Control Practices;
- k. Preserve prime agricultural soils and active farmlands, including timberlands;
- l. Promote Best Management Forestry Practices; and
- m. Effectively use SEQRA to evaluate and mitigate impacts.
- n. Allow clearcutting when it is an agricultural activity as defined by New York State Agriculture and Markets Law. Consider ways to limit removal of streamside vegetation and consider prohibiting clear cutting during forestry or grading operations within certain distances

*The Stream Management Plan includes many recommended actions the Town could take to protect streams and stream water quality including the 14 items identified here.*

along streams and wetlands.

### Topic 3. Land Uses (Agriculture and Forestry, Residential, Non-Residential)

*Middletown can manage its future growth to maintain small town and rural character and to be an affordable place to live while maintaining agriculture and discouraging rural sprawl.*

*Objective 1. Recognize agriculture and forestry as an important environmental, economic, and aesthetic component of Middletown and work to enhance the economic stability of the farming community. Maintain viable and valuable farmland and farm soils and build public support for the area's farms and farmers.*

*Objective 2. Manage growth to ensure that development occurs at an appropriate scale and design consistent with the small town and rural character of Middletown, and with adjacent land uses. Promote sustainable land use practices and energy efficient development.*



*Objective 3. Promote development of housing in a manner that discourages rural sprawl, enables residents to use existing services and infrastructure efficiently, and that protects the environment. Encourage provision of a greater variety of housing styles and types to accommodate a wider range of housing preferences, income levels, and household types.*

## Recommended Programs and Policies

- A. **Consider establishing a Town Agricultural Advisory Committee.** Appoint members to represent farmer, open space, forest products, agri-business, and local government interests. This Committee should work to promote new and expand existing agriculture and forestry opportunities.

They can also represent the farm community, encourage and promote agricultural-based economic opportunities, and work with the Town Board to preserve, revitalize, and sustain the Town's agricultural businesses and working lands. Optimally, the Ag Advisory Committee should work with adjacent towns to promote agriculture and forestry regionally.

- B. Educate Landowners on the Ag Assessment Program and the Ag Disclosure Notice Required by NYS.** Provide information to farmers and farmland owners regarding the NYS Agriculture Assessment program that is already available. Promote the program with all eligible land owners. To this end, also ensure that the Town Assessor, farmers and farmland owners have up-to-date information on the tax relief programs. Help educate local realtors about the requirement for use of the Ag Disclosure Notice when land in a NYS Agricultural District is to be sold (as per NYS Agriculture and Markets Law 25-aa).

- C. Work Regionally to Promote Agriculture.**

Coordinate with and support Delaware County, WAC, CWC, Cornell Cooperative Extension, and neighboring towns and village efforts to develop agricultural and forestry related economic development programs. Support local, regional, and County programs, organizations, and agencies that assist farmers and farmland owners. Work to promote forest products, small specialty farms, agri-tourism, and value-added products.



While the current agricultural economy may make it difficult to promote traditional dairy farms, the Town has opportunities for other types of agriculture that could add to local food sources, rural character, and the area's economy including forestry. Seek ways to promote forestry through County Industrial Development Authority (IDA) programs.

- D. Support County Ag and Farmland Protection Plan.** The Town should promote full implementation of the County Agriculture and Farmland Protection Plan and work to ensure that it is kept up-to-date and includes a strong ag economic development component. This County-level plan should target entrepreneurial agri-businesses, attracting new farmers and expanding existing operations, including forest products.

- E. **Promote Area Farms.** Promote the Pure Catskills brand in Middletown. Encourage farmers to become members of Pure Catskills and increase the number of farms in Town that are listed in the Pure Catskills brochures.
- F. **Encourage County to be More Aggressive in Ag Economic Development.** Encourage the County and County economic development programs (such as IDA) to promote more agricultural operations especially those that could have an ag-tourist component. Promote development of local meat, dairy, and other processing facilities such as for-rent community kitchens. Encourage the Delaware County IDA to enhance funding opportunities in the forms of loans, grants, and tax incentives directly for new farm, farm expansion, and ag-business development. Encourage the County Industrial Development Authority (IDA) to promote forest product development programs.
- G. **Place a Farmer on the Planning Board.** Consider appointing a farmer to serve as a member of the Planning Board to ensure that the agricultural perspective is included in the planning process as per NYS Town Law 271.11.
- H. **Support Conservation Easements that Allow for Continuing Agriculture.** Support landowners who desire to use conservation easements to protect their farmland properties for farming.
- I. **Assist in Making Middletown an Affordable Place to Live.** Encourage finding more ways to address the housing needs of low to moderate income families. Support development of additional senior citizen housing. Continue cooperative grant writing with to develop additional projects similar to Mountain Laurel.
- J. **Become Knowledgeable About Natural Gas Drilling Activities.** Recognize the issues related to potential natural gas drilling in Middletown. The future of natural gas drilling via hydrofracking in Middletown should be determined based on informed knowledge on the technical, legal, and permit conditions. The Town Board should continually monitor information about natural gas drilling and State and federal permit requirements. See also Recommendation B (5) of this topic.

### **Recommended Actions Related to Local Laws**

- A. **Ensure that zoning is “farm-friendly”.** Middletown’s land use regulations should define agriculture broadly with no size or income

restrictions, as well as forestry, open space, farms, farm stands, agri-business, and agri-tourism. Ensure that the definition of agriculture does not restrict what kind of agriculture can take place and that it allows and encourages forestry operations. Clearly written purposes should state the importance of protecting farmlands, forestlands and landowners' right to farm and practice forestry. Roadside stands, farm stands, farmers markets, forestry (including silviculture, wood products, tree farms, and maple products), and small retail operations on a farm should be allowed. Small meat processing facilities on the farm should also be allowed. Allow for farms to have multiple businesses in addition to food production such as bed and breakfast inns, u-pick operations, dude ranches, and other agri-tourism opportunities. Town-wide, but especially in the NYS Agricultural District, zoning should require careful review and mitigation where necessary, of potential negative impacts of a proposed project on adjacent farms/farmlands.

**B. Consider amending the zoning law as follows:**

1. Add protection of rural character, open space, agriculture, and environmental protection as important purposes of the zoning.
2. Update the definitions section so that definitions are consistent with the New York State Uniform Building Code and so that all uses included in the Use Table are defined.
3. Address wind turbine development in Middletown.
  - a. Amend the use table in the zoning to add small (personal use) wind turbines as permitted through a site plan review in all districts for homes, farms or businesses.
  - b. Amend the use table in the zoning to add industrial scale wind turbines as permitted by a special use permit and site plan review in the R-5 District. Consider declaring industrial scale wind turbines a Type I Action under SEQRA to elevate the environmental review of these land uses if proposed to the Town. As part of the environmental review, require applicants for these types of wind turbines to pay for and conduct a viewshed analysis to identify potential negative impacts. Consider the feasibility of requiring provision of lower-cost energy to the residents of Middletown from the turbines and/or local compensation.
4. Consider expanding the hamlet district boundaries to offer more opportunities for compact and mixed-use development in the future.

Boundaries however, should not extend into floodplains, or wetlands.

5. Consider establishing natural gas drilling in the Use Table as a use that requires both site plan review and special use permits in Middletown. As part of those requirements, applicants for natural gas drilling should be required to pay for and conduct an environmental assessment that provides adequate information on its impacts so that the Town can make informed decisions. Further, a natural gas drilling applicant should pay for and conduct a road inventory and propose a road use plan prior to any local approval to minimize and mitigate potential negative impacts on local roads.



C. **Encourage Good Subdivision Design.** Encourage major subdivisions to be designed to be consistent with rural and environmental character and provide educational materials on such design tools as:

- Preserve stone walls and hedgerows, if possible and if the applicant is willing.
- Avoid placing buildings in the middle of open fields.
- Use existing vegetation and topography to buffer and screen new buildings if possible.
- Minimize clearing of vegetation at the edge of the road, clearing only as much as is necessary to create a driveway entrance with adequate sight distance if possible, and if the applicant is willing.
- Site buildings below ridgelines so that they do not protrude above treetops and crest lines of hills as seen from public places and roads.
- Minimize crossing of steep slopes with roads and driveways.

D. **Allow Different Types of Housing.** Ensure that zoning allows for a wide variety of housing types including accessory apartments, two-family

houses, and multi-family houses.

#### **Topic 4. Infrastructure and Community Services (Internet/Cellular, Transportation, Emergency Services)**

### **Recommended Programs and Policies**

- A. **Consider using traffic access management and traffic calming techniques When a Development Might Impact Traffic Flow.** These should be consistent with, the New York State Department of Transportation Highway Design Manual, Chapter 25 – Traffic Calming, Revision 33, August 31, 1998 or most current version. Traffic calming may not be applicable to every project proposed. Individual projects should be assessed by the Planning Board to determine if necessary and

*Traffic access management tools:*

- *Limit number of curb cuts permitted per parcel and reduce the number of curb cuts along a highway corridor. Allow for use of shared driveways, shared parking lots, and shared commercial access roads under carefully planned circumstances.*
- *Separate curb cuts and intersections.*
- *Align driveways so they are opposite each other or offset at least 125 feet.*
- *Speed limits*
- *Signs (standard, vehicle actuated)*
- *Road Markings*
- *Surface treatment; (rumble strips, bar markings)*
- *Reduced intersection radii (also are very important to have when trying to maintain rural character)*

feasible.

- B. **Focus Infrastructure Development to Hamlets and Villages.** Focus development of new public services in areas of Middletown such as hamlets, commercial districts, and in areas adjacent to the villages. Promote compact development to avoid unnecessary development or extension of water and sewer lines.
- C. **Work Closely with Fire and Ambulance Services.** The Town could form an Emergency Services Advisory Board with members representing the various emergency service departments and the Town Board. The role of this advisory group is to determine the needs for and respond to

the additional equipment, facility and personnel needs to provide quality emergency services.



1. Support aggressive volunteer recruiting programs by improving existing tax incentives for emergency service volunteers and working with the emergency departments to identify other mechanisms to recruit and retain volunteers.

2. Assist emergency departments' applications for FEMA and other grants in order to expand and improve programs and initiatives.

- D. **Ensure Public Services are Adequate for New Development.** When reviewing a project subject to SEQRA ensure that no negative impacts will be created on fire, ambulance, road, and other town services.
- E. **Seek More Public Transportation.** Work with Delaware County to explore ways to provide public transportation services within the town.
- F. **Consider development of a Capital Improvement Plan (CIP).** See Box below.

A CIP is a multi-year schedule that lays out a series of Town projects, facilities and large equipment, and their associated costs. Over the five-year period considered by the CIP, the plan shows how the Town will maintain, expand or renovate facilities and services as needed to meet the demands of existing or new population. These documents are excellent planning and budgeting tools and are usually "rolling plans" where the plan is updated each year, dropping off the previous year and adding one more year at the end of the cycle. A capital budget is updated annually as part of the Town's regular budget process. It will show what projects are already on line, what projects will need funds in the current budget year, and what projects will be started in the current budget year. Coordinating the comprehensive capital budget with the operating budget should give Middletown more insight into long range planning. The information helps decision-makers improve coordination of services for greater efficiency and assess short-run financing requirements in the context of long-run fiscal needs and constraints. A capital improvements program is composed of two parts -- **a capital budget** and **a capital program**. The capital budget is the upcoming year's spending plan for capital items (tangible assets or projects that cost at least \$10,000 and have a useful life of at least five years). The Town should establish a formal CIP process, by adopting a resolution to create and empower a CIP committee.

- G. **Expand Cable Services.** Review franchise and service agreements and require cable franchises to provide expanded service.
- H. **Encourage Green Development.** Encourage the use of Leadership in Energy and Environmental Design (LEED) standards for new development and redevelopment of buildings and sites in the town. Consider use of a density bonus when developers are willing to undertake this. The LEED Green Building Rating System® is the national standard for developing high-performance, sustainable buildings. Participation in LEED is voluntary.

## Topic 5. Recreation

### Recommended Programs and Policies

#### A. **Enhance trails and pathways as important recreational resources and as a tool for economic development.**

1. The East Branch Delaware River and its tributaries should be more of a focal point for recreation. The Town should develop additional access points and amenities so the public can have more opportunities to see and use this important resource.
2. Consider establishing a Trails Committee (or use the Bike and Pedestrian Committee suggested above) and charge them with evaluating existing trails, identifying locations for potential new trails, identifying places to link new with existing trails, and to identify sources of funding for trail development.
3. Establish funding sources for trail development especially through grants. Consider establishing a recreation fee to be collected for each new residential lot created in the Town. The fees should go to a dedicated recreation fund and used to promote new recreation programs and facilities.

*There are many opportunities for enhancing trails for bikes and pedestrians in Middletown. The Town should have a long-range recreation plan which includes youth programs and a community center.*

4. Find Ways to Increase Bike and Hike Opportunities. Consider initiating

a bicycle and pedestrian advisory committee to identify specific roadways that could be used for bicycles and pedestrians, and develop a plan for roadway improvements that are needed to support those uses. Use the NYS DOT Highway Design Manual (Chapter 18: Facilities for Pedestrians and Bicyclists or most current version) and other guides to plan for pedestrian and bicycle use in town.

5. Incorporate public access and trails as important features to be included in the design of major subdivisions. Work to link trails that may be constructed on individual developments together to form a network of trails.
6. Consider offering a density bonus to developers if they provide for public access and trail development within their project.
7. Continue to work with Delaware County, NYC DEP, CWC, SWCD, and other organizations to promote additional access, trail and pathway development in Town.
8. Consider development of a greenway linking Fleischmanns, Arkville, and Margaretville.
9. Promote trails and pathways in Middletown through signage, maps, brochures and websites so that more people can take advantage of these opportunities.



- B. **Develop a long range recreation plan that meets the needs of all residents, but especially teens and seniors.** Appoint a volunteer coordinating committee to oversee this effort. Have people from different walks of life come together and work proactively on the recreation plan.
- C. **Support Development of a Community Center.** Support efforts to develop a community center along County Route 28 to provide for additional recreational opportunities such as a pool and a youth center.
- D. **Work to Encourage NYC Contribute to Local Recreation and Economy.** Continue to work with Delaware County, New York State, and New York City to ensure that County, State, and City owned lands

contribute to local recreational resources and the local economy.

- E. **Continue Youth Programs.** Continue the Joint Youth Program with Mine Kill State Park and Belleayre Ski Center and look for ways to expand this effort.

## Topic 6. Quality of Life and Community Development

### Recommended Programs and Policies

- A. **Start an “Aging in Place” Program.** Provide for the needs of senior citizens to help them remain in the community. Work with Delaware County to promote an “aging in place” program. Locally, consider initiating programs that are oriented to assist seniors. Support the Hospital Auxiliary Wellness program.

*Examples of helpful senior citizen programs may include the following:*

- 1. Consider instituting Tele-Care volunteer phone calls to support the elderly.*
- 2. Consider working with the School to establish “Chores R Us” program which is where groups of teens willing to help seniors with programming DVD players, heavy housekeeping, yard work, changing hard-to-reach light bulbs, teaching computer skills, etc. takes place.*
- 3. Consider property tax reduction/exemption, perhaps in exchange for volunteer work - long term*
- 4. Consider using a website to communicate with seniors and disseminate information on resources, etc.*

- B. **Foster communication with Citizens.** Consider using innovative technologies to involve residents in town dealings including webinars, video conferences, telephone conferencing, and other effective uses of the internet.

1. Establish a community bulletin board in a prominent location to advertise community events and activities.
2. Establish a Town E-Newsletter on a website and/or a paper version.
3. Minutes, documents, application forms, local laws, application forms, maps, plans, and other critical information should be on a web site for

easy access by local residents.

- C. **Involve Second Homeowners in the Community.** Establish a community advisory committee made up of permanent and second home owners. This group could assist in planning community/youth events, like bands and cultural/social events, street/community festivals, and speakers and other programs to involve local government and residents. Welcome wagon-type programs and music may be very effective in bringing people together to build a sense of community. Use town-wide events and activities to bring different groups of people together in a positive way. Find opportunities to encourage primary and second homeowners to become involved in the community as a volunteer, especially with the Fire Department, and Hospital Auxiliary.
- D. **Work With Local Organizations and Events.** Encourage joint programming and marketing between local cultural activities. Provide leadership and coordination to connect all community and volunteer organizations in Town to mutually advertise events, volunteer needs, donations, programs, etc.
- E. **Develop Historic-Oriented Programs.** Consider involving community groups in non-regulatory programs oriented to historic preservation including educational initiatives, an interpretive guide to the history of the Town, roadside pull-offs, design manuals, etc.
- F. **Establish Gateway Signs.** Enhance the community gateways or “welcome” signs, with landscaping, lighting, and thematic signage. Gateways can be establish a theme and can include signs, sculptures, or ornamental historic objects.

## **Topic 7. Government**

### **Recommended Programs and Policies**

- A. **Update Plan Every Five Years.** Keep this plan current by formally reviewing it every five years and making changes as needed.
- B. **Share Services with Adjacent Municipalities.** Explore ways to share services with Margaretville, Fleischmanns and adjacent towns to reduce expenses. Conduct a feasibility analysis and needs assessment to determine the benefits of consolidation or shared services.

- C. **Allow For Intermunicipal Coordination and Review.** In order to foster regional analysis of environmental impacts and to increase communication between municipalities, adjacent municipalities in the region should have the opportunity to review proposals as interested agencies and vice versa. It may be advantageous for a liaison to be appointed between the Town and Village Planning Boards. Further, work with adjacent towns to establish municipalities as “interested agencies” under SEQRA. Current state law requires notification of any public hearing when a project falls within 500 feet of a town boundary. However, this step often comes too late for effective participation. As interested agencies, adjacent towns can be notified in the earliest stages of a project review and offer input.
- D. **Seek Funding for Local Economic And Community Development Programs.** Seek assistance from the County, M-Ark and other organizations to write grants that support implementation of the programs identified in this plan. Work collaboratively with the Village of Margaretville and Fleischmanns on grant writing where applicable in order to meet mutual goals and be more successful in funding.
- E. **Establish local resources to help landowners understand the benefits and negatives of sales of land to New York City.** Cooperate with NYC DEP and work to enhance public access and recreational use of DEP owned or controlled lands. Continue to dialogue with DEP on watershed rules and regulations to help ensure the needs of Middletown residents and landowners are addressed.
- F. **Create incentives and methods to raise funds to address the costs associated with New York City land ownership in Town.**
- G. **Keep Local Fee’s Up-to-Date.** Ensure that all local fees are adequate to cover the real cost of providing those services.
- H. **Promote Communication with Other Towns and Villages.** Encourage leaders of the town and villages to meet regularly to discuss mutual issues and keep each other informed.
- I. **Share This Plan With Others.** Share this Comprehensive Plan with all potential developers to make sure they are informed about this Plan and its goals as well as the rules and regulations of the Town of Middletown. Clearly outline the Town’s expectations for development at the earliest stage of project review.

*In order to accomplish the many actions suggested in this Plan, Middletown should work with the many organizations, businesses, and other institutions. Success will come when all stakeholders are involved and take an active part in these actions. (See Appendix B for lists of these organizations.)*



## 6. Plan Implementation

The Town Board implements the Comprehensive Plan. In order to do that, the Board will need assistance from other boards, agencies, institutions and organizations. This Plan offers a variety of tools the Town can use to help accomplish its goals.

These tools can be organized into policy decisions, program initiatives and regulatory changes. Some actions recommended in the Plan will also require finding the funds to make things happen. Success will be based on setting the right priorities and allocating scarce resources – people and funding – to the most important priorities.

This Plan establishes priorities for implementing actions and these are shown in the following table. This table indicates not only the priority for implementation, but also offers who can help the Town Board, and where more detail about that action can be found in this Plan. It is suggested that the Town Board use this table as a checklist to help them keep track of when specific actions are slated to be acted upon.

The various items included in this Table are further explained as follows:

### Key to “Priority”

- 1 Highest Priority - Implement first, preferably within first year of plan adoption.
- 2 Medium Priority - Implement after the highest priorities are underway, preferably within 2 to 4 years after adoption.
- 3 Lower Priority - Implement after the medium priorities are underway, preferably within 5 years.
- O Ongoing action needed

### Key to “Who Can Help”

The Town Board (TB) oversees all aspects of implementation of the Plan and directs all work to be done in the future. At the Town Board’s request, the following boards, organizations, or individuals can assist the Town Board in implementation:

- PB Planning Board
- ZBA Zoning Board of Appeals
- PA Professional Advisory including Attorney, Engineer, Planner or other

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- HD Town Highway Department
- C County
- NC New committee recommended in this plan (Agriculture Advisory Committee; Bike, Pedestrian, Trails Committee; Recreation Committee; or Community Advisory Committee)
- O Other organizations and agencies from the region.

**Key to "Topic in Plan"**

1. Jobs, Business and Economic Development
2. Open Space and Resource Protection
3. Land Uses
4. Infrastructure and Community Services
5. Recreation
6. Quality of Life and Community Development
7. Government

**Implementation Table (Please see Pages 11 to 31 for Details on Recommended Actions)**

Date to be Completed	Summary of Recommended Task/Action	Page Reference in Plan	Topic in Plan	Who Can Help the Town Board	Priority
<b>Regulatory Actions</b>					
	Review zoning, site plan and subdivision laws related to business development as described in this Plan and make amendments.	13 A	1, 2, 3, 4	PB, ZBA, PA	1
	Amend zoning to clarify district purpose statements, improve home occupation section, update review process related to environmental resources, emphasize use of average lot sizes, and add density	13 B, C 16 A, B, C 22 B	1, 2	PB, PA	1

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<b>Date to be Completed</b>	<b>Summary of Recommended Task/Action</b>	<b>Page Reference in Plan</b>	<b>Topic in Plan</b>	<b>Who Can Help the Town Board</b>	<b>Priority</b>
	bonus incentives				
	Amend subdivision law to allow for use of conservation subdivisions and to promote rural design of major subdivisions	16 A 23 C	2	PB, PA	2
	Update floodplain law	17 D	2	PB, PA, C	1
	Incorporate recommended changes from the adopted Stream Management Plan	18 E	2	PB, PA	2
	Ensure zoning is farm-friendly	21 A	3	PB, PA, O	1
	Update definitions section	22 B	3	PB, PA	1
	Address wind turbines	22 B	3	PB, PA	1
	Expand hamlet district boundaries	22 B			
	Address natural gas drilling as requiring special use permits and site plan review	23 B			
	Ensure zoning allows for different types of housing	23 D			
	Protect critical wildlife habitats	15 E			
<b>Program and Policy Actions</b>					
	Implement Route 28 and Middletown Revitalization Plans, when completed	11 A, B	1	NC, O, PA	2
	Work with area organizations to promote new businesses oriented to recreation, tourism, agri-tourism, small scale businesses	12 C, D	1	O	O
	Consider offering incentives to retain and attract new businesses	12 E	1	O, C	2 then O
	Improve telecommunication services	12 F, 26 G	1	O, C	1 then O
	Apply for economic development grants and other funding as available	13 G	1	O, C, PA	O
	Develop educational resources on the Town's environment and the regulations that pertain to it	14 A	2	O, C	3
	Implement programs recommended in the East	18 E	2	O, C, PA	2

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Date to be Completed	Summary of Recommended Task/Action	Page Reference in Plan	Topic in Plan	Who Can Help the Town Board	Priority
	Branch Delaware River Stream Corridor Management Plan				
	Keep an up-to-date inventory and map of biological resources in town.	15 E	2	O, PA	O
	Establish a scenic inventory based on public involvement	16 G	2	NC, PB, O, PA	1
	Support landowners who wish to have their properties listed on the historic register	15 F	2	Town Board	O
	Work with villages to promote historic resources, and education of residents on historic structures and renovations	15 F	2	O, NC	O
	Continue to work to educate officials and landowners about floodplains, flood prevention and flood-related laws.	17 D	2	O, C, PB	O
	Appoint an agricultural advisory committee to help enhance ag in Town	19 A	3	Town Board	1
	Promote use of agricultural assessments where eligible, promote agri-business development, promotion, branding, and other ideas outlined in Plan	20 B	3	NC, O, C	O
	Work with County IDA to promote more agricultural businesses	20 C	3	C	O
	Promote area farms, encourage County to be more aggressive in Ag Economic Development, place a farmer on the Planning Board, support agricultural conservation easements, support County Ag and Farmland Protection Plan	20 and 21 D, E, F, G, H			
	Become knowledgeable about natural gas drilling	21 J			
	Find ways to address housing needs of low to moderate income families and senior citizens	21 I			
	Consider forming an Emergency Services Advisory	24 C	4	O, NC	2

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Date to be Completed	Summary of Recommended Task/Action	Page Reference in Plan	Topic in Plan	Who Can Help the Town Board	Priority
	Board to determine needs for and respond to facility, training, and volunteer staff needs. Support aggressive volunteer recruitment programs and assist on applications for FEMA and other grant opportunities				
	Consider use of traffic access management when needed	24 A			
	Ensure public services are adequate for new development	25 D			
	Consider formation of a bike, pedestrian, and trail committee to identify new opportunities and enhance pathways as recreational resources and economic drivers. This committee could also seek funding for these activities.	26 A	4	NC, O, C, PA	1
	Develop a long-range recreation plan	27 B	4	NC	2
	Support development of a community center	27 C	4	O	3
	Work with State, City, and County to ensure that public lands contribute to local recreational resources	27 D	4	NC	O
	Continue joint youth program	28 E	4	Town Board	O
	Consider initiating programs oriented to assist senior citizens stay in Middletown and remain active in the community	28 A	6	O, C, NC	1
	Foster communication and community development through having town meeting days, and use innovative technologies to involve and inform residents	28 B	6	NC	O
	Consider establishing a community advisory committee made up of permanent and second homeowners to plan community events and build community	28 C	6	Town Board	1
	Review and update this plan every five years	29 A	7	Town Board	O

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Date to be Completed	Summary of Recommended Task/Action	Page Reference in Plan	Topic in Plan	Who Can Help the Town Board	Priority
	Work collaboratively with the villages to obtain grant funding for programs	30 D	7	NC, O, C	0
	Establish local resources to help landowners understand the benefits and negatives of sales of land to New York City	30 E	7	NC, O, C	0
	Create incentives and methods to raise funds to address the costs associated with New York City land ownership	30 F	7	PA	1
	Establish a fee schedule to keep fees up to date with actual costs	30 G	7	Town Board	1
	Meet regularly with officials from the villages of Margaretville and Fleishmanns	30 H	7	Town Board	0
	Share this plan with all potential developers so that they understand the goals of the Town	31 I	7	PB	0
<b>Capital Improvement Actions</b>					
	Promote compact development to avoid unnecessary development of water and sewer. Focus provision of these services near villages, hamlets and in commercial districts.	24 B	4	PB, PA	0
	Work with Delaware County to enhance public transportation services.	25 E	4	C	0
	Consider development of a 5-year Capital Improvement Plan	25 F	4	HD	2
	Consider development of a greenway linking Fleischmanns, Arkville and Margaretville	26 A	5	NC	3
	Develop signs, maps, brochures, to advertise trails and paths in Town	26 A	5	NC	3
	Establish community bulletin board and other methods to communicate with citizens	28 B, C, D, E	6	NC	2

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Date to be Completed	Summary of Recommended Task/Action	Page Reference in Plan	Topic in Plan	Who Can Help the Town Board	Priority
	Enhance gateway or welcome signs	29 F	6	NC	2
<b>Administrative Actions</b>					
	Ensure Site Plan, Special Use and Subdivision procedures thoroughly evaluate all environmental, historic, and cultural resources of importance to Middletown	16 A	2	PB	0
	Ensure site plan reviews evaluate impacts on historic resources		2	PB	0
	Consider appointing a farmer to serve as a member of the Planning Board as per State Town Law 271.11	21 G	3	Town Board	1
	Educate local realtors on Ag Disclosure Notice requirements	20 B	3	NC	0
	Explore and implement if feasible, ways to share services with Margaretville, Fleischmanns and adjacent towns.	29 B	7	PA	0
	Allow for enhanced intermunicipal review during SEQRA	30 C	7	PB	0



## **7. Maps**

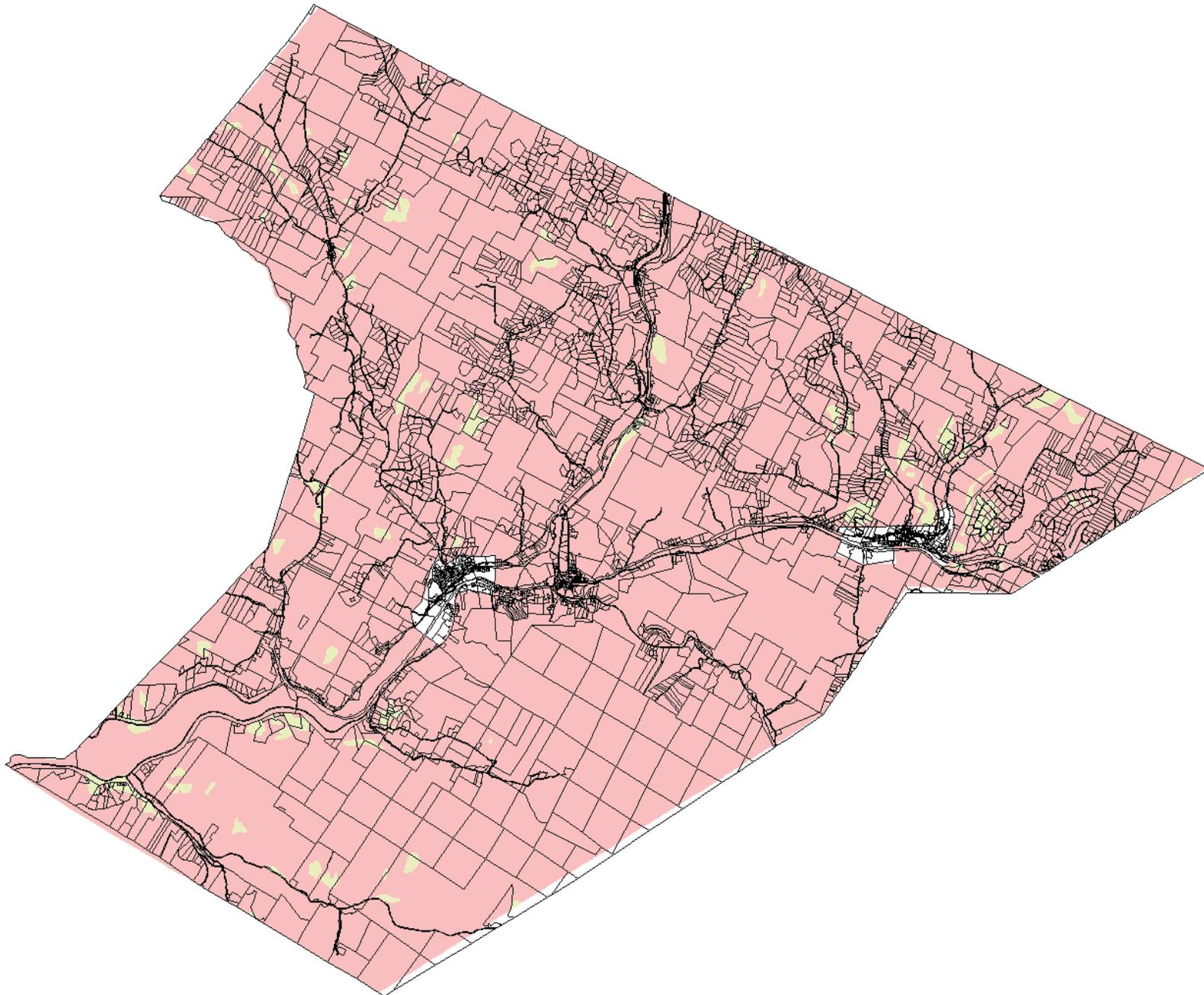
The following maps are referred to and included in this Comprehensive Plan:

- Aerial Photograph
- Agricultural Districts
- Base Map
- Building Limitations
- Elevations
- Historic Locations
- Land Use
- Natural Features
- New York City and New York State Lands
- Recreation
- Slopes and Contours
- Soils and Septics
- Zoning Map

# Town of Middletown Comprehensive Plan

Soils - Septic Suitable

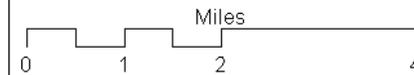
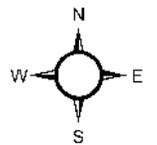
September 2008



## Legend

-  Parcel Boundaries
- Septic Suitability**
-  Moderate
-  Severe

This map is meant as a visual representation only.  
It should not replace an accurate and  
thorough field assessment.



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Produced by the Delaware County  
Planning Department GIS

# Preliminary Analysis of Buildable Land for the Town of Middletown

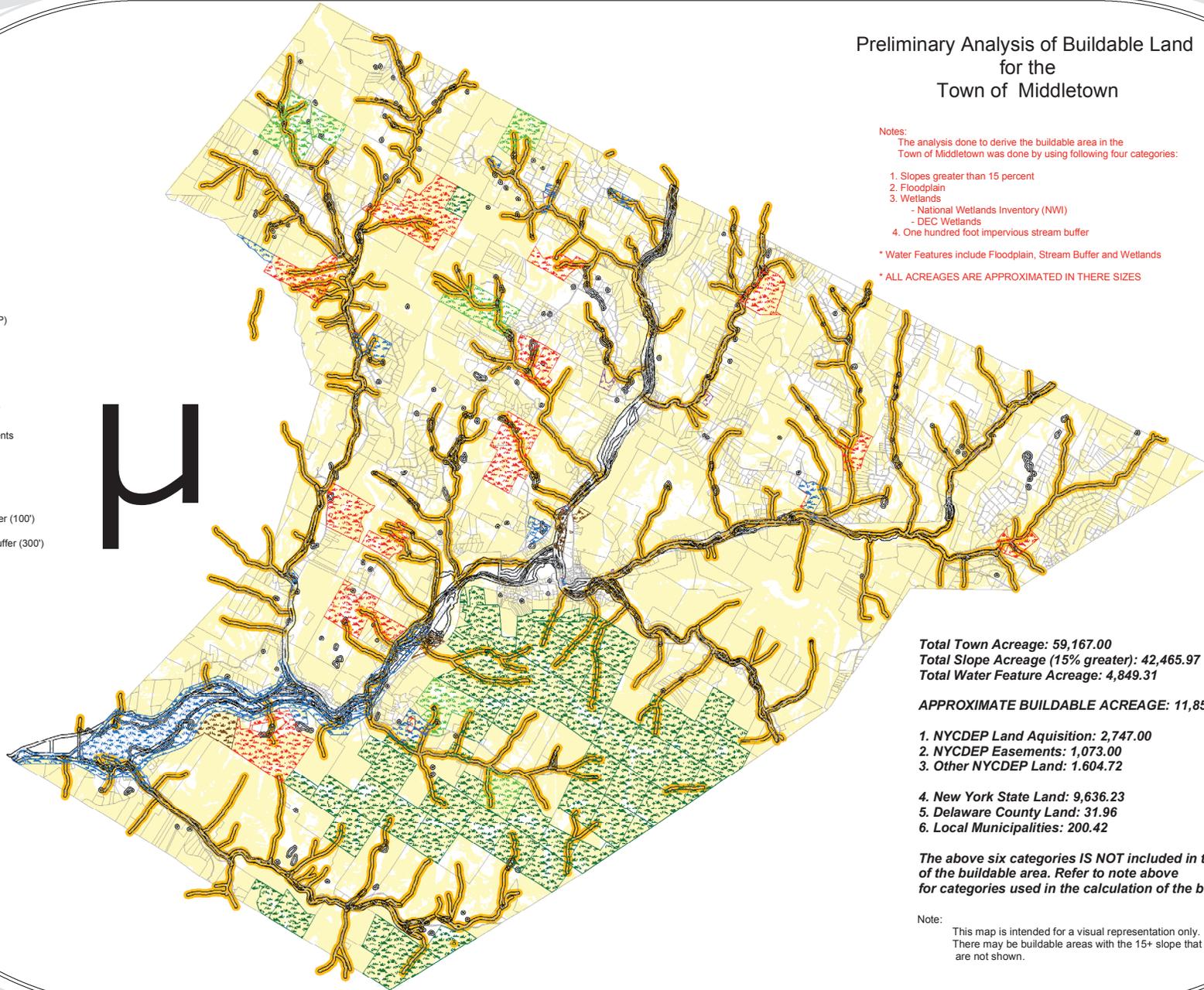
**Notes:**  
The analysis done to derive the buildable area in the Town of Middletown was done by using following four categories:

1. Slopes greater than 15 percent
2. Floodplain
3. Wetlands
  - National Wetlands Inventory (NWI)
  - DEC Wetlands
4. One hundred foot impervious stream buffer

\* Water Features include Floodplain, Stream Buffer and Wetlands

\* ALL ACREAGES ARE APPROXIMATED IN THESE SIZES

- Legend**
- Municipal Lands**  
**Land Owner**
-  New York City (DEP)
  -  Delaware County
  -  New York State
  -  Local Municipalities
  -  NYC/WAC Easements
  -  NYC Fee
  -  Parcel Boundaries
  -  Water Feature Buffer (100')
  -  Land Acquisition Buffer (300')
- Slope Delineation**
-  15% or Greater



**Total Town Acreage: 59,167.00**  
**Total Slope Acreage (15% greater): 42,465.97**  
**Total Water Feature Acreage: 4,849.31**

**APPROXIMATE BUILDABLE ACREAGE: 11,851.72**

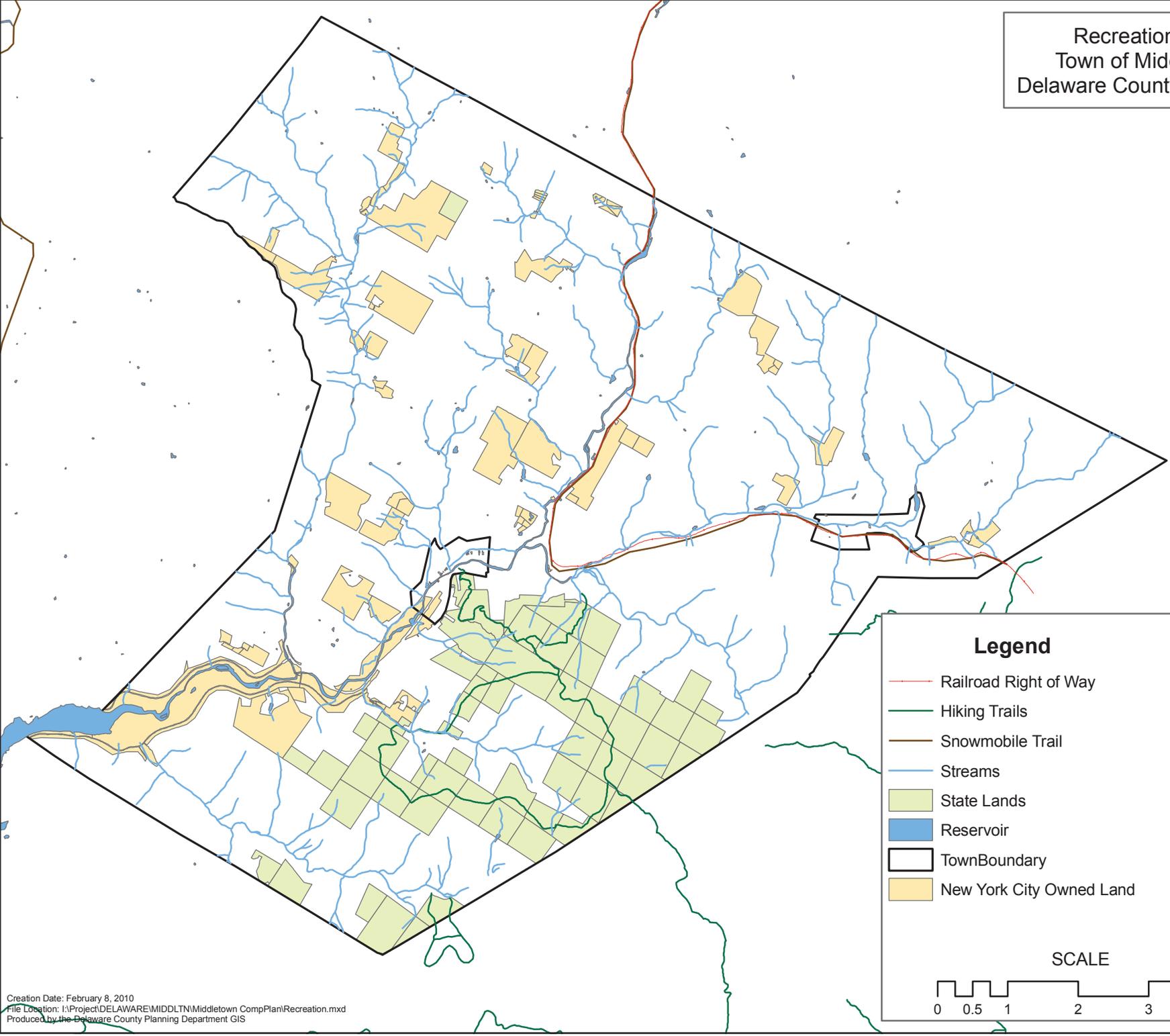
1. NYCDEP Land Aquisition: 2,747.00
2. NYCDEP Easements: 1,073.00
3. Other NYCDEP Land: 1,604.72

4. New York State Land: 9,636.23
5. Delaware County Land: 31.96
6. Local Municipalities: 200.42

**The above six categories IS NOT included in the calculation of the buildable area. Refer to note above for categories used in the calculation of the buildable area.**

**Note:**  
This map is intended for a visual representation only. There may be buildable areas with the 15+ slope that are not shown.

Recreation Map  
Town of Middletown  
Delaware County, New York



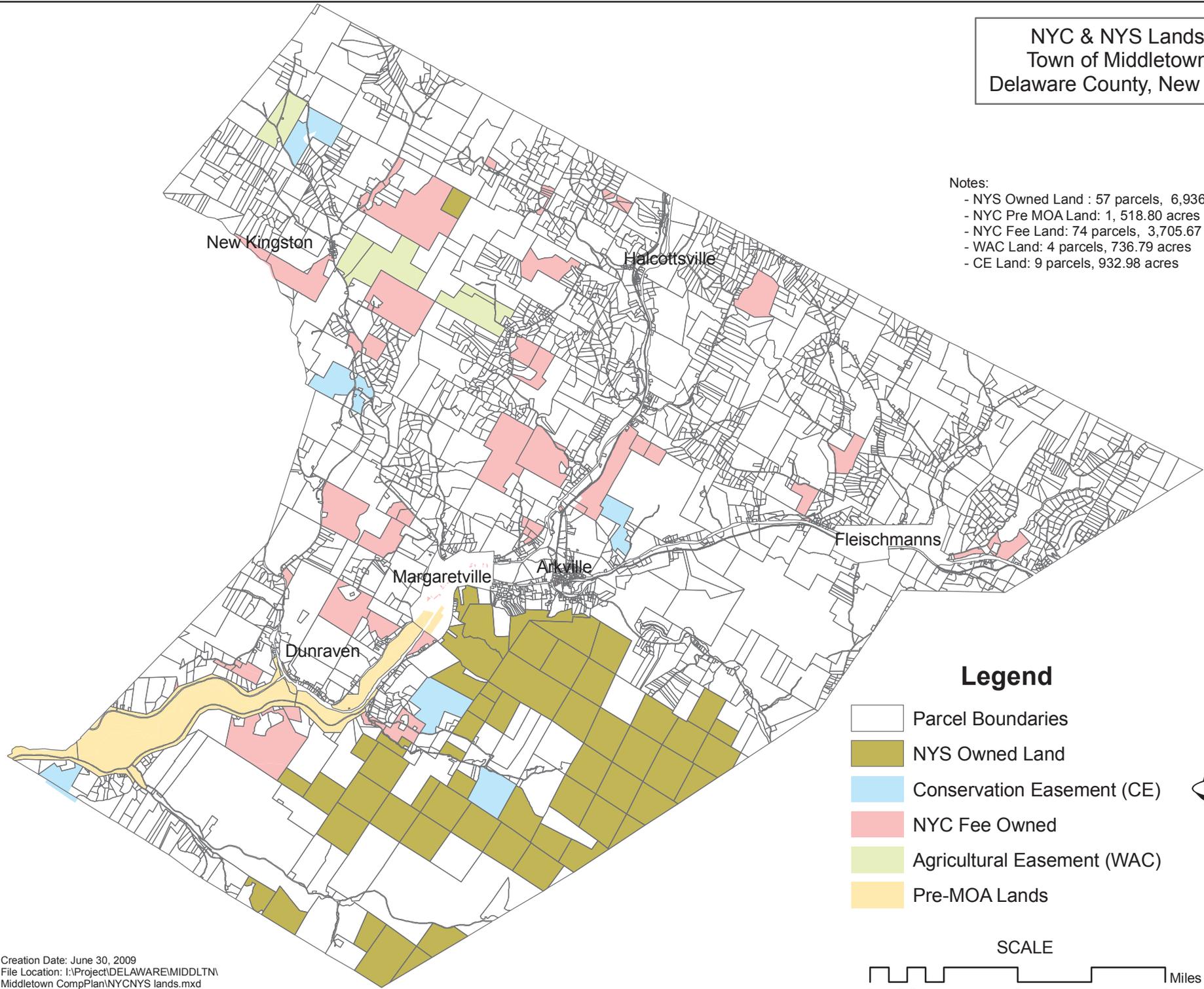
**Legend**

- Railroad Right of Way
- Hiking Trails
- Snowmobile Trail
- Streams
- State Lands
- Reservoir
- TownBoundary
- New York City Owned Land

**SCALE**

0 0.5 1 2 3 4 Miles

NYC & NYS Lands  
Town of Middletown  
Delaware County, New York



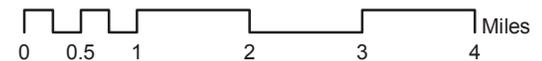
- Notes:
- NYS Owned Land : 57 parcels, 6,936.22 acres
  - NYC Pre MOA Land: 1, 518.80 acres
  - NYC Fee Land: 74 parcels, 3,705.67 acres
  - WAC Land: 4 parcels, 736.79 acres
  - CE Land: 9 parcels, 932.98 acres

**Legend**

- Parcel Boundaries
- NYS Owned Land
- Conservation Easement (CE)
- NYC Fee Owned
- Agricultural Easement (WAC)
- Pre-MOA Lands



**SCALE**



# Town of Middletown Comprehensive Plan

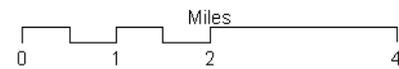
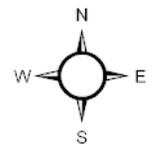
Aerial Photos

September 2008

## Legend

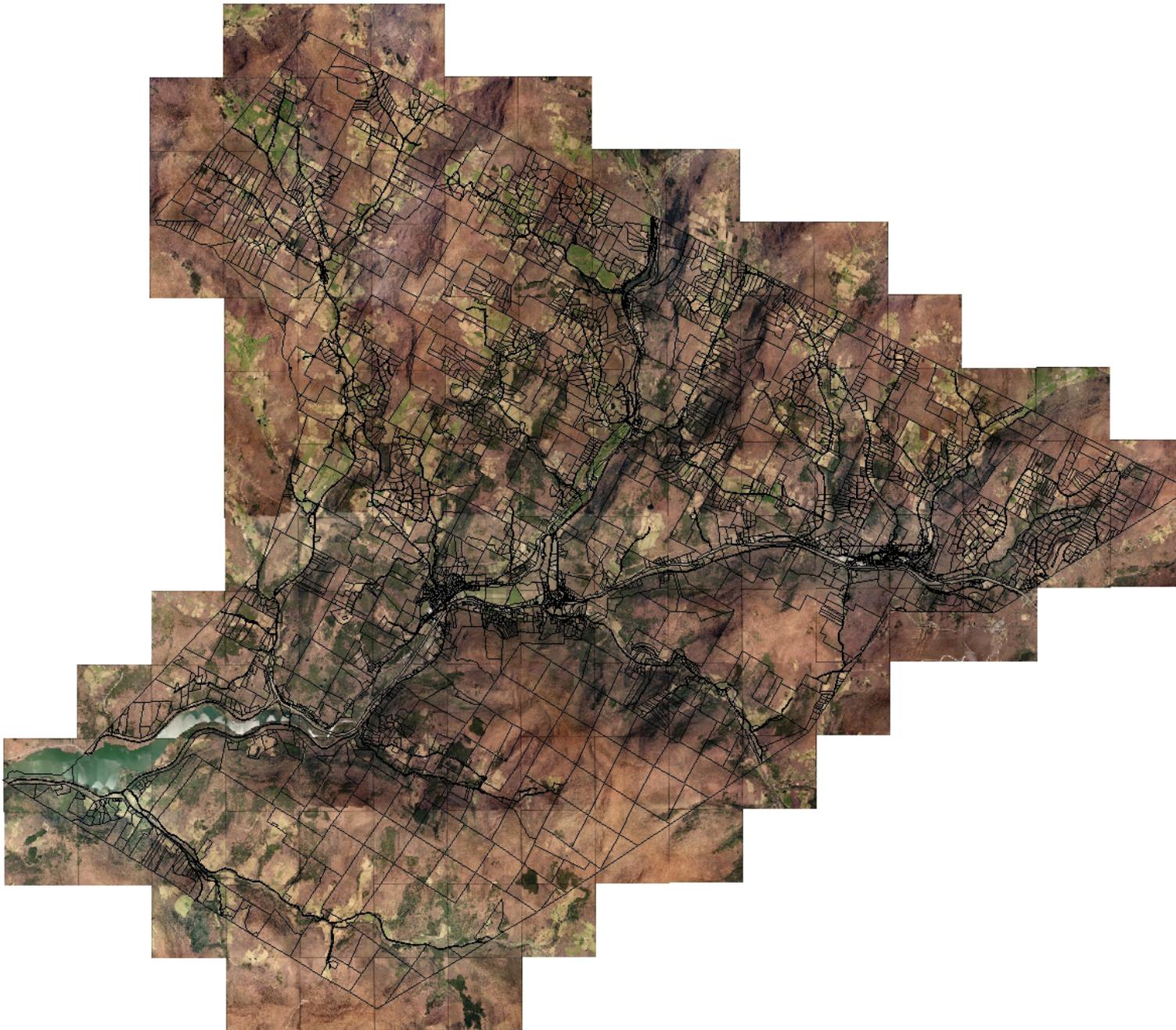
 Parcels

This map is meant as a visual representation only.  
It should not replace an accurate and  
thorough field assessment.



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Produced by the Delaware County  
Planning Department GIS



# Town of Middletown Comprehensive Plan

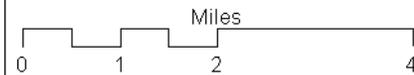
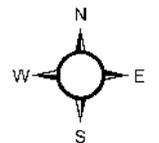
## Agricultural Districts

September 2008

### Legend

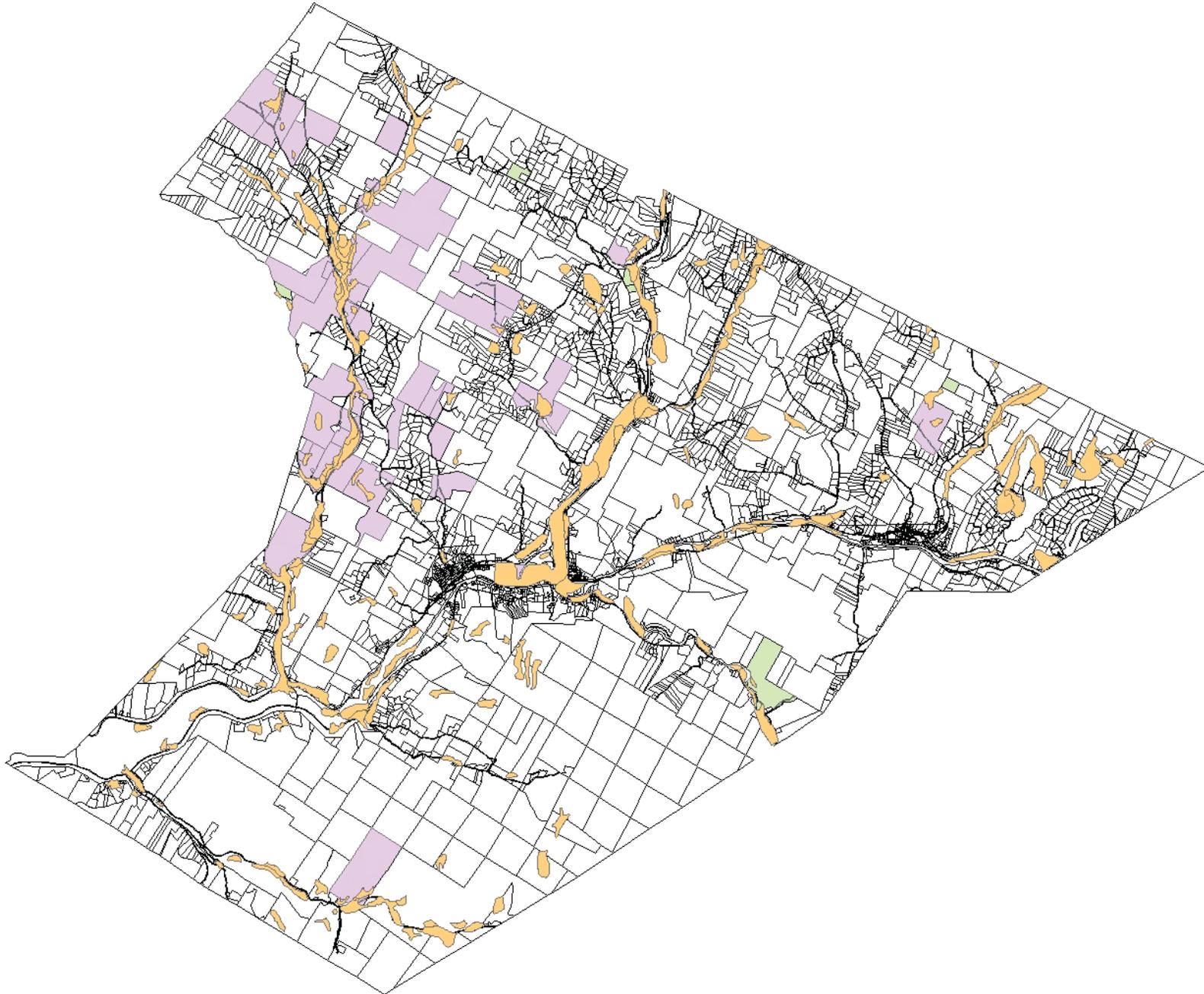
-  Prime Farmland Soils
-  Parcels
-  Agricultural District 3
-  Agricultural Land Use (100)

This map is meant as a visual representation only.  
It should not replace an accurate and  
thorough field assessment.



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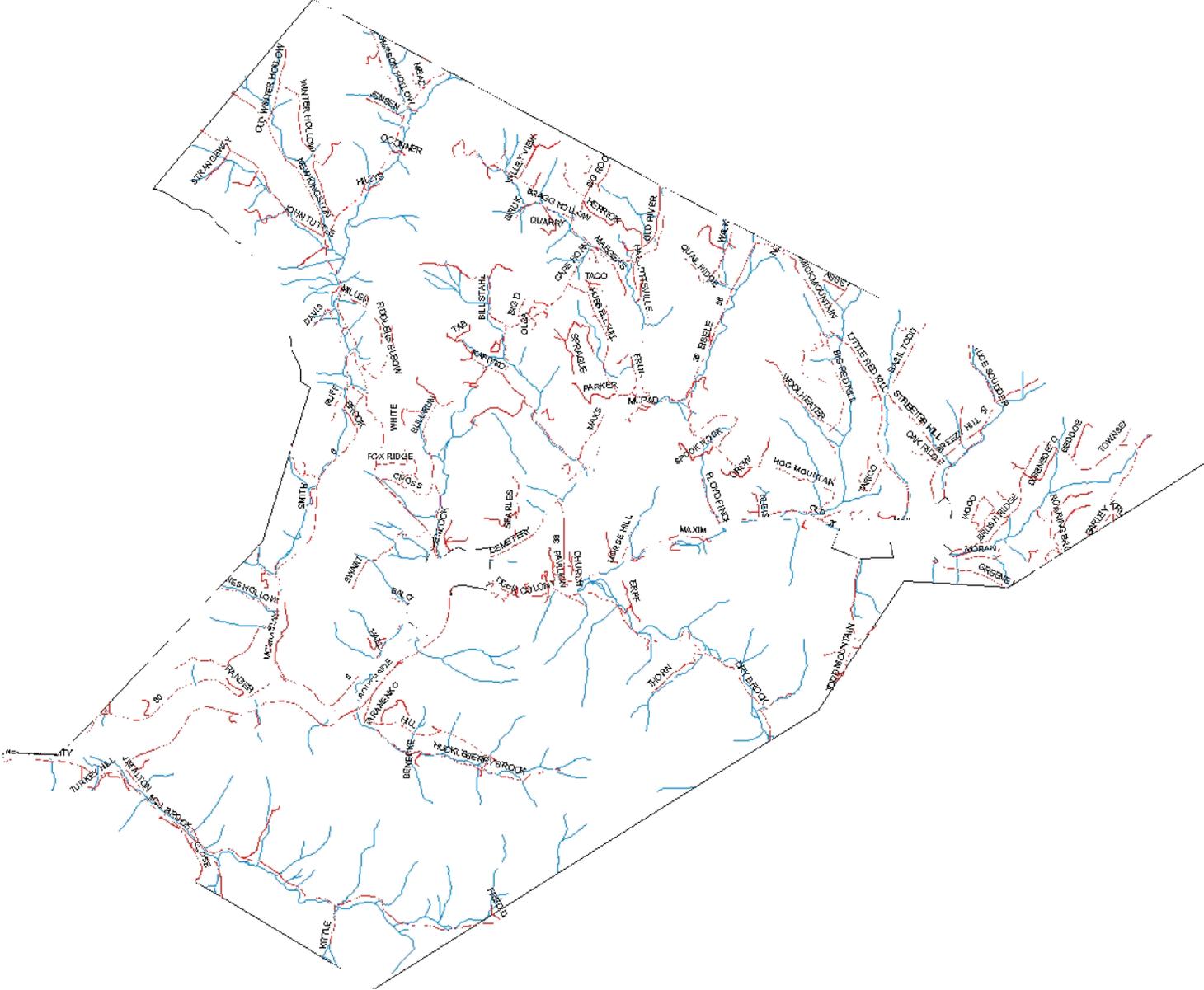
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Planning Department GIS



# Town of Middletown Comprehensive Plan

Base Map

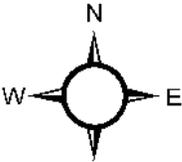
September 2008



### Legend

- Roads
- Municipalities
- ~ Streams

This map is meant as a visual representation only. It should not replace an accurate and thorough field assessment.



Creation Date: September 25, 2008  
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Planning Department GIS

# Town of Middletown Comprehensive Plan

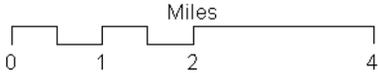
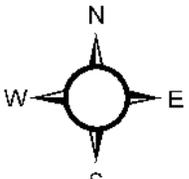
Base Map

September 2008

### Legend

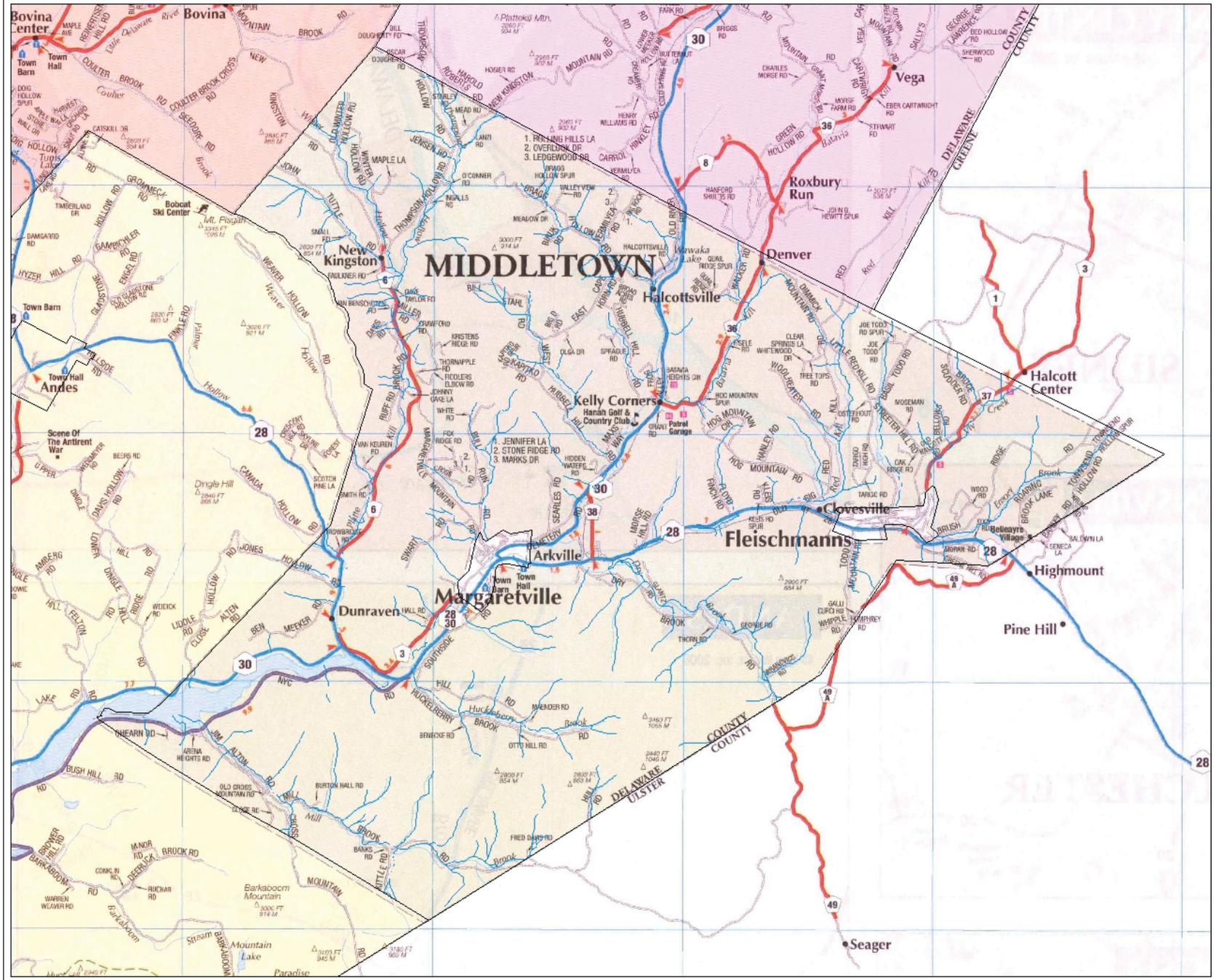
-  Municipalities
-  Streams

This map is meant as a visual representation only. It should not replace an accurate and thorough field assessment.

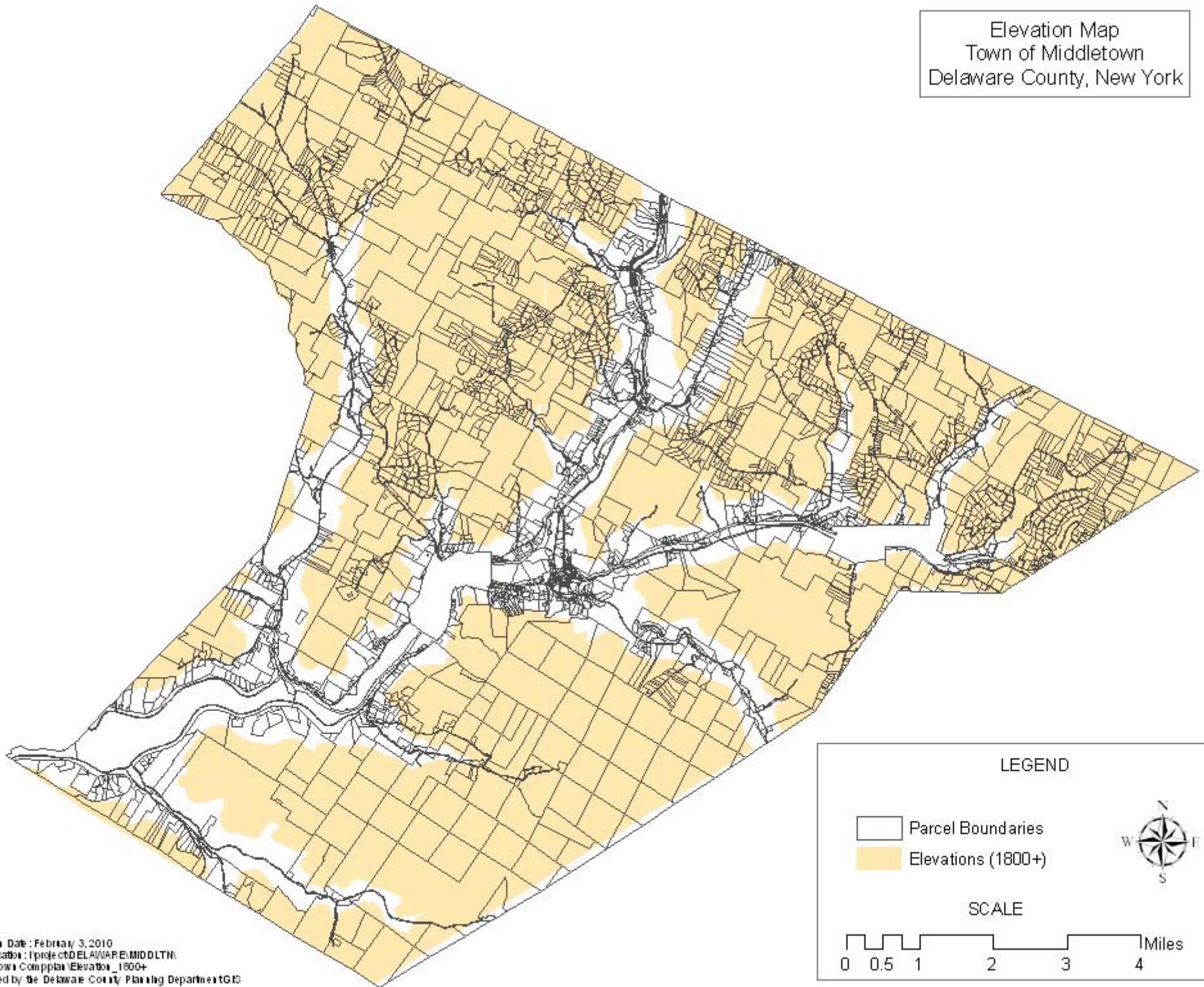


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Elevation Map  
Town of Middletown  
Delaware County, New York



LEGEND

- Parcel Boundaries
- Elevations (1800+)

SCALE

0 0.5 1 2 3 4 Miles

# Town of Middletown Comprehensive Plan

Historic Locations

September 2008



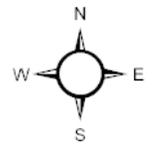
## Legend

### National Historic Register

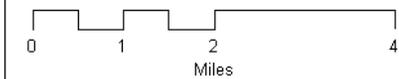
#### Historic Locations

-  New Kingston Historic District
-  Pakatakan Artists Colony Historic District
-  Congregation Bnai Israel Synagogue
-  First Presbyterian Church of Margaretville
-  New Kingston Presbyterian Church
-  Old School Baptist Church of Halcottsville
-  District 10 School
-  Gall-Curoi Theatre
-  Hubbell Family Farm and Kelly's Corners Cemetery
-  Kelly Round Barn
-  Skene Memorial Library
-  Van Benschoten Residence and Guest House
-  Parcel Boundaries
-  Roads

This map is meant as a visual representation only.  
It should not replace an accurate and  
thorough field assessment.



SCALE



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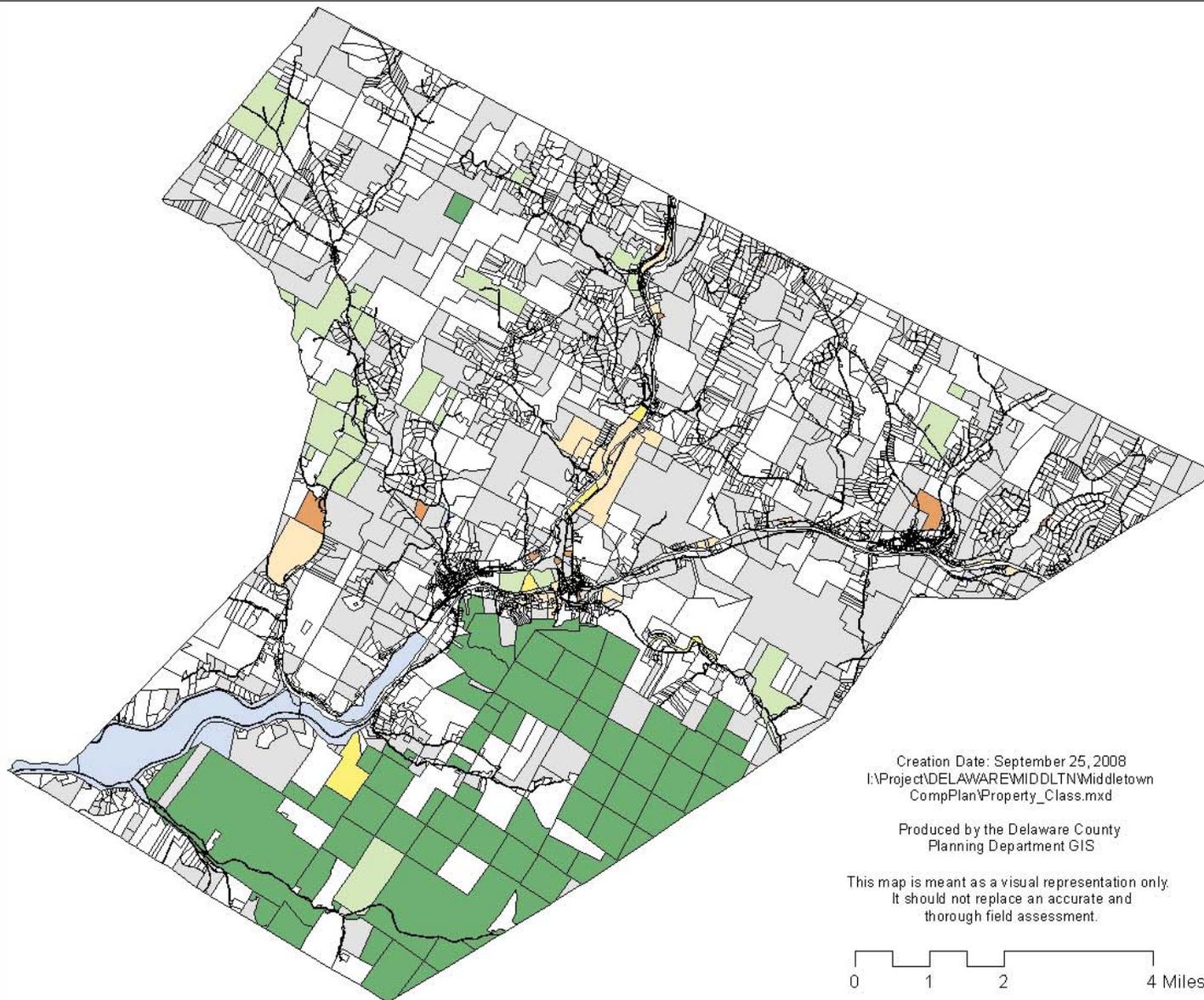
# Town of Middletown Comprehensive Plan

Property Classes

September 2008

## Legend

- Agriculture
- Residential
- Vacant Land
- Commercial
- Recreation and Entertainment
- Community Services
- Public Services
- Wild Forested Conservation Lands

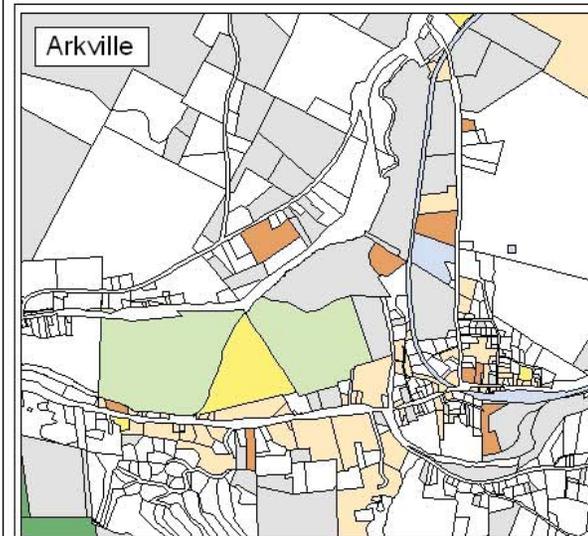


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thorough field assessment.

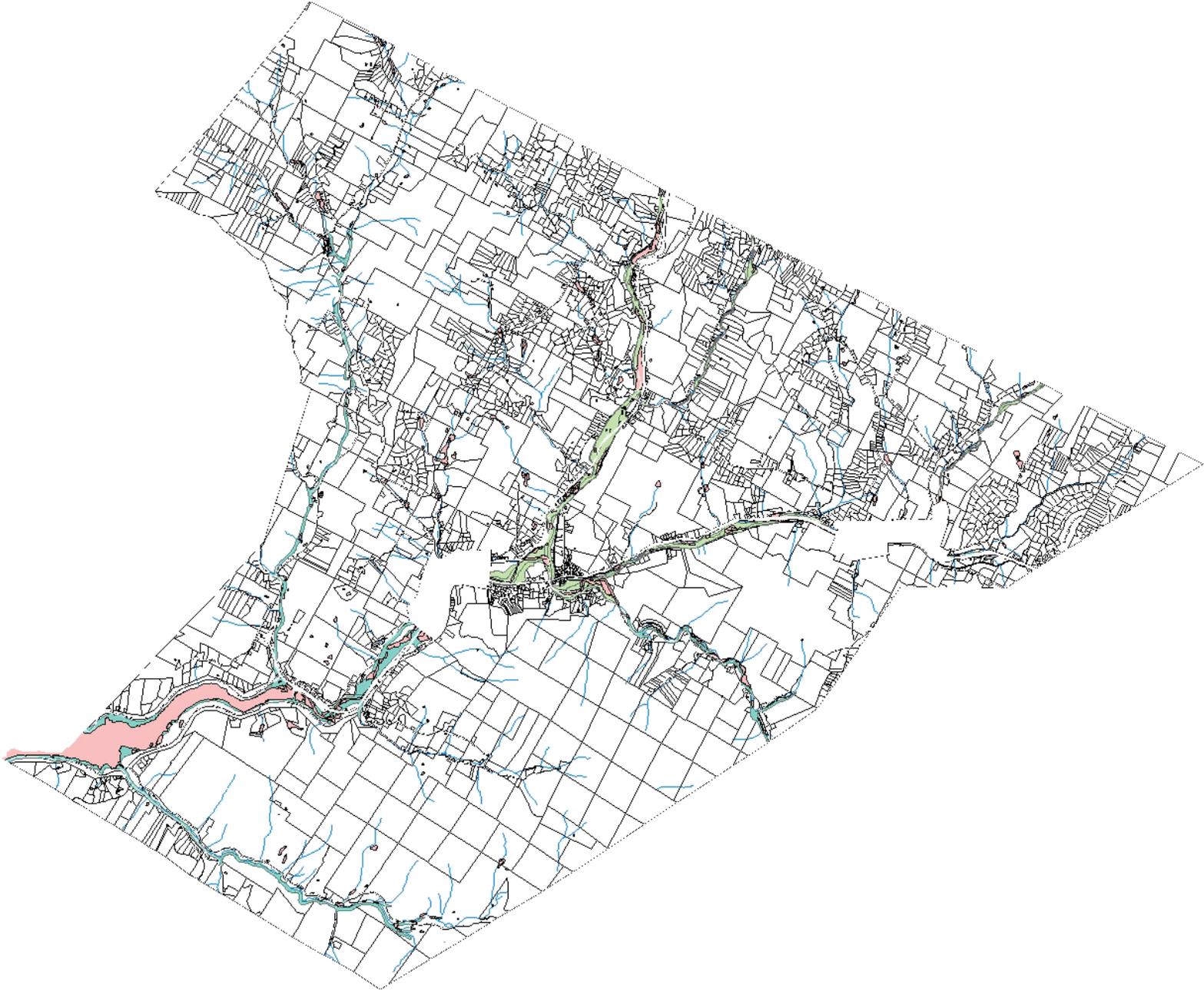
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# Town of Middletown Comprehensive Plan

Natural Features

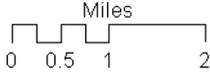
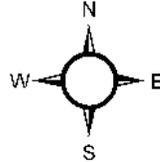
September 2008



### Legend

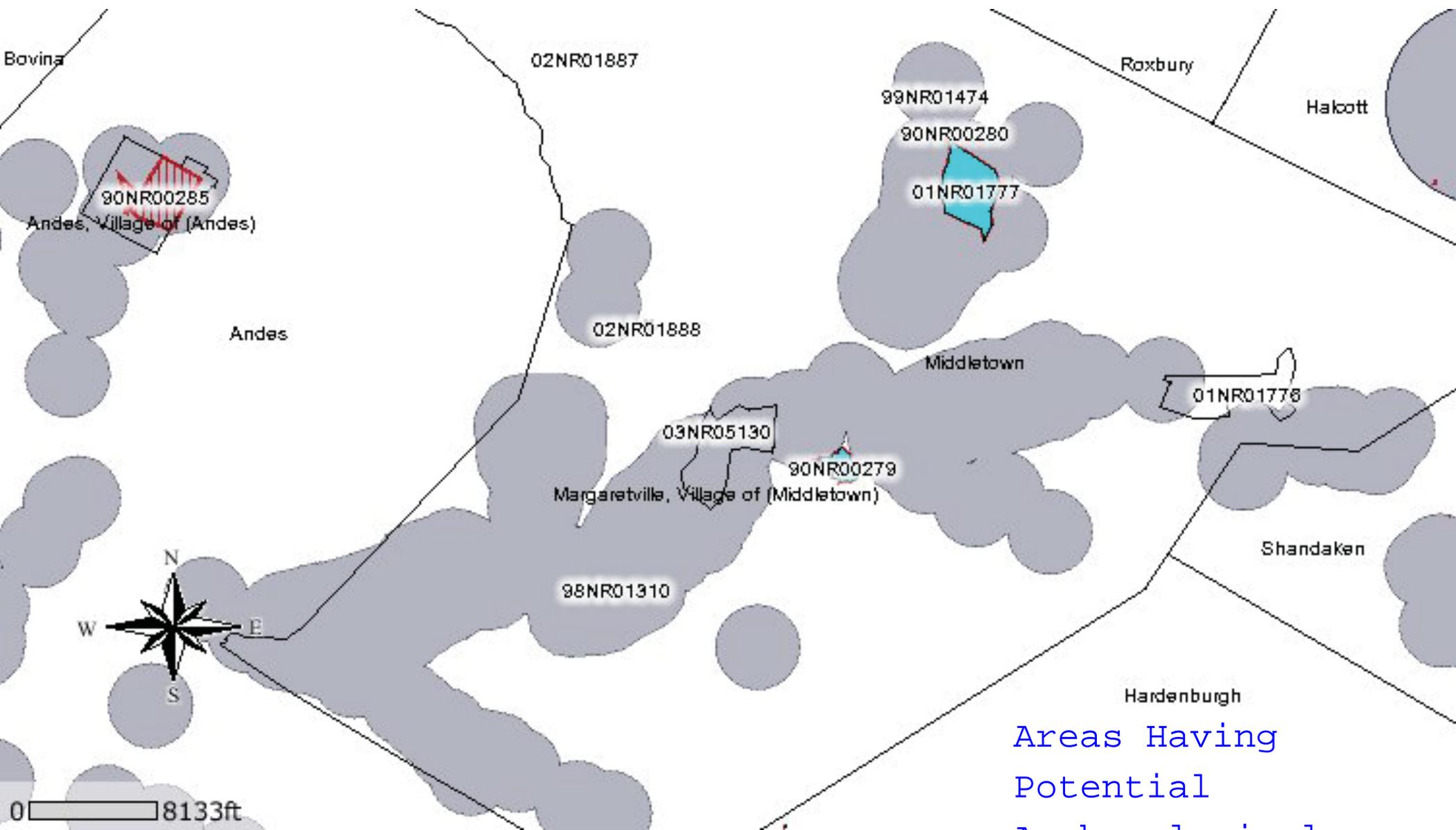
-  NWI Wetlands
- Floodplain (FIRM)**
-  A
-  AE
-  X500
-  Parcel Boundaries
-  Streams

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Areas Having  
Potential  
Archaeological  
Sensitivity

# Town of Middletown Comprehensive Plan

Slope Delineation  
and  
Contour Lines

September 2008



## Legend

 Parcel Boundaries

 Contour Lines

Slope Delineations

Percentages

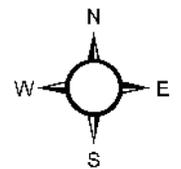
 <15%

 15% - 20%

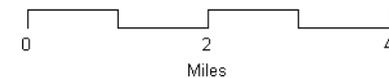
 >25%

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thorough field assessment.

Creation Date: September 23, 2008  
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SCALE

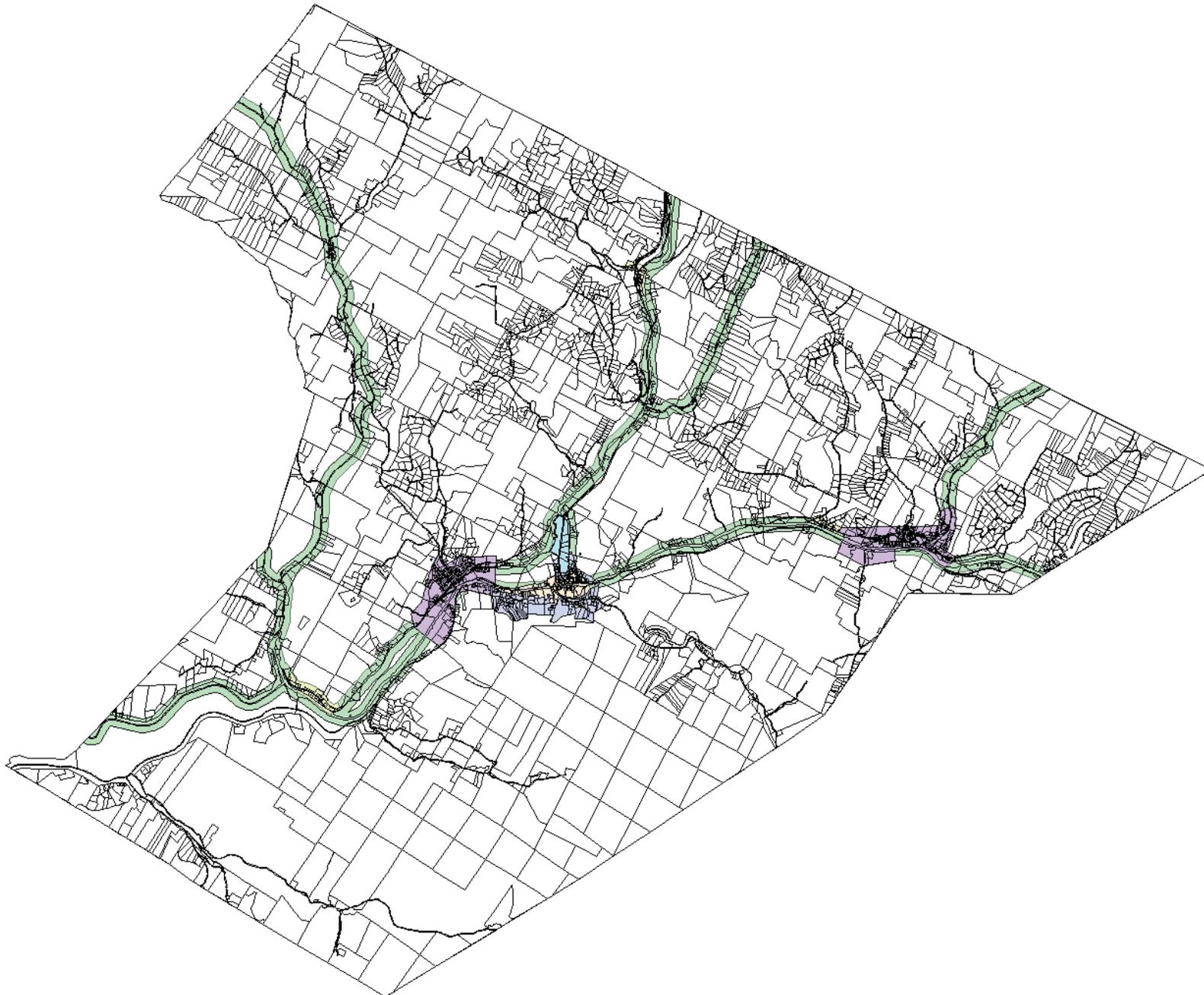


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Planning Department GIS

# Town of Middletown Comprehensive Plan

Zoning Map

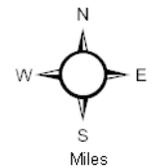
September 2008



## Legend

-  Business Commercial
-  Hamlet 1 Acre
-  Hamlet 1/2 Acre
-  Industrial
-  Residential
-  Residential
-  Village

This map is meant as a visual representation only.  
It should not replace an accurate and  
thorough field assessment.



0 1.5 3  
Miles

Creation Date: September 25, 2008  
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Produced by the Delaware County  
Planning Department GIS

## 8. Appendices



## Appendix A: Public Input Received

### Identification of Strengths, Weaknesses, and Issues

Liabilities	Identified Through Public Input	Identified Through Analysis of Profile & Inventory	Identified as a Priority Issue from Public Input Workshop ("A" indicates one vote from public workshop; "Y" indicates one vote from youth workshop)
Aesthetic look of businesses – design of franchise buildings	✓		
Clearcutting of land	✓		
Decreasing school enrollments, especially in Margaretville Central School District		✓	
Flooding issues in the Village of Margaretville and other locations in the town		✓	
High housing costs	✓	✓	A YYY
High taxes and cost of public services, especially for highway	✓	✓	Y
Higher number of individuals living below the poverty level compared to surrounding towns		✓	
Lack of affordable housing	✓	✓	A
Lack of cellular service and high speed internet	✓		AAAAA YYYY
Lack of community center	✓		A

Town of Middletown Comprehensive Plan December 2011

<b>Liabilities</b>	<b>Identified Through Public Input</b>	<b>Identified Through Analysis of Profile &amp; Inventory</b>	<b>Identified as a Priority Issue from Public Input Workshop ("A" indicates one vote from public workshop; "Y" indicates one vote from youth workshop)</b>
Lack of coordination in planning and communication between Town and villages and various organizations		✓	
Lack of cultural opportunities (possibly coming) This was linked to community center	✓		A Y
Lack of full historic inventory		✓	
Lack of jobs, especially for young people	✓	✓	AAA YYYYYY
Lack of recreational opportunities or access to recreation – especially on New York City lands along the E. Branch	✓	✓	A YYY
Lack of technology and high skilled jobs	✓	✓	AAA
Loss of farms and farmland	✓	✓	
Loss of very young children in community coupled with a pronounced aging population. Large loss of school-aged children.		✓	
Lower median household incomes compared to surrounding towns		✓	
Maintenance of non-paved roads	✓		
More services are needed for second home owners, there are fewer volunteers and second homeowners don't participate in community events and activities	✓		
More housing units and households than population increase. This reflects second home ownership patterns.		✓	

Town of Middletown Comprehensive Plan December 2011

<b>Liabilities</b>	<b>Identified Through Public Input</b>	<b>Identified Through Analysis of Profile &amp; Inventory</b>	<b>Identified as a Priority Issue from Public Input Workshop</b> (“A” indicates one vote from public workshop; “Y” indicates one vote from youth workshop)
New York City buying a lot of land in Town and removing land from the tax rolls is a large issue	✓		AAA Y
New York City regulations	✓		
Not enough stores and businesses; keeping stores in business is difficult; there is need for streamline permitting	✓		A Y
Sprawl along Route 28; aesthetics – need design standards for commercial buildings	✓		
Stream bank erosion and inability of landowner to manage streams on their land	✓		
Transportation difficulties – you can only get around if you have a car	✓		A Y
Volunteer fire departments having difficulty recruiting volunteer members		✓	
Wind, water and gas exploration	✓		

Town of Middletown Comprehensive Plan December 2011

Strengths	Identified Through Public Input	Identified Through Analysis of Profile & Inventory	Indicated as a Priority Issue from Public Input Workshop ("A" indicates one vote from public workshop; "Y" indicates one vote from youth workshop)
Catskill Park and Forest Preserve Trail Systems	✓		
Clean air and water	✓		AA YYYY
Community organizations	✓	✓	
Delaware and Ulster Railroad	✓		
East Branch Delaware River	✓		A Y
Effective zoning and land use regulations	✓		A
Environmental resources	✓		
Friendly people	✓		
Hamlets and villages	✓		AA
Historic resources	✓		
Housing is low density	✓		
Improved appearance of community	✓		
Improving Main Street Margaretville	✓		A Y
Increase in ethnic diversity of community	✓		
Libraries	✓		
Low population density	✓		
Margaretville , Arena, Arkville, Fleischmanns, Halcottsville Fire Departments	✓		
Margaretville Memorial Hospital	✓		AA
Mountains and ridgelines	✓		A YYY

Town of Middletown Comprehensive Plan December 2011

<b>Strengths</b>	<b>Identified Through Public Input</b>	<b>Identified Through Analysis of Profile &amp; Inventory</b>	<b>Indicated as a Priority Issue from Public Input Workshop</b> (“A” indicates one vote from public workshop; “Y” indicates one vote from youth workshop)
Multiple use development initiatives	✓		A
Natural resources (furniture making)	✓		
New York City lands for recreation	✓		
Open Space	✓		Y
Peace and quiet	✓		YY
Proximity to recreation and ski centers	✓		A
Recreation Committee exists	✓		
Recreational opportunities	✓	✓	YY
Regional planning efforts are underway including stream corridor management plan, village planning, county comprehensive plan, Route 28 Scenic Byway nomination, etc.		✓	
Road maintenance	✓		A Y
Rural and small town atmosphere	✓		AAAA
Scenic beauty	✓		A YYY
School	✓		Y
Senior services	✓		
Sense of community and community spirit	✓		
Services for people with disabilities	✓		A
Tourism	✓		A
Village parks	✓		

Town of Middletown Comprehensive Plan December 2011

<b>Strengths</b>	<b>Identified Through Public Input</b>	<b>Identified Through Analysis of Profile &amp; Inventory</b>	<b>Indicated as a Priority Issue from Public Input Workshop ("A" indicates one vote from public workshop; "Y" indicates one vote from youth workshop)</b>
Wilderness atmosphere close by	✓		Y
Updated infrastructure such as water/sewer infrastructure in villages, salt shed		✓	

A member of the Planning Board, together with the Catskill Center for Conservation and Development conducted a strengths and weakness workshop with students from the Margaretville Central School District. They identified their top three liabilities and strengths about the town. These are recorded in the above table. As part of this effort, the students also wrote letters to the editor to summarize their thoughts. These letters indicated that lack of jobs for youth was the top concern shared by many youth. Some of the other comments related to liabilities included lack of recreation for youth, poor maintenance of the River Walk, people taking for granted the natural beauty of the area, outdated library, need for more volunteers for the fire department, and trail maintenance. As for strengths, most young people recognized the areas scenic beauty, and its peaceful and quiet nature as being a strong asset.

## **Strengths and Weaknesses**

Identification of Middletown's positive and negative features along with opportunities and threats to the community was a major goal of the public input process of this Plan. Through this effort, Middletown hopes to maintain its strengths, improve on its weaknesses, take advantage of opportunities and prevent threats from impacting the community.

In summary, residents and landowners of Middletown at the workshop expressed the following:

### **Major Strengths of Middletown to Preserve:**

- Access to ski areas and other outdoor recreation
- Clean air and water
- East Branch of Delaware River
- Hamlets and villages
- Improved Margaretville Main Street
- Memorial Hospital
- Mountains and ridges
- Open space and natural resources
- Peace and quiet
- Road maintenance
- Rural and small town atmosphere
- Scenic beauty
- School
- Tourism

### **Major Weaknesses of Middletown to Improve:**

- High housing costs
- High taxes
- Lack of business
- Lack of cell phone and internet services
- Lack of community center, cultural, and year round recreational opportunities
- Lack of jobs
- Loss of farms
- New development that is not in character with Town (See Section 4 for Definition of Middletown's character)
- New York City land purchases
- Transportation difficulties

## **Visioning Workshop**

During the Public Workshop, the following elements were identified as being important to be a part of Middletown's future:

### **Environment and Open Space**

- Better use of city land and reservoir
- Scenic beauty is intact and recreational opportunities abundant
- Scenic beauty
- Preserved wilderness and wildlife
- Keep the mountains free from exploitation
- Places to swim
- The area is a showcase for environmentally sound farming (including logging) and eco-tourism (including hunting and fishing)
- More development must keep the beauty of the mountains

*Summary: The scenic beauty of the mountains is maintained. Open spaces and a clean environment exist that support outdoor recreation, wildlife, and a quality of life for residents. Environmentally sound farming and eco-tourism compatibly exist in this context.*

### **Agriculture**

- Strong agricultural businesses with strong family ties
- Increase in local farms and sustainable agriculture
- Encourage preservation of farms and farmland
- Alternative agriculture
- Farmers markets
- Thriving agriculture
- Farm market year round

*Summary: Farms and farmland are preserved and support a diversity of traditional and alternative agricultural businesses. Local foods and produce are available year round.*

### **Housing**

- Better balance of full and part time residents
- Include senior housing (not necessarily affordable) within walking distance of village
- Housing for all segments of the economic population
- Housing costs decreased
- Affordable housing for low, middle and senior incomes
- A wide variety of housing at all cost levels
- Better Belleayre project
- Senior housing
- Housing that blends with the existing environment
- Senior housing with assisted living

*Summary: Quality housing is available to meet the needs of people at all income levels. Senior citizens have many housing opportunities in Middletown that allows them to stay here and age in place and remain active members of our community.*

## **Community**

Ways to connect part time owners

Movie Theater

Margaretville Hospital

Public pool

Poor and recreational center

Large town recreational center

Good activities for seniors and teens

As you toured the area meeting people and seeing their offerings, you would feel an energy of life, a zest for living, a can-do attitude

Attractive to tourists and young families

Increase in young families and organizations for children

Improved streetscapes and sidewalks and plantings

Inclusive recreational activities/opportunities

Continue excellent school

Lots of activities every day of the week

Movie theater

Development of the water museum and community recreation park

Beautiful supermarket that sells fresh food at good prices

Good destination restaurant and good family restaurant

Outdoor café

Develop better visible and physical access to trail system

*Part time residents have an active role in our community life. Middletown offers a recreational programs and facilities that offer indoor and outdoor, as well as passive and active activities for all ages. Recreational development promotes and enhances responsible access to our outdoor resources. The Town has beautiful hamlets and villages that are vital and thriving and that are the central focus for shopping and cultural opportunities. Our area is supported by an excellent school system. We have a high quality of life that makes Middletown an attractive location for new year round employment and residential opportunities.*

## **Technology**

Cell phone services

Cell phones and other TI technologies

Full cell phone and internet services for all residents

High tech and well paid commercial industry and jobs

Cell service

Innovation partnership with land grant university to global leadership in land use best practices

Cell service

Some type of new industry/business to create jobs

Rural access  
Universal cell service

*Summary: Modern telecommunication services are available to all residents and businesses including cellular and high speed internet. As such, Middletown is attractive to high-tech commercial businesses.*

### **Jobs, Business and Economy**

Villages would be vibrantly alive every day of the week during the day and the evening with shopping, dining, and entertainment, recreation  
Incubator for rural sustainability  
Thriving local economy where all essentials (food, clothing, building materials) are available  
Many more retail stores  
Work on improving the villages and not build big resorts  
Diverse shopping facilities  
Two expanded supermarkets  
Local industry  
Industrial development at a minimum  
New retail shopping for all necessary items  
Many small and clean industries  
Professional services  
Training and jobs for young people  
More jobs  
Variety of stores and restaurants  
People would be clamoring to come to the area to work and live here full time  
Encourage business to come here but yet stay within the smallness and scale of the villages  
Place where young people would like to be to work and live

*Summary: Our villages are vibrant and remain the economic focus of our community with a variety of retail, service, dining, and cultural opportunities that meet the everyday needs of our residents. Middletown is home to new, innovative, clean and green light industrial and commercial businesses that are developed and operated in manners that honor our small town and aesthetic character our desire to remain environmentally sustainable.*

### **Transportation and Traffic**

Good maintenance of highways  
Dial a ride taxi service  
Transportation buses or railroad  
Town or county free or low cost bus service like Ulster County  
Local transportation made available to all residents  
Scenic byway designation  
Light rail service  
Improve the accessibility of getting here – better rail lines  
Management of parking and promote availability

*Summary: Roads are well maintained. Accessibility to and within Middletown is improved*

*through a variety of alternative transportation options such as low cost bus or rail road service. Designated byways showcase our scenic beauty and link our villages and hamlets to provide economic opportunities related to tourism and recreational development. Parking is managed and promoted.*

### **Community Character**

Parks and recreational facilities  
We don't have to travel 50 miles to shop  
Full retail services (butcher, baker, etc.) with balance of tourism related business  
Active family farms  
Busy Main Street with lots of pedestrians  
No empty store fronts of villages  
Attractive and inviting entry to Arkville and Margaretville  
Unified design of Route 28  
Small Town lifestyle and character are intact  
Community center  
Community events and festivals  
Economic diversity – high, middle, and low income families all living in Middletown  
Attractive signage  
Historical events and fairs and festivals  
Coordinated architecture for Main Street businesses  
Landscaped parking  
Tourist kiosk across from A & P  
Small industry that utilize local resources  
Retain the beauty of the area, mountains, trees, forests, lakes  
Available transportation to nearby cities  
Better communication between town and villages

*Summary: Our natural beauty, traditional villages and hamlets, cultural and historic resources, attractive streets and buildings and roads all contribute to our community character. A small town lifestyle that promotes neighborliness, community spirit, and pride are vital parts of our community character. Middletown has parks and recreation facilities, a diversity of quality retail services, thriving main streets, and active community life. Our community character is defined by these features and we express this in attractive and well-designed signage, buildings, roads, and programs.*

### **Taxes**

Lower taxes  
NYC pay fair taxes  
City pays taxes of all full time residents

*Draft Summary: The tax burden of providing local services is supported through fair taxes paid by New York City.*

### **Other**

Expanded cultural activities

Businesses and recreational facilities to keep our young people here  
Improve Belleayre ski center  
Adequate services  
Live theater  
A hospital that has complete services

*Summary of items not addressed elsewhere: Quality public services including a full service hospital are provided for.*

## **2002 Survey Results**

### **About the Participants**

½ were from outside the villages; ½ were from villages and hamlet: Slightly more Margaretville residents participated than other village residents

Wide range of longevity of residents: 18% were < 5 years and 34% > 5 years. 35% listed themselves as second homeowners

People moved here primarily for the rural atmosphere, followed by affordable housing, low crime rate, low taxes, and close proximity to friends and family. Schools and public services quality was not a large factor in that choice. People continue to stay here primarily for rural atmosphere, followed by low crime rate, close proximity to friends and family and affordable housing. About 20% of participants stay for other reasons.

About ½ of the second homeowners plan on making Middletown their primary residence in the future.

40% of participants were aged 45-59; about 35% were senior citizens and the ages ranged from 25 years to > 84 years old.

25% of participants were retired. The majority of workers were in professional occupations as well as executive/administrative and managerial positions.

50% use their property as a personal residence, 29% as a seasonal home, and 28% for recreation.

### **Thoughts about the Town**

29% of participants feel that the town has not changed in its desirability as a place to live while 21% felt it has improved. 18% feel it is a less desirable place. For those who feel it has become a less desirable place, the reasons are that there are no activities for young people, New York City influences, junkyards, not enough stores and businesses, lack of jobs, conflicts, less open land, run down communities, second homeowners, less services, and increased taxes. For those that feel the area is the same or increased in desirability, reasons given were that the area is still rural, there is a diversity of residences, ski center, there is improving aesthetic character, more stores and services, some renovation and improvements have taken place, the ambience, better

than other places, and better conditions in Margaretville.

Some of the negative features of town mentioned include a lack of cultural and recreational options (34%), cost of services are high, there are transportation difficulties, and low quality of services. The written comments were varied, but seemed to concentrate around lack of shopping and jobs, high taxes, New York City regulations, conflicts between primary and secondary home owners, lack of cultural events, shabby appearance, lack of community center, and new development that will change the community character.

Drinking water and air, and stream quality were those features that were most important environmental aspects. Wildlife habitats, scenic views, mature forests, rural character, farmlands, wetlands, river access, open space/recreation and historic buildings were all important, in that order. All environmental features explored in the survey were felt to have importance however.

Participants were interested in having a variety of development aspects reviewed. 13 different features were explored and all were listed as being very important or important. The most important aspect to review was a developments impact on streams.

There was support for requiring logging permits and to regulate junk, mobile homes, and large public gatherings. At the same time, the majority supported preserving the right to mine and timber.

Farmers were most interested in reducing property taxes, getting help with environmental compliance, right to farm laws, agricultural district development and purchase of development rights (in that order).

The survey explored specific uses and asked if they were compatible or incompatible. Most people felt that trucking terminals were incompatible everywhere. Farm stands, beauty/barber shops, car wash, auto repair, wood products, hotel/motel, office space, retail shops, single family homes and single family homes on large lots were all favored as compatible in some places. There were mixed opinions related to mobile home parks, townhouse/apartments, conservation subdivisions, and mini- storage warehouses. For these uses, about equal numbers of participants felt they were incompatible everywhere as those who felt they were compatible some places.

Participants did not feel there was much need for fast food restaurants, and auto repair shops. There was a strong need expressed for supermarket, department store, and medical/dental office. There was some level of need expressed for all the other uses explored in the survey.

Participants felt that highways and utilities were of high quality. Health care, code enforcement, and the school had more people express that these were fair quality public services. Few participants gave any of the public services a rating of poor quality.

There was a majority of participants that supported spending tax dollars for items especially fire, police, school and library services.

A majority of participants felt that recreational and job opportunities were needed for teenagers. Overall, participants felt that there was a strong need for more recreation and job options for all ages.

More people felt that zoning in the Town is effective than those that did not. More people felt that junkyards, mobile homes, minimum lot sizes, specified areas for residences and businesses, and signs were topics that should be addressed in local zoning. There was less support (about 30% of participants) who felt that other areas needed guidance in local zoning.

Participants were asked to identify what is most important for the future of the town. There was a clear desire for economic development (including more local shopping opportunities, growth of existing businesses, development of tourism industry, new agricultural businesses, and more small scale industrial jobs), preservation of existing rural character, a clean and green environment, preservation of historic heritage, profitable farms and farmland preservation, and improved recreational facilities and trails. A secondary list of important features included having high quality residential and commercial development, a thriving timber industry, and more second home development.

### **Results from Youth Workshop**

Characteristics of the “perfect” Middletown:

- ✦ Community character remains the same (e.g. small-town vibe, scenic beauty, quiet, low crime)
- ✦ Increased job opportunities
- ✦ Better activities for youth (e.g. a place to go inside or outside -- parks, juice bar, music)
- ✦ Diversified businesses and affordable shopping (more restaurants)
- ✦ Year-round tourism
- ✦ Improved community appearance (preservation of historic buildings on Main Streets, better sidewalks, less parking on Main St, Marg)
- ✦ Larger school district with improved and diversified programs
- ✦ Whole community works together to achieve visions; pride, partnerships and friendliness
- ✦ Affordable public transportation (both locally and regionally)
- ✦ Movie Theater

Goal: Creation of a music center/ juice bar/ youth center

A secondary goal: creating numerous jobs ranging from manager and staff of center to the contractors and accountants needed to construct the space.

Objectives:

- Finding an interested party or investor
- Determining location – need open performance space, WiFi, moveable furniture, colorful design, games, art exhibit
- Developing student support of business – petition? Press Release? Online Marketing?
- Develop ride share or affordable public transportation to and from center. (Purple VW bus)

#### Other Discussion:

- Center needs a catchy name...Youth Center doesn't appeal.
- The center could provide a location for tutoring, as the school is not currently providing this.
- Transportation to and from events would be a challenge, and would require further discussions. The Purple VW bus was proposed as a safe and reliable (although an old VW may not be either) method for transporting students.
- Open 11:00-11:00, daily? 2 workers/shift, cook/cashier

Goal: Revitalize Main Streets and village centers

#### Objectives:

- Advertise assets – like pool and park
- Beautify existing main streets and parks (flower plantings, general clean-up, facade repair or remodeling)
- Make Fleischmanns a better “gateway” to Delaware County
- Revitalize Fleischmanns Park

#### Other Discussion:

- Need to draw in and retain tourists and visitors, as well as locals.
- Work to attract investment in Margaretville and Fleischmanns.
- Coffee House in Arkville

Goal: Creation of a local Movie Theatre

#### Objectives:

- Investigate feasibility of local theatre. Is it a profitable idea? Can we identify a willing investor?
- Determine location, explore Arkville Flea Market site among others.
- Investigate zoning, permitting process

#### Other Discussion:

What examples can be given to show an potential investor that this theatre is a profitable enterprise?

- CMF Theatre in Hunter
- Woodstock Theatre -Does it need to be privately run? Can the village or local volunteers run a theatre?
- Examples of this possibility exist...a cooperative theatre. (Will this bring in popular movies though?) Possibilities for funders? Someone wealthy with sentimental ties to the area. What will draw locals to a theater? What do they like?
- Lazy Boy Chairs (Reclining, comfortable seats)
- Reasonable Snack Prices
- A Diversity of Movies
- Adequate Parking

## **Appendix B: Community Profile and Environmental Inventory**

### **Location**

The southeast town line is the border of Ulster County, New York, and the northeast town line is the border of Greene County, New York. The eastern part of the town is in the Catskill Park. According to the United States Census Bureau, the town has a total area of 97.3 square miles (251.9 km<sup>2</sup>), of which, 96.4 square miles (249.7 km<sup>2</sup>) of it is land and 0.9 square miles (2.3 km<sup>2</sup>) of it (0.89%) is water. There are several hamlets and villages within Middletown including: Arkville, Bedel, Denver, Fleischmanns (Village), Grant Mills, Halcottsville, Hanley Corner, Kelly Corners, Margaretville (Village), and New Kingston.

### **Historical Overview**

The Town of Middletown is one of the oldest towns in Delaware County and once encompassed most of the southern half of the county. The town falls within Great Lots #7, 6, 38, 39 and 40 of the Hardenburgh Patent, an enormous early 18th century land grant that encompassed much of the land between the Rondout and Delaware Rivers. The earliest documented European settlers in the Town of Middletown were Dutch farmers, who arrived around 1763. During the Revolution, the town became a Tory stronghold and most of the early settlers were driven off. Many returned after the war and a permanent settlement was established by the early 19th century. The first church (Reformed Protestant) was formed in 1794. Historical settlements included the Villages of Margaretville, Arkville, and Fleishmanns (originally Griffins Corners), and the hamlets of Clovesville, Solitude, Dry Brook, Halcottsville, Spruceville, New Kingston, Dunraven, Lumberville and Clarks Factory. The old Indian village of "*Pa-ka-tagh-kan*" was situated at the mouth of the Bush Kill.

#### Brief History of the Village of Margaretville (adapted from the Central Catskills Chamber of Commerce Website)

The village of Margaretville is located on the East Branch of the Delaware River in the south-central part of the Town of Middletown. The Town of Middletown is located in a mountainous area of the Western Catskill Mountains. The earliest European settlers in the Margaretville area arrived just after the Revolution. Once known as Pakataghkan, or 'the meeting of three rivers', the early village was named Middletown Center. In 1850 it was re-named Margaretville in honor of Margaret Lewis, a granddaughter of Robert Livingston, whose family once owned large portions of the Hardenburgh Patent, including the site of the village. Margaretville began to develop as a village in the early 1840's. The village developed rapidly between 1843 and 1869. The Beers map of that year depicts about 80 buildings, mostly along Main Street, and a scattering of buildings on parallel or intersecting streets. While Main Street was laid out on the

north side of the East Branch of the Delaware River, a small channel, known as the Binnekil, has been diverted from the river closer to Main Street to serve the village's industrial concerns. Development included a mixture of industrial, residential and civic buildings. In addition to tanneries, foundries, and saw mills, early businesses included a cobbler shop, wagon shop, harness shop, cooperage, cabinet and paint shop, and a blacksmith shop. Social and civic enterprises included a post office and school, several doctor's offices, the Methodist Church (built in 1851) and the Margaretville Masonic Lodge and the Odd Fellow's Pakatakan Lodge, both organized in 1855. There were still several farms in and around the village, as well as a few hotels and a cemetery.

As with much of the Catskills, the development of Margaretville was influenced by the coming of the railroad. During the 1870's the Ulster and Delaware, one of the major transportation routes connecting the Hudson River (and thus New York City) to Delaware County, traveled northwest from Kingston to Phoenicia and then through Fleischmanns, Arkville, Kelly's Corners, Halcottsville, Roxbury and beyond on its way to Oneonta. Located a few miles west of Arkville, Margaretville was just off the U&D line. However, in 1905 the Delaware and Eastern Railroad, later Delaware and Northern, was developed to extend the U&D line west from Arkville along the East Branch of the Delaware River with major stops in Margaretville, Dunraven, Andes, Downsville and East Branch, where it met the main line of the Ontario and Western. Margaretville was thus now connected with the two major railroads serving the Catskills region. The D&N located its terminal yards and shops at Margaretville and the railroad gave major impetus to both the agricultural and the resort industries in the village. Several creameries were built and, as in the adjacent town of Roxbury, butter was an important product. The Margaretville station also served as the point of departure for the local cauliflower crop. Introduced into the region in the 1890's cauliflower became one of the town's most important exports.

There were hotels and boarding houses in the village as early as the 1840's. The largest boarding house, Briar Cliff Lodge, was situated on a hill overlooking the village. It was built as a sanitarium but never used for that purpose. Others were located in and around the village, including the popular Ackerly House on Main Street. Margaretville had become one of the most popular resort towns in the region and it remains a thriving community today.

A Brief History of Arkville *(adapted from the Central Catskills Chamber of Commerce Website)*

Arkville had some of the first European settlers in Delaware County. Four Dutch families moved into the area in 1763, but after learning of an imminent attack by natives, escaped back to the safety of Kingston in Ulster County. In 1887, artist J. Francis Murphy started the Pakatakan Artists colony. It was the first Artists Colony in New York State. Houses similar in style were established in this enclave, many standing to this day and all privately owned. In the late 1800's and the early 1900's the Treyz and later Luzerne Chemical companies operated a large wood acid factory. The U&D hauled charcoal, wood alcohol, and the acid, which was used to make explosives.

The Rondout & Oswego Railroad arrived in Dean's Corners, as Arkville was known, in 1871. Some historians say the station was built on the site of the Tuscarora Indian headquarters. The need to add an extra locomotive to climb Highmount made Arkville into an important stop along what was to become the Ulster & Delaware Railroad.

In 1905, Arkville became even more of a railroad hub when the Delaware and Eastern, later the Delaware and Northern provided a west bound connection to Margaretville, Andes, The Reservoir Towns, Downsville and East Branch.

#### A Brief History of Halcottsville *(adapted from the Central Catskills Chamber of Commerce Website)*

Halcottsville was settled along the banks of the East Branch of the Delaware River which was originally called "Pakakunk" by the Native Americans of the time. During the American Revolution, the hamlet's namesake, Englishman John Halcott defected from the English army and joined up with Washington's patriots where he achieved the rank of Major. After the war, Halcott established a homestead along the banks of the East Branch. In 1805, partnering with fellow veteran and homesteader David Kelly, The two dammed and built the first mill along the river, paving the way for a century of growth amidst the wilds of the Catskill Mountains. It is also said that Halcott opened the hamlet's first store and along with son Mathew a carding and fulling mill. In 1851, honoring this early patriot, the settlement was named "Halcottsville". In later years the Halcott family moved on to other regions, largely vanishing from the area census, while the descendents of David Kelly maintained the family "Empire" and are still a prominent area family.

For 125 years or so the damming and widening of the river created a reliable power source and enabled subsequent industry. Later, this dammed portion became known as Lake Wawaka. In 1871 the newly laid railroad opened more doors to commerce and recreation. By the turn of the century, Halcottsville was thriving as a major trading point for the outlying areas of Bragg Hollow, Kelly Corners, Hubbell Hill and the Denver Valley. In addition to its busy creamery, ice house and mill, Halcottsville was home to several general stores, two churches, a dressmaker, a tailor, a hotel, a dancehall and a two-room school. There was even a 15 seat paddle-wheel launch operated by Burr Hubbell that offered short rides to visitors.

Most Halcottsville and Bragg Hollow families lived and worked on family farms. Although primarily dairy farms, many families also raised sheep for wool, grew cauliflower and produced butter and poultry. The Wawaka grange, opened in 1875 provided support for area farmers for many years. *(Excerpted from As The River Runs – A History of Halcottsville by Diane Galusha)*

#### Brief History of the hamlet of New Kingston *(adapted from the Central Catskills Chamber of Commerce Website)*

New Kingston encompasses a 5,000 acre land grant set aside by Robert R. Livingston in 1799. Livingston conveyed lots within this tract to residents of Kingston who had lost their homes when the British burned the city after the Revolution. The land was divided into 100 parcels, 50 acres each. This orderly, geometric pattern was imposed over an area that was characterized by

three deep north-south hollows, thus making settlement within the original patent divisions difficult. Many of New Kingston's initial settlers were Dutch. Jacob Van Benschoten was the first pioneer and he blazed a trail into the New Kingston Valley in the 1790s. However, between 1807-1830, numerous Scottish immigrants settled in the valley and by 1880, New Kingston's population was largely of Scottish descent.

The hamlet of New Kinston encompasses a 50 acre tract of the patent located in the most fertile part of the valley of the Plattekill, or 'open brook', where the three major hollows intersect and a number of smaller streams and roads branch out to the north. The hamlet developed as a service community for the surrounding agricultural region. In 1828 there was a store in the home of Philip Yapple at the north end of the village. However, the hamlet was virtually undeveloped until the mid-19th century.

An 1869 map of New Kingston shows 13 residences, a store, wagon shop, blacksmith and storehouse, as well as the Presbyterian Church. The school was just outside the village, near the site of a log school that had been established at an early date. In 1864-65 there were 70 children between the ages of 5 and 21 in the district (District #24). Although the predominant occupation in the town was farming, a saw mill and a grist mill existed down the valley (south) from the village. Peddlers were frequent, selling cloth, pots and pans, tonics, fancy goods, etc. They usually spent the night at the home of a willing family.

#### Brief History of the Village of Fleischmanns (adapted from the Fleischmanns Museum Website)

Early settlers came from Germany, England, Holland and Ireland and the original settlement was named Griffin Corners in honor of Matthew Griffin, a prominent lawyer (he was admitted to the bar in 1851) and businessman (he owned a store and later a hotel). He also helped to secure the village's first post office in 1848. Griffin died January 11, 1903. The area known today as Fleischmanns became part of Middletown in Delaware County on March 3, 1789. At that time vast tracts of land were owned by a few individuals and farmed by tenants. All 8,000 acres of Fleischmanns land was owned by General Henry Armstrong. The Anti-Rent War, an uprising of Catskill tenant farmers in 1844-'45, led to reforms which put an end to the unfair lease system, and the area began to grow under private ownership.

According to available local sources, it was in 1883 that Charles F. Fleischmann, (born near Budapest, Hungary, educated in Vienna and Prague, founder of the Fleischmann Company famous for its yeast and whiskey) bought property west of the village near the Ulster & Delaware railroad station from John M. Blish. Soon summer families built beautiful summer homes abounding with porches, turrets, and terraces and costing \$30,000-\$40,000 (an enormous sum in those days). They also constructed a deer park, a riding stable, a heated pool filled with spring water, and a trout pond, all luxuries unheard of by the people in this valley. From 1890-1912, the present community actually went by two separate names. From the east end of the village to Division Street (now Bridge Street) was Griffin Corners and from Division Street to the Ulster & Delaware Railroad was Fleischmann (no "s"). When the village incorporated in 1913 it became Fleischmanns.

Fleischmanns Park, which dominated the north side of Wagner Avenue, was a gift to the village in May 1914 from Julius Fleischmann, son of Charles. Among the many interests of the

Fleischmann family was major league baseball. The park, formerly known as the Mountain Athletic Club, was where their players came to get in shape before the start of the regular season.

It was during this period that the little village began to grow. Many rich and famous people built summer homes here, among them: Herbert Lehman (Governor of New York, 1932), the Leibman family (owners of Leibman Brewery), and Anton Seidel (conductor of the Metropolitan opera). Nearby on Highmount were the palatial summer homes of coloratura soprano Amelita Galli Curci and Shakesperean actress Julia Marlowe. Fleischmanns was also home to the beloved Molly Goldberg (Gertrude Berg) of radio and early television.

Wagner Avenue had many lovely homes which were built in the late 1800's. This street, in particular, retains much of its Victorian charm. Lake Switzerland was built not only for boating and swimming, but also for the harvesting of ice during the winter. Skene Memorial Library was founded by Dr. and Mrs. Alexander Skene, a celebrated surgeon and his wife, who were summer residents of Highmount for many years. It was through the influence of Mrs. Skene that a \$5,000 donation was obtained from Andrew Carnegie, making construction of the free public library possible.

Fleischmanns began to prosper as a summer boarding colony in the late 1800's. As more boarders came, more homes and hotels were built or enlarged and they all competed intensely for tourists. It is said that during the 1940's, the permanent population was 500; but by the Fourth of July, there would be 10,000 in town. Over the years, tourists abandoned the Catskills in favor of other locations and many hotels were vacated or sold. Arsonists set fire to many older buildings.

Of the fifty some great lodging places within the village and surrounding area, only a few remain: The Regis, Mathes Hotel (Kosher Plaza), Alpine, Lorraine, Fleischmanns Hotel, Meinstein Lodge (the Highland Fling Inn), and the Palace Hotel. Motels and real estate offices now dot our village, but nothing replaced the once bustling summer resort.

## Population Analysis<sup>2</sup>

The population in the Town of Middletown has increased 13.9% between 1980 and 2000. The increase is much higher than that seen by Delaware County, whose population decreased slightly. It is also approximately twice as high as New York State, but is much lower than the United States as a whole. In 2000, the US Census recorded 4,501 persons in Town, including village populations.

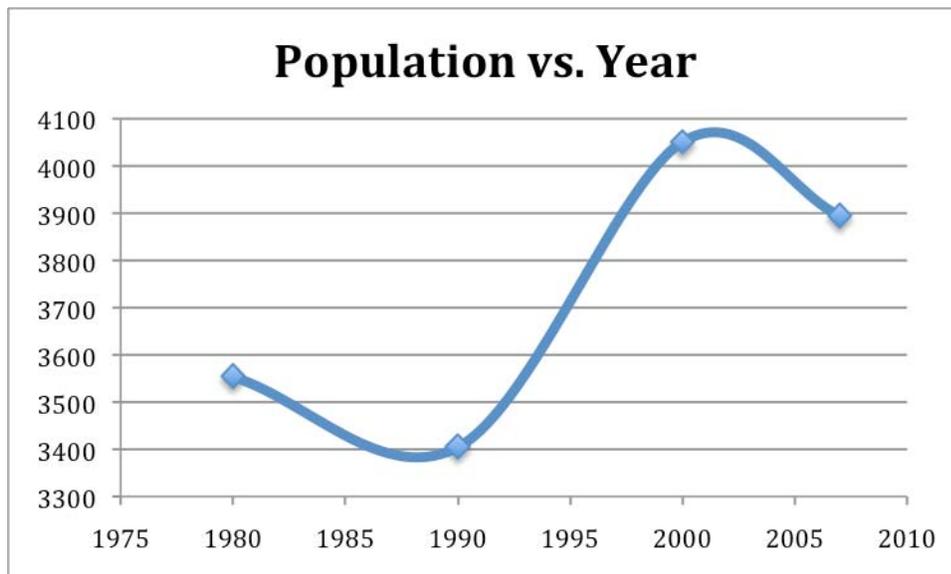
**Table 1: Population Changes from 1980 to 2000**

Area	1980	1990	2000	1980-2000 Change
United States	226,546,000	248,710,000	281,421,906	24.2%
New York State	17,558,165	17,990,455	18,976,457	8.1%
Delaware County	46,824	47,225	46,555	-0.57%

<sup>2</sup> All information for population demographics was obtained from the 1980, 1990, and 2000 Census Data from the U.S. Census Bureau.

<b>Town of Middletown</b>	3555	3406	4051	13.9%
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The population of Middletown was estimated to have decreased to 3,895 in 2007 by the U.S. Census Bureau. Using linear trend information since 1980, population is estimated to increase a small amount by about 18.8 persons every year. These estimates however, are highly variable and given the decrease in population over the more recent past, unclear whether this pattern will continue or not.



**Figure 1: Population Changes**

Since 1980, Middletown has experienced substantial increases in most age groups, but a slight decrease in the number of people less than 5 years of age (Table 2). The highest increase is in the 65-year and older group, which has grown by almost 50% since 1980. The median age has risen from 39.1 years to 46.0 years (a common occurrence throughout New York State). About 24% of the Town's population is over 65 years. Compared to the County and New York State, Middletown has fewer young people (as a percentage of the total population) and more mid to older people, especially people over 65 years of age (Table 3).

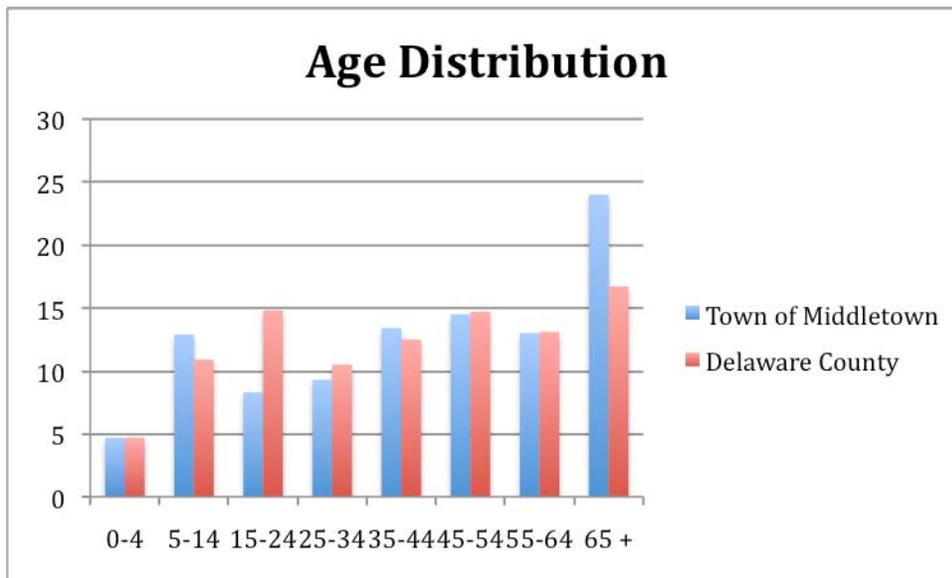
**Table 2: Age Distribution 1980 - 2000.**

Age Group	Population			
	1980	1990	2000	1980 to 2000 Change
<b>Under 5 years</b>	196	194	191	-2.6%
<b>5 to 18 years</b>	650	501	201	-69%
<b>19 years and</b>	2,702	2,655	3,200	18.4%

<b>older</b>				
<b>65 years and older</b>	659	779	973	47.6%
<b>Median Age</b>	39.1	NA	46.0	17.6%

**Table 3: Comparison of Age Distribution, Percent of Total Population, 2000**

	0-4	5-14	15-24	25-34	35-44	45-54	55-64	65 +
<b>Middletown</b>	4.7	12.9	8.3	9.3	13.4	14.5	13.0	24.0
<b>Delaware County</b>	4.7	10.9	14.8	10.5	12.5	14.7	13.1	16.7
<b>New York State</b>	6.5	14.1	13.4	15.5	16.2	13.5	8.9	12.8



**Figure 2: Age Characteristics**

Tables 4 and 5 show several other population characteristics in Middletown. While population has increased 13.9% since 1980, the number of households in Town has risen at a different rate of 18.2%. This is another common demographic shift seen in many rural communities where population rises little or moderately, but the increase in households rises faster. (Households are defined by the US Census as the people who occupy a housing unit as their usual place of residences. A family includes all people living in the same household who are related by birth, marriage, or adoption.

**Table 4: Population Data Town of Middletown**

	1970	1980	1990	2000	1980 to 2000 Change
<b>Total Population</b>	3,466	3555	3,406	4,051	13.9%

<b>No. of Households</b>	NA	1,414	1,450	1,672	18.2%
<b>Total No. of Families</b>		970	920	1,035	6.7%
<b>No. of Married Couple households</b>		344	749	829	10.7% (1990-2000)
<b>No. of Female Head of Household</b>		279	124	140	-49.8%

Compared to nearby towns, Middletown has the highest percent population of persons over 65 years of age (24%). Table 5 shows that in many ways, there are many similarities and differences between Middletown and its neighbors.

**Table 5: Comparison of Other Demographic Characteristics of the Town of Middletown to Other Adjacent Towns**

	<b>Town of Middletown</b>	<b>Town of Andes</b>	<b>Town of Bovina</b>	<b>Town of Roxbury</b>
<b>Total Population</b>	4,051	1,356	662	2,509
<b>Median Age</b>	46.0	47.8	45.9	44.6
<b>Percent of Population Over 65 Years</b>	24%	21.6%	21.9%	19.6%
<b>Number Housing Units</b>	3,013	1,326	525	2,026
<b>Number Vacant** Housing Units</b>	1,341 (44.5%)	722 (54%)	249 (47%)	948 (47%)
<b>Population 25 years and older</b>	74.2%	75.4%	74.5%	72.8%
<b>Percent of Population 16 and over in Labor Force</b>	55.0%	51.4%	62.0%	54.5%
<b>Percent owner occupied units</b>	77.2%	85.8%	83.7%	80.0%
<b>Median Household Income</b>	\$31,346	\$35,119	\$43,359	\$32,214
<b>Individuals Below Poverty Level (See note)</b>	638 (16.8%)	127 (9.4%)	38 (5.7%)	334 (13.3%)
<b>Median Value Owner Occupied Housing Units</b>	\$86,200	\$94,200	\$94,100	\$84,700

Note: About 12.6% of all families were below the poverty level in 2000. Of those, almost 21% are families with children under the age of 18. For families with a female head of household where no male is present, 34.4% were below the poverty level. Examined by age of individual, 13% of individuals aged 18 and above and 9.6% of those aged 65 years and older were living below the poverty level. The chart below shows the federal guidelines used in 2000 compared to 2009 for determining poverty status:

**Table 5a: Comparison of 2000 to 2009 Poverty Levels Established by the United States Government**

Size of Family Unit	Year 2000	Size of Family Unit	2009
1	\$8,350	1	\$10,830
2	11,250	2	14,570
3	14,150	3	18,310
4	17,050	4	22,050
5	19,950	5	25,790
6	22,850	6	29,530
7	25,750	7	33,270
8	28,650	8	37,010
<b>For each additional person, add</b>	\$2,900	For families with more than 8 persons, add \$3,740 for each additional person.	

**Table 5a: Household Income by Age**

Household Income	Under 25 years old	25 to 34 years old	35 to 44 years old	45 to 54 years old	55 to 64 years old	65 to 74 years old	75 years and over
Total Number of Households	29	211	256	347	307	270	246
Less than \$10,000	0	26	23	20	54	40	47
\$10,000 to \$14,999	2	24	19	26	11	31	43
\$15,000 to \$19,999	10	25	16	20	7	20	27
\$20,000 to \$24,999	5	36	25	18	33	33	17
\$25,000 to \$29,999	0	14	19	19	32	15	20
\$30,000 to \$34,999	9	25	34	18	46	16	14
\$35,000 to \$39,999	0	11	19	9	21	24	2
\$40,000 to \$44,999	0	4	10	22	12	3	18
\$45,000 to \$49,999	0	16	25	9	3	25	9

Household Income	Under 25 years old	25 to 34 years old	35 to 44 years old	45 to 54 years old	55 to 64 years old	65 to 74 years old	75 years and over
\$50,000 to \$59,999	3	21	11	52	21	28	18
\$60,000 to \$74,999	0	4	25	52	15	16	9
\$75,000 to \$99,999	0	0	16	30	27	11	11
\$100,000 to \$124,999	0	5	14	37	16	0	0
\$125,000 to \$149,999	0	0	0	0	3	6	11
\$150,000 to \$199,999	0	0	0	6	6	2	0
\$200,000 or more	0	0	0	9	0	0	0

**Householder:** The person, or one of the people, in whose name the home is owned, being bought, or rented. If there is no such person present, any household member 15 years old and over can serve as the householder for the purposes of the census. Two types of householders are distinguished: a family householder and a nonfamily householder. A family householder is a householder living with one or more people related to him or her by birth, marriage, or adoption. The householder and all people in the household related to him are family members. A nonfamily householder is a householder living alone or with nonrelatives only.

Table 6 illustrates some of Middletown’s demographics compared to other places. Middletown has the highest percent of owner occupied units, an average median value of housing, the lowest unemployment rate, the highest poverty rate (except for the state), and the highest vacancy rate of housing units compared to the County, State and country. This relatively high percentage of vacant housing units reflects the Town’s high percentage of weekend and part time residents, who either were not in Middletown when the 2000 census was taken or who listed somewhere else as their primary residence. The Town also has the lowest percent of households headed by females, and one of the lowest percentages of families as married couples.

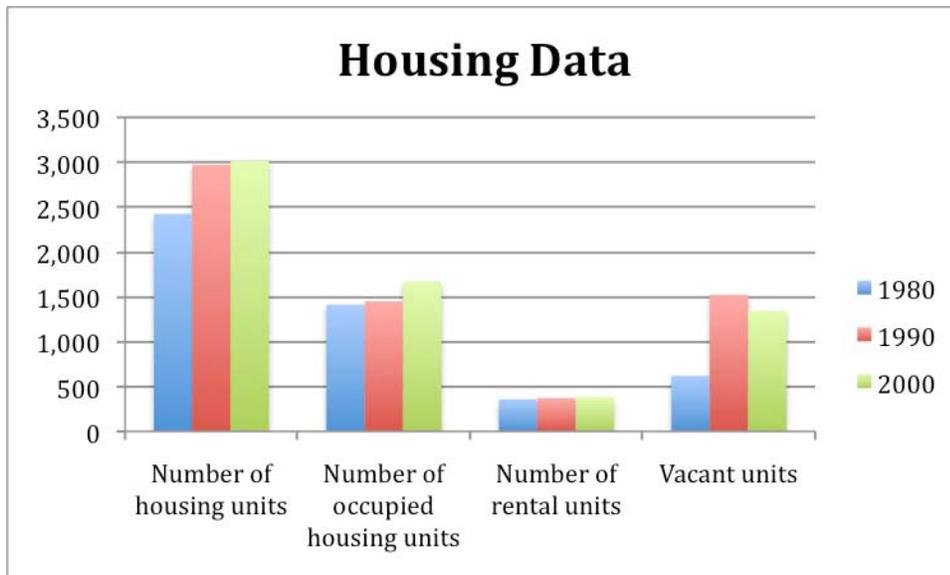
**Table 6: Comparison of Demographics of the Region in 2000**

	United States	New York State	Delaware County	Town of Middletown
<b>Land Area (square miles)</b>	3,648,399	48,624	1,468	97.3
<b>No. residents per square mile</b>	77	390	34	42
<b>Percent married couple families</b>	78%	67.6%	48.5%	49.6%
<b>Percent female householder families</b>	17%	14.7%	11.2%	8.4%
<b>Percent owner occupied units</b>	64.2%	47.9%	74.1%	77.2%
<b>Median value of</b>	\$ 79,100	\$ 82,900	124,500	83,600

	United States	New York State	Delaware County	Town of Middletown
<b>housing unit</b>				
<b>Unemployment rate</b>	7.4%	8.5%	4.3%	3.4%
<b>Percent of all persons below poverty level</b>	14.2%	24%	13.0%	16.8%
<b>Vacant status of housing units**</b>	7%	8.1%	35.5%	44.5%

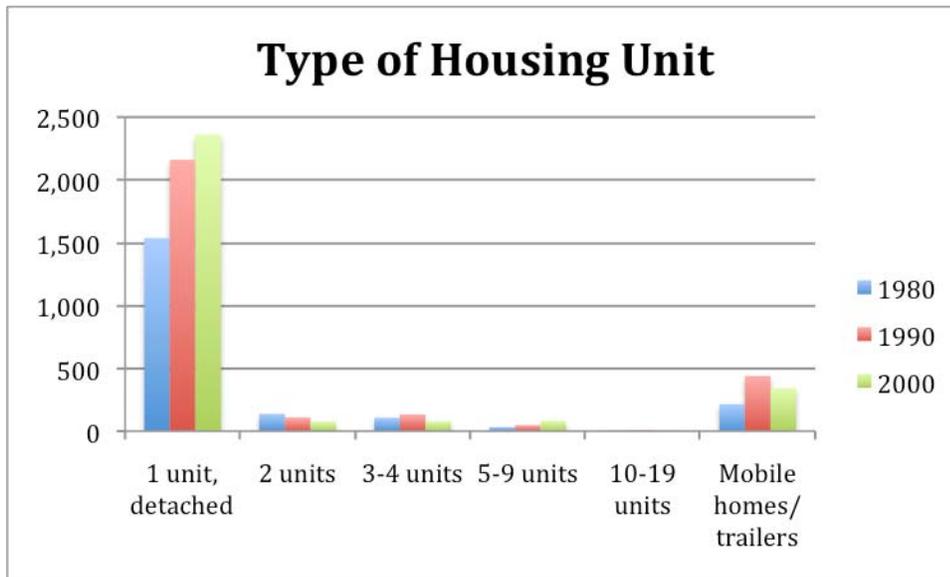
\*\*Vacant housing units are believed to be owned by part time residents who were not in residence when the census was taken, or who listed their primary residence as somewhere else.

### Housing Characteristics



**Figure 3: Housing Characteristics**

The chart above illustrates several trends. There was an increase in the number of housing units since 1980. In 2000, there were 3,013 housing units. The number of vacant housing units increased between 1980 and 1990 but fell between 1990 and 2000, which may reflect an increasing number of the Town’s part time and weekend residents deciding to move to Middletown on a full time basis. If this is the trend, we should expect to see a decrease in the number of “vacant homes” in the next census. Between 1990 and 2000, the number of housing units remained relatively steady (Figure 4). Almost all housing units in Middletown were 1-unit, detached structures in 2000. There were a few two-family and 3 to 4 family units and hardly any large multi-family units. In 1980 about 20% of all residences were mobile homes. In 2000, about 27% were mobile homes. Between 1980 and 2000, the number of mobile home units in Town increased by 59.5%. This increase may be due to the availability and affordability of mobile and manufactured homes.



**Figure 4: Type of Housing Units in Middletown**

Only about 12.7% of all housing units in Town are rentals. Both rents and housing values have greatly increased. Between 1980 and 2000 for example, housing values have increased 181.5%. Middletown has a relatively stable population. In 2000, 60% of residents had lived in the same house for five years (Table 7 and Figure 5). Sixteen percent moved to Middletown between 1995 and 2000 from other Delaware County locations and about 13% moved from other New York State locations.

**Table 7: Housing Data - Town of Middletown**

Housing Characteristics	1980	1990	2000	1980 to 2000 Change
<b>Number of housing units</b>	2,424	2,972	3,013	24.3%
<b>Number of occupied housing units</b>	1,414	1,450	1,672	18.2%
<b>Number of owner occupied housing units</b>	1,056	1,078	1,290	22.2%
<b>Number of rental units</b>	358	372	382	6.7%
<b>Vacant units</b>	620	1,522	1,341	116%
<b>Numbers &amp; Type of Unit:</b>				
<b>1 unit, detached</b>	1,537	2,160	2,360	53.5%
<b>2 units</b>	138	109	77	-44.2%
<b>3-4 units</b>	107	134	80	-25.2%

Housing Characteristics	1980	1990	2000	1980 to 2000 Change
5-9 units	33	47	82	148%
10-19 units	6	10	9	50%
Mobile homes/ trailers	215	439	343	59.5%
Housing value, median	\$29,700	\$83,200	\$83,600	181.5%
Rental prices, median gross rent	\$150	\$378	\$450	200%
No. of Residents living in same house in last five years	NA	1,932	2,417	25.1%
- living in same county	NA	537	666	24.0%
-living in different county, same state	NA	515	546	6.0%
- living in different state	NA	195	183	-6.2%

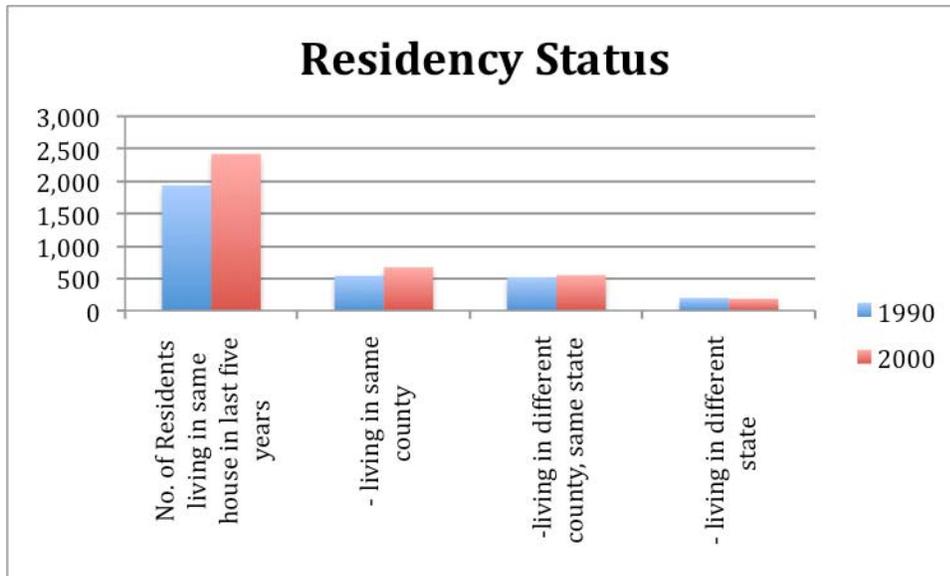


Figure 5: Residency Status of Middletown Residents

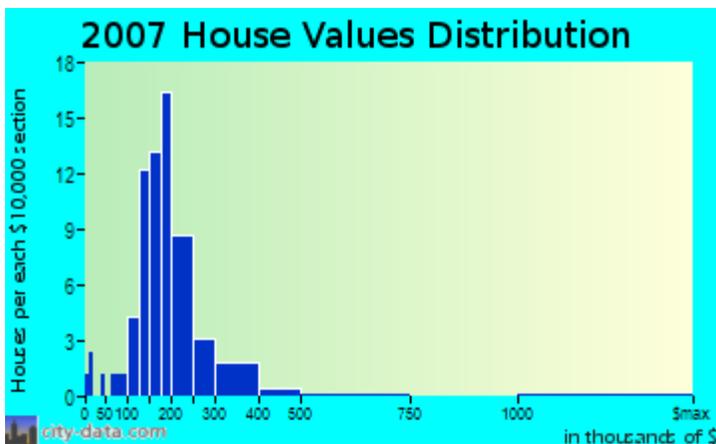


Figure 6: Housing Value Distribution for Middletown (From city-data.com)

## **Housing Affordability**

There are several ways to determine if housing is generally affordable in a community. One method is to determine the “rental index”. This index shows the maximum gross rent a given household can afford. Affordable rental housing is generally considered to be no more than 30% of a household’s monthly income. The average monthly rental rate in the Town of Middletown (in 2000) was \$450. The median household income was \$31,346 (in 2000). This yields about \$2,612 of income per month. Thirty percent of this is \$784, which means that the average household could afford the average \$450 per month in rent documented in the 2000 Census data because the average renter pays less than 30% of their income for housing. This data indicates that for the renter with income levels close to and above the median income level, rental housing would be affordable. However, about 40% of the households in Middletown earned less than the median income level in 2000. For very young households and the very oldest households, rents were probably not affordable.

A second method to determine affordability is to look at the ratio between the median value of a single-family house and median household income. Nationally, a ratio of 2 or less is considered to be affordable. The affordability ratio for Middletown is calculated as: \$83,600 (median value of homes in 2000, from Census data) divided by \$31,346 (median household income), or 2.67. This figure is above the desired ratio of two and indicates affordability issues for average income families.

Data available from City Data.Com indicates that the median price of a house sold in the Margaretville in 2007 was \$180,000 and \$140,000 in Delaware County. These prices may reflect the impact of the housing “bubble” which has effectively doubled home prices and assessed values over the past 10 years or so.

No updated household income is available specifically for the Town, but 2007 county data had a median income of \$40,032 and for Margaretville of \$34,212. A re-calculation of the affordability ratio with this more recent data results in an updated, but approximate affordability ratio of 5.3 for Margaretville and 3.5 in Delaware County. It would be anticipated that the Town of Middletown’s index would fall within this range. This figure is a dramatic increase over that in 2000 and indicates a serious lack of affordability for the average family. However, given the housing bubble burst of 2008, housing prices may have fallen to a more affordable level, but it is not likely to be at the level seen in 2000.

A third method, the purchase price multiplier, also gives an indication of affordability. This looks at the maximum mortgage approval amount likely to be given to potential homebuyers. This is usually about 2.25 times annual income. Based on the 2000 median income, this approach indicates the median income household could afford a house costing \$77,581, assuming a 10% down payment, which was lower than the median priced home in 2000 (\$83,600).

## **Physical and Environmental Features**

The Town of Middletown is basically rural in nature. While some farmland is still found along town roads north and east of State Route 28, forestland predominates as a land cover in Middletown. Well over 68% of the town is in woodland cover. A decline over the past decades

has left marginal cropland and pastureland to grow into brush and young forest lands. Second home construction and some farm improvements have not kept pace with forest re-growth. New York State owns about 6,700 acres of land classified as forest preserve in Middletown. This is located in the southeastern corner of town and along with many other large tracts of private forest, provides many acres of land for outdoor recreation.

**Water Features and Wetlands:** See the Natural Features Map. The total area of the Town covered by water is about 641 acres, or about 1% of the total land area in Middletown. Several lakes and ponds exist including Wawaka Lake, the Pepacton Reservoir, and several other smaller unnamed ponds. The East Branch of the Delaware River, along with tributaries Batavia Kill, Mill Brook, Huckleberry Brook, Bush Kill, Red Creek, Vly Creek, Platte Kill, Dry Brook, and Bryants Brook are the major streams in Town.

There are few wetlands in town and these comprise only about 38 acres of land. Those wetlands 12.4 acres or larger have been designated by the DEC as regulated wetlands, and state law requires a permit for any alteration or development in a wetland and requires a 100-foot buffer around the wetland boundary. Wetland systems are natural assets for many reasons, including their capacity for flood control, groundwater recharge, as temporary filters of pollution carried by streams, landscape and habitat diversity, education, research, and providing food and shelter for both rare species and economically important fish, birds, and animals.

**Floodplains:** See the Natural Features Map. Official floodplains are mapped by the Federal Emergency Management Agency along the East Branch of the Delaware River and the Pepacton Reservoir. Floodplains are also mapped along Mill Brook, Dry Brook, Bush Kill, and the Platte Kill streams.

**Topography, Slopes and Ridgelines:** See Slope Delineation and Contour Line Map. Middletown's topography is characterized by large areas of steep slopes (greater than 25%) cut by valleys. Narrow valleys along the streams form most of the level land in Town. To the east of the East Branch, Fleishmann Mountain, Pakatakan Mountain, and the other hills of the Dry Brook Ridge form a large area of steep slopes and ridges. Much of this land is State-owned. To the west of the East Branch, the topography is less steep (<15%) and gentler terrain. West of the East Branch is where almost all remaining farmland is located and also where NYC lands (owned or controlled with easements) are concentrated.

**Soils:** The vast majority of soils in the Town of Middletown are severely restrained for septic system development due to shallow soils and wetness. A very small number of locations are classified by the Delaware County Soil Survey as having moderate suitability for septic systems. These small areas are usually located in valley areas. Likewise, soils are quite constrained for agricultural uses as well. Prime farmland soils – those best suited for production of crops, are located only in the narrow valleys of the major streams in Town. See Agricultural Districts Map which shows location of prime soils, and the Soil – Septic Suitability map.

## **Ecological Data**

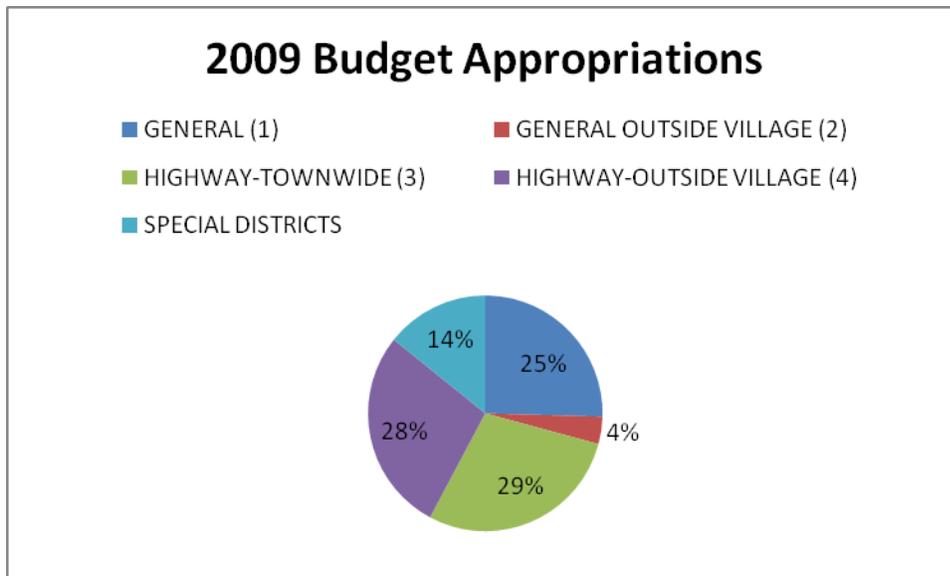
**Natural Heritage Program:** Data from the New York State Department of Environmental Conservation, Natural Heritage for Middletown is as follows:

**Table 8: Rare Plants, Animals and Significant Ecosystems**

Common Name	NYS listing	Notes
Bald Eagle (bird)	Threatened	Breeding along the East Branch of the Delaware, Pepacton Reservoir,
Northern Monkshood (plant)	Threatened	Found on cliff habitats in the vicinity of Dry Brook Ridge
Musk Root (plant)	Endangered	Found on sandstone ledges in the vicinity of Pakatakan Mountain
Historical Records		
Musk Root (plant)	Endangered	Last record 1915
Downy Lettuce (plant)	Endangered	Last record 1915
Jacob's Ladder	Rare	Last record 1975

### Town Budgets

The 2009 Town budget is presented below. Highway expenditures comprise 57% of all appropriates, followed by general expenditures and then special districts. Special districts include water, light and fire districts.

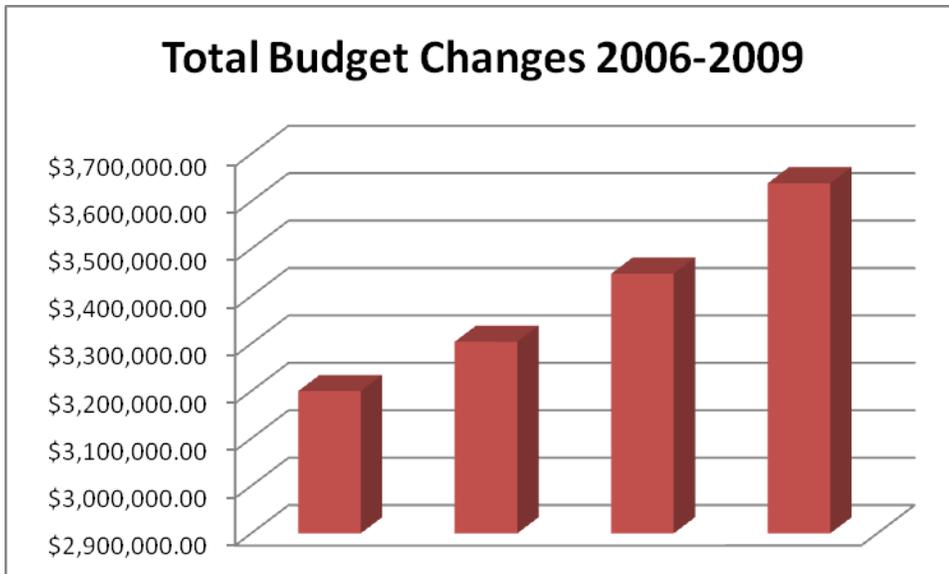


**Figure 7: 2006 Budget Appropriations**

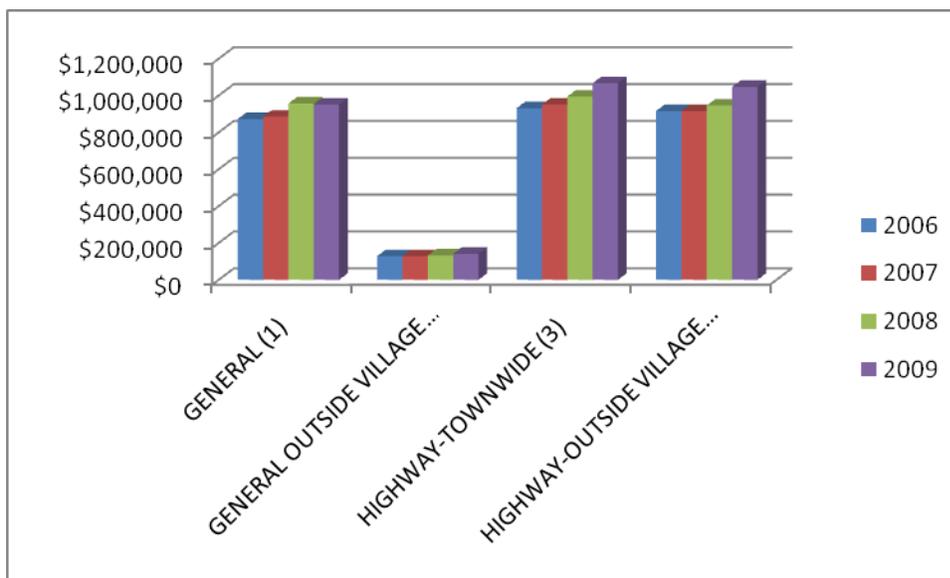
**Table 9: 2009 Summary of Town Budget**

Fund	Appropriations And Provisions For Other Uses	Less Estimated Revenues	Less Unexpended Balance	Amount To Be Raised By Taxes
General	\$951,007	\$218,050	\$100,000	\$632,957
General Outside Village	\$140,796	\$76,000	\$15,000	\$49,796
Highway-Town wide	\$1,067,185	\$100,000	\$40,000	\$927,185
Highway-Outside Village	\$1,047,545	\$283,000	\$106,000	\$658,545
Subtotals	\$3,206,533	\$677,050	\$261,000	\$2,268,483
Special Districts	\$429,766			
Arkville Water	\$48,509	\$18,350	\$3,500	\$26,659
Halcottsville Water	\$11,668	\$11,668	\$0	\$0
Arkville Light	\$8,250	\$200	\$0	\$8,050
Halcottsville Light	\$1,300	\$38	\$0	\$1,262
New Kingston Light	\$780	\$18	\$0	\$762
Arkville Fire	\$30,400	\$0	\$0	\$30,400
Midd/Hard Fire	\$268,505.88	\$0	\$0	\$268,505.88
Arena Fire	\$12,490.12	\$0	\$0	\$12,490.12
Midd Fire #1	\$47,863	\$0	\$0	\$47,863
Arkville Water District Returned Water Rents				(\$1,315.75)
Halcottsville Water Dist. Returned Water Rents				(\$1,187.11)
Total	\$4,066,065.00	\$707,324.00	\$264,500.00	\$2,664,475.00
Tax Increase Excluding Special Districts			\$147,324	6.9%

Figure 8 illustrates the changes in Town budgets over the past few years. The budget has increased from about \$3,200,000 in 2006 to about \$3,600,000 in 2009. Most of these changes were result of highway increases (Figure 9).



**Figure 8: Budget Changes 2006-2009**



**Figure 9: Changes in Town Budget Categories 2006-2009**

## Schools, Community Organizations, Historic Resources and Recreation

### Schools

School districts serving the Town of Middletown include Margaretville and Roxbury. The data below comes from the New York State Department of Education annual School Reports.

**Table 10: School Information for the Districts Serving the Town of Middletown**

	<b>Margaretville</b>			
	<b>1999 to 2000</b>	<b>2000 to 2001</b>	<b>2004 to 2005</b>	<b>2006 to 2007</b>
Total Enrollment	573	557	544	495
Attendance Rate	94.1%	91.4%	93%	NA
Suspension Rate	1.6%	0.9%	5%	NA
% with Free or Reduced Lunch	50.2%	52%	48%	42%
# Teachers*	NA	NA	44	46
	<b>Roxbury</b>			
	<b>1999 to 2000</b>	<b>2000 to 2001</b>	<b>2004 to 2005</b>	<b>2006 to 2007</b>
Total Enrollment	367	355	342	334
Attendance Rate	94.4%	94.3%	95%	NA
Suspension Rate	4.5%	4.5%	2%	NA
% with Free or Reduced Lunch	32.1%	28.4%	26%	35%
# Teachers*	NA	NA	44	43

\*Teacher count was only available for the 2001-2002 year. The number of teachers in the Margaretville school district for this year was 47, and the number of teachers in the Roxbury school district for this year was 45. Free or reduced lunch eligibility is based on household income by household size. For example, a family of four with an income of \$39,220 per year would be eligible for the free lunch program.

**Table 11: Educational Attainment Town of Middletown (25 years and older)**

<b>Educational Attainment</b>	<b>1990</b>	<b>2000</b>	<b>Change, 1990 to 2000 in %</b>
<b>Less than high school diploma</b>	744(30%)	682(22%)	-8%
<b>High school diploma</b>	946(39%)	1,092(36%)	-3%
<b>College, no degree</b>	353(14%)	548(18%)	+4%
<b>Associates, Bachelors degree or higher</b>	403(16.5%)	735(24%)	+7.5%

### **Community Organizations**

The following organizations provide services in or are located in the Town of Middletown:

- Fairview Public Library
- Skene Memorial Library
- Fleischmanns First
- German-American Club of Northern Catskills
- Historical Society of the Town of Middletown
- Central Catskills Chamber of Commerce

Catskill Center for Conservation and Development  
M-ARK Group  
Delaware County Chamber of Commerce  
Water Discovery Center  
Catskill Mountain Christian Center  
Catskill Forest Association  
Catskill Women’s Network  
Catskill Watershed Corporation  
Hospital Auxiliary  
Central Catskills Collaborative  
Margaretville Central School  
Margaretville Hospital  
Community Pool

The CCC is a group of representatives from seven municipalities along the NYS Route 28 Corridor. This intermunicipal coalition formed to protect and promote the assets of the corridor and advance projects for the economic benefit of the Central Catskills Region. In 2008, each municipality adopted a resolution and designated two members to the Collaborative to begin a regional dialogue. Member municipalities are the Towns of Hurley, Olive, Shandaken, Middletown and Andes, and the Villages of Fleischmanns and Margaretville, covering more than 50 miles of Route 28. They have facilitated the nomination of the Route 28 Corridor Scenic Byway Nomination.

Catskill Revitalization Corporation/DURR  
Belleayre Conservatory  
Fireman’s Auxiliary  
Margaretville Rotary Club

**Historic Resources**

According to the New York State Historic Preservation Office, the following locations are listed on the State and National Historic Registers (See Historic Resources Map):

**Table 12: Other Historical Resources**

<b>Listed Location/Site</b>	
Pakatakan Artist Colony Historic District (1)	Brook Studio/Cottage
	Barn/Studio
	Barn
	Butternut Cottage (no longer standing)
	Francis Murphy Studio
	Garden Cottage
	Hathaway Cottage
	Inn Laundry
	Lawrence Cottage
	Lawrence House, Privy & Shed

Listed Location/Site	
	Murphy Studio
	Murphy Residence
	Stone Bridge
	Upper Studio
	Burhorn Studio
	Clark Cottage
	Field Studio (Edsden)
	Pakatakan Lodge
	Motel (non contributing structure on property)
	Roberts Residence
	House of Four Winds
	Mann Residence/Studio
	Wyant Studio
	Locke House
New Kingston Historic District	
Congregation B'nai Israel Synagogue	
First Presbyterian Church of Margaretville	
New Kingston Presbyterian Church	
Old School Baptist Church of Halcottsville	
District 10 School (Old Schoolhouse)	
Galli-Curci Theatre	
Hubbell Family Farm and Kelleys Corner Cemetery	
Kelly Round Barn	
Skene Memorial Library	
Van Benschoten Residence and Guest House	

(1) Pakatakan Artist's Colony Historic District: this historic district has been designated around a small mountainside collection of studios and residences clustered about the original Pakatakan Inn on the southern edge of the hamlet of Arkville. The community overlooks the valley formed by the Dry Brook stream, the Bushkill and the east branch of the Delaware River. It comprises about 65 acres and includes the original property owned by the Pakatakan artists associated with the Catskill Mountain school of landscape artists and is an extremely well-preserved collection of unusual shingle style and other wood frame buildings which provide a physical record of early summer settlement in the Catskill Mountains between 1886 and 1930. The artists' colony began with a hotel, the Hoffman House, built in 1886, and eventually comprised artist's residences and studios. There are 35 contributing features on 13 properties: 16 contributing primary buildings, 17 contributing outbuildings and two contributing structures. There are three non-contributing

primary buildings within the district. *(Properties within a historic district fall into one of two types of property: contributing and non-contributing. A contributing property, such as a 19th Century mansion, helps make a historic district historic, a non contributing property, such as a modern medical clinic, does not. The contributing properties are key to a historic district's historic associations, historic architectural qualities, or archaeological qualities. A property can change from contributing to non contributing and vice versa if significant alterations take place.)*

A listing of historical cemeteries includes:

- Arkville Cemetery
- Bedell Cemetery - near Fleischmanns
- Clovesville Cemetery
- Clovesville Cemetery - near Fleischmanns
- Small Clovesville Cemetery - near Fleischmanns
- Dimmick Cemetery
- Gavette Cemetery
- Halcottsville Cemetery
- Irena Streeter - single stone at road's edge
- Eureka Cemetery (Kelly Corners Cemetery)
- Margaretville Annex Cemetery
- New Kingston Cemetery - *aka Faulkner/Archibald Cemetery*
- New Kingston Valley Cemetery
- Van Benschoten Cemetery - New Kingston
- Yapple Cemetery - New Kingston
- Small Cemetery - near Margaretville
- Old Clovesville Cemetery
- Scudder Cemetery
- Taylor Farm Cemetery
- Todd Family Cemetery
- Wood/Avery Cemetery - Arkville
- Woolheater Cemetery

There are several Archeologically Sensitive Areas located throughout the Town of Middletown, often associated with the historic sites, as well as along streams and rivers.

## **Recreational Resources**

Numerous recreational opportunities exist in and around Middletown. These include a variety of state and New York City owned lands, as well as recreational businesses such as bowling, farmers markets, hiking, skiing, golf, theater, and other tourist attractions. Table 13 outlines recreational access to New York City owned lands within the Town:

**Table 13: New York City Owned Recreation Areas**

Area	Location	Public Access Area	Hike	Fish	Hunt	Acres
Alpaca Ridge	Thompson Hollow Rd.	Yes	-	-	-	390
Arena	Reservoir Rd.	Yes	-	-	-	382
Brook Road	Brook Rd.	No	✓	✓	✓	72
Brush Ridge	Koop Rd.	No	✓	✓	-	66
Cole Hill	Swart Rd.	No	✓	✓	✓	253
Clovesville	Hog Mountain Rd.	No	✓	-	-	56
Dunraven North	County Rt. 6	No	✓	✓	✓	202
Huckleberry Brook	Huckleberry Brook Rd.	Yes	-	-	-	82
Red Kill	Big Red Kill Rd.	No	✓	✓	✓	83
Swart Road	Swart Rd.	No	✓	-	✓	111
Weaver Hollow	Weaver Hollow Rd.	Yes	-	-	-	622
Old Dunraven Bridge	Dunraven	Yes	-	✓ Parking and handicapped access for fishing	-	NA

New York City Department of Environmental Protection recently opened up all DEP controlled lands that are adjacent to state-owned lands for hunting and fishing recreation. The reservoir is limited to fishing access.

**Other Recreational Resources**

- Belleayre Mountain
- Wellness Programs (various organizations)
- Community Pool
- Water Discovery Center (In the planning stage)

**Catskill Forest Preserve Lands and Trails**

South of Route 28 and the Village of Margaretville, the Dry Brook Ridge Wild Forest has 6,793 acres of land included in the New York State Forest Preserve system. Within this area, four hiking trails exist:

- Huckleberry North Trail (4135')
- Huckleberry South Trail (8282')
- German Hollow Trail (2500')
- Dry Bridge Ridge Trail (9346')

## Community Facilities and Infrastructure

### Transportation and Highway

Town Roads: About 40% of Town roads are gravel. General maintenance activities include snow removal, ditch maintenance, road repair, and culvert maintenance. The Highway Department has an equipment replacement schedule in place. No major issues related to the roads exist.

State Roads: State Routes 28 and 30 pass through Middletown. The following traffic count information was obtained from the New York State Department of Transportation (AADT is the average annual daily traffic). Traffic volume changes were variable through the years, but portions of Route 28 and 30 saw large volume increase. The largest volume increase was on Route 30 between the end of Route 28 to the north line of the Village of Margaretville. Traffic volume increases along Route 30 were larger than those on Route 28.

**Table 14: Traffic Volumes on State Roads**

Route	Location of Count	Average Annual Daily Traffic Volume	Year	%Change in AADT
28	Delaware County Line to Old Rt. 28	2940	2007	16.7%
		2520	1998	
	Old Rt. 28 to County Rt. 38	3970	2007	21.8%
		3260	1993	
	County Rt. 38 to Start Rt. 30	5110	2007	9.4%
		4670	1997	
	Start Rt. 30 to End Rt. 30 (Dunraven)	2120	2007	-0.47%
		2130	1996	
	End Rt. 30 to County Rt. 2 (Extension Andes)	1250	2007	-2.3%
		1280	2000	
30	BWS Rd #4 to Start Rt. 28 (Dunraven)	520	2007	6.1%
		490	1994	
	Start Rt. 28 to End Rt. 28	2120	2007	-0.47%
		2130	1996	
	End Rt. 28 to North Line Village of Margaretville	2360	2007	44.8%
		1630	1996	
	North Line Village of Margaretville to County Rt. 38	2320	2007	34.1%
		1730	1996	
	County Rt. 38 to County Rt. 41 (Roxbury)	1980	2007	-34.9%
		3040	1996	

**Table 15: Traffic Volumes on Town and County Roads**

<b>Road</b>	<b>AADT</b>	<b>Year</b>
Brook Road	40	1998
Crawford Road	30	2005
Dry Brook Road	200	2004
E Hubbell Hill	300	2005
Hog Mountain Road	90	2004
Main Street	900	2004
Old Route 28 Clovesville	400	2004
Van Benschoten	20	2005
Weaver Hollow Road	100	2004
New Kingston Road	900	2002
Vega Road	600	2002
Halcott Center	400	2002
County Route 3	300	2002

### **Emergency Services**

Delaware County coordinates the E-911 service.

**Fire:** Fire emergency services are provided by all-volunteer departments of Margaretville, Arkville, Arena, and Fleischmanns. A major issue related to the fire departments is lack of volunteers. Changes in training requirements by New York State, as well as modern and busy lifestyles have made it difficult for people to commit to the time requirements needed to participate in the fire departments. The Margaretville Fire Department is part of the Middletown-Hardenburgh Fire District which encompasses all of Middletown and a portion of Hardenburgh. The rest of Hardenburgh is served by Arena Fire Department (also located in Town of Middletown) and Beaverkill Valley Fire Department.

**Ambulance:** The Margaretville Memorial Hospital Ambulance Squad is a combination paid and volunteer service located at the Margaretville Hospital and it serves the Towns of Middletown, Hardenburgh, and Halcott as well as the Villages of Margaretville and Fleischmanns. Originally a volunteer service provided by the Margaretville Hospital, ambulance staff are now paid a stipend for each call. The squad is called in to support Belleayre frequently although the ski resort is located in Ulster County.

**Law Enforcement:** Middletown has no town police, but is provided law enforcement support from the County Sheriff's department and the State Police located in Dunraven.

### **Utilities, Water and Waste Water**

Electric is provided through New York State Electric and Gas.

Telephone, cable and internet services are provided by MTC (Margaretville Telephone Company), Verizon or Time Warner.

Margaretville, Fleishmann, Halcottsville and Arkville have public water. Arkville’s water system includes the hamlet and has 198 connections (about 450 users). This system was built in the 1980’s. Halcottsville has 22 connections (66 users) and was recently completed in 2006. Margaretville and Fleishmanns have their own water systems run by village water departments. All on-site septic systems are approved by the New York City Department of Environmental Protection. DEP has a variety of setback requirements from streams as well as a prohibition on placement of septic systems on slopes >15%.

There is a transfer station for solid waste that is town-owned and run. The County provides the bins. The Town of Hardenburg also uses this location and pays Middletown an annual fee for use of this service.

## Land Use

Between 2003 and 2007, the number of building permits issued each year has ranged from 164 to a high of 196 in 2004. Most of these have been for additions and repairs. The number of new permits issued for homes between 2005 and part of 2008 was 109 residences as shown in Table 16 and 17. See also Property Class Map that illustrates the location of agriculture, residential, vacant, commercial, recreation, community service, public service, and conservation lands in Middletown.

**Table 16: Building Permit Summary – All Building Permit Types**

Type of building permit	2003	2004	2005	2006	2007
New Homes	12	18	21	10	10
Trailers	5	10	2	8	6
Doublewides	2	4	2	3	3
Modular Homes	3	5	4	6	3
Garages/Out Buildings	32	32	24	28	26
Alt/Additions & Repairs	107	124	106	131	115
Commercial	6	3	4	0	1
Total Building Permits	167	196	163	186	164

**Table 17: Building Permits for New Residences**

Year	Number of New Houses/Trailers/Doublewides/Modulars
2005	33
2006	27
2007	34
2008 to date	15

Table 18 illustrates the general pattern of land use in Middletown. The largest group of land uses is residential with 2,214 parcels and over 25,000 acres of land. This is followed by vacant land

(defined as property that is not in use, is in temporary use or lacks permanent improvements) with almost 20,000 acres of land.

Agriculture has a very small number of parcels (24) and is the predominant land use on 2,585 acres of land used exclusively for farming. However, other residential parcels also have agricultural uses but because there is a house present, the parcel is not counted as such. These lands are likely owned by a non-farmer and rented to a farm operation. Examining the number of agricultural assessments given in Middletown gives a more accurate picture of the level of farming in the community. In 2008, there are 43 parcels on 4,733.57 acres in farming land uses. In 1985, there were 6,862 acres of land in farming.

The US Agricultural Census is conducted every five years. Data is primarily available by county and by zip code. The three zip codes for the Town of Middletown are 12406 (Arkville), 12455 (Margaretville), and 13731 (Andes). None of these is exclusively within the Town of Middletown however. All overlap with surrounding towns. However, it does give another snapshot of the type and level of farming going on in and around Middletown.

In 2002, there were 41 farms counted in these three zip codes: 19 in Margaretville (12455), 22 in Andes (13731), and no reportable data for Arkville (12455). The majority of the reported farms (33) were 50 to 999 acres in size, with a very small number of the farms being 1-49 acres and 1000 acres or more (no exact numbers were reported). Eighty percent of the farms in 2002 earned less than \$50,000, and only about 5 farms earned more than \$50,000. Farms in both areas included full owners and part owners. In Middletown, 17 were farms with multiple operators, and 18 had women operators. Of the 41 farms, 29 had land used for cropland, 25 had pasture or grazing land, and 30 had woodland on them. Six Middletown farms had idle land or land in cover crops only. Farm animals included calves, beef cows, dairy cows, horses/ponies, and a small amount of sheep. Crops included primarily grass for forage. A small number of farms grew corn for grain and silage, vegetables and melons, and had land in orchards and maple trees. Overall, farming was more profitable and prevalent within the Andes zip code

There are no industrial lands in the Town, and about 1000 acres of commercial land uses. Sixty parcels on 9,781 acres are classified as wild, forested, conservation lands and public parks.

**Table 18: Number of Parcels and Acreage of Land Uses, 2008**

<b>Property Class</b>	<b>Number of Parcels</b>	<b>Acreage</b>	<b>Percentage of Land in Town</b>
Agriculture	24	2,585.96	4.3%
Residential	2,214	25,428.81	42%
Vacant Land	1,148	19,511.54	32%
Commercial	1,009	1,009.18	1.7%
Recreation and Entertainment	11	273.90	.45%
Community Services	40	260.09	.43%
Industrial	0	0	0
Public Services	18	1,840.05	3%
Wild, Forested,	60	9,781.40	16%

Property Class	Number of Parcels	Acreage	Percentage of Land in Town
Conservation Lands and Public Parks			
No Data	18	N/A	

New York City owns land or controls easements as shown on Table 19. There are 76 parcels of land encompassing 6,459.5 acres. About 48% of these acres controlled lands are owned by the City.

**Table 19: NYC Lands & Easements**

Type	# of Parcels	Acreage
DEP Land (Land Acquisition Program LAP)	59	3,131.07 (5.2% of all lands in Middletown)
DEP Land (other than LAP and owned prior to MOA)	9	1,654.33 (2.7% of all lands in Middletown)
WAC easement*	3	737.22 (1.2% of all lands in Middletown)
CE easement+	5	936.92 (1.5% of all lands in Middletown)

\*Watershed Agricultural Council (WAC): Agricultural Easement done by this organization, funded by NYCDEP

\*Conservation Easement (CE): Conservation Easement done by NYCDEP

Overall, there are 97 parcels of land (2.6%) that are wholly tax exempt on 7,256.42 total acres.

### Land Use Regulations

The Town of Middletown has the following land use regulations in effect:

**Zoning:** Establishes seven different zoning districts (Rural III, Rural V, Business Commercial, Hamlet 1, Hamlet 1/2, Industrial, Development Limitations Overlay, and a Commercial/Industrial Floating Zone. See Zoning Map. R-3 requires a 3 acre minimum lot size, R5 requires a 5 acre minimum lot size. The Development Limitations Overlay District includes flood hazard areas, wetlands, steep slopes >15%, elevations of 2500' or more, and watershed areas that have more than 50% of the land in parcels less than 25 acres. Its purpose is to protect these areas of town from over-development. Minimum lot sizes are doubled in this overlay to protect those resources. Zoning requires special permits for some land uses and includes site plan review for many uses within the Business Commercial District.

See Box for existing allowed uses.

**Use Table From Current Zoning:**

**Residential and Agricultural Uses:**

	DISTRICTS					
	R-3	R-5	BC	H 1/2	H-1	I
<b>RESIDENTIAL USES</b>						
ONE-FAMILY DWELLING (PER LOT)	P	P	P	P	P	P
TWO-FAMILY DWELLING (PER LOT)	P	P	P	P	P	P
MULTI-FAMILY DWELLING	SP	SP	SPR	SP	SP	SP
MOBILE HOME	P	P	P	P	P	X
MOBILE HOME PARK	SP	SP	SPR	SP	SP	X
CLUSTER SUBDIVISION	SP	SP	SPR	SP	SP	X
CONDOMINIUM	SP	SP	SPR	SP	SP	X
TOWN HOUSE DWELLING	SP	SP	SPR	SP	SP	X
MIGRANT FARM LABOR DEVELOPMENT/HOUSING	SP	SP	X	X	X	X
<b>AGRICULTURAL/NATURAL RESOURCE</b>						
AGRICULTURAL, COMMERCIAL FARM	P P	P P	X X	X X	X X	P P
NURSERY/GREENHOUSE, COMMERCIAL	SP	SP	SPR	SP	SP	X
CLEARCUTTING	SP	SP	SPR	SP	SP	SP
FOREST MANAGEMENT	P	P	P	P	P	P
WILDLIFE MANAGEMENT	P	P	P	P	P	P
PERSONAL WIRELESS TELCOMMUN. SERVICE FACILITY	SP SP	SP X	SP SPR	SP X	SP X	SP SP
FARMER'S MARKET						

Public and Commercial Uses:

SCHEDULE 1

	R-3	R-5	BC	H 1/2	H-1	I
<u>PUBLIC USE</u>						
CULTURAL/RECREATION	SP	SP	SPR	SP	SP	SP
EDUCATIONAL INSTITUTION	SP	SP	SPR	SP	SP	SP
HEALTH CARE FACILITY	SP	SP	SPR	SP	SP	X
PUBLIC FACILITIES/ UTILITIES	SP	SP	SPR	SP	SP	SP
<u>PUBLIC PARKS/ RECREATIONAL FACILITIES</u>						
RECREATIONAL FACILITIES	SP	SP	SPR	SP	SP	SP
RELIGIOUS INSTITUTION	SP	SP	SPR	SP	SP	X
AIRPORT/HELIPORT	SP	SP	X	X	X	SP
CEMETERY	SP	SP	SPR	SP	SP	X
<u>COMMERCIAL USES</u>						
ADULT USES	X	SP	SP	X	X	SP
ANIMAL HOSPITAL	SP	SP	SPR	X	X	X
BED & BREAKFAST	SP	SP	SPR	SP	SP	X
BLDG. & FARM SUPPLY	SP	SP	SPR	SP	SP	X
BUSINESS/PROF. OFF	SP	SP	SPR	SP	SP	X
CAMPGROUND	SP	SP	X	X	X	X
CAR WASH	SP	X	SPR	X	X	X
CLUB	SP	SP	SPR	SP	SP	X
COMMERCIAL RECREATION	SP	SP	SPR	SP	SP	X
COMMERCIAL STORAGE, ENCLOSED	SP	SP	SPR	SP	SP	X
CRAFT/ANTIQUA MARKET	SP	X	X	X	X	SP
DRIVE IN USE	SP	SP	SPR	SP	SP	X
EATING & DRINKING ESTAB.	SP	SP	SPR	SP	SP	X
FLEA MARKET	SP	SP	SPR	SP	SP	X
HOTEL	SP	SP	SPR	SP	SP	X
JUNKYARD	SP	SP	SPR	X	X	X
KENNEL	SP	SP	SPR	X	X	X
MIXED USE BUILDINGS	SP	SP	SPR	SP	SP	SP
MODEL HOMES	SP	SP	SPR	SP	SP	X
MOTEL	SP	SP	SPR	SP	SP	X
MOTOR VEHICLE, BOAT/ TRAILER SALES	SP	SP	SPR	SP	SP	X

Commercial Uses, Continued:

SCHEDULE 1

	R-3	R-5	BC	H 1/2	H-1	I
MOTOR VEHICLE, REPAIR SHOP	SP	SP	SPR	SP	SP	X
OUTDOOR RECREATION	SP	SP	SPR	SP	SP	SP
PARKING GARAGE	SP	SP	SPR	SP	SP	X
RETAIL TRADE	SP	SP	SPR	SP	SP	X
RESORT	SP	SP	SPR	SP	SP	X
SEASONAL BUSINESS	SP	SP	SPR	SP	SP	X
SERVICE ESTABLISHMENT	SP	SP	SPR	SP	SP	X
SERVICE STATION	SP	SP	SPR	SP	SP	X
SHOPPING CENTER	SP	X	SPR	X	X	X
SUMMER CAMP	SP	SP	X	X	X	X
<u>INDUSTRIAL USES</u>						
ALTERNATIVE ENERGY SYSTEMS, COMMERCIAL	SP	SP	SPR	SP	SP	P
BULK STORAGE	SP	SP	X	X	X	SP
ENCLOSED MANUFACTURING	SP	SP	SPR	SP	SP	P
LIGHT INDUSTRY	SP	SP	SPR	SP	SP	P
MINERAL EXTRACTION	SP	SP	SPR	X	X	SP
OIL & GAS DRILLING	SP	SP	X	X	X	SP
SANITARY LANDFILL	X	X	X	X	X	X
SAWMILL, LUMBERYARD	SP	SP	SPR	SP	SP	SP
WAREHOUSING	SP	SP	SPR	X	X	P
WHOLESALE	SP	SP	SPR	X	X	P

\*COMMERCIAL/INDUSTRIAL FLOATING ZONE APPLIES TO R-5 ONLY.

**Subdivision:** A subdivision law was adopted in 1984 and has been amended in 1989. It creates minor and major subdivision procedures along with development improvements such as roads, drainage, and utilities. Minor subdivisions are considered those having 4 to 10 lots on a public road, 2 to 4 lots on a private road meeting Town specifications, and 2 lots of 25-acres or more on a private right-of-way. The law also includes specifications for new roads.

**NYC DEP Watershed Regulations:** Some key elements of the Watershed Regulations (from the Catskill Watershed Corporation Website at <http://www.cwconline.org/pubs/moa.html>) include:

Construction of new wastewater treatment plants are prohibited in certain basins, and all existing wastewater treatment plants must install sophisticated wastewater treatment technology within 5 years, for which the City will pay. In addition, plants are not allowed to discharge effluent into wetlands and may only discharge into intermittent streams subject to NYSDEC standards.

All septic systems installed, repaired or replaced in the Watershed require prior approval by the City, and no septic systems are allowed within 100 feet of a watercourse or wetland or within 300 feet of

a reservoir. It should be noted that these standards are state-wide standards, and not exclusive to the Watershed.

No new impervious surfaces are permitted within 300 feet of a reservoir, or 100 feet of a watercourse or wetland. Some exemptions to this rule exist for villages, hamlets, commercially zoned areas, and single family home construction.

Construction of new roads are prohibited within 50 feet of intermittent streams or wetlands, 100 feet of perennial streams or 300 feet of a reservoir. Access roads to subdivisions are allowed within the 100 foot buffer subject to approval by the City of a stormwater pollution prevention plan.

The location of new petroleum storage tanks are restricted. For example, no new gas stations or underground home heating oil tanks are permitted within 100 feet of a watercourse or 500 feet of a reservoir.

No new registered hazardous substance storage tanks are permitted within 100 feet of a watercourse or 500 feet of a reservoir.

Many types of new commercial and industrial projects within the Watershed now require the preparation of a "Stormwater Pollution Prevention Plan" (SPPP), which must be reviewed and approved by the City before final project approval may be granted. Examples of projects that would require a SPPP include: the development or disturbance of land greater than 5 acres in size; construction of a subdivision (defined as 5 lots or more of 5 acres or less each), a new paved road or a gasoline station; construction of a new industrial, commercial or multi-family residential project that will create more than 40,000 square feet of impervious surfaces; construction of an impervious surface in a village, hamlet, or commercially or industrially-zoned area in the Watershed; an expansion of up to 25% of an existing commercial or industrial facility's impervious surfaces if it's within 100 feet of a watercourse or wetland.

Provisions in the Watershed Regulations that will affect homeowners most are those that deal with the placement and operation of septic systems, the location of underground fuel oil storage tanks, and the construction of new impervious surfaces (i.e. driveways) on residential property. However, even though a homeowner may live in the Watershed, the revised regulations will have the greatest impact on those homeowners who live near water -- like reservoirs, wetlands and streams.

All existing septic systems that are operating according to federal, state and local approvals, but don't meet the additional requirements of the watershed regulations, are allowed to continue. However, if a septic system should fail and need major replacement, its repair should be made according to the new standards. If, because of site limitations or other conditions, that is impossible, the owner must work with NYCDEP to determine the most appropriate design and location. In addition, NYCDEP must review and approve any modification, expansion or remediation of an existing septic system. Routine repairs and maintenance are not affected by the regulations.

With regard to new septic systems, the NYCDEP will continue to monitor and approve design, treatment methods, construction, maintenance and operation. New conventional septic systems will not be allowed within 100 feet of a watercourse or 300 feet of a reservoir. When site conditions are unsuitable for a conventional system, raised systems are allowed, with certain restrictions on location.

In addition, DEP regulations:

- prohibit mound systems, intermittent sand filters and evapotranspiration/absorption systems;
- require an additional area of at least 100% of the primary absorption field's area to be set aside as a reserve field;
- prohibit the building of primary or reserve fields under pavement or other impervious surfaces;
- call for at least one percolation test and one deep hole test to be performed;
- prohibit the siting of new septic systems where soil percolation rates are inadequate;
- require a pump system to have a backup storage tank capable of holding one day's flow.

The watershed regulations govern the siting of new impervious (i.e. paved) surfaces such as roads, roofs and parking lots. The regulations prohibit the construction of impervious surfaces within 100 feet of a watercourse or 300 feet of a reservoir, except in the following circumstances: the construction of improvements or additions to an individual residence (as long as they are non-commercial); agricultural activities; the construction of a new road needed to provide access to 2 or more parcels of land or to a subdivision; the paving of an existing dirt or gravel road; the construction of a driveway, where the driveway is needed to provide access to an existing residence.

With regard to limits on new residential construction, impervious surfaces are prohibited within 300 feet of a reservoir. In addition, the construction of new homes within 100 feet of a perennial stream or wetland, in most cases, will be permitted, but will require an "Individual Residential Stormwater Permit" from the NYCDEP.

**Build-Out Analysis:** Delaware County Planning Department conducted a buildout analysis for the Town of Middletown. This study calculated the acreage available for future building taking into consideration slopes >15%, floodplains, wetlands, wetland buffers, and a 100-foot buffer around streams. Total land mass in Town is 59,167 acres of which 42,465 acres are in slopes >15% and 4,849 are in water features. Thus the buildable acres with no environmental constraints available for future development in town is 11,851 acres of land. This does not include county, state, NYC DEP lands, and town owned or controlled lands. (See Preliminary Analysis of Buildable Land in the Town of Middletown map). Lands included in the 15% or greater slope category would not be developable using conventional septic systems due to NYC DEP regulations. However, they would be developable for engineered systems.

## Commercial/Economic Resources

The following information about commercial use for Middletown is from the US Census County Business Patterns by zip code. This information excludes data on self employed individuals, employees of private households, railroad employees, agricultural production employees, and most government employees. Business activity in Town includes about 81 establishments in Margaretville. All three zip code areas had slight increases in the number of establishments between 1998 and 2006. Payroll, number of employees and annual payroll for each zip code area also saw increases.

### Industries and Businesses in Middletown

**Table 20: Business Information for Zip Codes 12406, 13731, and 12455, 2006 & 1998**

	12406 (Arkville)		12455		12430 (Fleishmanns)	
	2006	1998	2006	1998	2006	1998
Number of Establishments	22	19	81	79	21	30
First Quarter payroll in \$1000	162	477	4,438	2,890	695	370
Number of Employees	111	122	748	663	77	110
Annual payroll in \$1000	2,700	2,191	18,531	12,757	3,678	1,801

In 1998, the industries represented in Table 20 for zip code 12455, above, included a variety of businesses in 17 different industry classes. The category with the most establishments was retail trade – with 20 businesses. Most of the businesses had between 1 and 4 employees, followed by 17 that had between 5 and 9 employees. There were two businesses that had over 100 employees (health care and social services). Zip code 12406 (Arkville) also had a variety of businesses (10 different types), but none as dominant as retail in Margaretville. The Fleishmanns zip code (12430) also had 10 different business types with six of the 21 establishments being retail trade related businesses. However, in 1998, Fleishmanns had 30 different businesses, eight in retail trade, seven in accommodation and food services, and four in construction. By 2006, Fleishmanns had significantly reduced the number of businesses related to accommodation and food service.

By 2006, there were 11 different classes of businesses in the Margaretville zip code. Retail businesses were still the most common (19 of the total 81), but professional and technical services were much more prevalent than in 1998 (11 of the 81 businesses). Health care and social services still had over 100 employees in 2006. The business pattern for Arkville was similar as well in 2000. As in other years, most establishments are businesses with a small number of employees.

**Table 21: Occupations by Number of Employed Persons 16 Years or Older, 2000**

<b>Industry</b>	<b># of Employed Persons in Town of Middletown</b>
<b>Educational, Health, and Social Services</b>	391
<b>Arts, Entertainment, Recreation, Accommodation, and Food Service</b>	219
<b>Retail Trade</b>	172
<b>Construction</b>	167
<b>Manufacturing</b>	165
<b>Other Services</b>	102
<b>Public Administration</b>	93
<b>Professional, Scientific, Management, Administrative</b>	90
<b>Wholesale Trade</b>	75
<b>Agriculture, Forestry, Fishing, Hunting, Mining</b>	66
<b>Finance, Insurance, Real Estate, Rental, and Leasing</b>	65
<b>Transportation, Warehousing, and Utilities</b>	62
<b>Information</b>	36

**Table 22: Comparison of Occupations, 2000**

<b>Occupations</b>	<b>% of Employed Persons, Aged 16 and older</b>		
	<b>Town of Middletown</b>	<b>Delaware County</b>	<b>New York State</b>
<b>Sales and Office Occupations</b>	26.0%	22.0%	27.1%
<b>Management, Professional, and Related</b>	29.5%	32.4%	36.7%
<b>Service Occupations</b>	18.1%	19.7%	16.6%
<b>Production, Transportation, and Material Moving</b>	12.4%	14.1%	11.7%
<b>Construction, Extraction, and Maintenance</b>	11.6%	10.2%	7.6%
<b>Farming, Fishing, and Forestry</b>	2.4%	1.6%	0.3%

According to the US Census, there has been a 17% increase in the number of Middletown residents in the labor force: this represents slightly more than half of the population aged 16 and over. Usually, much of this can be accounted for by more women entering the workforce. Unemployment rate was very low (3.48% in 2000) and about 45% of residents are not in the labor force.

**Table 23: Employment Data for Town of Middletown (for those aged 16 and older)**

<b>Labor force</b>	<b>1990</b>	<b>2000</b>	<b>1990 to 2000 Change</b>
<b>People in labor force</b>	1,549	1,814 (55.0%)	17.1%
<b>People Unemployed</b>	203	111 (3.4%)	-45.3%
<b>People not in labor force (including retired)</b>	1,222	1,482 (45.0%)	21.3%

### **Income Data for Middletown**

The median income level for families and per capita income levels (Table 24) have increased dramatically since 1990. At the same time, the number of households with social security income increased slightly (7.8%). The number of households receiving public assistance has decreased since 1990, but the number of individuals and families living below the poverty level increased. The decrease in public assistance is usually accounted for by changes in the Federal program and definitions for eligibility. There was a slight decrease in retirement income households, but a 10.5% increase in self-employment households.

**Table 24: Income Data for Town of Middletown**

	<b>1990</b>	<b>2000</b>	<b>1990 to 2000 Change</b>
<b>Median Income for Families</b>	\$19,592	\$36,818	87.9%
<b>Per capita income</b>	\$11,285	\$17,635	56.3%
<b>Social Security Households</b>	617	665	7.8%
<b>Public assistance households</b>	98	32	-67.3%
<b>Retirement income households</b>	350	345	-1.4%
<b>Self employment households</b>	277	306	10.5%
<b>Farm self employment households</b>	41	NA	NA
<b>Individuals below poverty level</b>	537	638	18.8%
<b>Percent of people living below poverty level</b>	15.9%	16.8%	5.7%

In 2000, 665 households had social security income, 32 had public assistance income, and 345 had retirement income. About 17% of families lived below the poverty level (638 individuals).

Table 25 compares median household and family incomes to neighboring towns. Compared to these other municipalities, Middletown's households and families had the lowest median income

levels compared to all adjacent towns and New York State.

**Table 25: Comparison of Median Family and Household Incomes, 1999**

<b>Town/State</b>	<b>Median Household Income</b>	<b>Median Family Income</b>
<b>New York State</b>	\$43,393	\$ 51,691
<b>Delaware County</b>	\$41,094	\$48,015
<b>Andes</b>	\$35,119	\$39,474
<b>Bovina</b>	\$43,359	\$46,094
<b>Roxbury</b>	\$32,214	\$40,721
<b>Middletown</b>	\$31,346	\$36,818

## **Regional Planning Efforts**

**Town Planning Efforts:** The Town of Middletown adopted a comprehensive plan in 1985. This effort included a survey of residents, establishment of a vision, goals and objectives, and a land use study of the Town. An update to this plan was developed in April of 1996, but was never adopted. This update emphasized zoning changes and recommendations for development standards. In 2002, the town did another survey (see Appendix XX for results). Wellhead protection studies have been completed by the County for the Town and a Stormwater Management Plan was developed and adopted for the Village of Margaretville and Town of Middletown.

**Village Planning Efforts:** The Village of Margaretville has drafted a new comprehensive plan and is currently considering adoption of this.

The Village of Fleischmanns initiated a comprehensive planning process in the summer of 2008.

**Route 28 Corridor Study:** The Town of Middletown will be participating in an upcoming State-funded planning effort with neighboring municipalities to develop a Route 28 Corridor Plan to promote revitalization efforts along this vital economic corridor.

**Town of Middletown Economic Development Plan:** The Town of Middletown will be participating with the Village of Margaretville, Roxbury and Andes in an upcoming State-funded planning effort to comprehensively analyze and plan for economic development.

**County Planning Efforts:** Delaware County completed a county-wide Agriculture and Farmland Protection Plan in December 2002. They are currently working on a county Comprehensive Plan, and County Economic Development Plan. The Delaware Soil and Water Conservation District has prepared an extensive Stream Corridor Management Plan for the East Branch of the Delaware River.

Watershed Related Planning: NYC DEP sponsored programs include the following:

- Margaretville Central School District bus garage stormwater retrofit (contract complete)
- Village of Margaretville stormwater contracts for sump pumps and various drainage projects
- Village of Margaretville city-owned wastewater treatment plant with proposed sewer extensions.
- Salt Storage Facilities in the Village of Fleishmanns, Town of Middletown, and the Village of Margaretville (and Delaware County)
- Whole Farm Plans (one whole farm plan approved and 1 commenced with implementation. Four farms have signed up for Whole Farm Plan activities. Five Whole Farm Plans were substantially implemented in 2002.
- Stream Management Plan for the East Branch, Delaware River
- Five forest management plans pending and 17 forest management plans are completed.

## **Appendix C. Planning Board Tools to Address Potential Impacts a Project May Have on Scenic Resources**

The Town of Middletown recognizes that development could occur in scenic areas at some point in time. That development, if properly planned and sited can contribute to the economic assets of the Town, serve individual needs, and respect the natural setting in which it is placed. In order to accomplish this goal, the Town could consider using some of the following scenic protection tools in its future policies and regulations. Any evaluation of scenic resources should be based on an inventory of scenic resources that has been established with community input.

The following tools could be used by the Planning Board to mitigate any negative visual resource impacts determined to be significant during the project review process:

- Limit structure size, especially if the structure is proposed to be located in a highly visible area.
- Site new structures so that the roofline does not extend above the tree line (if there are trees present) or above the horizon of the ridge (if there are no trees present) as seen from publicly accessible roads. Also, buildings could be placed in a manner so that they do not obstruct the view to be preserved.
- Use of view studies such as balloon tests to show visibility of a particular structure and location.
- Use of setbacks to mitigate visual impacts.
- Limitation of land clearing and grading where the visibility of these actions are deemed significant during the environmental review process. Siting and location of roads, buildings and other structures should be designed to minimize grading and to retain existing landform and characteristics in a natural state. A building project should utilize the natural grade rather than graded building pads. Terrace or step-type building pads which substantially alter the natural contours should be avoided.
- Landscaping to blend the development into the landscape. Species selected for planting should be hardy for this region and appropriate for the setting.
- Careful selection of building materials, colors, and textures to help new structures blend with the natural environment. For example, use of non-reflective siding and windows instead of brightly finished metal and glossy surface materials that reflect light could be encouraged.
- Have outdoor lighting fixtures use fully shielded to reduce or eliminate glare. Shielded lights direct rays down and confine them to within the property boundaries so that direct rays are prevented from escaping skyward or outward.

- Use conservation or clustered subdivisions located to protect critical viewshed areas.
- Retain sufficient tree cover to screen structures from view. Natural vegetation (trees and shrubs) or a landscaped buffer on the downhill side of the mountain slope between the viewpoint area and the building can maintain important scenic character. This screening is intended to block visual contact with the structure from a view area and to create a strong impression of uninterrupted green area.
- Use selective trimming and clearing roadside vegetation in order to maintain open views of scenic fields, hillsides, look-offs, and streams.
- Avoid placement of buildings in the middle of large open areas. Place structures along the edges.
- Protection of mature trees and other unique features such as stonewalls to the maximum extent possible along roads.

## **Appendix D. Model Language for Density Bonuses**

Should the Town of Middletown decide to consider the use of density bonuses as presented in this Plan, this appendix includes a model that could be used to begin discussions on the topic. Any future action to implement density bonuses in the future could incorporate the language below. This Appendix is offered as a model only and its inclusion in the plan does not in any way mean Town Board endorsement of this language.

### **A. Purpose.**

Pursuant to §261-b of the New York State Town Law, the Town of Middletown hereby establishes a program of incentives to encourage the preservation of open space, agricultural lands, and facilities and amenities in accordance with its adopted Comprehensive Plan that would benefit the Town. These amenities include open space, provision of senior citizen housing, preservation of historic, archaeological, or cultural features of the Town of Middletown, and provision of public recreational access.

### **B. Applicability.**

An applicant that has submitted a residential subdivision, special use permit or site plan application may apply for incentives to achieve community benefits or amenities as listed in this law.

### **C. Types of Incentives.**

No one incentive or combination of incentives shall exceed thirty percent (30%) of the total dwelling units as determined by the Planning Board from Table 2 of this local Law. The following residential density incentives are hereby established:

1. Open space/agricultural land preservation. A residential density bonus may be granted for the preservation of open space that exceeds the fifty percent (50%) requirement for a conservation subdivision. For every additional 10% of land set aside as open space, a five percent (5%) residential density bonus may be approved. The residential density bonus granted for the protection of open space/agricultural land preservation shall not exceed fifteen percent (15%).
2. Senior citizen housing. A residential density bonus may be granted for the provision of senior housing. A maximum residential density bonus of twenty-five percent (25%) of the proposed senior citizen housing units being created may be approved. The density bonus may be applied to the construction of senior or non-senior dwelling units.
3. Cultural, archaeological, historic facilities or other unique features that are to be deeded to the Town or qualified not-for-profit agencies. For properties in any zoning district, a residential density bonus not to exceed fifteen percent (15%) may be approved for the permanent preservation of cultural, archaeological, historical, or other unique features in the Town of Middletown.

4. Public Access and recreation. A residential density bonus of twenty-five percent (25%) may be approved for the creation of public recreational lands or trails, public access to streams, railroad rights-of-way, or open space land, or for the provision of public fishing/hunting rights.

#### D. General Provisions

1. Where an application seeks both subdivision and special use/site plan approval, the project shall be considered in its entirety and incentives shall not be granted separately for both approvals.
2. Incentives shall be granted only when the community benefits or amenities offered would not otherwise be required or likely to result from the applicable planning process before the Planning Board.
3. Such benefits shall be in addition to and not in lieu of any other improvements or amenities otherwise required pursuant to any other provisions of this Zoning Law, the subdivision regulations, the site plan law, the provisions of SEQRA and the provision of other applicable New York State laws including, without limitation, Article 16 of the Town Law.
4. Where the parcel falls within two or more contiguous zoning districts, the Planning Board may approve an incentive representing the cumulative density as derived from summing of all residential lots allowed in all such districts together with the incentive density, and may authorize actual construction to take place in all or any portion of one or more such districts.
5. Bonus units shall be similar in appearance and location to non-bonus units, shall contain on average the same number of bedrooms as the non-bonus units in the development, and shall be compatible with the design or use of the remaining units in terms of appearance, materials, and finish quality.
6. Community benefits may be accomplished on or off site by:
  - (a) Use of agricultural or other permanent conservation easements.
  - (b) Donations of land for conservation and other community benefit purposes.
  - (c) Construction of amenities, serving a Town-wide need, accessible to the general public, above and beyond that required to mitigate proposed impacts in accordance with SEQRA and the Town law.
  - (d) Construction or improvement to public works above and beyond that required to mitigate proposed impacts in accordance with SEQRA and the Town law.
7. The community benefit may be located on-site or off-site of the property to which the incentive would be applied.

#### E. Procedures and criteria for approval of incentives.

1. Submission of application. Applications for density incentives shall be submitted simultaneously to the Town Board and to the Planning Board. An applicant is encouraged to

present its plans to the Town Board as early in the process as possible. The Town Board may schedule an informal workshop to discuss the incentive application and share information between the applicant, the Planning Board, the Town Board and the public.

2. Narrative statement. A narrative statement shall be submitted with the following information:
  - (a) A description of the incentive being requested.
  - (b) A description of the community amenity or benefit being offered to the Town.
  - (c) A current estimate of the market value of the proposed benefit.
  - (d) A preliminary indication that there is adequate wastewater treatment, water supply, transportation facilities, waste disposal, and emergency service protection facilities in the zoning district in which the proposal is located to handle the additional demands the incentive and amenity, if it is an on-site amenity, may place on these facilities beyond the demand that would be placed on them as if the district were developed to its fullest potential.
  - (e) An explanation as to how the amenity helps implement the physical, social or cultural policies of the Town of Middletown Comprehensive Plan.
3. The Town Board must approve an incentive bonus prior to the granting of a preliminary plat or preliminary site plan approval by the Planning Board. Applicants may seek non-binding input from the Town Board as to whether the proposal is worthy of consideration prior to the application or at any stage of the application process prior to the formal report issued by the Planning Board pursuant to subsection 6 below. Each zoning district in which incentives may be authorized shall be found by the Town Board to contain adequate resources, environmental quality and public facilities, including adequate transportation, water supply, waste disposal and fire protection. Further, the Town Board shall determine that there will be no significant environmentally damaging consequences and that such incentives or bonuses are compatible with the development otherwise permitted.
4. Applications for incentive zoning shall be processed concurrently and with the same procedures applicable to subdivisions and/or special use/site plan approvals as set forth in this Zoning Law and the subdivision regulations of the Town of Middletown.
5. All applicable requirements of the State Environmental Quality Review Act shall be complied with as part of the review and hearing process before the Planning Board.
6. Prior to granting approval of the preliminary plat, site plan, or special use permit based on an incentive proposal but after at least one public hearing has been held, the Planning Board shall issue an advisory report regarding the incentive zoning to the Town Board. The Planning Board's report shall include the following:
  - (a) The Planning Board's recommendations regarding the proposal, including an evaluation of the adequacy with which the benefit and incentives fit the site and how the development relates to adjacent uses and structures.
  - (b) a SEQRA Negative Declaration or Findings Statement establishing that the proposal will not have a significant impact on the environment;

- (c) an assessment that adequate water supply, wastewater treatment, transportation, waste disposal and emergency protection facilities exists to serve the development, and that such development will not substantially and deleteriously impact upon the future development of adjoining properties;
  - (d) a statement that the benefit would not otherwise result without the granting of incentive zoning.
7. Within 45 days of receipt of the Planning Board's report, the Town Board shall hold a public hearing on the incentive zoning application. Notice of the hearing shall be published in the official newspaper at least ten (10) days prior to the date of the hearing. The Town Board may provide for further notice as it deems appropriate.
  8. As required by NYS Town Law 261-b(3) (g), the Town Board shall evaluate the impact such incentives would have upon the potential development of affordable housing .
  9. The Town Board shall render its decision within 45 days of the close of the public hearing. In no case, however, shall the Town Board be compelled to approve any aspect of this incentive zoning as such approval rests within the Town Board in its sole and absolute discretion. The Town Board may approve, approve with modifications or disapprove the incentive zoning application. Failure to render a determination within said 45-day period shall be deemed to be a denial. To approve incentive zoning, the Town Board shall determine that the community benefit provides sufficient public benefit to provide the requested incentive.
  10. After the Town Board has rendered a decision, the record of decision shall be referred to the Planning Board for preliminary and/or final approval of the application with or without incentives, as prescribed by the Town Board. If the Town Board resolves to permit incentive zoning, no subsequent approval or permit or approval by any official, board or agency of the Town shall materially alter any condition imposed by the Town Board and, in the event that any permit or approval by any agency within or without the Town materially alters any such condition, the project may not proceed until and unless the Town Board approves the modification in its sole discretion.
  11. The Town Board may engage a consultant to assist in review of the application, the cost of which will be borne by the applicant.
  12. Compliance with SEQRA. All applicable requirements of the State Environmental Quality Review Act shall be complied with as part of the review and hearing process. The applicant will pay a proportionate share of the cost of preparing a generic environmental impact statement as prepared by the Town Board in enacting or amending this section.

## **Appendix E. Zoning and Subdivision Audit Consultant Recommendations Submitted by Nan Stolzenburg, AICP**

After review of the Town of Middletown Zoning Ordinance and Subdivision Law (as well as the April 1996 Phase One Comprehensive Plan Update, prepared by Parish Weiner & Shuster, Inc (not adopted, but much of it valid nonetheless), the following changes are recommended to improve the zoning so that it serves to more effectively meet the vision and goals presented in this plan:

1. Purposes (103). Update the purpose section so that more emphasis is placed on rural character, open space, and environmental protection as important goals for zoning to accomplish.
2. Definitions (202). Update the definitions section. All uses included in the use table should be defined. Especially add farmers market, roadside stand and other agricultural terms such as agri-tourism and agri-business. These uses should also be added to the use table and allowed in R3 and R5. Add senior citizen housing-related terms such as assisted living, senior citizen housing, nursing home, etc. Change the definition for open space to be broader, more oriented to conservation and agriculture, and not exclusively oriented to recreational uses. Define both private use and commercial use alternative energy systems.
3. Alternative Energy Systems. Currently, this use includes wind turbines. Private wind turbines are currently allowed in all zoning districts as a permitted by right accessory use (no planning board review necessary). Commercial uses are allowed as a special use or site plan review in all districts. However, no standards are stated for the commercial uses. It is recommended that private wind turbines be required to go through site plan review. Maintain special use permit requirements for commercial wind turbines. Middletown should consider developing a new section in zoning specifically dealing with wind turbines where standards for setbacks, noise levels, and siting could be established.
4. Article IV – R-3 District Regulations and Schedule I (Use Table). The use table allows almost all commercial uses everywhere in this district with a special use permit. Allowance of all commercial uses in the R-3 district could result, long-term, in creation of “strip” style commercial development along all the major roads in town because the district is set as a strip. The zoning states that the purpose of this district is to allow for a variety of mixed uses appropriate for the existing traffic conditions. This purpose is not very clear – what exactly is meant by “appropriate”? It is recommended that the purpose of the R3 district be clarified.

In order to maintain the low density and rural nature of Middletown, the Town should consider being more selective about what commercial uses are allowed in the R-3 district and where. For those that are allowed, design and siting standards should be established to ensure that new commercial uses fit in with the landscape of the area and character of the town.

As an alternative to allowing commercial uses everywhere throughout the R3 district, instead consider establishing several locations for new commercial growth at appropriate “nodes”. Restrict commercial development to these areas. Especially consider creating a new node along

Route 30 between Halcottsville and Margaretville and between Arkville and Fleishmanns. Design and siting standards should be applied in these nodes as well.

5. Article IV – R-5 District Regulations and Schedule I (Use Table). The use table allows almost all commercial uses everywhere in this district with a special use permit. However, the purpose statement for this district is to allow for low density residential development and limited commercial development. Allowing a wide variety of commercial use within the R-5 district seems at odds with this statement. Commercial development in this district should be restricted to home occupations, agri-businesses and agriculture, and small-scale and small-impact businesses. Consider setting a 2500 square feet building footprint size for commercial uses in the R5 area.

6. Article IV – H1 and H ½ District Regulations and Schedule I (Use Table). The use table allows most commercial uses throughout these districts with a special use permit. However, the purpose statement is to limit the intrusion of non-residential uses (H1), and to limit and control nonresidential uses (H ½). Allowing a wide variety of commercial use throughout the hamlet districts could be at odds with these statements. Commercial and mixed residential uses should be important to promote in hamlet districts, but not all commercial uses included in the use table seem to be appropriate for hamlets. The Town should carefully review the use table to include only those commercial uses that would be compatible with the character and function of these districts. Establish hamlet style commercial design and siting standards, along with square footage or floor area ratios to ensure that the scale and design of buildings is in character with the hamlets.

7. Section 410 – Development Limitations Overlay. An additional zoning map should be created and adopted showing all the features included in the DL Overlay District. The law refers to a map, but there does not appear to be any legally adopted map showing all these features.

a. Given the flooding history in Middletown, the Town could consider establishing a requirement that all structures be placed outside of the floodplain to the maximum extent practical.

b. The limitation defined as “watershed areas that have more than 50% of the land in parcels less than 25 acres” is confusing. This should be clarified or re-written. What exactly is the zoning trying to protect?

c. Ridgelines and agricultural lands are not included in the DL Overlay, but are critical to the character and environment of Middletown. Consider adding these features in as part of the DL Overlay.

d. Current standards allow for parking, open spaces and other uses not posing obstructions to water flow shall be permitted in the flood hazard area. While flooding of paved parking lots may not cause structural damage, they are impervious surfaces and can severely change water flow and runoff volume that can contribute to severe erosion or downstream flooding problems. It is recommended that only pervious parking surfaces be allowed in the flood hazard area.

e. Other than wetlands and floodplains, the DL requirements are oriented only to projects undergoing subdivision review. In order to fully meet the stated purposes of this district, it is recommended that the Town include projects going through special use or site plan review as well, and establish a new set of development standards for all development taking place within the overlay – not just subdivisions.

Further, current regulations change the allowable lot size and minimum frontage, but do not address siting, or other development techniques that could be used to ensure new building of any sort is protective of the resources of the district. This is problematic because creation of very large lots contributes to lack of affordable lots and houses. Also, large lot sizes will simply result in rural sprawl with more private driveways. Ultimately, it is unlikely that this regulatory tool alone will result in maintenance of the rural character of Middletown. More emphasis should be placed on the actual siting, design, and site treatment. Establishing a lower density in some areas certainly would offer more protection to some resources and features in Middletown. However, the following will be useful as well when applying the DL Overlay:

1. Ridgeline Protection – Standards to ensure that new structures are sited so that the roofline does not extend above the tree or ridgeline as viewed from public locations.
  2. Steep Slope Protections – Standards to ensure erosion and stormwater are controlled, that natural vegetation is retained, and that natural surface water flows are not disrupted.
  3. Use of clustered or conservation subdivision design (See #16 below)
  4. Rural Siting Standards – Standards that guide preservation of important features on a parcel such as active agricultural lands, scenic views, natural vegetation buffers, etc.
8. Section 411, Commercial and Industrial Uses Floating Zone. This section applies only to special uses in the R5 district and is not really a floating zone. It serves to require some additional standards for commercial uses in this district. Therefore, this should be removed as a floating zone and included in the R5 Special Use requirements section (Section 405E) or in Section 611. If the Town wishes to allow for a true floating zone, then a commercial PUD should be established.
9. Section 412, Equivalent Uses. This section calls for the CEO to refer interpretations of allowable uses to the Planning Board. This is contrary to State Town law and the local law itself which gives the authority for zoning interpretations to the Zoning Board of Appeals. Should the Town desire to give this authority to the Planning Board, the local zoning law should be amended to explicitly state it is superseding state law in this regard.
10. Section 511, Lot Size Averaging. This is an excellent concept and highly recommended. The Town of Middletown is very progressive in this area. Lot size averaging will assist in creating open space and smaller lots that may be more affordable. Since it appears as if this is applied voluntarily by the applicant, how often is this section used? If it is not used frequently, it should be...the Town should consider making use of average lot sizes the required method for

establishing density instead of minimum lot size. One problem is that Section 511 (B) states that no lot created shall be less than 2 acres. Two acres is still a relatively large lot and some parcels may be able to have smaller lots created. It may be advantageous to allow the lot size to be whatever size is required to meet water and on-site sewage requirements.

11. Section 537, Planned Unit Development. Consider moving this section from specific use regulations to district regulations (Article IV) since a PUD is a district, and not a single use. It is recommended that this section be expanded to include a better set of procedures. Currently, the only procedure included is one line indicating that the Town Board can approve a PUD by resolution. This should be amended to include time frames, SEQR, Planning Board advisory recommendation, County Planning Board review, public hearing, and sequence of approval steps. The PUD section is also unclear in its treatment of a cluster development. Clarify that the clustering provision is voluntary.

12. Section 540, Roadside Stands. Roadside stands are not defined in the law, and should be. Zoning allows that sale of ag products raised by the owner of the stand does not require any permits. However, a commercial stand requires a special use permit. It is not clear what the distinction between the two is. A definition is needed and would clarify that.

13. Section 542, Signs. It is recommended that this section be amended to reduce allowed sign heights and sizes and better standards to ensure quality aesthetic design of signs. Signs have significant impacts on the aesthetic character of a community. Large signs can have negative impacts. Currently, the law allows for a 25 foot high sign in all locations, and most businesses are allowed up to 32 square feet sizes.

a. It is recommended that a chart be set up in the zoning and different sizes be allowed for different districts. The largest signs should be allowed in the Business Commercial and Industrial Districts. Smaller signs should be required in hamlets and residential areas. Freestanding signs should be limited to 10 feet in height, and sizes should be limited to 24 square feet in BC, I, and Residential districts. Hamlet signs should be smaller.

b. The law restricts businesses from only one sign per public road frontage. Since most businesses or offices are not on corners, and that means that they would only be able to have one sign. It is recommended that the law allow one freestanding sign and one building mounted sign.

c. Middletown should evaluate how to regulate illumination of signs. Some communities allow only externally lighted signs and prohibit internally lighted ones. For aesthetic purposes, the Town should reconsider how it treats lighted signs.

14. Section 601 and 602, Special Use and Site Plan:

The law is confusing as to the relationship between special use and site plan. 601(D) indicates that all special uses require site plan review. However, it also says that site plan may be waived if 7 different criteria or standards have been satisfied. This is, in my opinion, not appropriate. Special use permits are oriented to the use itself while site plan is oriented to the location and function of structures on the parcel. While there is some overlap, these are two different kinds of

review and they should go hand in hand. It is my recommendation that 601 (D) be amended to remove reference to waiving site plan review. Instead, Section 602 should be amended to include a section on applicability and allow for exemption from site plan review the following (for example):

- a) A single-family detached dwelling or uses or structures accessory.
- b) A new two-family dwelling or conversion of an existing single family dwelling to a two-family.
- c) Ordinary repair or maintenance of existing uses or structures.
- d) Agricultural structures as defined under the N.Y. State Building and Fire Code Regulations and agricultural operations, including a farm, riding stables or riding academies.
- e) Landscaping or grading incidental to an existing use or a use exempted.
- f) Interior alterations to an existing building.
- g) Any change in use which does not require the issuance of a certificate of occupancy pursuant to the New York State Uniform Building and Fire Code.

The section should also be amended to add in the required filing of special use decisions, and how expansions to already approved special uses would be handled.

15. Site Plan (Section 602) should be amended as follows:

- a. Add to the list of supporting data required on the site plan to include contours, existing and proposed roads and curb cuts, accessory buildings and structures, walls/fences, utilities, lighting fixtures, signs, list of other permits needed, the SEQRA form, and stormwater plan if needed. The Planning Board should also be authorized to ask for a traffic impact study and a visual impact study if warranted.
- b. Consider expanding site plan considerations to ensure that important environmental, neighborhood character, aesthetic, and agricultural resources are evaluated during the site plan process.
- c. The Planning Board should be given authority to establish an escrow account and hire engineers, attorneys or other professionals to assist them with review of a site plan or special use permit application.

15. Section 805, Zoning Board of Appeals: The Town should consider the following amendments to ensure consistency between this ordinance and state statutes:

- a. Amend Area Variance criteria. It is recommended that the term “practical difficulty” and

criteria be replaced with the five considerations listed in Town Law 267-b.

b. Amend Use Variance criteria. It is recommended that the criteria for determining “unnecessary hardship” be replaced with the four considerations listed in Town Law 267-b.

16. Add provisions for Clustering and Conservation Subdivision. Consider the options below to apply these layout techniques that are designed to protect open space and preserve rural character. One or more of these options could be considered:

a. Make it optional for major subdivisions to be designed in a clustered or conservation subdivision layout with 50% of the parcel permanently preserved. Allow for conservation, agriculture, and outdoor recreational activities to occur on preserved lands.

b. Give the Planning Board the authority to require a subdivision to be designed in a clustered or conservation subdivision layout with 50% of the parcel permanently preserved. Allow for conservation, agriculture, and outdoor recreational activities to occur on preserved lands.

17. Amend Zoning to require submission of the Agricultural Data Statement for site plan and special use projects proposed in or within 500 feet of the NYS certified Agricultural District (as required by Agriculture and Markets Law 25-aa).

18. Consider adding in farmers market as an allowable use in the R5 district.

19. Consider limiting adult uses to only the Business Commercial and Industrial districts. It is currently allowed in the R5 district too.

20. Consider making the H1 districts for each hamlet at least the same size as the hamlet designations made for NYC DEP. Further, consider expanding the size of these districts where environmental conditions allow to promote more hamlet style growth and offer opportunities to direct more development to the hamlet areas.

21. Ensure that the mapped H1 and H ½ districts in Arkville match up with the sewer and water districts.

22. Establish commercial design and siting standards and tailor them to district and location. For example, establish commercial design and siting standards specific to hamlets and another set specific to the Route 28 corridor. Included in these design standards should be street tree, roadside, and sidewalk and/or pedestrian path improvements.

23. Include a section in zoning that refers to the existing NYS requirements for an erosion and stormwater plan to be prepared for any project that disturbs more than 1 acre of land.

24. Consider adding multi-family dwelling density and development standards to ensure that they will be compatible with the area.

25. Consider adding lighting standards that require use of fully shielded light fixtures, lower pole heights, and other methods to reduce glare and light pollution.

26. Review noise regulations in zoning and consider amending this to fine tune requirements. Not all noises have the same frequency or decibel level and regulations should be based on pitch, frequency and decibels.

27. Allow for one accessory apartment in a single-family dwelling or in an accessory structure such as a garage. Currently, accessory apartments are not allowed in zoning but these housing types can offer a very affordable option for young families and senior citizens. Any accessory apartment should be allowed only via a special use permit in all districts.

28. Work with Margaretville and Fleishmanns to coordinate zoning and land use regulations. (*Nan's note – I need to get both village zoning laws and can do this review*).

### **Subdivision Audit and Recommendations**

1. Section 103: The Policy Statements of the subdivision law should be amended to refer to consistency with the adopted Town of Middletown Comprehensive Plan. Further, the policy statements should be expanded to emphasize a further purpose to ensure new subdivisions maintain both the rural character of the Town and a healthy environment.

2. Section 107: The law allows for the Planning Board to apply provisions of Section 281 of the Town Law. This may be an old reference. Does this refer to clustering? If so, that is Town Law Section 278, not 281.

3. Section 109: The law allows for the Planning Board to amend the subdivision law. This should be rewritten to convey that only the Town Board is authorized by the State to make changes to a local law.

4. The subdivision law should be amended to update time frames as outlined in Town Law Section 276. State law changed all time frames from 45 days to 62 days.

5. Consider amending the subdivision regulations to preserve, conserve and/or maintain natural features which add value to residential developments and to the community, such as large trees or groves, water courses, lakes, ponds, wetlands, waterfalls, stone walls, hedgerows, bedrock outcropping, historic structures/sites, scenic vistas, and similar irreplaceable assets. Subdivision review should include and consider natural terrain, flood areas, steep slopes, existing vegetation, wildlife habitats, and erosion and sediment control. New development should be carefully sited and use low impact development techniques to reduce erosion and stormwater impacts.

6. Subdivision should include a new section outlining process and standards for conservation and clustered subdivisions and this should be coordinated with the zoning law requirements.

## Appendix F. Sample Design Standards for Consideration.

The following illustrate commercial design guidelines that could be used in Middletown. These design guidelines, if incorporated into zoning or project permit approvals will help new development be consistent with this plan and with the desired character of Middletown.

### *Building Design: Consistency with Rural Character*

- All new construction or redevelopment of a property should, to the greatest practical extent, utilize materials and design that is either similar to or respectful of a rural setting. This should include wood, red brick, and stone for primary façades. Metal shed buildings are discouraged, particularly those large in scale.
- Commercial and residential uses are encouraged on second stories.
- Building character and scale should compliment and strengthen the character of the neighborhood.
- Façades that face public streets or adjacent development should be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings for visual interest.
- Entrances should be obvious, attractive, in scale with the building façade and have weather cover.
- Canopies covering gasoline pump islands should reflect the architectural style of the primary building (i.e. materials, colors, and architectural details).
- Architectural styles that are respectful of the rural landscape are encouraged.

### *Signs*

- Low ground mounted signs are encouraged. Internally illuminated signage is discouraged.
- Sign materials should relate to the materials and style of the building(s) they serve. Plastic signs, banners, or flags that include loud colors, particularly colors not pertaining to the building materials or style, are discouraged.
- Ample landscaping should be provided at the base of signs.
- Keep signs simple.

### *Natural Site Design: Respect the site's natural features.*

- Maintain existing mature trees.
- Use native vegetation and avoid invasive species.
- Minimize cut and fill and avoid abrupt grade transitions. Any grade changes should be in keeping with the general appearance of neighboring developed areas.
- Limit soil erosion and disturbance to natural drainage ways, contours, or other landforms.

### *Lighting And Utilities: Reduce glare, over-lighting, and minimize impacts of utilities.*

- Locate utilities underground as much as possible. All above ground utility boxes and similar facilities should be clustered and screened with landscaping.
- Lighting should be fully shielded to avoid glare and designed appropriate to a rural setting.
- In general, lighting fixtures should not be taller than the buildings that they illuminate.
- Canopy lighting should be fully recessed.

- Lighting should be kept to the minimum levels needed for safety and security.

*Landscaping: Landscaping must be a critical part of development.*

- All required street trees should be placed between the edge of the road and the parking area or front building line, whichever is closest.
- Parking areas located between structures and the road should be softened with a low growing hedge and/or an attractive fence or wall.
- Large expanses of parking should be broken up with tree and shrub plantings.
- A transition zone consisting of pedestrian amenities and landscaping should occur between buildings and parking areas.

*Site Layout: Site Plan Review should ensure that new buildings face streets, maintain setbacks common to the area, and protect environmental features.*

- All parking should be located behind or to the side of buildings.
- Front entrances should face the primary street.
- Structures should maintain consistent setbacks that respect established setback patterns - especially when located in a hamlet.
- Whenever possible, shared parking should be provided between adjoining properties.
- Provide connections to adjacent lots and developments through shared access roads, linked parking lots, and sidewalks
- Minimize entry points and curb cuts.
- Have a consistent theme of street trees, other landscaping elements, and pedestrian amenities to provide a unified streetscape in each commercial area.