



*"Butternut Tree" by Frank Eckmair*

# **Town of Butternuts Comprehensive Plan**

## **Part I**

**Adopted August 14, 2013**

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Thanks to the Butternut Valley Grange for the use of their space.

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Frank C. Eckmair. Reproduced with special permission from the artist prior to his death.

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*A special thanks to all those who responded to the survey and to all those who attended the community workshops*

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Psalm Wyckoff, Otsego County Planning for maps and her ongoing help and advice

**SPECIAL THANKS TO:** Heriberto Rodriguez for information, research and endless practical logistical support. Jackie Foster, Evelyn Butler, Roberta Halbert, Gale Sorenson, and to the many others who contributed their time and expertise.

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*Credits are to acknowledge work on the Plan and do not necessarily imply endorsement. We thank all who worked on the Plan.*

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## History

Prepared by Leigh C. Eckmair, Registered Historian, Town of Butternuts & Village of Gilbertsville

### The Old Butternut Road

Migrating aboriginal people at the end of the last ice age discovered a natural wonder that would become known as the Butternut Valley. They found abundant natural resources, good water, flint and rock for tools, arrowheads and other weapons, many edible wild plants, grasses, fruits and nuts, and one nut in particular - the prized *Juglans cinerea* - better known as the Butternut. Soon word of a very special place spread throughout the northeast ... "the land where the Butternut grows."



The route to the Butternut valley, thousands of years old and commonly referred to as "the Old Butternut Road,"<sup>1</sup> was already well known when Dutch traders found it in 1614.<sup>2</sup> The road to and through the Butternut Valley, always a destination, was described as being a foot wide and a foot deep. Numerous archeologically sensitive sites along the Butternuts Creek attest to that migration and habitation.<sup>3</sup>

### The Wild West

Development of the lower Butternut Valley began with the signing of the Fort Stanwix Treaty of 1768 creating a western frontier. All newly available New York land was sold within two years. The lower Butternut Valley includes lands purchased as follows, from west to east: twenty thousand acres by Clotworthy Upton, 82,030 by Staats Long Morris, his wife Catherine, Dutchess of Gordon, and Col. John Butler, and the 69,000 acre Otego tract. These investors were obligated to establish farming communities within three to seven years.<sup>4</sup> Land holders of the Butternut Valley used many means of attracting well prepared colonial settlers to the peaceful valley from areas of eastern NY and from New England<sup>5</sup> where political unrest was stirring. Leaving well-established communities and cultures, they packed up their architectural and agricultural

<sup>1</sup> Route from Fulton, NY south to and across U.S. Route #20, south along east side of Canadarago Lake, along Oaks Creek to County Rt #16 NYS Rt #51 to the Unadilla River.

<sup>2</sup> Butterfield, Roy L. *In Old Otsego*, Cooperstown, NY: The Freeman's Journal., 1959: pg. 20.

<sup>3</sup> Lawrence Taylor, James Barney, Theodore Whitney, "THE MILFER SITE," Chenango Chapter. N.Y.S.A.A. Bulletin, Vol. II, No. 3 (1970): 21pgs.

<sup>4</sup> Letters-Patent To Clotworthy Upton, dated March 8, 1770 and recorded in Book 15 of Patents at page 40; N.Y.S. Bureau of Land Management, Albany, NY

<sup>5</sup> Halsey, Francis Whiting, *The Old New York Frontier*, 1901, p 127 & pg 365.

backgrounds along with their tools, clothing, ideas of education, etiquette, entertainment, religious practice, and fashion and settled into an area alive with natural resources.

Butler and the Morris's divided their purchase with the Morris's taking 32,030 acres from the southern part of the tract. After a trip upstate in 1769 to see their purchase, and "...to superintend the settlement of the (tract). Several persons obtained farms from...[the Morris's], and the settlements which sprang up on the Butternut Creek were long known as the 'Old English District' "<sup>6</sup> Catherine Morris chose, and they set aside, an eight patent lot tract (1,600 acres) for their own estate and home.<sup>7</sup> On these new farms, raising sheep and the making of cheese, butter, cloth, leather and leather products led a growing economy. Development of the area proceeded rapidly.

## Revolution

Throughout most of the 18th century seasonal aboriginal occupation of the valley peacefully overlapped that of western European settlement with Revolutionary War events briefly interrupting the process. Caught in the middle of squabbles between Tory guerrilla fighters and Revolutionary guerrilla fighters, some politically neutral farm families, were driven away. Those in the backwoods and on the hilltops fared better. As soon as they felt it safe to do so, many returned to restart their farms.

As the Revolutionary war ended, more families came to the Butternut and Unadilla River valleys from all corners of the eastern U.S. as well as from France and England. Women in these families were accustomed to living under fairly civilized conditions<sup>8</sup> and were not prepared to put up with anything less for any length of time. These early communities, identical to those left behind in New England, New Jersey, Philadelphia and Great Britain, were in the mainstream of contemporary American life.<sup>9</sup>

## Post Revolutionary War Growth

A flourishing, integrated economy was rapidly established. Agricultural products and goods manufactured from local resources were produced in quantities to satisfy local needs and export to Mohawk and Hudson Valley markets. Desired items that could not be grown or manufactured locally, arrived regularly.<sup>10</sup> Additional families poured in and took up the challenges of new lands and new communities. A small industrial hamlet quickly formed along the Butternut Creek near the center of the township. The location had abundant waterpower for saw, grist, fulling and other mills, and clay to supply a brick kiln. Products from every corner of Butternuts flowed through the hamlet to markets in the east.

After food and shelter, one of the immediate concerns of all these families was the continuity of their children's education, which had been disrupted during the war and schools officially made their appearance in 1795. County government was established

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<sup>6</sup> Higgins, Ruth L., *EXPANSION IN NEW YORK*, 1926, p95.

<sup>7</sup> The current village of Gilbertsville is located in the center of that tract.

<sup>8</sup> Strongitharm, Maria Hollis, letter to her brother Humphrey Hollis, Jr. in England, Nov. 19, 1819, "...I would advise you to bring a dozn of dessert knives and forks for yourself for a Tea Table here is not compleat without them..."

<sup>9</sup> This is demonstrated by fine surviving examples of building practices and culture, homes and farms of almost every era, many dating from the 1790's and earlier.

<sup>10</sup> Musson, William and others. *MUSSON DAY BOOK, 1802-1803*; Strongitharm op. cit. Oct. 30, 1810. "We can buy all the things you mentioned within a mile. We have two stores within a mile...we always expect to find most things...teas...sugar, hard soap, earthenware, hardware and all sorts of mercer goods..."

in 1791 and the township of Butternuts was created in 1796. By 1800, expansion of the region was well under way. Families continued to arrive many bringing technological skills critically important for successful growth. Near the center of the township, the industrial hamlet, Gilbert's Ville, grew and spread along the banks of the Butternut creek. Farms in every corner of the town supplied the raw materials. Routes to major markets, north and east, assured timely delivery of products from Butternuts. In short order, the emerging industrial hamlet boasted an Inn for travelers, a school, a store with a postmaster, a shoemaker/harness maker and a doctor. Locally manufactured stoves made fireplaces obsolete. Churches and businesses also drew farmers from outlying areas.

Squeezed by farms east and south and by hills on the north, Gilbert's Ville could only expand in a narrow corridor to the west. Additional craftsmen, tradesmen, lawyer, dentist, industries and stores arrived to serve the needs of the thriving township. A stage stop connecting to the Catskill Turnpike assured the expansion of hamlet into village

The architectural appearance of the growing township echoed European traditions of construction with modest stone structures, slab-side cottages, and New England influenced frame houses. On their new farms, New Englanders built saltbox and Federal style houses. Every building material from shingles to shutters was available nearby. Slab-side structures were soon replaced with more substantial dwellings while others were incorporated into grander structures, or became woodsheds, chicken coops or other outbuildings. The names of Benjamin Tanner and Ard Rockwell are linked with the construction of a number of these earliest fine structures <sup>11</sup>. As the population grew and the economy flourished, more sophisticated structures appeared in all corners of the town, each with the modern advantages of its day.

### The Hamlets - Major

At the four bordering corners of the town of Butternuts, other hamlets<sup>12</sup> began to emerge. In these "border" hamlet areas, students in the district schools were commonly drawn from both townships. In the north east corner "Maple Grove" (Morris) expanded to include mills, a church, school, cheese factory, a store, Post Office, (1836-1906), blacksmiths, and doctor. In the south east corner, "Unadilla Center" (Unadilla) thrived with blacksmiths, stone quarry, school, store, Post Office (1833-1893) cooper shop, cemetery and church. By the 1950's these two little communities had almost disappeared.



In the south west corner of Butternuts, Mount Upton (Guilford) slowly evolved but on the Chenango County side of the Unadilla River further south than where it is

<sup>11</sup> Mordecai Bedient, stone mason, starting about 1800 began a tradition of fine stone work in the valley followed by his sons, grandsons and great grandsons. Their handiwork is found in buildings spanning more than one hundred years in Gilbertsville from the Gilbertsville Free Library (1818) to the Major's Inn (1897-1905)

<sup>12</sup> These corners are almost equidistant from Gilbert's Ville in the center of the township.

today. Found there were various craftsmen, a store, Post Office (1815), doctor, lawyer, blacksmith, and millers. The construction of the Borden milk processing plant in 1895 brought work to that location for many years. The pre-Revolutionary hamlet of South New Berlin [New Berlin] developed at the northwest corner of the town of Butternuts on the Otsego County side of the Unadilla River, later expanding to occupy both sides of the river. A Post Office was opened in a store<sup>13</sup> in S.N.B. in 1822. Students who lived along the river shared school districts - the early "merged" districts referred to earlier. A boost to the economies of Mount Upton, South New Berlin, and surrounding country sides was felt for a time due to their location on the erratic Unadilla Valley Railroad (1879 -1957). However, they never achieved the status of villages. The widening of NYS Route 8 in the late-1960's and the loss of rows of trees destroyed the park-like landscape along the road's right of way through both communities.

### **The Hamlets - Minor**

Within the township, several hamlets evolved. Each had a school but no post office or church. They primarily contained laborer's houses scattered around a school, usually a cheese factory [seasonal] and often a craftsman or two, blacksmith, cooper, shoemaker, etc. They had informal names like Rootville, Kinne Ridge, West Hill, Danielson Settlement, Puckerhuddle, Upton Park. Upton Park had, at various times, an inn, a toll house, a store, a dance hall, saw, grist and cider mills; Danielson Settlement had a sawmill, a fulling mill, blacksmith and cooper. Over the years most of these little communities vanished.

The residents of all the hamlets came to the village of Gilbertsville for goods and services not available nearby especially the Slaughter House, Grist Mill, Tanneries, banking and newspaper. The Gilbertsville Academy and Collegiate Institute was the center for public programs including concerts, plays, and an annual lecture series. Popular events at the GA&CI included Temperance and Abolition meetings and musical competitions.

### **Cultural Appetite - From Paris to Butternuts**

The vigorous agricultural and manufacturing economy financed a community wide appetite for cultural pursuits, private as well as public. A Charter for a Masonic Lodge at Butternuts was issued in 1808.<sup>14 15</sup> The entire town considered reading for pleasure a necessity. Music, both playing and singing, were important activities. Stringed instruments were common as were band instruments supporting frequent concerts and parades. Pianos and pump organs graced parlors throughout the town. Fiddler's Green, a lively spot in front of the stone school house, was a popular place for children's gatherings, political debates, horseshoe pitching, and Brass Band practices.

By the 1830's Gilbert's Ville, now a village, contained four churches and the Academy, a women's private seminary, stores, a tannery, a slaughterhouse, a tailor, several blacksmiths and doctors, a couple of lawyers and a dentist. This beehive of commercial activity gave birth to a radical new marketing idea – a major distribution system to distribute pharmaceutical products (Comstock, Mead and Sheffield families) and general store merchandise (Bentley/Luce/Peters families) throughout New York and Connecticut.

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<sup>13</sup> Abijah Gilbert II while living in the village of Gilbertsville until 1850's ran the store in So. New Berlin. during 1830's-40's

<sup>14</sup> Bresee, Wilmer E., *Trails from the east, west and south*/ 1963. pg. 22.

<sup>15</sup> Members of the Masonic Lodge typically included all the leaders of the community

The booming economy drove a spirited architectural competition among village entrepreneurs.

Education was a subject of wide interest. Twenty-three school districts existed in Butternuts by 1813, four of those were merged districts spanning the Unadilla River. In addition to the 8th grade education assured by NY State, Butternuts embraced advanced education.<sup>16, 17</sup> A private co-ed academy for secondary education, the Gilbertsville Academy & Collegiate Institute was established (c. 1815), attracting students from all over the northeast and foreign countries. Later a popular state sponsored teacher training program increased the enrollment even more. The training of teachers, after agricultural products, became the second most important product and export of the lower Butternut Valley.

During this time, the Town of Butternuts included all of what is now the Town of Morris and parts of the towns of Pittsfield, New Lisbon, Laurens, Otego, Huntville and Unadilla. Within the county - in population and income - the township of Butternuts was second only to the town of Otsego (Cooperstown/Fly Creek, etc.). In 1849 for the sake of easier governing, Butternuts was split in half, the part on the north being called the Town of Morris. The dividing line also split the manufacturing capabilities of the two municipalities fairly evenly.<sup>18</sup>

## Civil War

Through these years, life in the Butternut Valley moved on peacefully. The well-read community was perfectly aware of the simmering conflict and the sentiments, activities and opinions of the outside world. Abolition and Temperance were subjects of wide interest from earliest days. Underground railroad activity through Butternuts was reported to have been quietly coordinated by church groups.

When national events turned the nation to war, there was no consensus in Butternuts as to its merit. As in much of the rest of the nation, the war divided many families and created great stress in the community. At least 254 Butternuts men of all ages are known to have participated, more than 10% of the population of the town. On the 9th of August, 1861 the entire Butternuts' Brass Band enlisted in the 51st N.Y. Regiment. Butternuts was represented in most of the major battles during the course of the conflict. The aftereffects reverberated through Butternuts well into the 20th century.

## Industrial Evolution & Agricultural Change

The demands of the industrial revolution on the natural environment began to change the economy of the area. Extended periods of drought impacted all the mills. Clear-cutting was a common practice and by 1865 most trees in the township were found only on hills too steep to be cut. Depleted forests led to Tannery closings and reduced the

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<sup>16</sup> Town of Butternuts. School Commission Minutes 1814-1884. C7. Local History Collection, The Gilbertsville Free Library.

<sup>17</sup> Gilbertsville Academy & Collegiate Institute. Gilbertsville Academy & Collegiate Institute student records, and miscellaneous documents 1818-1896. Gilbertsville, NY.

<sup>18</sup> New York State Census 1814, 1821, 1825, 1845: Federal Census of Manufactures, agriculture, etc. 1820, 1840.

need for animal skins produced on local farms. With the formerly reliable local supply of leather now gone, numerous local craftsmen went out of business.<sup>19</sup>

While industry declined, the agricultural economy continued to prosper by exporting agricultural products to eastern markets. A great deal of construction took place during this time with larger and more elaborate houses and more spacious barns appearing all through the township as well as in the village evoking regularly lengthy comments in the local newspaper.

At the time of the Civil War, women's work included butter and cheese making. Products were delivered to a local merchant who either sold them or packaged them for shipment to larger markets. The Civil War's need for improved roads also made moving farm products, including milk, much easier. That ability encouraged the idea of cooperative neighborhood butter and cheese production.

As a result, a few men made all the butter and cheese for neighboring dairies. Women embraced the idea of having the cheese and butter chores removed from their list of responsibilities. Participating dairy families delivered their milk to the neighborhood cheese factory and awaited payment for the products. Distribution of the products was coordinated for all the Cheese Factories by one or two individuals. Evolution and technological changes led to other advances in milk co-ops, condensaries, creameries, bottling plants, and agricultural co-ops, continuing to this day.

## Post Civil War

In the late-1860s speculators proposed building a railroad through the Butternut Valley promising faster, cheaper shipping and robust economic growth. Opponents countered that a railroad would destroy prime farm land, pollute the air and that the economic benefits would go only to financiers and speculators. The proposition eventually died.

The town and village continued to prosper in spite of a number of devastating fires in the 1860's and 70's. Destroyed barns and neighborhoods were immediately replaced with modern, attractive homes and businesses. Fashionable new farm houses and spacious new barns with every convenience were built while older homes were embellished with roomy additions and porches.

The novel idea of architects designing new places in town and village was introduced in 1867/68 when Brookside Cemetery was conceived. The idea took hold and a number of architects were soon called upon to design replacements for fire destroyed structures, the first being the brick Baptist church in 1875. This was followed by Tianderah, the Library, the Gilbert Block, Major's Inn, Village Farms Creamery & Cheese Factory,



<sup>19</sup> Shoe & boot makers, carriage makers, saddle and harness makers and tradesmen needed to support them as reported in NY State and Federal Census.

main house and stables, stone arch bridge, parks, additions and alteration to number of village homes and churches.<sup>20</sup>

In 1868 merchant John Russell Brewer organized a bank to serve the town's vibrant commercial activity.<sup>21</sup> In 1876, the telegraph revolutionized communication with the outside world and 16-year-old editor and publisher William Dietz established a weekly newspaper, *The Otsego Journal*<sup>22</sup> which chronicled daily life in the township. Other improvements including inside plumbing, coal burning stoves, bicycles, and oil street lights soon followed. While these improvements were under way, westward opportunities were drawing away residents, especially young people. Many maintained strong attachments to Butternuts and made frequent summer trips back to the valley to visit family and friends. Small seasonal hotels, boarding houses, shops and gardens profited for a time. Popular entertainments included ice cream socials, evening concerts, lawn tennis and baseball games, drives around the countryside, lots of fresh air, and recreation on the Butternut Creek.

One of these extended families members was Joseph T. Gilbert III. He was the summer resident who encouraged his friends and family to help rescue the center of the village from the disaster created by the 1890s fires and laid the foundation for it to become the lovely historic district we know today. In addition, in order to assure a reliable source of water for his summer home where he entertained large numbers of family and friends, he donated property and contributed money to help build the Gilbertsville Reservoir and Waterworks.

## **Panic & Limited Recovery**

Gradually, an aging and shrinking local population along with a stagnant national economy began to take its toll. The bursting of a national real estate bubble was followed in 1893 by a devastating national financial panic. Employment evaporated and many lost their homes and farms. Dairy farmers organized their neighborhood cheese factories into dairy cooperatives to support milk prices, a constant struggle. During this period, there was no money for new homes or expensive alterations of existing homes; a new coat of paint or a patch for a leaky roof was about all that was affordable.

The preservation of the area's 18th and 19th century architectural heritage was the result of the coincidences of a stagnant economy, benign neglect and two talented sons of Butternuts' builders. Will and Sam Woodlands had the same tools and the same attitude towards architectural craftsmanship as their grandfather and father. Working into the 1960's, until their late eighties and early nineties, they helped retain the special ambiance of the town and village.

When N.Y. State Route 51 was paved, travel through the town and village become more comfortable and much cleaner. Electricity came to the village in 1923. A popular baseball diamond with covered bleachers, changing and restrooms was built for the town on Brewer's Flat by the Village Improvement Society. Construction of the

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<sup>20</sup> Additional information concerning all Gilbertsville structures may be found in the Structural Inventory files in the Gilbertsville Free Library.

<sup>21</sup> While financially solvent, the bank was closed in 1932 by the federal government in a mass closure of banks.

<sup>22</sup> Published, uninterrupted, thru Feb 1, 1965 when it was merged with the New Berlin Gazette.

Gilbertsville Central School, next to the ball field in 1934, was the only major project in the town at the time. The spacious new campus became a year round hub of township activity.

### **Post WWII Industrialization**

The township weathered two wars with another Depression sandwiched in the middle. Each event took more young people from the township. The community demonstrated extreme bravery in the face of desperate times. Residents made a tremendous effort to reduce the stress by indulging in simple pleasures - berry picking, ice skating, barn dances, parades and community picnics were a few. Everyone who stayed worked. Reduce, re-use, re-cycle was the way of life.

The evolution of agricultural and manufacturing processes almost completely eliminated the need for most town and village businesses and services. The local school district became the most important employer in the town. Lack of employment forced residents to seek work in surrounding communities. Some found jobs requiring long distance commutes to enable them to continue to live in Butternuts. That commute contributed to the practice of shopping in outlying districts further crippling the local economy.

### **Those Threats: Dams & Others**

Beginning about 1912, a very real physical threat to the area emerged. Humming along in the background and growing louder through the years, was an Army Corps of Engineers' plan to flood some of the town's best farm land and completely obliterate the village. The situation became dire when, in 1948, Congress - after 40 years of recurring threats - authorized funding for the project. Residents of the vulnerable parts of central New York wholeheartedly banded together to initiate wide ranging protests. Over the next 25 years, the threat hovered.

During this 25 year period an additional threat to the town and the village emerged in the form of a plan to widen and improve the length of New York State Route 51. This plan was to straighten the curves and flatten the rises cutting up farms and moving or destroying houses, barns, bridges and cemeteries. In the village of Gilbertsville along Route 51 structures would be removed. Five years of intense protest activities resulted in a modified plan. The success of this protest reenergized the ongoing resistance against the proposed dams project.

The weapon of choice in the "Battle for Butternuts" was to pursue deauthorization of the entire Upper Susquehanna Rivershed Dam Project. That action would eliminate two dams along the Unadilla River - one threatening So. New Berlin, the other Mt. Upton - and one on the Butternut Creek at Cope's Corners. Cancellation of the project would save hundreds of acres of valuable farm land. To further aid in the entire effort, the village of Gilbertsville was to pursue National Register recognition as an historic site. That recognition would help protect both the village and the township. Volunteers from the three communities joined together in dozens of types of protest activities, one group to produce the National Register Historic Site nomination. Recognition was awarded in May of 1982, the first of an entire village in New York State.

The Historic Site recognition not only recognized the entire village of Gilbertsville but called attention to the natural beauty of the township and the singular beauty of the architectural heritage. These special attributes, along with a unique cultural presence, have made the area a destination for visitors from many states and foreign countries.

Threats to local control of schools have been an ongoing issue. In spite of protest and dissension within both communities,<sup>23</sup> <sup>24</sup> Gilbertsville Central School merged with Mount Upton Central School. Today, the old school buildings, once the hearts of both the towns, sit empty and deteriorating. At the time of the move into the new building in 1994, there were 675 students. In Sept of 2011, there were 451 students. As the student population continues to shrink, regional high schools and personalized online courses are being proposed to replace the current educational models. These shifts are changing education as we know it.

For a time, manufacturing in communities surrounding Butternuts provided employment for people leaving farms although later economic and social changes led to a loss of these jobs. Development related to farm breakups led the Town of Butternuts to affirm community values and intentions for the future with its 1991 master plan.

### **The Hundred Year Storm**

At midnight on June 27th, 2006, village residents were startled from their beds when the fire siren went off warning of a flood. A "hundred year storm" dropped twenty inches of rain on fourteen counties in central New York in three days.<sup>25</sup> In Gilbertsville, the result was millions of dollars of damage along the Dunderberg brook from the village reservoir to the Butternut Creek. The Village learned the value of its status as a National Register Historic Site as that brought special help from FEMA and New York State emergency management people to consult on and plan restoration of the damaged property.<sup>26</sup>

### **All the Best of Old and New**

Scenic hills and valleys lead to the tiny village of Gilbertsville where history, architecture, culture, arts and community meet. Central to the cultural identity of Butternuts, Gilbertsville is a National Register Historic Site with a distinct European flavor and a quirky New England character.

Residents of Butternuts work hard to protect and preserve the best of the past while building in the best of the new. The Major's Inn, an imposing neo-Tudor stone structure, attracts thousands to the village each year for cultural events, weddings, gatherings and celebrations. The Major's Inn Foundation, a volunteer run community organization, has made steady progress in rescuing, restoring and making the Inn self-supporting. The Foundation's 30th anniversary in 2010 was celebrated with a Historic Stewardship award from OTSEGO 2000 for their outstanding job of restoration of the building.

A little further down Marion Avenue, the main route through the village, is the 1835 Empire House restaurant and inn. Rescued in 2007 after five years of sitting vacant, the Empire is gaining on its restoration efforts. A menu specializing in Mediterranean cuisine

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<sup>23</sup> Journal Staff. After several years worth of extensive meeting, studies, negotiations, and plans "School Consolidation Turned Down: Gilbertsville, Mt Upton, Morris, S.N. Berlin." JOURNAL 16 November 1967. Vol. Ninety-Two, Number 46.1.

<sup>24</sup> Gilbertsville Central School Merger Studies Collection, 1967-1990, the Local History Collection, The Gilbertsville Free Library.

<sup>25</sup> As reported to Village committee by visiting engineers in August 2006. A recent communication tells us that a subsequent Susquehanna River Basin Report puts the rain amount for the flood at 8".

<sup>26</sup> FEMA, NYSEMO and DOT had their own offices and field engineers to deal with the special issues of historic restoration of properties on the National Register of Historic Places.

and the renovation of rooms for overnight guests brings guests from all over the area. The first reservations for these rooms were from Gilbertsville Central School graduates visiting to attend their class reunions.

Centennial Park, a new destination, was created when the village set aside land for a park near the old ball field. A roofed pavilion and playground equipment makes it a popular site for parties, family reunions and picnics.

These improvements create a snapshot of the community's dedication to preserving its legacy. As Robert W. Gilbert wrote in the Otsego Journal in 1887, Gilbertsville is "*...Not a place of trade but one of firesides, not a place to grow rich in but a place to live in.*"



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## Introduction

The Town of Butternuts, located in Otsego County, remains a rural town dominated by farmlands, woods, and low density residential land uses. Recent trends, including continued new home-building, loss of farms and some farmland, and the potential for industrialization of the region through high volume hydrofracking for natural gas, prompted the Town to revisit its master plan.

This Comprehensive Plan updates the previous Town of Butternuts Master Plan, adopted on March 13, 1991. It is designed to play a foundational role as our community grows and changes for the next 10 to 15 years. By design and definition, this Comprehensive Plan provides an overall framework for future public and private decision making in our Town and should be considered a “road map” for future financial, civic, and creative investment. This Plan articulates the vision for our Town, its long-term goals, and how Butternuts can achieve them.

### Why an Updated Comprehensive Plan?

Comprehensive plans are meant to be living documents and to remain relevant to the conditions and needs of the community. The original Town of Butternuts Master Plan (1991) was developed to reflect the community at that time and until recently has served Butternuts well.

Now, the Town is facing different challenges. The gas drilling issue initiated a great deal of discussion and sparked a re-evaluation of the 1991 Master Plan. As a result, the Town involved the community in defining and clarifying community values and has reflected those values and the current conditions, desires, and needs in this updated Master Plan.

### Authority to Plan

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. State law (Town Laws § 272-a) grants municipalities the authority to prepare and adopt comprehensive plans. As defined by this law, a comprehensive plan is a document that identifies goals, objectives, principles, and policies for the immediate and long-range protection, enhancement, growth, and development of a community. It provides guidance to municipal leaders, government agencies, community organizations, local businesses, and residents, and helps to ensure that the community's needs are met, both now and in the future. New York's laws also require that local land use regulations be adopted in accordance with a comprehensive plan. It is the policy foundation upon which communities are built.

In addition to providing the basis for future decision-making, the comprehensive plan provides a framework for local land use laws, such as subdivision, site plan review and, zoning where it has been adopted. It is important to note however, that the plan is not a regulatory document; any change to or development of new land use laws would need to be adopted according to procedures authorized under state law and through a separate process. This process would include public hearing(s), an environmental review, and Otsego County Planning Board review.

NYS Town Law § 272-a requires that Comprehensive Plans be reviewed and updated on a regular basis and therefore, it is suggested that this Plan will be reviewed every five years and updated or supplemented as needed by the Town. This review will be a chance to gauge progress on implementation and perform needed maintenance on the Plan so that it remains relevant to our community. A revision should include an update to relevant existing conditions, verification of the community vision and goals, a summary of completed action items and the addition of other relevant steps based on our Town's changing needs.

The Plan should be a vital document that remains a centerpiece for discussion and decision-making at the Town Board and Planning Board level. To ensure this, the Plan includes an action plan designed to help the Town Board implement the recommended actions over time.

### **Implications of Having a Comprehensive Plan**

Once a comprehensive plan is adopted, there are several important implications. First, all government agencies involved in planning capital projects in Butternuts 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 Butternuts. Second, it is the policy of New York State to encourage comprehensive planning for the sake of protecting the health, welfare and safety of its citizens. Therefore, most State agencies recognize a comprehensive plan as a condition for grants and other funding assistance. This assures that public funds are spent in pursuit of a well-defined public purpose. Long-term, our Town's grant seeking abilities will be improved because of this Plan. Finally, all land use regulations must be in accordance with a comprehensive plan (Town Law § 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.

### **Planning Process Overview**

This Comprehensive Plan is based on community input and an analysis of resources, programs, and other data. A variety of tools were used to gather public opinion throughout the planning process. It builds upon the 1991 Master Plan and incorporates the knowledge and skills of a citizen advisory committee, Town leadership, the general public, farmers, and business owners.

The process focused on three primary questions:

1. What are the current conditions in the Town of Butternuts? The Plan is built upon the strengths, weaknesses, opportunities, and threats to the quality of life desired by residents of our Town.
2. What is the future direction of the Town desired by the community? The Plan accomplishes this by establishing a community vision and a set of long-range goals.
3. What can the community do to attain its vision? The Plan offers a comprehensive set of recommended actions that address the issues of concern in our Town. Since this Plan updates the 1991 Master Plan, elements of that plan deemed still relevant are included in this plan.

This process led to the creation of goals and recommendations that can be implemented through policy changes, new programs, organizational changes, grant writing, regulatory updates, and other alternatives and actions that will guide the Town toward a successful future.

### **Planning Events and Milestones**

The planning process began early in 2011 when an ad hoc committee was formed to review and evaluate existing planning documents. The Committee researched plans and the planning process to familiarize themselves, sought advice from planning consultants and the Town Board formally approved the formation of a Comprehensive Planning Committee. The consultant, Community Planning and Environmental Associates, was hired during the summer of 2012

The following took place beginning in the winter of 2011:

- |                   |  |
|-------------------|--|
| January 2011      | <ul style="list-style-type: none"><li>• Ad hoc committee formed to conduct fact-finding, review existing planning documents, assess the need for a formal comprehensive planning process</li></ul>   |
| March 2011        | <ul style="list-style-type: none"><li>• Formal Comprehensive Planning Committee organized</li></ul>  |
| May 2011          | <ul style="list-style-type: none"><li>• Two community workshops held. Community members identify strengths, weaknesses, opportunities, and threats.</li><li>• Community members identify strengths, weaknesses, opportunities, and threats</li><li>• Survey was conducted</li><li>• Presentation and Advise on comprehensive planning from Otsego County</li></ul> |
| June 2011         | <ul style="list-style-type: none"><li>• Mail/written survey results summarized</li></ul>   |
| July to Dec. 2011 | <ul style="list-style-type: none"><li>• Formation of sub-committees; work to update several sections of the plan begins</li><li>• Interviews with Town leadership and other stakeholders begin</li></ul>   |
| April 2012        | <ul style="list-style-type: none"><li>• Public hearing and passage by Town Board of revised, 9-month moratorium</li><li>• Updated mapping provided by Otsego County</li></ul>  |
| July 2012         | <ul style="list-style-type: none"><li>• Consultant selected and hired to assist with development of town-wide inventory and profile of resources and characteristics and to develop final plan</li></ul>   |
| November 2012     | <ul style="list-style-type: none"><li>• Workshop on goals and strategies.</li></ul>  |

## Town of Butternuts Comprehensive Plan Update (August 2013)

- April 2013
  - Development of full draft of plan to present to the public and public comment
  - Submittal of Plan to Town Board
- June 2013
  - Draft plan to Otsego County Planning Department for Article 239-m review
- (To Be Completed)
  - Town Board review and public hearing
  - Environmental review as per NYS State Environmental Quality Review Act (SEQR)
  - Adoption of Plan by Town Board via a resolution



## Strengths, Weaknesses, Trends, and Issues

A comprehensive plan helps a community make its own decisions about its future. It does so by helping to identify community strengths and weaknesses. Strengths are features that the community wants to maintain in the future while weaknesses are issues that need to be improved.

### Summary of Public Input

Many strengths and weaknesses in the Town of Butternuts were identified by the public through a series of interviews, two planning workshops and through a town-wide survey conducted in 2011 and 2012 (see Appendix C). In addition to information from the public, a detailed profile and inventory was done for Butternuts to identify, map, and discuss physical, social, economic, infrastructure and environmental resources and characteristics. The results of these efforts are summarized below. In November 2012, an additional public workshop was held to hear people's ideas on how to address community goals. (See Appendix).

In both the community meetings and in the survey results, survey respondents identified rural character, people, historic character, natural environment, peace and quiet, community feel, agriculture, water and air quality, small town feel, and general beauty as our major strengths. The public has repeatedly stressed that they want to maintain the Town's rural character, natural environment, amenities, peace and quiet, historic character, agriculture, and for the community to remain the same. The public did not want to change the predominant land uses in Town, namely low-density residential and agricultural uses.

Residents also identified several major challenges. These include issues related to roads (maintenance and usage), lack of jobs/business/economic growth, high taxes, threats related to natural gas drilling activities including environmental damage from heavy industrial development, and the decline of agriculture. Residents also want to address our changing demographic situation, in particular Butternuts' aging population and loss of school-age children. Of significant concern to most residents are impacts and changes heavy industry, including gas drilling would have on the Butternut's community and its quality of life.

The emergency squad and the fire department were cited as our most important community services. Under "other services we'd like developed," telecommunications was the most important.

Respondents want to increase small business and professional activities like antique flea markets, art-related businesses, bed & breakfasts, and day care. In the Village of Gilbertsville, respondents supported independent retail, laundry, medical/dental offices, pharmacy, restaurant; outside the village, respondents supported light industry/mfg. and lumber mill/s. Heavy industrial businesses and uses are not desired by residents of the Town or the Village.

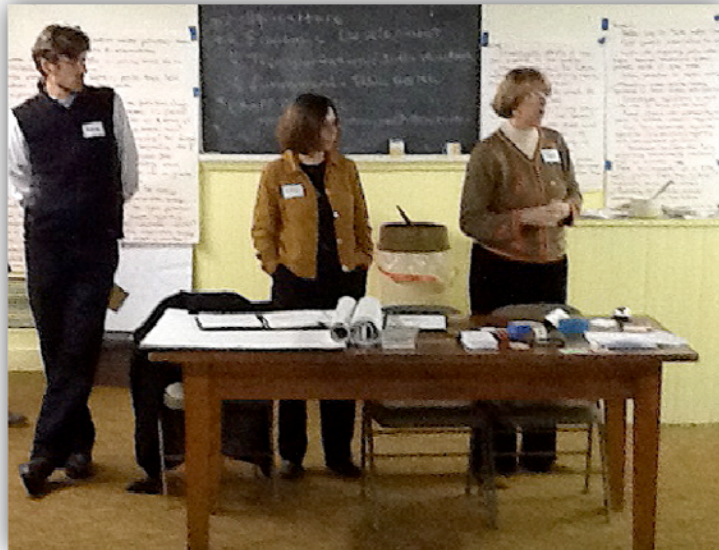
A clear majority said the Town of Butternuts should prohibit big box stores, high impact and heavy industrial industries, chain hotel/motels, and strip retail development because these uses have a high potential to change the very core features that people value about Butternuts. Further, they do desire the Town to be responsible for reviewing proposed new commercial developments and having input on whether or not the developments occur, and if so, the conditions under which the proposed developments may be built.

While less than 10% of the respondents identified themselves as farmers, an overwhelming number of respondents rated agriculture as either very important (63%) or important (24.8%).

In particular, the Butternuts community is highly sensitive to and supportive of the following issues: Beauty of Landscape - Peace and Quiet, Open Space Preservation, Hunting, Swimming Hole, Streams, Flood Plains, Wetlands, Woodland, Wildlife, Unbroken Vistas, Night Sky, Soil Quality, Water Quality, and Air Quality.

The majority of survey respondents and workshop participants do not favor the current method for extracting natural gas from the earth, commonly known as hydrofracking in Butternuts. There is however, strong support for use of personal use (small-scale) wind turbines to generate electricity. A large segment of respondents want the Town to encourage the use of alternative energy sources such as solar, wind and geothermal for individual homes and businesses. After a public hearing, which elicited a high degree of opposition to gas drilling, a moratorium was ultimately passed by the Town Board in May of 2012 and February of 2013.

Overall, in order of importance, the public identified the following topics to be addressed in this comprehensive plan: Gas Drilling; Water and Air Quality; Community Character; Agriculture; Open Spaces, and the Natural Environment.



## Community Strengths

The following features are identified as strengths of our Town. These are features we hope to maintain in our community:

### Strengths Identified by Community Interviews

- Small town (Interview, Marlene Brooks)
- Small, rural community; nice place to live (Interview, Sue Rowe)
- Peaceful, quiet, safe, and well-kept rural community with strong community spirit (Visioning Meeting)
- “Sense of farming is still here” (Interview, Marlene Brooks)
- Agriculture still viable (Interview, Don Hunt)
- Still an agricultural community (Interview, Don Hunt)
- Dirt roads, which are found throughout our town, are less costly (Interview, Ed Dibble)
- Good fire department (Interview, Ed Dibble)
- Good school system (Interview, Marlene Brooks)
- Fiscal health (Interview, Ed Dibble & Ray Musson)
- By several measures, the Town maintains a high level of fiscal health
- Good cooperation between Town and Village “to save money” (Interview, Ken Nolan)
- Clean environment (Visioning Meeting)
- Natural beauty (Visioning Meeting)

### Strengths Identified from Analysis of Profile and Inventory

- Rental housing units appear to be affordable when compared to County estimates
- When measured as a percentage of household income, owners and renters generally appear to have a low cost-burden when meeting housing needs
- Real total assessed value has increased nearly by half since 2000
- Wealth (i.e. median income) of the population has increased in real terms since 1980
- There are several historic sites in the Town; the Gilbertsville Historic District is wholly contained within Town boundaries
- Water quality in the Town’s principal surface water bodies appears to be high
- Several avian species with threatened or special concern status can be found in the vicinity of Butternuts
- After declining for thirty years, the loss of land area under some form of agricultural use has slowed, which, when combined with Ag Census information showing recent and steady increases in farm operations, suggests renewed vigor in our agricultural sector (Figure 13, P&I)
- High-quality farm soils can be found in many parts of the Town, and many areas of Prime Farmland Soils continue to be farmed
- In Butternuts and surrounding areas (defined by zip code; See **Error! Reference source not found.**, Zip Code Map), the number of farm operations has increased steadily since 1997
- Farms in the Butternuts region have steadily diversified the types of agricultural practices engaged in since 1997

- The Town has enacted subdivision and site plan review regulations, and it has proactively sought to develop and implement measures to manage the effects of increased traffic on its road network
- Butternuts is served by one public water district (near South New Berlin) and adjoins the service area of another (Village of Gilbertsville)
- Large swaths of the Town have access to broadband service
- Butternuts is served by several nearby healthcare provider networks

**Strengths identified from Survey**

- |  |                                |
|--|--------------------------------|
| ○ Rural Character  | ○ Churches                     |
| ○ Historic Character                                     | ○ Community Organizations      |
| ○ Natural Environment                                    | ○ Recreational opportunities   |
| ○ Peace and Quiet  | ○ Government                   |
| ○ Community Feel   | ○ Gas reserves                 |
| ○ Agriculture  | ○ Quality of Life              |
| ○ Water and Air Quality                                  | ○ Potential for Growth         |
| ○ Small Town Feel  | ○ Diversity of population      |
| ○ General Beauty   | ○ Stability                    |
| ○ For what's not here- big industry, traffic, high taxes | ○ Village                      |
| ○ School   | ○ Land owners' rights          |
| ○ Services (fire, emergency)                             | ○ Sense of Freedom             |
| ○ Amenities (stores, post office)                        | ○ Sense of Pride               |
| ○ Appearance   | ○ Good place to raise children |
| ○ Location   | ○ Arts                         |
| ○ Safe   | ○ Roads Master Plan            |
|  | ○ Alternative Energy           |

## Weaknesses

The following features are identified as weaknesses of our Town. These are features we hope to improve in our community:

- Flooding has strained infrastructure (i.e. roads) (Interview, Ray Musson)
- Young people leaving (Interview, Marlene Brooks)
- Aging population; population decline (Interview, Ken Nolan; Leigh Eckmair)
- Declining/aging population (Visioning Meeting)
- Falling school enrollments (Interview, Annette Hammond; Glenn Hamilton)
- Quality of schools (Visioning Meeting)
- Educational attainment lags behind State figures
- To passing travelers, the Town presents few reasons to stop (Interview, Marlene Brooks)
- Potential for industry to locate in Town (Interview, Marlene Brooks)
- After reaching its highest level in more than eight years, the number of firms in the Gilbertsville zip code declined from 15 to 10 between 2006 and 2010.
- Low level of site-built home construction (Interview, Don Hunt)
- Increase in number of housing units without population increase
- The affordability of owner-occupied housing units has decreased
- Infrastructure cost can strain/is straining local budget (Interview, Don Hunt)
- Lack of cell phone service (Visioning Meeting)
- “unhelpful split between village and town” and a lack of communication between the two (Interview, Leigh Eckmair)
- Disconnections (failures to communicate) within the community (Visioning Meeting)
- Subdivision activity has been scattered; as a consequence, some prime farmland soils have been urbanized
- About 80% of farms in the Butternuts region are small when classified by the amount of agricultural sales (i.e. < \$50,000/year)
- Loss of residents working in agricultural sector.
- A lack of public transportation options may reduce access of some groups in Butternuts (e.g. seniors) to needed services (such as healthcare) and other opportunities
- Lack of public transportation (Visioning Meeting)
- Housing opportunities are concentrated in owner-occupied, single-family units
- Lack of opportunities for youth including activities, jobs and a strong gravitational pull to return/remain in the area (Visioning Meeting)
- High property/school taxes (Visioning Meeting)

### Weaknesses identified from Survey:

- |  |  |
|--|--|
| ○ Roads and infrastructure                       | ○ Lack of economic growth                    |
| ○ Lack of jobs                                   | ○ Decline of agriculture                     |
| ○ Taxes too high                                 | ○ Demographics (aging population, etc)       |
| ○ Lack of businesses                             | ○ Lack of money to do things around the town |
| ○ Potential for natural gas drilling             | ○ People                                     |
| ○ Environment damage from industrial development | ○ Division in community                      |

## Town of Butternuts Comprehensive Plan Update (August 2013)

- Government
- Fear of things changing
- Fear of things staying the same
- Lack of activities
- Too isolated
- Lack of opportunity for young
- Too many regulations
- Lack of regulation
- Housing (low affordability, type mismatch, poor quality)
- Cell service
- Uninformed/unconnected
- Social concerns
- Lack of adequate land use regulation
- Lack of amenities
- Lack of public transit
- Lack of planning
- Lack of leadership
- Appearance
- Lack of services
- Weather
- Old school
- Lack of volunteers
- Competitiveness
- Noise
- Safety concerns

## Trends

The profile and inventory included in this Plan offers details about the current conditions in the Town as well as trends. Part 2 details all data included in the profile and inventory. The following summarizes the various trends identified by analyzing the information in the profile and inventory.

### *Population Density, Land Use and Property Values*

- **Growth in the Town's population over the past fifty years has been comparatively robust.**  
Since 1970, the Town population has increased by over 20%. However, this trend has recently changed as population growth was essentially flat between 2000 and 2010, when population size declined slightly.
- **There is indication that some 'rural sprawl' has taken place.**  
There are more households (and thus more houses) but not any corresponding increase in population. This is a trend seen nationwide and it reflects increased development without growth. This can indicate consumption of land for residential construction beyond what is needed for the actual population. In other words, this trend is an indicator of what is called rural sprawl.
- **Butternuts' population is aging. The size of households is decreasing, and there are increasingly fewer children in Town.**  
This is common in many rural Upstate New York communities. A fifth of the population in 2010 was 65 years or older, and 35% of all households have individuals 65 years and older. Older residents appear to be staying in numbers sufficient to shift the median age of the Town. On the other hand, younger residents, including families with young children, in particular, are leaving the Town. All these trends have housing, transportation, social service, and educational implications.
- **By several measures, housing has become less affordable in Town.**  
Real house prices have generally increased. Still, housing in Butternuts remains affordable when compared to other places in the region and to New York State.
- **Overall, the housing stock is aging and this has implications for energy use.**  
Age of the housing stock and data on energy use for housing units imply a need for energy conservation measures as well as the exploration of energy alternatives.
- **There is a sizable and stable vacation/second home segment of the housing market.**  
According to census data, nearly a quarter of all housing units were vacant in 2010, most of which (70%) were seasonal units. This is similar to that seen in Otsego County. This has changed little since at least 1990. Many of these units appear to sit on larger land holdings: Property assessment data show that the average size of residential parcels owned by people who have addresses outside the Butternuts region is double that of locally-owned residential parcels. In general, ownership of these larger properties tends to be more stable and long-term compared to the smaller properties. This may reduce volatility in the property market in general and may ease development pressure as owners of these properties resist the pressure to subdivide them.
- **By several key measures, the Town has become more affluent.**

Real property values have increased, as have real incomes, and the poverty rate (9.1%, according to the most recent information) was below State and County estimates. In part, this has translated into a greater healthy fiscal picture for the municipality.

- **Over time, the proportion of the Town's land area devoted to agricultural use has declined. Growth in the second home market in Butternuts is not the primary reason for conversion of farmland but many larger parcels have been replaced by smaller, subdivided parcels.**

This loss has occurred in part because farmers have abandoned previously-worked lands. And, these same lands have also been replaced with residential land uses, in particular, single-family homes on parcels less than 10 acres in size. However, the increase in vacant land (e.g. abandoned ag land or parcels without improvements) has recently reversed. Rates of abandonment and sale of productive farmland have slowed due to an uptick in the region's agricultural economy as seen by the recent increase in the number of farm operations in the Butternuts Region. The data suggests that more housing growth has come from local, permanent households, not due to second home uses.

### ***Agriculture***

- **Agriculture is widely supported by Town residents as an important part of the landscape and the economy.**

Of those responding to the survey, 63% said agriculture was "very important" and 25% said it was "important." A combined 88% said that they would "personally support" agriculture if it was located somewhere in The Town of Butternuts, the Village of Gilbertsville, or both, with 53% saying they would support it outside the village.

- **Residents support a diverse agricultural economy.**

A majority of respondents to the survey expressed support for several types of agriculture, including family farms, selling of local products, small scale processing, and maple syrup businesses. There was also support for programs to promote and protect agriculture, including responsible stewardship, businesses that support agriculture, woodlot management, and farmland preservation incentives.

- **Farming makes a significant contribution to maintaining the rural character of Butternuts by preserving a working agricultural landscape.**

Farmland is widely accepted as a critical part of Butternuts' community character.

- **Farming takes place throughout the Town, but there is a critical concentration of farmland in the Butternut Creek valley area.**

An analysis of land use patterns in Butternuts reveals that there are several areas of contiguous farm parcels that remain, especially along Butternut Creek. The valley is the critical 'mass' of farmland in Town. Farmland certainly exists elsewhere, but it is much more fragmented than in the valley. It appears that, in certain parts of Town, such as the Copes Corners corridor as well as the middle-southern portion of Town, vacant and residential parcels have fragmented lands that still contain viable farmland. There are opportunities for more agriculture in the area.

- **The number of agricultural operations in Town is increasing.**

While the number of farms in Otsego County declined by 5% between 2002 and 2007, the number of agricultural operations in the Butternuts region rose by 5%

over the same period. Most of this growth has been in small farms (measured by sales).

- **Agriculture is a part of the economic base of Butternuts. There are many small and part time farming operations.**

Overall, the increases seen in farm activities in Butternuts are positive and suggests that farming in Butternuts contributes substantially to the regional agricultural sector. Farmer tenure patterns in the Butternuts region are supportive of a sustainable agricultural sector in Town. Most (63%) are full owners, and there are very few tenants. However, Ag Census data indicate that, in 2007, nearly a third of farm operators work at least 200 days off the farm to supplement farm-based income. This is likely related to the prevalence of smaller farms (as measured by income) in the Butternuts region. Data show that 78% of farms in Otsego County have less than \$50,000 in sales, and is an indication of the predominance of small farms in the region. (27% of all farms have sales of less than \$1,000.) The exception to this may be the dairy sector, which still appears robust in Butternuts. This has important economic and land use implications.

- **Agriculture contributes to the local tax base in many ways.**

Data show that farms generate at least 9% of total assessed value. Studies show that agriculture is an important component of the fiscal health of a community. For example, multiple studies show that farms pay more in taxes than it receives in public services. That is because farmland needs fewer municipal services (e.g. schools and fire protection) than other forms of development. Farms also act as economic multipliers, spurring additional growth in farm-related services and employment. Residential development is shown to be the most expensive form of development.

- **Farmland in Butternuts may be important regionally.**

Some of the land used for farming is rented by farms in neighboring towns. While that makes land in the Town important to support a larger agricultural base, there are also risks. When farmers rely on rented land, there is always uncertainty that such land will remain available for farming long-term.

- **The agricultural base in Butternuts seems to be diversifying.**

More farm operations have sales or inventories of what historically have been smaller segments, such as organic, poultry and horse farms. In addition, anecdotal evidence suggests an increasing diversity of practices and products in the Town, including some value-added production. Still, dairy farming, which has recently declined at both the County and regional levels, continues to make up the primary use on a fifth of Town ag parcels and nearly 40% of all ag land lands in Town.

- **Land values and costs may be a barrier to establishment of new farms.**

Recent increases in property values may pose a barrier to those wishing to buy land for farming. This is because property values are higher and may not be affordable for the starting or expanding farmer.

- **Farmers are getting older and without younger farmers, this may make our farms more vulnerable to conversion.**

This, along with fewer younger individuals who want to farm, is of concern for the future of some farms. This is especially true for larger commercial farms.

### ***Economic Development***

- **The local economy of Butternuts is geared primarily to providing day-to-day goods and services to residents.**

Like many small, rural areas this is influenced by proximity to larger urban areas (in this case, Oneonta and Norwich), However, it is also influenced by the regional economy.

- **The number and type of businesses in the area has remained stable since at least 1998. Business activities are concentrated in the retail, service and construction sectors.**

The level of economic activity in Butternuts is related to its status as a small, rural community. Government data and anecdotal evidence suggests that a range of sectors are represented in Town, including manufacturing, accommodation and food service, and arts.

- **Residents have expressed a need for additional businesses in several sectors**  
Respondents to the survey indicated strong support for the grocery and hardware stores, but also for additional businesses such as cafés, and medical and dental offices. Others supported tourism and agri-tourism businesses. These needs and preferences could form the foundation of an economic development program.

- **Residents are employed primarily in the area's education, health care and retail sectors.**

This is similar to the rest of Otsego County. More Butternuts residents are employed in manufacturing than those elsewhere in the region. This is closer to data for Chenango County, where manufacturing employs nearly a fifth of the population. Thus, the economy from Chenango County may be more influential on Butternuts than other places.

### ***Transportation***

- **Town roads, many of which are unpaved, are generally adequate, although maintenance is a constant concern and issue. Local spending on highways is the single largest item in the Town budget.**

Mobility and access to destinations—in Town and elsewhere—is provided largely by automobile, and the Town of Butternuts is responsible for a significant part of the road network. Just about half of the road network is maintained by the Town, and there is just one State road in Town (NY-51, a major rural collector road). The Town has proactively addressed the potential effects of increased heavy truck traffic with a new Road Use Agreement law.



- **Roads are generally low volume roads.**  
In keeping with the rural character of the area, and the absence of major arterials and highways in Town, volumes on all roads in Butternuts can be considered low. However, volume on the portion of NY-51 south of Gilbertsville has increased since the mid 1980s.
- **Residents feel that additional transportation options are needed as automobiles are the primary mode of transportation now.**  
Data show that, of those not working out of their homes, most people in Butternuts drive to work. As the population in Butternuts ages, transportation alternatives to the private automobile, such as walking or public transit, will become increasingly important. Limited bus service is currently provided by Otsego County, and initiatives at the County level are underway to increase planning for this service. The difficulties presented by the mismatch between a future increase in demand for transportation alternatives and existing routes, system capacity, and density remain.

### ***Community Facilities and Infrastructure***

- **There has been a decrease in the school-age population in Town, along with a steady decline in school enrollments since the early 1990s.**  
Projections indicate that this trend may be subsiding, however. In material terms, school facilities are in generally good condition, have been recently renovated, and can accommodate additional students.
- **There are limited formal recreational opportunities in Town.**  
The base of recreation resources in Butternuts is both public and private. There is a managed State Forest in Town, but the future of the Town's only public park, which also functioned as a campground, is uncertain at this time. State supported snowmobile trails are also found in Town. In addition, several public parks are located in the Village of Gilbertsville and are used by Town residents. These modest resources are supplemented by several private rod and gun clubs as well as the old polo fields. Soccer playing also takes place at the polo fields.
- **Public utilities in Town are limited to parts of Town adjacent to the more densely settled areas of Gilbertsville and South New Berlin.**  
While most residents rely on on-site water supply infrastructure, the Town is served by at least one public water distribution system, which was recently expanded. The Village of Gilbertsville also has a water supply system, and it likely has spare capacity. The Town currently lacks access to public water treatment facilities.
- **Like many rural places, cellular and broadband service in Butternuts has developed slowly and is spotty. This presents challenges for economic development.**  
Data on permitted cellular towers suggests that few parts of Town receive cellular service. Broadband connectivity, while more widely available, is not universally available across Butternuts; the *quality*, as measured by bandwidth and connection speeds, of service may also be low. Given the increasing importance of these technologies, these gaps likely represent substantial hurdles to sectors like education and business; a lack of service also can reduce economic development potential.

- **Butternuts appears to be well-served by area police, fire, EMS, and health care facilities.**

However, limited transportation options, the location of hospitals, and an aging demographic may combine to produce access difficulties for certain segments of the population. Indeed, the Resident Survey identified health care facilities as a type of business needed in Butternuts. Membership in the Gilbertsville Fire Department and Emergency Squad has become a challenge (declining numbers and aging members). This interferes with response time on occasion.

- **The Town's fiscal health is good.**

Fiscal health is the ability of the Town to meet its needs given current taxes and other resources. Total assessed valuation has increased over the past 10 years in real terms, and expenditures, though they have increased, appear to be in line with these increases in local revenues.

### ***Environment and Public Health***

- **Development, historically concentrated in the valleys, is constrained to a degree by soils and slopes.**

Soils and slopes favorable to development occur along the river valleys and, to a lesser extent, on hill-top plateaus. Coincidentally, the soils most conducive to more intense forms of development are also favorable for farming, are prone to flooding, and are sensitive hydrogeological areas that affect water quality (as aquifer recharge areas). This situation may post constraints on future development potential in Town.

- **Water quality in Town is generally good, especially well water.<sup>27</sup>**

Well water quality results (See Appendix) indicate good groundwater quality. The Pearly Mussels in the Butternut Creek and the Unadilla River are indicators of good water quality. However there are isolated areas of Pearly Mussel die off. Recent flooding, agriculture, acid rain, and septic failures are among the most significant water quality threats in Town. In addition, the Susquehanna River Basin, which flows to the Chesapeake Bay, is the focus of several different water-related programs that may impact the Town. Private water testing done at various locations around Town indicate high quality potable water.

- **There is a significant historic district in the Village of Gilbertsville, Outside the village, there are many historic resources that exist, but are not included on the State or Federal Historic Register.**

It may be necessary to continue or expand the documentation and awareness concerning historic and cultural resources in Town. Given the length of time the Town has been settled, there are likely to be structures associated with several periods of Butternuts' historical development, and these sites may be historically significant but unlisted. In addition, portions of the Unadilla River and Butternut Creek valleys are considered archaeologically sensitive.

- **Biodiversity is high in Butternuts due to a diverse set of ecologies, habitat types, and landscapes.**

The Town has a rich diversity of habitat types. These include a mixture of upland and lowland forests and hay and grass fields, as well as several aquatic systems oriented to streams and smaller tributaries. The many open lands include active agricultural lands and former farm fields that are now early successional forest

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<sup>27</sup> See Pearly Mussels in Butternuts, 2011 Map and Appendix A for water quality test results.

lands. Other areas have mature forest types. This habitat mosaic allows for a great deal of biodiversity. Many large areas of forestland exists which support species that need large, unbroken habitats. Several cold water streams support spawning populations of native brook trout. This ecological tapestry, while protected by several environmental regulations and statutes, is further supported by ongoing private, local and regional stewardship activities.

- **In addition to the several listed species found in Butternuts, a range of diverse terrestrial, avian, and aquatic species also inhabit the Town**

Among the rare, endangered, and/or threatened species are the Bald Eagle and several hawk species. A diverse set of terrestrial mammals can also be found in Butternuts. Several species of pearly mussels, whose presence functions as an important water quality indicator, can be found in several reaches of Butternut Creek and lower Unadilla River.

- **In Butternuts, the low-density of settlement and particular mix of land uses result in an environment characterized by low levels of ambient noise and high quality air resources.**

Common sources of noise, such as industrial land uses and high-volume roads, are absent in Town, limiting ambient noise levels. Likewise, the absence of these same features of the landscape in Town also serves to limit potential sources of air pollution.



## Issues

This plan reflects a comprehensive evaluation of all aspects of our community. The list of strengths and weaknesses above is an honest assessment of features that our residents wish to maintain or improve over time. The 'Strategies and Actions' in this Plan offer many policies and recommendations the Town can take to help ensure that the positive features of the Town are maintained, and the negative ones addressed. The major issues identified above, include growth and rural sprawl, an aging population, the need for affordable housing, additional transportation options, local businesses, and better cell and internet services. Various sections of our Plan seek to address these needs.

Town residents have identified economic development as a major issue to be addressed. The Plan reflects the wishes of the Town of Butternuts to maintain a viable agricultural economy as it strives to promote a diverse and sustainable economy of small businesses and services appropriate for the scale and context of our Town. One of the major challenges for Butternuts is providing economic opportunities for young people.

Another issue of importance is our aging population. We face challenges in meeting the needs for services such as housing, transportation, medical care and community programs for our senior citizens. Various sections of our Plan seek to address these needs as well.

Infrastructure and community facilities are an appropriate focus for any comprehensive plan. This area includes topics as diverse as roads and bridges, telecommunications, recreational facilities, community organizations and cultural facilities. Our plan puts forth ways and means of maintaining and promoting these important features of our community.

The possibility of natural gas drilling is an issue that sparked the process to update the 1991 Plan. Public input on this singularly important issue made it clear that while a minority of residents favors high volume hydrofracking for natural gas, a large majority of residents oppose it.

The environmental, economic, legal, and societal issues related to gas drilling are complex and, to date, unresolved. Residents who favor gas drilling say it will promote the economy, allow farmers and landowners to gain additional income to support their farms and properties, and create jobs related to construction, trucking and services and build a market for hotels and restaurants. In December 2012, the Town Board was presented with a petition signed by nearly 225 residents and landowners seeking to prevent the Town from continuing its moratorium on gas drilling or passing any future ban on gas drilling. The the Town found that NYS Town Law 265 does not pertain to towns without zoning, the protest petition can be taken as a position statement by the signers.

Residents who oppose gas drilling say it is damaging to the environment and the current quality of life in Butternuts. As a heavy industry, high volume hydrofracking could bring irreversible industrialization to the Town along with significant negative changes to our

environment, community and health and safety<sup>28</sup>. High volume hydrofracking could promote seismic activity, fragment forest lands and other habitats, increase soil erosion and sedimentation, create heavy truck traffic, destroy rural character with air, noise and light pollution, affect housing, have negative impact on the health of residents, and increase the need and cost for governmental and emergency services. Most importantly, high volume hydrofracking can degrade groundwater and aquifers. A separate petition, signed by approximately 775 town residents and delivered to the Town Board in June of 2011, called for a ban on natural gas drilling in Butternuts. After multiple public hearings, which elicited a high degree of opposition to gas drilling, a moratorium was ultimately passed by the Town Board in May of 2012, and then subsequently renewed in February of 2013.

The majority view is clear — most residents of Butternuts wish to protect our town and the resources that contribute to our quality of life. This Plan inventories our resources, evaluated public sentiment on both sides of the issue, and offers future direction and policies that will address environmental, housing, transportation, economic, and public service demands that will likely be impacted by natural gas drilling activities.

We also understand that high volume hydrofracking for natural gas could have regional impacts and further recognize the difficulty of preparing for all possible outcomes. Butternuts shares a border with Chenango County where gas drilling could occur. This raises a concern about how to plan for potential spillover effects from heavy industrial and more intensive land use activities taking place in Chenango and other municipalities. These spillover effects raise many additional questions related to housing, economic development, public services, infrastructure, and shared environmental resources.

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<sup>28</sup> Appendix F provides a summary of the economic, community and environmental impacts that are included in the Tompkins County Community Impact Assessment.

## Vision and Goals

### Vision Statement

The Town of Butternuts is located in southwestern Otsego County in central New York. Nestled within the township's scenic hills, woods, fields and Butternut Valley is the picturesque village of Gilbertsville, which is the nation's first village to be listed in its entirety as a National Historic Site. The Town's closely-knit community has a reputation for independence and a strong cultural identity that includes a time-honored and resilient agricultural base and a vibrant and expanding arts community. Residents have high regard for the region's natural beauty, clean, quiet environment and quality of life.



Our Town seeks to maintain and preserve those core rural, agricultural, aesthetic, environmental, and cultural characteristics of Butternuts. Butternuts will:

- Maintain clean air, water, open spaces, soils and other natural resources so they may be used and enjoyed by all citizens in the Town;
- Protect rural, historic, aesthetic features as they are the foundation for our quality of life. Maintain the attractiveness of the Town and protect scenic values and vistas;
- Develop a diverse, enduring and sustainable economy based on agriculture, and business enterprises and services that will attract new residents and support long time residents;
- Promote diversification of farms to encourage a variety of traditional, niche, agri-tourism, food processing and other types of agri-businesses;

- Maintain a low density of population in the Town that does not adversely affect agriculture and encourage higher density of development in hamlets and near the Village; encourage uses that are consistent with this land use pattern;
- Promote a sense of community;
- Minimize traffic hazards and congestion, and ensure that existing roads are suitably maintained and improved;
- Ensure that recreational opportunities exist;
- Promote self-sufficiency;
- Strive to live in harmony with the Town's natural environment;
- Be supportive of all residents and encourage land uses and activities in a way that does not create nuisances or infringe on normally expected, reasonable rights of others.
- Provide a framework that guides future development in the Town so that it is possible for everyone who lives or intends to live in the Town of Butternuts to remain happy in that situation, while maintaining respect and consideration for the rights and preferences of others.



## Goal Statements

One role of this comprehensive plan update is to understand and document what the current conditions and desires of the community are, compare it to the 1991 Master Plan, and create an updated plan that reflects the Butternuts of today. After comparing the direction established in the 1991 Master Plan to new public input, and evaluating current conditions, it is clear that most directions established in the 1991 Plan are still relevant today. The following goals are reaffirm, update and expand on those established in the 1991 Plan.

In order to attain Butternut's vision, we set the following goals to guide future decision making in Butternuts:

### ***Population Density, Land Use, and Community Character***

1. Maintain the rural, small town feel and sense of community in Butternuts. Prevent indiscriminant, haphazard growth that can mar natural beauty, diminish historical character, strain local resources, or pollute the environment.
2. Strengthen Butternuts' site plan and subdivision laws to be consistent with this plan.
3. Promote development that is compatible with the characteristics of the land related to drainage, erosion control, water supply, sewage, waste disposal and accessibility.
4. Promote residential and small scale commercial growth in Butternuts that builds on existing patterns and that is consistent with the scale and context here.
5. Prevent high impact heavy industrial activities that would be in conflict with our agricultural economy, the community's rural character and our environment.
6. Promote residential and small-scale commercial growth in Butternuts that builds on existing patterns and that is consistent with the scale and context here.
7. Support the Village as a center for business activity and higher density development. Elsewhere, promote low density residential development patterns designed to minimize impacts on farms, open spaces and the environment.
8. Discourage strip development to prevent traffic hazards, congestion and adverse impacts on the beauty and character of the Town.

***Agriculture***

9. Retain and support existing farms, and recruit new agricultural activities to the Town.
10. Increase opportunities for locally-grown food, new agricultural-related operations and businesses, and agricultural products.
11. Encourage low density residential development and small businesses to be designed in a manner that matches the capacity of the land to accept it and that minimizes conversion of farms to non-farm uses.

***Economic Development***

12. Promote existing businesses and welcome new businesses that are consistent with this Plan. Develop a diverse and sustainable economy based on agriculture, tourism, small scale artisan, home based and small business enterprises and services that will attract new residents and support long time residents.
13. Encourage economic development activities that are consistent with the rural and small town scale and context of Butternuts to provide local jobs.
14. Promote infrastructure upgrades including up-to-date telecommunications needed to support small business development activities and home based businesses.

***Transportation***

15. Suitably maintain and improve the existing highway network.
16. Minimize traffic congestion and hazardous driving conditions.
17. Improve public transportation options for residents who are unable or choose not to drive.
18. Provide appropriate infrastructure for safe bicycling and walking.

***Community Facilities and Infrastructure***

19. Minimize residential tax burdens.
20. Work to efficiently provide local government services.
21. Encourage closer communication between town government and residents.
22. Encourage closer communication between town and village governments.
23. Improve recreational opportunities for all ages.
24. Celebrate and preserve historic properties and landscapes.

***Environment and Public Health***

25. Maintain natural environment and prevent pollution. A major objective of the Town of Butternuts should be to maintain the natural environment so that it may be used and enjoyed by all.
26. Maintain air, water, wildlife habitats, dark night skies, and soil quality in Town.



27. Prevent pollution and maintain high standards for our air, water, open spaces, and other natural resources. Prohibit pollution of water, air, or soil by toxic and/or noxious materials or conditions and ensure there is proper waste disposal.
28. Insure that costs related to prevention and cleanup of pollution should be borne by the business, institutions, or individuals which generate it, and not the taxpayers of the Town.
29. Protect the high quality of water in our groundwater, aquifers, springs, lakes, ponds, and streams, and preserve these assets. Protect bogs, marshes, swamps, and other wetlands.
30. Minimize erosion and siltation from runoff by controlling land uses that have high probability to cause this pollution such as development on steep slopes, clear cutting of woodlands, or heavy industrial uses.
31. Protect scenic vistas.
32. Effectively conduct environmental reviews on proposed projects to minimize or eliminate significant adverse impacts to the environment.
33. Become more resilient in the face of increased significant climate events.

## Strategies and Actions

### Population Density, Land Use and Property Values

- Goal 1:** Maintain the rural, small town feel and sense of community in Butternuts. Prevent indiscriminant, haphazard growth that can mar natural beauty, diminish historical character, strain local resources, or pollute the environment.
- Goal 2:** Strengthen Butternuts' site plan and subdivision laws so that they are consistent with this plan.
- Goal 3:** Promote development that is compatible with the characteristics of the land related to drainage, erosion control, water supply, sewage, waste disposal and accessibility.
- Goal 4:** Promote residential and small-scale commercial growth in Butternuts that builds on existing patterns and that is consistent with the scale and context here.

#### *Strategies to Address Goals*

1. **Update the existing Site Plan law.** The purpose of site plan regulations is to ensure that the development of individual parcels of land do not have an adverse impact on the adjacent properties or the surrounding neighborhood. It also ensures that the parcel's development fits properly into the community and conforms to its planning objectives. The existing site plan regulations should be updated to help Butternuts accomplish the planning goals established in this Plan. Specific attention should be given to:
  - a. Add definitions so that the meaning of certain terms is understood.
  - b. Add purpose statements that are tied to the goals established in this Plan to provide rationale for the regulations.
  - c. Update procedures so they are consistent with New York Town Law § 274-a including timeframes, filing, referrals, and use of the agricultural data statement.
  - d. Ensure the site plan law addresses the need to protect the environment, and considers impacts on historic character, light pollution, community services. Add development standards to ensure quality development and to protect the values of the town. Establish two procedures – one for minor projects and residential applications, and one for major commercial applications.

- e. Consider requiring development standards such as stream buffers to protect streams and their associated wetlands, floodplains, and habitats.
  - f. Consider changes that would encourage and promote green building/energy efficient construction and site design practices.
  - g. Consider requiring development standards such as screening for certain commercial uses to maintain the aesthetic character of the area.
2. **Plan for the needs of our senior citizens.** As our population ages, there will be more need for programs, services, housing, and transportation for our citizens.
- a. Work with Otsego County and existing senior citizen service providers to advocate for and promote 'aging in place' programs. Understand what services are already provided at the county level and explore how the Town could address gaps in services in Butternuts.
  - b. Encourage formation of 'elder advocate' programs to help coordinate and provide services to the elderly. There should be a liaison with the County.
  - c. Encourage affordable family and senior-oriented housing. Allow and encourage senior citizen housing, including use of 'granny flats' or accessory apartments to meet multi-generational housing needs. Local laws should not place barriers to these types of housing.
  - d. Consider including universal design and accessibility guidelines for senior citizen structures (from NYS Office of the Aging criteria) into the site plan law.
3. **Encourage the adaptive re-use of buildings.** Structures like the old school, the academy and old barns, for example have potential for new uses. Such structures are part of Butternuts' heritage, landscape, and community character. There may be opportunities to use these buildings for new uses that would benefit landowners and the community. The Town should work with private landowners to assist in grant applications and creative, cooperative planning to re-use these resources. This process could start with conducting an inventory of underutilized properties that could be re-used.
4. **Explore ways the Town can remain an affordable place to live.** This would include ensuring that accessory apartments, granny flats, and "Tiny Houses" are allowed and supported. (Tiny Houses are small houses that are designed for life simplification, environmental consciousness, self-sufficiency, affordability, and social consciousness. They are about 400 square feet in size).
5. **Plan for new subdivisions that are compatible with Butternuts' character.** Update the existing subdivision law to establish procedures and standards for conservation subdivisions. See Environmental and Public Health strategies for more detailed information. The Conservation Subdivision procedure is usually applied to major subdivisions (5 or more lot splits). It is a subdivision design process that maximizes land conservation in a way that also allows full development of the property. Over time, the protected lands within individual conservation subdivisions can be the building blocks to maintain the agricultural and 'green infrastructure' of Butternuts.

**Goal 5: Prevent high-impact/heavy industrial land uses and high-intensity commercial land uses that would be in conflict with our agricultural economy, the community's rural character and our environment.**

***Strategies to Address Goal***

1. **Encourage desired land uses in Town and prohibit those that are not desired.** Public input received during the planning process for this Plan identified several land uses that are not desired in Butternuts. These include high-impact/heavy industrial uses, including gas drilling as well as high intensity commercial uses. To address this, Butternuts should consider:
  - a. Prohibit high-impact heavy industrial uses including gas drilling and its associated, ancillary uses in Town. Butternuts considers such land uses to be inconsistent with the vision and goals of our Town (See Box 1, below). This should be accomplished by adopting a local law that prohibits heavy industrial uses, including high-impact/high volume hydrofracking for gas drilling and its associated ancillary uses. Such a law would meet the immediate concerns related to gas drilling.
  - b. Adopt a mobile home park and RV park local law to regulate 'man camps' and other temporary housing using campers, RV's and mobile homes that are associated with gas drilling activities.
  - c. Include noise, odor and lighting standards in the site plan review for new permitted commercial uses to ensure the uses remain compatible with our character.

**Box 1: Policy for a Local Law Prohibiting High Impact/Heavy Industrial Uses, Including Drilling for Natural Gas**

After inventory and analysis of our community and environmental resources, public input, and assessment of potential risks associated with the land use of gas drilling and extraction, particularly as practiced today by industry using high volume hydrofracking techniques, this Comprehensive Plan concludes that the level of industrial activity that would occur with this land use, along with heightened risk of environmental degradation of the surrounding area are inconsistent with the expectations established in this Plan and as stated by the residents of Butternuts.

Identified Impacts of High Volume Hydraulic Fracturing for Natural Gas

In assessing the activities and potential impacts associated with drilling for and extracting natural gas, Butternuts evaluated the Revised Draft SGEIS, 2011, as well as other documents from NYS Department of Environmental Conservation, NYS Department of Agriculture and Markets, Cornell Cooperative Extension, and other agencies.

The following quotes, excerpted from the NYS DEC Revised Draft SGEIS (2011), summarize the heightened risks identified by NYS DEC itself and which Butternuts remains concerned about:

#### Water Related Risks

- “Hydraulic fracturing requires chemical additives, some of which may pose hazards when highly concentrated.”
- Geologic fissures (See Confirmed Faults Map) increase the risk of seismic events in the area, which pose an additional risk to groundwater.
- “Extra water associated with such drilling may result in significant adverse impacts relating to water supplies, wastewater treatment and disposal and truck traffic.”
- “It is estimated that 2.4 million to 7.8 million gallons of water may be used for a multi-stage hydraulic fracturing procedure in a typical 4,000-foot lateral wellbore.”
- “The dSGEIS estimates flowback water volume to range from 216,000 gallons to 2.7 million gallons per well.”
- “Potential significant adverse impacts on water resources exist with regard to water withdrawals for hydraulic fracturing: stormwater runoff; surface spills, leaks and pit or surface impoundment failures; groundwater impacts associated with well drilling and construction; waste disposal and New York City’s subsurface water supply infrastructure....Without proper controls on the rate, timing and location of such water withdrawals, the cumulative impacts of such withdrawals could cause modifications to groundwater levels, surface water levels, and stream flow that could result in significant adverse impacts, including but not limited to impacts to the aquatic ecosystem, downstream river channel and riparian resources, wetlands, and aquifer supplies.”
- “All phases of natural gas well development, from initial land clearing for access roads, equipment staging areas and well pads, to drilling and fracturing operations, production and final reclamation, have the potential to cause water resource impacts during rain and snow melt events if stormwater is not properly managed.”
- “The dSGEIS concludes that spills or releases in connection with the high-volume hydraulic fracturing could have significant adverse impacts on water resources.”
- DEC indicates that “Those potential impacts [on groundwater] include impacts from turbidity, fluids pumped into or flowing from rock formations penetrated by the well, and contamination from natural gas present in the rock formations penetrated by the well.” But then due to studies conducted as part of the dSGEIS, DEC then concludes that “it is highly unlikely that groundwater contamination could occur by fluids escaping from the wellbore for hydraulic fracturing.”
- “Another concern relates to potential spills as a result of trucking accidents.”
- “The disposal of flowback water could cause a significant adverse impact if the wastewater was not properly treated prior to disposal.”
- “Severe flooding is described as one of the few ways that bulk supplies such as additives “might accidentally enter the environment in large quantities.””

#### Wildlife and Habitat Related Risks:

- “The dSGEIS concludes that high volume hydraulic fracturing operations would have a significant impact on the environment because such operations have the potential to draw substantial development into New York, which would result in unavoidable impacts to habitats (fragmentation, loss of connectivity, degradation, etc.), species distribution and populations, and overall natural resource biodiversity. Habitat loss, conversion, and fragmentation (both short and long-term) would result from land grading and clearing, and the construction of well pads, roads, pipelines and other infrastructure associated with gas drilling.”

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- “Surface disturbance associated with gas extraction could have an impact on habitats on State lands, and recreational use of those lands, especially large contiguous forest patches that are valuable because they sustain wide-ranging forest species, and provide more habitat for forest interior species.”

### Economic, Housing, Public Service, Noise, Traffic Related Risks:

- “Using a low and average rate of development based on industry estimates, high volume hydraulic fracturing will have a significant positive economic affect where the activity takes place.” “There will also be positive impacts on income levels in the State as a result of high volume hydraulic fracturing.”
- “While providing positive impacts in the areas of employment and income, high volume hydraulic fracturing could cause adverse impacts on the availability of housing, especially temporary housing such as hotels and motels.”
- “Increased activity will result in large increases in local tax revenues and increases in the receipt of production royalties but would also result in an increased demand for local services, including emergency response services.”
- “The construction of well pads and wells associated with high-volume hydraulic fracturing will result in temporary, but adverse impacts relating to noise. In certain areas the construction activity would also result in temporary visual impacts.”
- “The cumulative impact of well construction activity and related truck traffic would cause impacts on the character of the rural communities where much of this activity would take place.”
- “The introduction of high-volume hydraulic fracturing has the potential to generate significant truck traffic during the construction and development phases of the well. These impacts would be temporary, but the cumulative impact of this truck traffic has the potential to result in significant adverse impacts on local roads and, to a lesser extent, state roads where truck traffic from this activity is concentrated. It is not feasible to conduct a detailed traffic assessment given that the precise location of well pads is unknown at this time. However, such traffic has the potential to damage roads.”
- “Also, wastes from the treatment of production waters may contain concentrated NORM and, if so, controls would be required to limit radiation exposure to workers handling this material as well as to ensure that this material is disposed of in accordance with applicable regulatory requirements.”

### Environmental and Community Resources in Butternuts

This Comprehensive Plan has inventoried, mapped, and discussed the environmental features of Butternuts. Each plays a role in contributing to the quality of life, economy, and health, safety and welfare of our residents. The Town of Butternuts concludes the following:

- Surface water bodies including streams, wetlands, and ponds play many critical ecological and cultural roles including providing drinking water, wildlife and plant habitats, and recreational uses.
- Bedrock aquifers provide 100% of drinking water for residents and farms outside the Village of Gilbertsville. Currently, groundwater resources are of high quality. In addition

to supporting existing land uses, quality groundwater is critical to our future economic development as outlined in this Plan. Industrial development may degrade both water supplies and water quality. Ground water contamination can result from certain land uses because surface water and groundwater are connected due to soil permeability (recharge). Discharges of pollutants such as chemicals and petroleum products on land can impact aquifers.

- The Town of Butternuts recognizes that most ecological and economic systems (such as provision of drinking water, recreation, wildlife habitats, and future economic growth of tourism and small business) are all dependent on adequate sources and quality of water. Agriculture and recreation are also dependent on high quality water sources. Wetland ecosystems and streams (along with associated floodplains and stream corridors) are important habitats, and work to remove and recycle nutrients and sediments, filter impurities, and store water to reduce flood damage and feed groundwater aquifers. In Butternuts, groundwater aquifers are the source of drinking water for all residents outside the Village of Gilbertsville, which depends in part on surface waters flowing to the reservoir for drinking water.
- The Town recognizes the role soils and topography play in Butternuts. Since agriculture is a significant land use and economic activity in the Town, soils that support profitable farming are critical to preserve. Prime soils are those that allow farmers to get the highest yields with the least amount of expense for fertilizers and soil preparation. Protection of prime farmland soils is key to the long-term health of agriculture in Butternuts.
- Topography and slope are also very important to Butternuts because they are a significant part of the landscape and thus important to defining the character of the Town. Many of the remaining woodlands in Butternuts are located in areas having steep slope so these lands are critical to the biodiversity and environmental health of the Town.
- Plants and animals play an important role in Butternuts as part of the environmental quality of the Town and contribute to the character of the area. Biologic diversity offers citizens an attractive and desirable place to live. Outdoor recreation from hunting and fishing, to bird watching is an important activity to many Town residents. The biodiversity of the area is an indicator of the health of the environment. A diversity of healthy habitats results in a diversity of plant and animal life. Residents highly value open spaces, wetlands and other important habitat areas and desire to have these important features remain. Forest ecosystems protect the quality and quantity of water supplies, clean the air, create new soil, prevent erosion, and can moderate the climate.
- Butternuts residents highly value the community character of the Town. In addition to the physical natural resources, agricultural land activities along with the many scenic resources throughout the Town predominate the visual community character. Agriculture is one of the major land uses and biggest business in the Town.

The crucial issues of importance to the Town of Butternuts revolve around water quality, water quantity, rural aesthetics and character, and human health. These are all closely tied to the

natural resources of the Town and biodiversity (plants, animals and their habitats). If natural services are lost, replacing them with human-made substitutes requires enormous costs related to designing, building, maintaining and improving what nature provides already. A biologically diverse landscape is resistant and resilient to both land use and natural changes and provides ecological services to the Town, now and into the future.

Currently Butternuts has no industrial land uses, low traffic volumes, and non-residential uses are concentrated in the Village of Gilbertsville and other valley locations. The land use of drilling for and extraction of natural gas, particularly as presently accomplished by use of high volume hydrofracking, is a widely distributed activity and has the potential result in intensive new land uses throughout much of the Town. While some of the well pad areas would be restored after initial fracking operations have been completed, there will be permanent surface disturbances associated with gathering lines, compressor stations, and water impoundments that the Town of Butternuts has to consider as it determines what land uses will and will not be allowed within the Town.

Butternuts has established a long-term vision for its economic future. Small business development along with agriculture and agri-businesses are those considered to be desirable and needed for the long-term stability and sustainability of Butternuts. Reliance upon extractive industries creates a boom/bust economy and is at an intense scale that is at cross-purposes to this goal. Further, it may be infeasible to promote and develop agriculture due to the removal of agricultural land for gas drilling activities and impacts associated with gathering lines, access roads, grading, removal of top soil, etc.

In light of these considerations, the Town Board, in adopting this Comprehensive Plan specifically establishes the following key principles for the future of the Town:

- Maintain the character of rural roads.
- Protect groundwater from being polluted.
- Protect public water supplies related to Gilbertsville reservoir.
- Protect streams and streamside vegetation.
- Reduce traffic impacts and maintain rural roads.
- Assess and protect historic resources and landscapes.
- Ensure that economic development programs and new development efforts are not at cross-purposes with our community character, rural landscape, agriculture and farming, and the health, safety and welfare of Butternuts.
- Ensure that new development is consistent in maintaining rural character.
- Ensure that the environmental resources of Butternuts are protected.

It is the responsibility of the Town to protect its resources from activities that may impact wetlands, streams, groundwater resources, public drinking supplies, public roads, historic landscapes, agriculture, and small town character, and to ensure the long-term economic prosperity of our area. Butternuts has concluded that as a land use, gas drilling is inconsistent with and would compromise our ability to meet the vision and goals as expressed in this Plan. Thus, the Town concludes that high impact/heavy industrial land uses, including exploration for and extraction of natural gas should be prohibited in the Town of Butternuts.

*Population Density, Land Use and Property Values, Goals and Strategies Continued*

- Goal 6: Promote residential and small-scale commercial growth in Butternuts that builds on existing patterns and that is consistent with the scale and context here.**
- Goal 7: Support the Village as a center for business activity and higher density development. Elsewhere, promote low-density residential development patterns designed to minimize impacts on farms, open spaces, and the environment.**
- Goal 8: Discourage strip development to prevent traffic hazards, congestion, and adverse impacts on the beauty and character of the Town.**

***Strategies to Address Goals***

1. Investigate the need, feasibility and options for developing a rural-oriented zoning law by forming a Zoning Commission. A rural-oriented zoning law tailored to the needs in Butternuts would address many of the other goals and land use issues facing the Town. The Town may consider developing a build-out analysis or groundwater study to assist in evaluating the long-term capacity for residential development in Town.

Although such a land use tool may not be necessary or desired at this point in time, any future land use law considered by the Town should meet the desire to balance community needs with private landowner desires and incorporate the following philosophies to successfully guide growth in the future:

- a. A zoning law should be farm-friendly and not put barriers up to new or expanded agricultural businesses and operations. Allow flexibility in regulations to accommodate the unusual needs of agricultural businesses. Incorporate a Town Right-to-Farm law into it.
- b. Provide for incentives to accomplish Town goals to the maximum extent possible.
- c. Use innovative subdivision designs for large subdivisions to protect the open spaces of the countryside. Incorporate use of the conservation subdivision coupled as described in this plan.
- d. The law should be written clearly and simply stated.

- e. Coordinate with the Village of Gilbertsville so that land use at the boundaries of the Town and the Village are mutually agreeable and consistent with each other.
- f. Concentrate zoning standards on the performance of uses and finding ways to allow land uses co-exist, rather than on separating uses.
- g. Define, and protect environmentally sensitive areas, especially streams, stream corridors, wetlands, and the Village of Gilbertsville water supply watershed as valuable resources to the community, and promote sustainable development and maintenance open spaces.
- h. Density for new residential growth should not emphasize use of a minimum lot size. Landowners should be given flexibility to create small lots through use of averaging lot sizes over the whole parcel instead of requiring each lot to be a minimum size provided water and septic systems can be approved by the Health Department. Establish appropriate levels of residential density that are consistent with the goals of this Plan.
- i. Establish development standards for commercial uses so that they are allowed, but developed so that they are of a scale, design, and appropriate to the Town and consistent with this Plan.
- j. Establish rural-scale development and design standards that result in growth that is unique to Butternuts and not based on a suburban model but that does not over-regulate in areas such housing designs, color, or other aesthetic features. For commercial buildings, building design features such as roof style, building size, landscaping and screening, signage, location of parking lots, lighting, and architectural style are important to pay attention to.
- k. Establish a planning climate in Butternuts that fosters a Town perspective that views each new development proposal in a larger context rather than a stand alone “pod” that bears no relationship to its neighbors.
- l. Allow for agriculture, small business, small to moderate scale food processing or agri-businesses that would support area farms, and other uses desired but include a prohibition of heavy industrial uses or other undesired land uses outlined in this plan such as big box retail stores, chain hotels, gas station, and strip style retail uses.
- m. Locate appropriate areas for commercial development.
- n. Promote affordable housing opportunities such as granny flats and accessory apartments.

## Agriculture<sup>29</sup>

Farming is an integral part of our Town. It has a significant role in our economy, our landscape, our environment, our health, and in our community character. It is a significant land use in Butternuts that uses at least 30% of our land area. Farming is something residents expressly want to maintain and expand: the public sees agriculture as a viable economic activity and desires its expansion. Butternuts has a significant amount of productive soil ideally suited for agriculture. Many of these soils are found in the Butternut Creek valley where there is a concentration of agricultural land uses. The number of farm operations in the region has recently increased, and although dairying remains important, there appears to be an increase in the types of different agricultural practices, such as sales of poultry products, sheep, horse farms, and crops. The high quality of soils, air, and water in our town makes the environment found here well suited to agriculture.



For all those strengths, agriculture in Butternuts still faces challenges. There has been a loss of farmland. And, while the number of farm operations has increased in the region, data show that many of these operations are small (by the amount of their annual sales), which can make them economically vulnerable. In addition, rural sprawl, an aging population, abandonment of farmland and the threat of high impact/heavy industrial uses, may further threaten the viability of farming. Increases in property values may impose additional barriers to entry of new farmers and create pressure to convert land. Once converted, lands seldom return to agricultural uses.

Given these challenges, we recognize that we have to use a variety of tools to maintain agriculture as a highly valued aspect of our life. These tools range from land use strategies to agricultural promotion and agri-economic development. Reflecting its importance to the future of Butternuts, the direction this plan sets rests on preservation of existing farms and farm operations; support of the establishment of new operations and supporting businesses; increasing the availability of locally-grown food; and maintaining land use patterns consistent with a strong agricultural sector in our Town. Listed below are strategies and actions that are broadly associated with regulation, economic development, cooperation and coordination, environmental protection, and education and promotion.

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<sup>29</sup> Many of the recommendations made for agriculture are related to ag-economic development. Therefore, there is a large degree of overlap between this section and the following economic development section.

**Goal 9: Retain and support existing farms, and recruit new agricultural activities to Town.**

**Goal 10: Increase opportunities for locally-grown food, new agricultural-related operations and businesses, and agricultural products.**

***Strategies to Address Goals***

1. Adopt a Right to Farm law. This will protect area farmers from nuisance complaints and sends the message that farming is important to the Town.
2. Form a Town Agricultural Advisory Committee to aid in implementation of agriculture and farmland related actions. This Committee should include farmers and non-farmers interested in promoting farming in Butternuts. See Box 2, below for some suggested roles and actions this Agricultural Committee could take.

**Box 2: Actions Suggested by the Public that the Agriculture Committee Could Implement:**

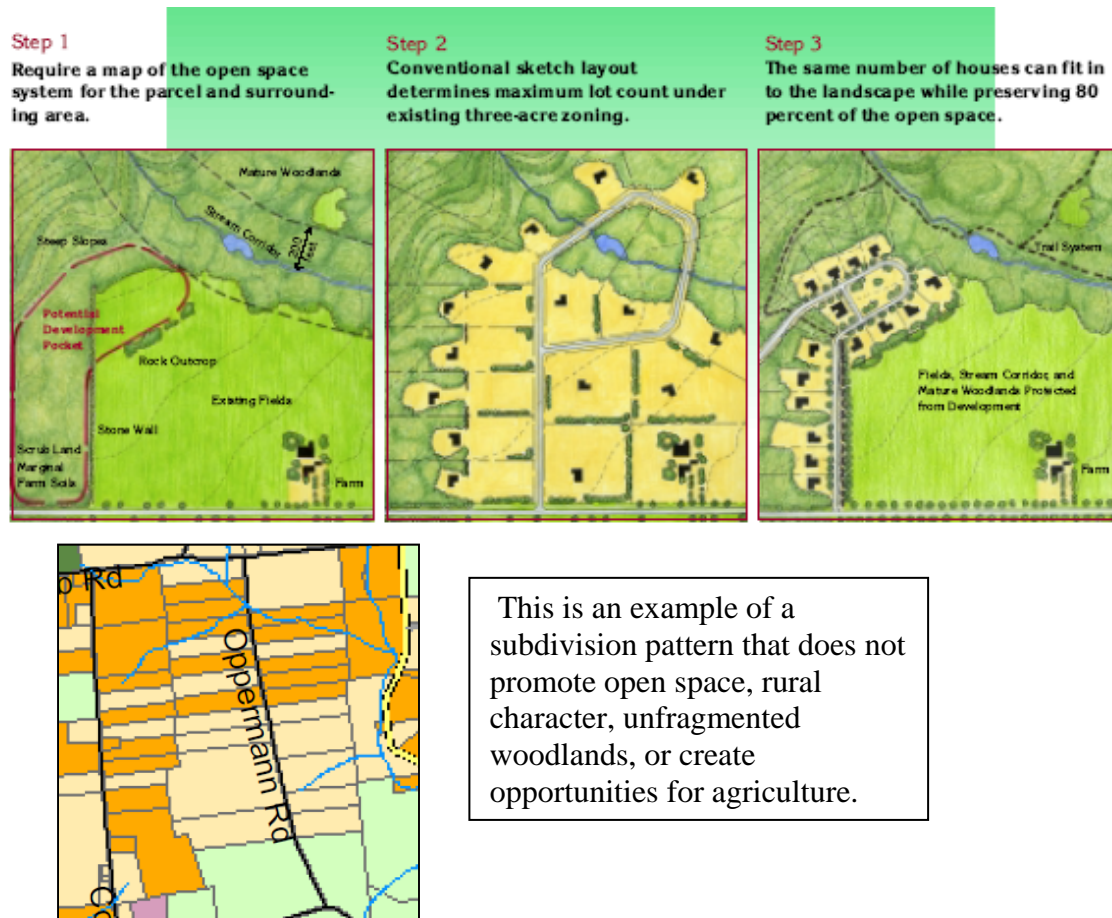
- a. Improve Farm Profitability:
  - Sponsor a consultant to work with farmers to help them look into options for diversifying their farms. Bring in an agri-business specialists to advise farmers on strategies, accessing grants, etc.
  - Support and organize programs to help in sharing of equipment.
  - Encourage organic farming.
  - Concentrate on setting up CSA's (community supported agriculture).
  - Promote biomass as an important component of local agriculture.
  - Need to promote more year round farming.
  - Advertise to attract farmers and new residents .
  - Encourage micro farming - encourage small scale, local farms, raising of small animals.
  - Have a community green house and local gardens.
- b. Communicate and Educate:
  - Talk to farmers and involve them in solutions. Get farmers together to brainstorm solutions on a regular basis.
  - Promote education and communication about agriculture. Develop and expand the Town website to include information about and for farming and ag-related activities.
  - Create an Agritourism map tour or brochure about what farms are here, and what produce they have and when it is available.
  - Promote and organize monthly community workshops using local expertise.
  - Work with area restaurants to help them understand the local produce that is available. Farmers need to be educated about the crops that are needed by local users
  - Develop a community newspaper (or online newspaper) that markets events and meetings going on, etc.
- c. Funding:
  - Support grant writing and find funding to help implement farm related programs.
- d. Ag-Economic Development:
  - Support rural broadband development.

- Visit Madison County to learn what they have done so successfully and reproduce it here.
  - Start a town shepherd that travels with animals for lawn care; this can involve herding dogs, lambing, using the meat when butchered.
  - Start programs that put local produce in the local stores.
  - Establish a network that connects farmers and buyers year round. This is especially important to restaurants.
  - Promote equine farming.
  - Develop a cooperative distribution system so that farmers can concentrate on growing and a system will be in place to get produce to local or distant markets. Use the Foodex model.
  - Create hot houses for year round produce growing; grow vegetables for downstate.
  - Work with area schools to promote the NYS Farm to School project.
  - Work with local farms and encourage them to be listed in the New York MarketMaker website. This is an interactive mapping system that locates businesses and markets of agricultural products in New York, and provides a link between producers and consumers ([www.ny.marketmaker.uiuc.edu](http://www.ny.marketmaker.uiuc.edu)).
  - Establish programs to encourage entry of young and new entrepreneurial farmers into agricultural businesses.
  - Work with area farmers and other municipalities to create a community kitchen so farmers can process their products.
  - Seek state support for small business development.
  - Create a Town revolving loan fund for small business.
3. Work with interested farmers, residents, and area businesses to expand the farmers market and to promote locally grown products. Promote a year-round market.
  4. Advocate with State and federal elected officials on behalf of Town farmers for changes in legislation that will improve dairy milk prices and to lower transportation costs for farmers.
  5. Seek ways to provide or support additional tax incentives for farms and farming operations. Seek ways to lower taxes on farms.

**Goal 11: Encourage low-density residential development and small businesses to be designed in a manner that matches the capacity of the land to accept it and that minimizes conversion of farms to non-farm uses.**

***Strategies to Address Goal***

1. Update the existing subdivision law to allow for (or consider requiring for major subdivisions) use of the conservation subdivision design process. This is a lot layout method that allows preservation of open space and farmlands when subdivision takes place. It results in 50% of the land being preserved for forestry, farming, and open space along with strategic layout of the house lots to protect important features of the parcel. A conservation subdivision design could result in a cluster of houses, but does not have to. It offers landowners flexibility to create small and large lots for new residences at the same time as important farmlands or open spaces are preserved. This technique is illustrated below:<sup>30</sup>



<sup>30</sup> From the Dutchess County Greenway Guide: Fitting Into the Landscape, Dutchess County Planning and Development, Poughkeepsie, NY and Randall G. Arendt, Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks. 1996.



2. Apply for funding from NYS Department of Agriculture and Markets to do a local plan to promote agriculture and protect farmlands.
3. Work with Otsego County as they update their county-wide agriculture and farmland protection Plan.

## Economic Development

Our Town's economy is primarily geared toward providing day-to-day goods and services for our residents. It is also influenced by the larger regional economy. Over the past decade, the number of firms in our Town and in the region has remained largely stable. There is a diversity of economic activities present in the area, including light manufacturing, retail, accommodation, services, and arts, along with agriculture. Like Otsego County in general, many residents are employed in the education, health care, and retail sectors. Manufacturing located outside of Butternuts also employs a number of residents. Many services and firms found in the area are concentrated in the Village of Gilbertsville, which residents support as a center for such activities.

While the existing mix of businesses and amenities in the Town are core strengths, residents have expressed the need for additional businesses and services, such as a grocery store, cafes, arts spaces, and medical and dental offices. The Village of Gilbertsville offers opportunities for expansion of these uses. There is also support for light industrial and manufacturing, such as lumber mills located outside of the Village. The majority of the public has been clear that they feel high-impact heavy industry is undesirable and should not be located in Butternuts. A lack of jobs--for young people, in particular--was cited as principal weaknesses of both Butternuts and the region.

Building upon these trends, strengths, and weaknesses, and in recognition of what makes our Town unique, the future economic direction set by this plan involves strengthening existing sectors, such as agriculture and services, and encouraging economic development activities consistent with our Town's rural, small town scale and context. In particular, new activities to be encouraged are tourism, artisan, and home-based businesses, which may require infrastructure upgrades, such as telecommunications improvements. To enhance the visibility of Butternuts and the businesses and people located here, marketing and similar promotion activities form an important part of the general strategy outlined below. Cooperation with and participation in regional programming and planning efforts are also needed. Our economic plans and policies outlined below also reflect the role of energy in creating a sustainable town: Alternative energy sources and energy conservation can become a driver for our economic growth.

**Goal 12: Promote existing businesses and welcome new businesses. Develop a diverse and sustainable economy based on agriculture, tourism, small-scale artisan, home based and small business enterprises and services that will attract new residents and support long time residents.**

**Goal 13: Encourage economic development activities that are consistent with the rural and small town scale and context of Butternuts to provide local jobs.**

**Goal 14: Promote infrastructure upgrades including up-to-date telecommunications needed to support small business development activities and home based businesses.**

**Strategies to Address Goals**

1. Form a Town Economic Development Advisory Committee to aid in researching and implementation of economic development related actions. This Committee should include business owners and non-business owners interested in promoting economic development, including farming in Butternuts. See Box 3 for some suggested roles and actions this Economic Development Committee could take.

**Box 3: Actions Suggested by the Public that the Economic Development Committee Could Implement:**

- a. Create a website for marketing and promoting the Town and its products.
  - b. Market the Town and its resources to desired businesses and employers.
    - Develop a marketing plan together with the Village of Gilbertsville
    - Work to provide modest-sized signage along major highways, pointing to village and Town amenities
    - Create an economic development ‘theme’ oriented to promote agriculture, ag-related businesses, the arts, and tourism with a focus on small scaled businesses. Work to develop a “Made in Butternuts” logo
    - Promote Butternuts as an Ag-friendly community
    - Advertise events held by churches, schools, organizations, etc. monthly through a bulletin board, Butternuts News, and the Pennysaver, with collaboration on a master calendar, perhaps on a website
    - Develop events that will bring out local residents and bring in visitors to support agriculture and the economy. Consider promoting art walks, Butternut Valley visitation packages, a horse show weekend, art shows, crafts, cooking classes, etc.
  - c. Coordinate with existing economic development programs.
    - Participate in regional economic development actions
    - Work with Village of Gilbertsville to identify economic development opportunities that will be mutually beneficial
    - Develop project and grant ideas: Apply to the regional economic development council via a consolidated funding application. The Town should ensure that it and its economic development projects are represented on the Regional Economic Development Council
    - Coordinate with local colleges [to provide] small business technical assistance and support
2. Recruit medical services to establish services in Town.
  3. Work with the County, State and federal agencies to expand broadband and cell services as they are key to promoting new business development.

4. Encourage desirable businesses including home occupations, medical services, auto repair, construction, outdoor recreation, light industry, small retail and home occupations, tourism related businesses, vet/animal hospital, agricultural processing or other ag-businesses, forestry and wood products, farm stands and farm retail, biofuels, wood pellet production, solar arrays, and personal wind turbines. In the future, should Butternuts develop a local zoning law, these businesses should be permitted.
5. Work to develop retail space including online retail space for local products and services.
6. Involve seasonal residents in community events and committees and promote local businesses and services so they are aware of them. They may also have time and expertise to offer to enhance the economic development efforts of the Town.
7. Provide a link on the Town's website that is a yellow page directory to all the Town's businesses.

## Transportation

The transportation system is vital to the well-being of our Town. By and large, the public relies upon the automobile. The road network, about half of which is Town-owned, generally has a low volume of traffic, although volumes on NY-51 south of Gilbertsville have recently increased. Slightly more than half of Town roads are unpaved, and the public values the rural character of many of these roads. Bicyclists and pedestrians may find adequate shoulders on some, but not on all Town roads, and low volumes allow people to travel without traffic congestion. Still, outside of the Village of Gilbertsville, there are few sidewalks, and the Town currently lacks bicycle routes or pedestrian infrastructure. Public transportation options, currently provided by Otsego County and other service providers, are limited in their scope and level of service.

While residents generally find the road network adequate, it is costly and challenging to maintain. Expenses associated with the Town's highways form the single largest item in the Town's budget. Flooding, in particular, has presented fiscal and design challenges—a situation that may be exacerbated by climate change in the future. The Town recently enacted a Road Use Agreement law, which could provide the foundation for capital improvement planning and road maintenance efficiencies. The lack of transportation options may impact our Town's aging population and is also identified as a weakness. The impacts of the two pipelines located in our Town may have growth inducing effects in the future and may need further investigation.

Our transportation network should remain safe, visually attractive, and free of congestion; it should also present an expanded set of options. Roads will require maintenance and improvements, which, when performed, should further enhance their rural character and increase environmental quality. The availability and use of alternative transportation modes should be increased. The strategies below include ways the Town can increase options, such as working with Otsego County to expand bus service, supporting a ride-share program, and identifying and supporting opportunities for bicycle and pedestrian infrastructure of various kinds. The strategies also include specific ways our Town can more effectively plan for infrastructure improvements and maintain environmental compatibility.

### **Goal 15: Suitably maintain and improve the existing highway network.**

#### ***Strategies to Address Goal***

1. Develop a Five-Year Highway Improvement and Maintenance Plan. Because the highway budget is 70% of the annual town budget, it is important to set long-term goals, and plan for capital improvements such as equipment, materials, labor needs, etc. A Highway Improvement and Maintenance Plan would be a 5-year document that allows the town to plan and budget for all capital improvements, including roads over a rolling 5-year period. This plan could also address:
  - a. Use the new Road Use Law to track road maintenance activities and develop this Plan. Use the Cornell Local Roads Program to assist in assessing and help the town manage local roads.
  - b. Plan for highway maintenance activities in consideration of stream management and water quality needs such as preserving streamside

- vegetation, seeding ditches, and limiting erosion are features. These could be incorporated into regular highway maintenance activities.
  - c. Allow no brine use from hydrofracking on Town roads.
  - d. Discourage use of pesticides in right of way management.
  - e. Investigate and plan for appropriate use of salt and calcium and avoid environmental impacts of them.
2. Minimize the straightening of curvy local roads so that we can maintain local character. Local roads add much to our community character.
  3. Protect existing roadside trees and plant new ones to maintain this important landscape feature and wildlife habitat.
  4. Where flooding is due to beaver activity, encourage better beaver control practices and educate the public about options.

**Goal 16: Minimize traffic congestion and hazardous driving conditions.**

***Strategies to Address Goal***

1. Address flooding and erosion where it is an issue (ex, on Murphy Road, County Route 8, State Route 51).
2. Address visibility issues at intersections (ex, at Route 51 and Commercial Street; at Guy Beardsley Road).

**Goal 17: Improve public transportation options for residents who are unable or choose not to drive.**

***Strategies to Address Goal***

1. Work with County to increase public transportation opportunities serving the Town.
2. Support and promote the idea of establishing a local car-share car-pool network, possibly with advertising on website, with volunteer drivers, or a locally sponsored 'van' that goes to specific employment or retail centers.
3. Promote the Otsego Express bus service and post the schedule or there is danger that this service will be lost.

**Goal 18: Provide appropriate infrastructure for safe bicycling and walking.**

***Strategies to Address Goal***

1. Identify potential locations feasible for bike and hike trails. Work with landowners and organizations such as NY Parks to plan for trails. Work with NYS DOT to examine feasibility of creating a shared roadway on Route 51 to better accommodate bikes. A shared roadway has wider shoulders and bike lanes.

## Community Facilities and Infrastructure

Several services, public facilities, and infrastructure networks are available in Butternuts to meet basic needs. The school system is considered to be a community strength, although it is experiencing declining enrollments. Public safety services, especially the local volunteer fire and EMS departments, are also cited by the public as strengths. Our Town generally has access to health care facilities, although none exist specifically in Butternuts. Together with an aging population and limited transportation options, the future may hold challenges to provide easy access to health care. Our Town's fiscal health is generally good. A variety of community organizations and spaces for gathering, including area churches, are also considered part of our community fabric and strengths of Butternuts.

Some public utilities serve parts of our Town. Water and natural gas service are available in locations near existing areas having higher density development. Telecommunications infrastructure, however, is of uneven availability and quality and is a central weakness that influences our quality of life and our economy. The reliance on individual septic systems and lack of public wastewater infrastructure may pose challenges to new development and to water quality. Although several parks can be found in our Town, there are, in general, limited formal recreation opportunities. Several strategies suggested in this Plan are designed to increase recreation opportunities for all ages. The Plan also recognizes the role historic resources play in our community. There is a need to improve awareness and protection of historic resources.

While a certain level of inter-municipal cooperation exists between Butternuts and Gilbertsville, this is an area cited as a weakness, and improvements here, such as sharing services and improving communication can further several of our goals, including efficient government service provision. Among our goals is to encourage closer communication among residents and between residents and Town government. The creation and promotion of community events as well as finding additional outlets and channels for communication can serve these ends.

**Goal 19: Minimize residential tax burdens.**

**Goal 20: Work to efficiently provide local government services.**

### ***Strategies to Address Goal***

1. Explore shared services between the Town and Village, and with other towns and county. Develop more connections and communication between the Town and Village especially when related to community facilities and infrastructure.
2. Promote recruitment and retention of emergency and fire service personnel.
3. Provide mechanisms in all local laws that allow the Town to adequately enforce them.
4. The Town and Village boards could schedule periodic joint meetings.

**Goal 21: Encourage closer communication between town government and residents.**

**Goal 22: Encourage closer communication between town and village governments.**

***Strategies to Address Goal***

1. Work to enhance cell phone and internet services. See also economic development section for discussion of this topic.
2. Make the Town website more “interactive”, and use it to more fully advertise community facilities, infrastructure, events, and local products. This should include a community events bulletin board or newsletter.
3. Work with the County to develop a Reverse 911 system to warn residents about emergencies.

**Goal 23: Improve recreational opportunities for all ages.**

***Strategies to Address Goal***

1. Enhance recreational opportunities in Town. Consider establishing a Recreation Advisory Committee. This committee could research and make recommendations to the Town Board to promote new recreation for residents. See Box 4 for some suggested roles and actions this Recreation Advisory Committee and/or the Town Board could take.

**Box 4: Actions Suggested by the Public that the Recreation Advisory Committee Could Implement:**

- a. Continue to investigate the feasibility of taking control of the Copes Corners recreation area.
- b. Look for opportunities for public access, swimming, fishing, and trails to the Butternuts Creek. Development of creek access points can be combined with economic opportunities such as water related businesses (canoe rentals, for example).
- c. Create a canoe water trail along Butternuts Creek.
- d. Work with the Village to expand Centennial Park or create another, with trails.
- e. Create an “Exercise Park” for kids, to keep them active.
- f. Build a facility to promote the arts, performing and otherwise.
- g. Become an equestrian friendly community by interconnecting a long distance horse trail system.
- h. Develop multi-use trails outside the village.
- i. Work with Village to encourage small arts-oriented businesses.
- j. Encourage development of a history center and Town museum.

2. Work with willing landowners and promote opening up of private lands for public recreational use. Insurance liability issues are often seen as barriers to this. Use existing resources produced by New York State and other organizations to educate landowners on liability issues when they are considering leasing their lands for public use. Consider using tax incentives to encourage public use of private lands.
3. The Town should explore with the school district ways to expand use of the school buildings and grounds for community uses.

**Goal 24: Celebrate and preserve historic properties and landscapes.**

***Strategies to Address Goal***

1. Work with Town Historian to conduct a town-wide local inventory of historic structures.
2. Amend site plan law to ensure that impacts on historic resources are evaluated during project review.



Greek Revival House

## Environment and Public Health

The Town of Butternuts recognizes that most ecological and economic systems (such as provision of drinking water, recreation, wildlife habitats, and future desired economic growth of tourism and small business) are dependent on adequate sources and quality of water. Surface water bodies and groundwater sources, as documented by testing show generally good water quality. We also recognize the role soils and topography play in Butternuts. This is especially true for agriculture, which is a significant land use and economic activity in the Town that requires preservation of critical soils that support profitable farming. Plants and animals also play an important role in Butternuts as part of the environmental quality of the Town and contribute to the character of the area. Butternuts has a rich diversity of habitat types, including a mixture of upland and lowland forests and hay and grass fields—a habitat mosaic that allows for a great deal of biodiversity.

In addition to the physical natural resources, agricultural land activities along with the many historical and scenic resources throughout the Town dominate our visual community character. The low-density of settlement and particular mix of land uses also result in an environment characterized by low levels of ambient noise and high quality air resources. Common sources of noise, such as industrial land uses and high-volume traffic on roads, are mostly absent in Town, limiting ambient noise levels. Likewise, the absence of these same features of the landscape in Town also means there are limited potential sources of air pollution.

Our environmentally related goals address the maintenance, protection, and prevention of negative impacts to our environment. Where necessary, impacts should be minimized through the use of environmental reviews and suitable land use controls. A central strategy is to have our site plan and subdivision laws work towards these goals. To assist the Town, establishment of a Conservation Advisory Council is recommended to help document conditions and assist in protection of our environment and natural resources.

**Goal 25: Maintain natural environment and prevent pollution. A major objective of the Town of Butternuts should be to maintain the natural environment so that it may be used and enjoyed by all.**

**Goal 26: Maintain air, water, wildlife habitats, dark night skies, and soil quality in Town.**

**Goal 27: Prevent pollution and maintain high standards for our air, water, open spaces, and other natural resources. Prohibit pollution of water, air, or soil by toxic and/or noxious materials or conditions and ensure there is proper waste disposal.**

**Goal 28: Insure that costs related to prevention and cleanup of pollution should be borne by the business, institutions, or individuals that generate it, and not the taxpayers of the Town.**

- Goal 29: Protect the high quality of water in our groundwater, aquifers, springs, lakes, ponds, and streams, and preserve these assets. Protect bogs, marshes, swamps, and other wetlands.**
- Goal 30: Minimize erosion and siltation from runoff by controlling land uses that have high probability to cause this pollution such as development on steep slopes, clear cutting of woodlands, or heavy industrial uses.**
- Goal 31: Protect scenic vistas.**
- Goal 32: Effectively conduct environmental reviews on proposed projects to minimize or eliminate significant adverse impacts to the environment.**
- Goal 33: Become more resilient in the face of increased significant climate events.**

***Strategies to Address Goals***

1. Update the existing site plan law to include development standards designed to protect the environment and community character. See recommendations above in the Population and Land Use section. Further:
  - a. Consider ways to include in site plan methods to promote green building, energy efficient construction, and site design practices
  - b. Include stormwater and water quality criteria in the Site Plan law. For example, the Town could require use of low impact development methods. These are methods designed to reduce the amount of stormwater runoff when land disturbance occurs. See NYS Stormwater Design Manual.
  - c. Include methods designed to protect critical stream resources. Sound management of stream corridors has a direct public benefit associated with reduced impacts on public infrastructure, improved water quality, and enhanced recreational values. Butternuts should place a strong emphasis on stream corridor management in community efforts to protect water quality. Integrate stream buffer management in all appropriate levels of land use considerations.
  - d. Adopt lighting guides to encourage energy efficiency and reduce impacts to night sky.
  - e. Through site plan review processes, encourage commercial uses to use green building techniques and design.
2. Consider establishing a Conservation Advisory Council, pursuant to New York General Municipal Law. This volunteer advisory group can provide the Town Board and Planning Board with environmental information about the town as well conduct natural resource inventories, and assist in environmental reviews of proposed projects. This volunteer council could include Town residents interested in the environment and natural resources. See Box 5 for some suggested roles and actions the Conservation Advisory Council could take.

**Box 5: Environmental Oriented Actions Suggested by the Public that the Conservation Advisory Council Could Implement:**

- a. Conduct an inventory of local scenic and visual resources.
  - b. Provide information to landowners on management of their septic systems. Development of a guide booklet should also be investigated.
  - c. Develop a water quality monitoring program or collect data from other organizations that are monitoring it so that the Town is aware of any issues.
  - d. Create educational materials about natural resources in Town and on environmental and sustainable practices that may be of interest to landowners and residents.
  - e. Create a Town-led recycling program for paper, electronics and composting.
  - f. Develop resources on grants that the Town may be eligible for related to environmental and green projects.
  - g. Investigate what issues are related to pipelines.
  - h. Promote more environmental education in the school in early grades; sponsor fieldtrips to local resources, farms and solar arrays, etc.
3. Develop a local wind tower law that includes procedures and site and design requirements for both commercial wind farms and personal use wind towers including establishment of setbacks, and height allowances.
  4. Work with regional organizations and the Otsego County Soil and Water Conservation District staff to explore methods for improving water quality in the Butternuts and Unadilla Creeks. Explore whether a stream management plan could be developed for the creeks.
  5. Strengthen the existing noise ordinance to ensure that the current ambient noise levels characteristic of a rural community are not impaired by future commercial development.
  6. Consider designating critical environmental area designation pursuant to the New York State Environmental Quality Review Act (SEQRA). This is a process that local municipalities may take to identify and designate areas that have unique or special environmental or natural resource significance to the community. When an area is designated as a critical environmental area, it means that the potential impact of a development project proposed in that area is a relevant area of environmental concern and must be evaluated during any SEQRA review by the Planning Board. It does not limit or prevent that development. Consider the Butternuts watershed as a critical environmental area because it is a significant natural setting that contributes significantly to the environment, character, and agriculture of the Town, and because of its hydrogeological sensitivities associated with it.
  7. Work with the Village of Gilbertsville and consider developing watershed protection programs in the areas that supply the village water supply. A watershed program should also prohibit land uses which could damage the water quality in the reservoir.

8. Prohibit high impact/heavy industrial uses, including gas drilling and its associated, ancillary activities in order to protect our water supplies from industrial pollution, erosion and sedimentation, and to prevent negative impacts to our natural resources. (See recommendation in Population and Land Use section.) Include in the prohibition a ban on large water withdrawals in excess of 10,000 gallons, except for agricultural purposes.
9. Promote sound forestry practices and development of wood products as a natural product consistent with the goals of the Town. However, such activities should be done in a manner that protects water quality.

**Goal 34: Encourage use of alternative energy sources, promote energy conservation and efficiency.**

***Strategies to Address Goal***

1. Consider creating an Energy Committee to research and promote ways for the town to become more sustainable. Residents envision new efforts to promote energy efficiency, sustainability and use of green building. The Town understands the links between energy, land use, and transportation and recognizes these are issues the Town and its residents have a degree of control over, as well as the ability to influence. This body can study the experience of municipalities similar to Butternuts and develop recommendations for a practical and feasible Town-wide energy strategy and/or energy program. They can also serve a coordinating function, examining potential funding options for recommended projects. See Box 6 for some suggested roles and actions this Energy Committee could take.

**Box 6: Energy and Sustainability Oriented Actions Suggested by the Public that the Energy Committee Could Implement:**

- a. Work with administrators and educators to include energy-related materials in local school curricula, and to encourage them to explore use of solar panels on the school buildings.
  - b. Compile a list of energy efficiency resources and post to Town website and/or distribute via existing Town channels.
  - c. Work with area towns and counties to hold trainings, competitions and tours to showcase area projects and encourage dialog about locally feasible technologies and practices.
  - d. Promote citizen efforts already underway to enhance renewable energy and energy efficiency. Obtain educational materials (that already exist from a variety of agencies and organizations) that explain green building, renewable energy choices, and energy efficiency and hand these out when people come to town hall for a building permit.
  - e. Develop and host free, professionally-led home weatherization workshops for residents.
  - f. Work with County codes staff to ensure that energy-efficient practices are supported.
  - g. Work with County to develop materials detailing green building practices.
  - h. Develop renewable energy on town owned lands.
  - i. Upgrade town facilities to be more energy efficient. For example, use efficiency gains realized by retrofitting existing Town facilities to spur private-sector activities among Town residents and businesses. Work with Southern Tier liaisons of NYSERDA Energy \$mart Communities program to inform residents of available resources and help build a local energy efficiency support network.
  - j. Consider the implications of Town buying, building, and operating practices
  - k. Promote voluntary efforts to weatherize and insulate homes and businesses.
  - l. Set up cooperative purchase of renewable energy including biomass heating and solar, for economies of scale.
2. Find ways to improve the energy efficiency of town owned vehicles. Investigate ways to move town “off the grid”, and become energy self-sufficient – hydro, solar, geothermal power plants. Explore the feasibility of solar and wind farms. Consider adopting a “no-idling policy” for Town vehicles.
3. Consider developing a municipal Climate Change Action Plan.<sup>31</sup>
- a. As a first step, incorporate state and regional data on current energy use and mix of energy sources/supplies.
  - b. Develop a process to gather public input and further refine and extend the goals laid out in this Plan.

<sup>31</sup> See <http://epa.gov/statelocalclimate/local/activities/action-plan.html> for substantive and process-related concerns as well as examples.

- i. Participate in regional planning efforts that have a demonstrated energy focus.
  - ii. Support the Mohawk Valley Regional Sustainability Planning Program, which is to be led by the Otsego County Planning Department.
  - iii. Become a “Climate Smart Community” – DEC program (<http://www.dec.ny.gov/energy/50845.html>)
4. Promote energy efficiency for new construction. Help builders and landowners understand the available techniques, such as the use of passive solar/building orientation and siting; high-efficiency insulation; green building materials; building systems; and Energy Star appliances, as ways to increase efficiency.
5. For municipal activities and buildings, “lead by example”<sup>32</sup> in implementing climate change and clean energy activities. Among the potential activities and measures the Town can undertake are:
  - a. improve energy efficiency in government facilities;
  - b. integrate energy efficiency and renewable energy measures in new green building construction;
  - c. procure energy-efficient products;
  - d. purchase green power;
  - e. use clean energy supply technologies;
  - f. reduce emissions from government fleets;
  - g. implement other energy-saving opportunities, such as recycling, water efficiency, and sustainable landscaping.

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<sup>32</sup> Adapted from *Leading by Example in Government Operations*, State and Local Climate Energy Program, USEPA, <http://www.epa.gov/statelocalclimate/local/activities/gov-operations.html>

## Putting the Plan into Action

Implementing the Comprehensive Plan will require a series of Town Board policy decisions, program initiatives, and coordination with local, county, regional and state organizations and agencies. 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. Each strategy suggested in this Plan represents a specific type of action that the Town can take. These types of actions are:

- **Capital Improvements**—any action that results in an investment and improvement in property, structures, equipment, staff or other similar items;
- **Administrative Actions**—any action that results in enhanced administration of Town functions; and
- **Establishment of programs and policies** —any action that results in establishment of a plan, activity, committee, proposal, or similar items) or regulatory (any action that results in the development of new or amendment of existing land use related laws in the Town.

### *Coordinate Implementation*

The Town Board will coordinate implementation of the Plan. The Town Board should consider:

1. Other groups and agencies that should be called upon to assist the Board when needed. Other boards, organizations, or individuals that can assist the Town Board in implementation include:
  - i. The Planning Board
  - ii. Town Highway Department
  - iii. Otsego County
  - iv. Other local organizations such as Cornell Cooperative Extension, Soil and Water Conservation District, and the Natural Resource Conservation Service
  - v. New committees to be formed in the community
  - vi. Professional advisors such as attorney, engineer, or planner, and other organizations and agencies
2. Coordinating Town comprehensive and functional plans with those of the county and other municipal jurisdictions. Coordinate implementation activities so that project benefits are enhanced and cost savings more likely.
3. Promoting community involvement. In order to get the work done most effectively, we recommend two models of Town Board leadership and community involvement. The first model addresses the recommended Conservation Advisory Council and/or the

Zoning Commission. Formation of these groups requires the Town Board to formally organize and/or appoint members.

The second model addresses the recommended Economic Development, Agriculture, Energy and Transportation groups and is in keeping with current Town Board Leadership Training best practices. Though the strategies and actions outlined in this Plan are meant as a guide for the Town Board, community groups and individuals have traditionally shown a lot of initiative in Butternuts. Successful implementation can also occur when much of the impetus to carry out the strategies, are taken on by residents acting on their own or through local organizations. In this model, the Town Board partners with interested and willing volunteers - many of whom participated in the community planning and strategy meetings. The Town Board's role in these partnership models is to support and facilitate the groups rather than appoint, organize or manage.

4. **The Town Board should review the Plan every five years and update or supplement this Plan as needed.**

The following actions are considered to be priorities for the Town Board to begin implementing soon after adoption. It is recommended that the Town Board review this list on an annual basis to determine the status of efforts as well as to identify other actions that should be implemented next.

### Priority Actions

ACTIONS	HOW	WHO
1. Ban Heavy Industry including gas drilling p.41/S1 <i>Immediate</i>	Draft permanent ban Enact ban	Town Board; Town Attorney; Consulting Attorney & County Planning Department
2. Develop Website  - Coordinate Communication - Support Economic Development - Support Agriculture Council - Liaison between Town & County - Facilitate community involvement; p.59	Hire Web Developer  Virtual Town Hall to aid in development & facilitate community involvement  Coordinate w/ County Tourism	Volunteer w/ web experience to advise  Professional web designer as necessary  County IT (Information Technology) & County Tourism
3. Update site plan & sub-division law; <i>pp.40-41-land use; p.56/2-recreation; p.62-environment</i>	Request professional planner assistance to insure land use regulations are consistent with state law and this plan.	Planning Board, Town Board, Professional Planner & County Planning
4. Establish task forces to implement strategies: Economic Development p. 54/S1 Agriculture p. 49/S2 Energy p. 64/S1  Conservation Advisory Council (CAC) p.62/S2	Focus groups with community initiative Town Board participation as appropriate  (Establish CAC as per General Municipal Law)	Community Volunteers in partnerships   Town Board authorizes

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ACTIONS	HOW	WHO
5. Develop Transportation Plan – p.56/S1	Establish Committee SWOT analysis Five Year Plan	Town Board, Town Highway Superintendent, Town Highway crew; Community Volunteers; Delta Project Manager,
6. Coordinate Senior Services p.40/S2(a-d)	Liaise w/ community service providers to bring existing services to town on regular basis.	Churches; Office of Aging Department of Health Veterans Representative Opportunities for Otsego
7. Improve Telecommunications – pp.54/S3	Community wifi; mini cell antennas; funding	County Economic Development; cell service providers
8. Municipal Effectiveness & Community Facilities p. 58	Encourage closer communications bet. Town & Village and bet. Town & Residents; Explore shared services; establish Recreational Advisory group to improve recreational opportunities.	Town Board Village Board Town Residents Recreational Advisory Committee USDA
9. Zoning Commission p. 46/S1 (a-n)	Investigate the need, feasibility and options for developing a rural-oriented zoning law.	Town Board appoints three member commission

*Listed in order of action*

S=Strategy

Note: These are the critical nine items the Town Board needs to accomplish in order of importance. Many actions accomplish more than one goal.



## Agriculture

### Summary of strategies on pages 46-47 of the Town of Butternuts Comprehensive Plan

ACTIONS	HOW	WHO
1. Retain and Recruit Agricultural Enterprises	Mentoring new farmers; Succession Planning Equipment co-operative; co-operative services	Town Ag. Council; Farmers; Land Bank; Job Bank; Interns; Ag & Tech Schools; Cooperative Extension
2. Develop Marketing	Website/storefront; Cooperative advertising (group opportunities/cost sharing); Develop producer's map; Identify regional restaurant & food service liaison; Promote CSAs; Identify market opportunities.	Professional consultant; CADE, USDA, NYS Ag & Markets; Farm to school, MarketMaker & FoodEx; Town Grants Office; Town Agriculture Council; Website
3. Encourage Diversity and Processing	Year round farming; Community/Commercial Kitchen; Shared Services; co-op purchases; organics; fish farming; etc.	Town Agriculture Council; USDA; CADE (Center for Ag Development & Entrepreneurship); NYS Ag & Markets; Cooperative Extension
4. Communicate and Educate	Lobby Lawmakers; Encourage Town Farm Appreciation Program; Community Workshops, Right to Farm Law; Farmland Protection and Sustainable Forestry.	Town Agriculture Council; Town Board; Farmers; Farm Bureau; Website

### Economic Development Initiatives

ACTIONS	HOW	WHO
1. Support Local Business	<p>Leverage internet presence through website. Create an internet web store for Butternut products &amp; businesses &amp; buy local program.</p> <p>Develop marketing/branding plan. Market community identity, develop brochure &amp; logo.</p> <p>Organize local Chamber of Commerce</p> <p>Coordinate group sharing of business costs like advertising</p> <p>Establish micro business office space with equipment, wi fi and facilities.</p>	Town & Valley residents; Agriculture Council; Economic Dev. Initiative
2. Recruit New Business	<p>Identify desirable businesses.</p> <p>Recruit those businesses through town website; trade journals; business brokers; grad schools; business incubators; and retirees.</p>	Town & Valley residents, Agriculture Council; Economic Dev. Initiative
3. Upgrade Infrastructure	See Priority Actions; Telecommunications (7) & Transportation (5)	
4. Training and Support for startup businesses	<p>Liaise w/agencies (SCORE: EAP, etc.) &amp; colleges</p> <p>Create town based startup support program</p> <p>Share services like legal, tax, accounting, advertising &amp; internet</p>	SCORE ( <i>Service Corps of Retired Executives</i> ); County Economic Development; EAP ( <i>Entrepreneur Assistance Program</i> ); SBDC (Small Business Development)

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ACTIONS	HOW	WHO
	Facilitate professional business counseling/mentoring	Center); Regional Colleges
5. Funding	Liaise with existing agencies Develop town based micro-enterprise fund Create grants office	Local Banks; SBA; NYS Economic Development; County Economic Development; USDA

