

**TOWN OF LEWISTON  
COMPREHENSIVE PLAN AND  
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

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## **EXECUTIVE SUMMARY**

The Town of Lewiston has undertaken the development of a new Comprehensive Plan to help guide public policy into the new century. This document provides a summary of the existing conditions for land use, transportation, sewer, water, storm run-off, electric, gas, and recreation resources. A discussion of the implications for planning for each of the above components is provided.

Population, economic, and housing statistics are discussed and indicate that the area is experiencing increasing average population age and the total population is undergoing a slight decline. Growth management regulations have been reviewed and suggested revisions provided. Goals and objectives to direct the future development of the town were prepared in coordination with the steering committee and public input.

Alternative land use and development density were evaluated and a preferred land use plan was prepared based upon existing characteristics and future development options. The primary sites suitable for future development are located proximate to the Village of Lewiston and community of Sanborn.

The Comprehensive Plan is structured as a Draft Generic Environmental Impact Statement (DGEIS) to comply with State Environmental Quality Review Act (SEQRA) and to be ready for adoption by the town following notification of a positive declaration, a public hearing, the addressing comments in a Final GEIS (FGEIS), and the adoption of findings. Generally, the adoption of the Comprehensive Plan will have little or no environmental effect; however, implementation of the programs and policies may have an effect which should be reviewed for consistency with the assumptions, thresholds, and conditions of the FGEIS and/or findings at the time of implementation.

## **1.0 INTRODUCTION**

The Town of Lewiston's comprehensive plan is intended to provide the community with guidelines to assist in current and future public policy decisions. The powers to utilize zoning and comprehensive plans are granted by Town Law. No municipality is required to have either a zoning ordinance or a comprehensive plan. Those communities without a zoning ordinance or a comprehensive plan have a very limited ability to control the form of growth within their municipal boundary. A municipality may have a zoning ordinance without having a comprehensive plan. The way that a Comprehensive Plan and Zoning Ordinance were designed to work together is to first develop a Comprehensive Plan which establishes goals, objectives, policies for achieving those goals and objectives, and a desired land use plan. Following the preparation and adoption of the Comprehensive Plan, the Comprehensive Plan becomes the legislative basis for future land use regulations including the Zoning Ordinance. Once a plan for future development has been established in the form of the Comprehensive Plan, the Zoning Ordinance should be reviewed and amended to be the effective implementing regulations for the policies of the Comprehensive Plan.

### **1.1 Purpose**

This comprehensive plan provides planning information, guiding principles, goals, and objectives to direct future development in the Town of Lewiston. Its purpose is to maintain and enhance the quality of life for residents and their neighborhoods while exploring future opportunities through sensitively designed development, giving consideration to the social and economic welfare of the town residents.

### **1.2 Defining the Comprehensive Planning Process**

Comprehensive planning activities play an important role in the continued development of a community. The comprehensive planning process is an organized manner by which a community can identify its needs and establish goals and objectives for future development. Development and implementation of a comprehensive plan is an effective and efficient means to achieve meaningful and desired change in a steady, incremental manner. Furthermore, the comprehensive plan serves to identify changes or trends that are desirable or undesirable to a community.

The comprehensive plan is most effective as a current statement of the public's and Town's desires for the future of the town. For this reason, periodic review and/or revision of this document will be required to remain current. An annual review of development goals and objectives is recommended in the Implementation Matrix of this comprehensive plan. A more thorough review is required every five years.

Should revisions of the comprehensive plan be deemed to be necessary, the procedures of Town Law Section 272-a (as amended) shall be followed. Amendment procedures generally consist of:

1. Identification of the issue warranting comprehensive plan amendment.
2. Town Board referral to the Planning Board and other such Town agencies as necessary.
3. Development of the proposed amendment.
4. Referral to the County Planning agency.
5. Holding a public hearing.
6. Noticing a public hearing in a newspaper of general circulation at least 10 days prior to the hearing.
7. Town Board adoption of the amendment by resolution.

The provisions of the SEQRA and Agriculture and Market's Law 25AA need to be complied with as dictated by the circumstances of the proposed amendment.

To develop cogent, effective decisions regarding change and the degree to which change will occur, there is a basic need for facts, accurately developed and analyzed; principles and standards, goals and objectives; and community discussion and understanding. Generally, the planning process encompasses several steps. These are:

- Identification and definition of the problem(s) or opportunity(ies)
- Determination of goals and objectives
- Inventory of resources (or gathering of relevant information)
- Identification of various planning concepts to address goals and objectives
- Analysis of a concept plan(s) and selection of a preferred plan

- Plan implementation and evaluation
- Community input/feedback

As in this case, not only are the above steps used to develop new plans, but they also are helpful when revising or updating an existing plan. Regardless of the activity to be undertaken, the above steps offer an orderly and rational method of addressing community development needs.

### **1.3 Background and Historic Context**

Lewiston's unique circumstances are attributable in part to its history. In February of 1818, the Town of Lewiston was formed from the Town of Cambria. Though settled first, Lewiston was only the sixth town to be placed upon the political map of Niagara County. It encompassed the Village of Lewiston which is at the center of much of the Town's history. It also encompassed the Village of Sanborn, in the southeastern part of the town, Dickersonville on Ridge Road, which is now little more than the location of a single church, and Model City which was a rail site.

Lewiston's position on the Niagara River between two Great Lakes, and its proximity to the Cataracts and a major military fort shaped its history. In the early nineteenth century, entrepreneurs in the shipping, milling, and tourism industries took advantage of all that the Niagara had to offer. Wharves, grist and saw mills, and inns were built, and the population increased as businessmen, travelers, and soldiers settled the area. In fact, when Lewiston's population was six thousand, Buffalo's was only a mere one hundred.

By the late nineteenth century, the successful Erie Canal and the startup of the Welland Canal put an end to Lewiston's thriving commerce. The canals took almost all commercial traffic, as well as the mills and wharves, away from Lewiston. Rail lines began to carry tourists directly to Niagara Falls, where they lodged in newly built hotels. Lewiston became a town surviving on its agriculture, benefiting to some degree by the rail system on the Niagara Frontier that moved perishables to market.

The agricultural element of the town's economy has remained throughout the twentieth century. Since World War II, manufacturing also has come into play, as many Lewiston residents commute to Niagara Falls and Buffalo to work in factories. However, as heavy industry declines in the region, Lewiston's economy likely will shift once more.

#### **1.4 Regional Context**

In addition to its history, Lewiston's setting is a unique attribute which the comprehensive plan must accommodate. The town encompassing 36 square miles and having a population of 15,453 residents (including the Village of Lewiston), lies immediately north of the City of Niagara Falls, the Town of Niagara, and the Town of Wheatfield. The Towns of Porter and Wilson lie north and the Town of Cambria to the east. The Niagara River forms the international boundary with Canada and border of the town on the west. Lake Ontario lies about 4 miles to the north. The Niagara Escarpment, a steep 200-foot high ridge, bisects the town in an east-west direction. Within the town boundaries, but outside the town jurisdiction, are the Village of Lewiston (population 3,048), Tuscarora Indian Reservation, and New York State Power Authority generating facilities. Figure 1 illustrates the site location of Lewiston within the vicinity.

#### **1.5 Prior Planning Efforts**

The Town of Lewiston began its planning efforts in the 1970s. These efforts focused the area's unique characteristics, zoning issues, and growth.

##### **1.5.1 Natural Processes: Environmental Input to the Planning Process (1976)**

Natural Processes was a study prepared by LANDPLAN, a division of Cannon Design, Inc. of Grand Island, NY and presented to the Town Board on March 3, 1976. The analysis provided by LANDPLAN examined the existing facilities with emphasis on the natural systems of the town, and combined this information to provide potential directions for growth.

This study provided a physiographic inventory and analysis to guide the future development and preservation of Lewiston's valuable natural resources. A comprehensive description of the town's environmental and facilitative attributes were identified and mapped throughout the document.

### **1.5.2 Town of Lewiston Master Plan (1981)**

The Town of Lewiston Master Plan (1981) was the first municipal master plan contracted by the Town. The master plan document, prepared by Stuart Alexander and Associates of Buffalo, NY, presented recommendations for the future use of land in the Town of Lewiston. This document was intended to illustrate a future pattern for development which was sensitive to the Town's environmental constraints, resident desires, and community needs. The plan presented land use distribution, density guidelines, circulation patterns, and economic policies.

However, it did not address those issues pertinent to controlling development, such as zoning ordinances, subdivision rules and regulations, and any additional ordinances governing issues such as health, safety, and general welfare of the community.

### **1.5.3 Niagara Escarpment Plan Five-Year Review (1990)**

The Niagara Escarpment Plan was a Canadian-born document predicated on terms of the Niagara Escarpment Planning and Development Act (NEPDA). The NEPDA formed the impetus behind the plan and was the force behind the protection of the escarpment surface and groundwater systems, as well as the natural escarpment environment. The stated purpose of the NEPDA was to: "...provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment." This purpose was achieved through preparation of the Niagara Escarpment Plan. A commission was established to administer the NEPDA and the Plan.

#### **1.5.4 Town of Lewiston Master Plan Update (1993)**

The 1993 revision of the 1981 Master Plan was initiated in an attempt to incorporate the demographic, economic, and land use changes that took place in the Town of Lewiston over the previous 12 years. The 1993 revision also was designed to resolve the conflicts between the 1981 Master Plan and the more recently adopted zoning amendments of the Town. The third objective of the Master Plan revision was to create a more coherent and user-friendly planning document.

The 1993 Master Plan Update set as its starting point the land uses prescribed by the official zoning map. This was determined in an effort to achieve compatibility between planning and zoning that was seen as a movement towards the adoption of a Unified Development Code, a methodology that diminishes the distinctions and differences between planning, zoning, and sub-division regulations. Major topics discussed in the 1993 revision included changes in land use and demographics, economic analysis, and traffic demand. The major proposals recommended zoning changes to include new zoning overlay districts and revisions to the zoning ordinance.

In summary, the goals of the 1993 Master Plan Update were to revise the Town's database, account for recent development trends, and create a more coherent land use planning position for the Town to use in the management of its natural resources.

#### **1.5.5 Master Plan Executive Summary (1998)**

In 1998, the Town Board voted to commission an update to the 1981 Master Plan. The first step was to organize a committee of concerned residents to evaluate the present and future economic viability of Lewiston, and to recommend to the Town Board ways to promote future development of the town while maintaining its character. To assist them in the development of the plan, the Town Board retained R&D Engineering of Buffalo, NY. The Town Engineer and Attorney also were assigned to the committee to provide technical and legal advice.

The committee developed goals and objectives to be accomplished by the new master plan. Issues pertaining to the environment, economic development, zoning, demographics, and land use were to be addressed. Next, the committee prepared a survey questionnaire to be distributed to all town residents. The survey was used to obtain a consensus of opinion as to the present and future planning needs for the town. Major areas of concern were identified as economic development, youth facilities, recreation, and shopping/services.

Based upon the information gathered, the following maps were developed to identify potential areas of growth: recreation plan, zoning, agriculture, sewer, slope, archaeological, tax exempt, traffic demand, schools and recreation, and proposed zoning. Upon review of the maps, the committee made recommendations for future use of existing undeveloped land. In conjunction with their land use recommendations, the committee drafted a review of the zoning ordinance.

Although the recommendations of the committee were outlined in the form of an executive summary for Town Board review, they were never developed into a complete master plan for Lewiston.

## **1.6 The Planning Process**

The first task in the current planning process for the Town of Lewiston's comprehensive plan includes a supplemental project inventory designed to collect any existing information, plans, or data which may assist in establishing the town's character. Supplemental information may include federal/state wetland maps, demographics, current land uses, and prior planning efforts. This task is followed by the analysis and implications for planning.

The analysis and implications for planning phase examines the natural and built physical environments as well as the demographic and economic characteristics. The analysis is used to develop implications for planning or opportunities which exist in the Town of Lewiston. The analysis and implications for planning phase will confirm the physical limitation and opportunities, as well as the community economic strengths and constraints.



Next, the goals and objectives statements are developed by discussions with the Master Plan Committee and the Town Board, public meetings or interviews/focus groups sessions, and a previously-solicited community survey. The goals and objectives phase identifies issues, community needs, and the direction the community should pursue in the future.

As a result of these steps, a comprehensive plan concept is developed. The town plan alternatives task identifies land use alternatives, natural resource protective measures, economic development strategy, infrastructure planning, and cultural resource management. From this task, community and committee review is sought. Then, the concept plan is internally reviewed and plan selection occurs.

Upon the completion of the appropriate internal and public review, comprehensive plan completion occurs which includes holding a series of public hearings, and finalizing the written report and associated graphics.

The final step is plan implementation.

## **2.0 VISION STATEMENT, GOALS, AND OBJECTIVES**

### **2.1 Community Participation**

The plan development process was designed to be highly interactive with the community. The underlying concept is that the plan must reflect the goals, objectives, and aspirations of as many of Lewiston's residents as possible in order for it to become a meaningful instrument for managing change in the town. In addition, the process also creates a constituency that supports the adoption and implementation of the plan. Each member of the community can also bring a unique experience or information that is useful in developing the plan inventory, plan alternatives, and its final recommendations.

The plan is formatted as a Draft Generic Environmental Impact Statement (DGEIS) that meets the requirements of the State Environmental Quality Review Act (SEQRA). SEQRA has procedural requirements and public involvement options that were integrated into the overall community participation process. Specifically, community participation activities, such as a Public Scoping Session, were undertaken to meet SEQRA needs while providing the community with opportunities to review and comment on study products such as the Project Inventory (Task 2.0).

A key element of Lewiston's community participation efforts was the creation of the Master Plan Committee. This committee was composed of: 1) those Town staff members that work with growth management issues or services that are dependent on population growth, change, or distribution; 2) representatives of the business community; and 3) concerned residents. It acted as a policy committee that reviewed the consultant's technical products and made critical decisions on plan recommendations. They also acted as a conduit between residents and the plan development process.

Opportunities for community involvement were designed into the planning work program at key junctures starting with Project Initiation, where the Town's planning consultant presented the scope of work to be performed, the work schedule, budget, and anticipated products. Other community involvement activities included:

1. A community workshop where the results of the Project Inventory and Analysis and Implications for Planning were presented to the community. This workshop also provided opportunities for commenting on the scope of DGEIS.
2. Presentation and Discussion of Plan Alternatives (Task 5.0) that resulted in modifications to each alternative and contributed to selection of a “Preferred Alternative.”
3. Presentation and discussion of the Final Plan prior to its adoption. This formal meeting was designed to meet the requirements of Section 272-a of New York State Town Law while providing residents with an opportunity to further contribute to plan recommendations.

A Community Values Survey was administered prior to initiating the planning process. The results of this mail survey were included in the plan's decision making.

## **2.2 Vision Statement**

Residents, through their participation in the planning process, have articulated a “Vision” for the future of their community. This vision forms the basis for all of the recommendations, goals, and objectives of the plan.

The vision for the Town of Lewiston is one in which the existing quality of life for resident and their neighborhoods is maintained. It seeks to build on these qualities by enhancing the rural, historic, open space, and agricultural aspects of community life. The existing character of Lewiston is maintained, while opportunities to enhance the quality of life through sensitively designed development are added to the community’s fabric. In this way, Lewiston’s heritage will be maintained, while future community needs and economic progress are fulfilled. In the future, enhancements will come in the form of developments that are located where existing utilities and roadways can serve them. Each new residential development will blend seamlessly into Lewiston’s landscape using sensitive design principles. Design excellence is the key word for this development.

In the year 2000, Lewiston is a complete community. It has a sensible variety of housing types to accommodate most of its residents. It has an attractive, centrally-located village scale business and retail center to provide goods and services. There are public services of all kinds, recreation opportunities, and places for relaxation and enjoyment. All of these are held within an attractive landscape that provides visual open space and large working agricultural scenes. The community's vision is to maintain this essential blend by promoting agriculture while accommodating low-density home sites on the productive soils to the east and encouraging a greater variety of densities and housing types in the corridor along the Niagara River. The vision clearly provides for a stronger, more vibrant village center that is the focus of commercial, service, governmental, and community cultural activities.

Currently, the primary industries in Lewiston are waste management and agriculture. In the future, the community will continue to nurture this activity; however, the Town's focus will be on minimizing the environmental and visual impacts of these industries while broadening the economic base. Two areas will provide this broader base: tourism linked to historic resources, the Niagara River and the performing arts; and cross-border commerce linked to the national accessibility of locations near the interstate highway system.

The future pattern of land use resulting from this vision will respect the limitations of the existing utility systems, while providing for upgrades that increase its cost effectiveness and minimize environmental impacts. The capacity of the existing road system will be maintained by carefully managing land use and access to major roads.

To achieve this vision, a series of goals and objectives can provide a commonly held basis for local decision making. These goals and objectives are statements of the intent of the plan. The following is a series of actions that will promote realization of the plan.

## **2.3 Land Use Goals**

### **2.3.1 Residential Land Use**

- Encourage a diversity of housing types to accommodate a variety of age and income levels among residents, particularly senior citizens and the frail elderly;
- Promote continued stability in established neighborhoods;
- Ensure that housing types and styles are compatible with the character of existing nearby developments;
- Encourage development to efficiently utilize land, transportation, infrastructure, and other support services;
- Enforce appropriate codes and ordinances to ensure continued health, safety, and welfare of residents;
- Provide adequate buffers between residential developments and adjacent industrial and agricultural uses;
- Limit suburban-scale residential development to areas served by central water and sewer systems;
- Encourage village-scale housing in close proximity to the Village of Lewiston;
- Accommodate rural residences that do not require substantial amounts of road frontage or use of viable agricultural land.
- Encourage the use of clustering in situations warranting the preservation of open space and other important natural features.

### **2.3.2 Commercial Land Use**

- Maintain the stability of existing convenience outlets in the town through appropriate codes and ordinances;
- Selectively permit limited convenience-type outlets within planned developments of a size sufficient to economically justify the establishment of such commercial activities;
- Establish design standards such that adjacent residential properties and certain public facilities are buffered from commercial properties and support activities (e.g., parking, deliveries, storage, disposal, etc.);
- Continue to encourage the economic vitality of the Village of Lewiston Central Business District and Sanborn commercial area by restricting large-scale commercial developments within the town;
- Ensure, through codes and ordinances, that architectural features of commercial establishments (i.e., facades, signs, landscaping) are complementary to the character of the town.

### **2.3.3 Economic Land Use**

- Promote economic development among selected industrial types (i.e., high technology, laboratories, research/development, waste management, international trade and tourism) to foster tax revenue and employment benefits;
- Ensure, through codes, ordinances, and design/performance standards, that industrial activities are not deleterious to surrounding uses or to the environment at large;

- Provide adequate buffers, via setbacks and landscaping, between industrial and adjacent non-industrial uses.
- Promote and protect agriculture as a priority industry;
- Designate irreplaceable sites in the interstate highway corridor for economic development.

#### **2.3.4 Agricultural Land Use**

- Encourage, through appropriate legislative and fiscal policies including the development of a local “Right to Farm”, the continued agricultural use of lands currently under cultivation;
- Prohibit, except under extenuating circumstances, the establishment of non-agricultural uses on land under cultivation;
- Promote the establishment of owner/grower road-side produce stands to foster increased economic diversity within the town;
- Continue the proper use of the provisions of Agriculture and Markets Law Article 25AA for the Formation of Agricultural Districts as a tool for encouraging the business of agriculture;
- Provide new tools for promoting agriculture and preserving Lewiston’s agricultural resources, such as purchase of development rights, incentive zoning, and agricultural easements;
- Support private agricultural land preservation approaches such as land trusts.

### **2.3.5 Institutional Land Use**

- Provide adequate educational, health care, and social service facilities distributed throughout the town to ensure ease of access by residents;
- Ensure that public safety facilities (i.e., police and fire protection) are located to provide optimum levels of safety to town residents.

### **2.3.6 Recreational Land Use**

- Design an open space and recreation network that preserves identified cultural and natural resources;
- Provide a recreation plan that identifies present and future needs and costs for recreation facilities;
- Promote the creation of a diversity of active and passive recreation facilities to satisfy the needs of all town residents;
- Encourage the continued maintenance of existing recreation facilities within the town;
- Capitalize upon unique scenic, physical, historical and cultural assets for recreational and educational pursuits;
- Evaluate demand for additional recreation facilities generated by ongoing residential development and provide recommendations accordingly;
- Encourage public/private partnerships for constructing and maintaining useable public recreation and open space wherever possible;
- Ensure that uses pursued in recreation areas complement adjacent properties;



- Promote the development of passive recreation facilities along River Road, including permanent preservation of the Five-Mile Meadows as open space.

### **2.3.7 Transportation**

- Increase traffic safety by eliminating hazards such as blind intersections, multiple driveways, and pedestrian/vehicular conflicts;
- Discourage through-traffic in residential neighborhoods while encouraging local connections between neighborhoods;
- Provide for adequate emergency vehicular access to all properties within the town;
- Encourage the use of bike routes and route designations.
- Residential development along all major arteries should be encouraged to develop without direct access to the existing roadway (e.g., common driveways, service roads, etc.).

## **2.4 General Development Objectives**

### **2.4.1 Environmental**

- Minimize the effects of future developments and land uses on changes to drainage patterns, surface water and groundwater quality, erosion potential, noise levels, air quality, odors, vibration levels, and microclimate;
- Prohibit future development on those areas in which severe environmental disruption could be expected;
- Protect significant open areas, woodlands, wildlife habitats, and watercourses from encroachment by development;

- Ensure that future developments do not significantly alter existing ecosystems;
- Establish development guidelines for areas peripheral to waste disposal sites;
- Ensure that proposed development adequately addresses the existence of identified environmentally-sensitive areas;
- Protect the scenic, environmental, and aesthetic qualities of the Town's established coastal zone;
- Ensure the protection of solar access by the incorporation of solar considerations into development guidelines and town ordinances.

#### **2.4.2 Historic**

- Establish criteria to identify historically significant structures, building groups, sites, and vistas;
- Establish legislative and fiscal mechanisms to promote continual protection of historic sites;
- Ensure that surrounding development complements the character of historic sites;
- Examine economically feasible reuses of vacant or dilapidated historic structures and support appropriate existing uses by reducing physical alteration to preserve historic character.

#### **2.4.3 Governmental Services**

- Analyze the fiscal impact of major development projects including the tax revenues as well as the service demands and costs to the community;

- Discourage the extension of municipal infrastructure and capacity building improvements into agricultural areas;
- Employ capital improvement programming to provide for community needs while managing municipal finances;
- Revise development regulations to provide consistency with town growth and development policies;
- Deliver governmental services in a manner that does not require tax levels that discourage economic development;
- Create new mechanisms for communication on community development issues with school districts state agencies, authorities, and adjacent town;
- Maximize the use of existing publicly funded facilities through cooperative agreements.

### **3.0 ENVIRONMENTAL SETTING**

#### **3.1 Regional Influences**

##### **3.1.1 Plans and Programs**

In addition to the regional influences, various plans and projects have had an important role in the town's growth and development. A list of regional projects currently in the planning stages and regional facilities.

- Niagara County's Agriculture and Farmland Protection Plan (Figure 2) - a program designed to support continued agriculture as a primary economic activity, an element in the county's excellent quality of life, and an attraction for regional tourism.
- Niagara County "Brownfields" Program - a federally-funded local initiative to identify environmentally-challenged former industrial sites. The program includes preparing a limited number of Phase I environmental audits and describes the concept for remedial action.
- Greater Buffalo Niagara Region Transportation Committee 2020 Transportation Plan - produced by the region's official transportation planning agency, the plan will recommend improvements to all forms of surface transportation.
- Western New York Erie Canal Heritage Corridor - a plan being developed by the New York State Thruway Authority with the assistance of county and local planning agencies. Although it will be a management plan focused on tourist and recreational activities along the Erie Canal, it will have broad implications for all of the communities of Niagara County.

- Niagara County Strategic Plan - under the direction of the Niagara County Department of Planning and Development, a plan for the growth and development is schedule for initiation during the current year. The plan will address the full range of capital facilities and environmental services that are the County's responsibility.
- Power Authority of the State of New York (PASNY) Repermitting Process - prior to 2007, PASNY is required to complete a repermitting process for its power generation and pump-storage facilities in the Town of Lewiston. The process will provide mutually-beneficial opportunities for cooperation between the Town and PASNY.
- CSX/Norfolk & Southern Railroad - rail operations in western Niagara County and throughout the region will be effected when the takeover of the Conrail system is completed.
- Niagara County Business Enhancement Program - a matching grant program initiated and funded by county government. Although funding is limited, the program assists business organizations by providing capital for business improvement activities. Funding levels may increase with the availability of United States Department of Agriculture (USDA) Rural Business Enhancement Program funds.
- Niagara Falls Redevelopment Corporation - a highly organized and ambitious effort to redevelop downtown Niagara Falls, New York. The project promises the full range of family entertainment and accommodations. Its draw will be the Falls and the tourism it generates.

### **3.1.2 Existing Regional Influences**

Lewiston is an important part of the Niagara Frontier Region. The town's location astride the New York State Thruway and its access to Canada via the Queenston-Lewiston Bridge is strategic to the region's economy. The Niagara Escarpment, Niagara River waterfront, and Lake Ontario access are magnets for the region's tourism industry. More specific regional influences are shown in Figure 2:

- Tuscarora Indian Reservation - a 6,000-acre center of Native American culture and tradition.
- Niagara County Industrial Development Agency Co-Generation Facility - owned by the IDA, the facility is viewed as an opportunity to offer low cost power to provide added value to the county's economic development efforts.
- Niagara Falls, Ontario Tourism and Casino Development - major enhancements to an already thriving tourism and casino gambling industry including construction of a larger permanent casino and several hotels.
- Power Authority of the State of New York Power Project Repermitting - schedule to be completed by 2007, the process for repermitting the existing power generation facility provides the host community and the PASNY with opportunities to provide community development benefits to Lewiston and competitively priced, environmentally-sound power to the people of the region and state.
- Lewiston-Queenston Bridge Capacity Improvements - international trade flowing over the Lewiston-Queenston Bridge will continue to grow for the foreseeable future. Improvements that will expand the bridge's capacity to handle these increased are in the planning stages.
- Joseph B. Davis State Park - presently a source of passive recreation, the master plan that, when implemented, will bring increased recreation opportunities to Town of Lewiston residents. Existing trailways, picnic area, and the “frisbee golf course” will be retained and expanded while parking areas are visually improved, the pool area is redeveloped, and a planned 18-hole golf course are provided.
- Village of Lewiston-Toronto Hydrofoil Ferry - the availability of a high speed water link between Toronto and Village of Lewiston promises an influx of tourists and vacation home owners.

- Ferry between Youngstown and Niagara-on-the-Lake has been discussed.
- Fort Niagara State Park - the historical significance of the park and its prominent location at the mouth of the Niagara River dictate that current plans to provide conference and tourist facilities within the park be accomplished with the utmost sensitivity to the sites.
- Seaway Trail and Plan - as a blueprint for expanding tourism along the trail, the Seaway Trail Plan will guide the preservation and enhancement of existing tourist and cultural areas, while identifying and promoting new venues that increase tourism by attracting new visitors and encourage current visitor to stay a while longer.

### **3.1.3 Implications for Planning**

Regional influences effecting the Lewiston Comprehensive Plan fall into two categories: those which promote preserving the community's natural environment and those which favor converting portions of the landscape for activities which promote other economic development. Geographically, influences that favor preserving the natural environment have the greatest impact on the town's eastern half. They include Niagara County's Farmland Protection Plan, and the unique relationship between land and community evident in the Tuscarora Indian Reservation. These influences will work to keep the area east of Model City rural and agricultural. Lewiston's plan reflects these influences and works to promote rural character in this area.

Regional influences that impact the western half of Lewiston are those which favor development as a tool for economic development and progress. An obvious cluster of these influences exist in the Niagara River corridor. Lewiston's past actions to provide suburban-scale utilities and services is reflective of an accommodation of these influences. Lewiston's plan may reflect a continued accommodation while stressing an enhancement of the quality of life within growth areas. This accommodation could take the form of significant open space preservation, quality active and linear recreation facilities, and an emphasis on design for commercial, industrial, and residential developments conforming with existing local and regional architectural styles.

## **3.2 Natural Environment**

The natural environment provides the “canvas” on which the community has painted the current pattern of land use. This relationship between community and its natural resources continues today and will continue to do so in the future. Planning must recognize this and assess the environmental implications of land use and design decisions.

### **3.2.1 Topography and Slope**

The town lies astride the Niagara Escarpment which divides it into two major topographic units. Below the escarpment, the land area varies in elevation from 300 feet above sea level in the northwest corner to 400 feet at the base of the escarpment. The elevation of the base varies somewhat from east to west. Near the Cambria town line, the base is near the 500 foot level. This lower plain, the bed of one of the numerous glacial lakes, is nearly level and pitches somewhat to the northwest. Figure 3 provides a series of terrain models which clearly illustrate Lewiston’s topography.

The escarpment itself is Lewiston’s most prominent topographic feature. It is oriented east to west and separates the town into two roughly equal land areas. Though some variations occur, it is generally 200 feet high. The action of the Niagara River as it historically flowed over the escarpment has eroded the bedrock, forming a long narrow gorge along the town’s southwestern line. The gorge is a source of internationally renown scenic beauty as viewed from the top of its walls, from many of the trails along gorge walls, and from the Niagara River.

A closer look at the topography reveals that the escarpment is actually a set of benches that provide fairly level steps at an elevation of about 500 feet. The largest of these is located between Indian Hill Road and the Cambria line. Much of this feature is within the Tuscarora Indian Reservation and is not within the town's jurisdiction. A small, less obvious bench is located west of Clegham Road. This one widens as it proceeds westward through the Village of Lewiston. Remnants of this bench can be seen west of Portage Street in the village.



Above the escarpment, the embankment which forms PASNY's upper reservoir dominates the landscape. Its geometric shape, uniform side slope, and flat top surface mark it unmistakably as an engineered land form. The remainder of the area above the escarpment is composed of a series of low oblong flat top hills. Those along the escarpment edge have their long axes oriented east-west, while those close to the Wheatfield and Niagara town lines are oriented north-south. The highest elevations (above 650 feet) are in this area.

Slopes have been separated into three groups: slopes over 15 percent; slopes between 3 and 15 percent, and slopes less than 3 percent. Categories are established according to erosion potential criteria developed by the USDA. Slopes in excess of 15 percent severely limit development potential, while moderate slopes of between 3 and 15 percent present moderate constraints on development. Slopes of less than 3 percent place few constraints on development.

Areas in the severe slope category of the town are located within the Niagara River Gorge and in a narrow band along the escarpment from the river to Indian Hill Road. This band continues intermittently through Bond Lake County Park. Narrow bands of severe slopes also form the eastern bank of the Niagara River from Artpark to the Town of Porter. An opening in this band at the village, which permits easy access to the riverfront, may have been a factor in its settlement.

Moderate slopes are more extensive in Lewiston. They are found along the entire length of the escarpment from the river to Cambria and define the benches described previously. In addition, moderate slopes also are found along the Niagara River from the Niagara Gorge to Porter and beyond. These slopes limit accessibility to the river, but enhance visual beauty.

Slightly sloped land dominates the rest of the town above and below the escarpment. The area above has small areas of moderate slope that have few impacts on development activity.

### **3.2.2 Bedrock Geology**

Queenston Shale forms the bedrock beneath all of Lewiston north of the escarpment. This formation is also evident in the bottom of the Niagara River Gorge as the shallower or less erosion-resistant material. A succession of three bedrock formations form the escarpment itself. The northernmost is composed of Thorold Sandstone, an apparently erodible formation. A complex composed of Irondequoit Limestone, Rockaway Dolostone, Hickory Corners Limestone and associated shales and sandstones provides the core of the escarpment bedrock formations. A narrow band of Decew Dolostone and Rochester Shale occupies its southern rim. Guelph, Oak Orchard, Ermosa and Goat Island Dolostone underlay the southern half of the town and about 80 percent of the Tuscarora Indian Reservation. This formation of erosion-resistant materials is the capstone over which the upper Niagara River flows creating Niagara Falls. Figure 4 illustrates the distribution of bedrock within Lewiston and the Tuscarora Indian Reservation.

### **3.2.3 Freshwater Wetlands and Flood plains**

Wetlands are a key community planning resources. They provide flood protection buffers in the surface water drainage system and wildlife values. Some contribute to groundwater recharge and open space preservation.

Figure 5 shows the distribution of freshwater wetlands in Lewiston. Two types are shown; those identified by the US Fish and Wildlife Service and regulated by the US Army Corps of Engineers, and those identified and regulated by the New York State Department of Environmental Conservation. Whether federal or state wetlands, all are important to Lewiston. There are 5,336 acres of federally-designated wetlands and 1,978 acres designated by New York State. These acreages are not cumulative because there is considerable overlapping of federal- and state-designated wetlands. Wetland acreage does not include the substantial wetland area within the Tuscarora Indian Reservation.

Although small areas of wetland are distributed throughout the town, significant concentrations exist between Pekin and Sanborn west of Bridgeman Road and in the town's northwest corner north and south of Pletcher Road east of Creek Road. This latter concentration is associated with Four-Mile Creek and extends into the Town of Porter.

Few wetlands are found west of Creek Road or in association with the Niagara River due to the steep gradient of the river and its swift current.

Flood plains have been delineated by the Federal Emergency Management Agency and represent the area which floods during a storm event. Flood plains are usually found along streams and creeks. In Lewiston, flood plains occur throughout the town, but are noticeably absent from the area west of Creek Road.

A comparison of the extent of flood plains designated along creeks on either side of town lines provides cause for concern as to the accuracy of the information. For instance, Twelve-Mile Creek north of Langdon Road is shown as being less than 250 feet wide in the Town of Lewiston. Across the town line in Wilson, Twelve-Mile Creek has a floodplain that measures approximately 2,000 feet. Similar situations exist along the Town of Wheatfield line. This could lead to the conclusion that flood plains in Lewiston may be more extensive than shown.

#### **3.2.4 Coastal Erosion**

Information on the extent and location of areas of coastal erosion is not available. The area subjected to such erosion forces, however, would be limited to the 6.5-mile Niagara River waterfront within the town. Anecdotal information available from residents indicates that coastal erosion is a localized problem along the river.

#### **3.2.5 Hydrology and the Niagara River**

Figure 6 presents Lewiston's most significant water features. Lewiston falls into two major watersheds. One, below the Niagara escarpment, flows in a northerly direction into the Lower Niagara River and Lake Ontario; the other flows generally in a westerly direction into the Niagara Gorge and Upper Niagara River. Six streams originate within the town.

The area below the escarpment is, for the most part, drained by the Four-Mile and Twelve-Mile Creeks. A small area of the town in the Meyer's Hill Road area is drained by the Eighteen-Mile Creek as it passes into the Town of Cambria. A series of small creeks drain the town's western edge north of the village. This area and the western edge of the Four-Mile Creek watershed are most vulnerable to water quality problems associated with urban development.

Three watersheds drain the area above the escarpment. Cayuga Creek carries much of the surface water run-off from the eastern quarter of the Tuscarora Indian Reservation and the area around Sanborn. This creek flows generally southward into the Upper Niagara River near Love Canal. The natural drainage pattern of the Gill and Fish Creeks has been altered by construction of the upper reservoir of the PASNY power project.

Although the upper reservoir and forebay of the power project is not a natural element of the town's drainage system, it is Lewiston's dominant hydrologic feature. The upper reservoir is the largest inland waterbody in the town and region. Water from the Upper Niagara River is conveyed to the forebay where either passes through the power plant on the river or is pumped up into the upper reservoir for later use to generate electricity during periods of high demand. Withdrawals from the Niagara River for this project and a companion project in Canada impact flows below the intake structures along the Robert Moses Parkway in the City of Niagara Falls. These flows, which are regulated by an international agreement, vary daily and with the time of day. Flows below the Canadian and PASNY power projects reflect these withdrawals and the releases of water used to generate electricity.

### **3.2.6 Soils**

*General* - Figure 7 shows the distribution of generalized soils groups. These groups were further refined by LANDPLAN, a consulting group retained by the town in 1976 to assess Lewiston's physical features. They found that it is difficult to make generalizations about the soil characteristics in the town. An understanding of the origins of each soil association provides a key to the potential opportunities and constraints they place on future development and preservation efforts.

Soils to the east of Garlow and Model City Roads are primarily those formed in glacial till. They are deep to moderately deep, are well drained and have a medium soil texture. This area has within it three significant subareas dominated by soils formed in glacial lake bottoms. These soils, though deep, are fine textured and generally poorly drained. These three subareas are located west of Sanborn (north and south of Saunders Settlement Road), adjacent to the Cambria line in the Albright and Simmons Road area, and east of Model City Road south of the old Penn Central railroad tracks.

Soils to the west of Garlow and Model City Road are those formed in glacial lake bottoms. These soils north of the escarpment are part of the Rhinebeck-Ovid-Madalin association, deep, very poorly drained and fine textured. These soils are dominantly brown or olive. South of the escarpment soils have similar physical characteristics, but are from the Odessa-Lakemont-Ovid association and are dominantly reddish in color. A significant area of soils from the Claverack-Cosad-Elnora association lies along the Niagara River from the village to the Porter line. These soils are deep, moderately well drained, and coarse textured. Subsoils are generally clay or fine sand.

*Depth to Bedrock* - The thickness of soils over bedrock or depth to bedrock can be a limiting factor to many types of development, particularly those activities requiring extensive excavation for foundations and utilities, site grading, and establishing landscaping. Generally, shallow depth to bedrock for these and related activities will result in increased construction costs. The problems associated with soil which are less than 3 feet thick are severe for certain development activities and less severe or moderate where soils are between 3 and 6 feet deep. Only slight development limitations are encountered on soils that are in excess of 6 feet.

Using USDA soil criteria, approximately 15 percent of Lewiston's soils place severe limitations on development. An additional 25 percent present moderate limitations. The majority of the most severely limiting soils occur along or below the escarpment. Major areas of this shallow soil are located in the vicinity of the 3-F Club, along both sides of Ransomville Road north of Ridge Road, and in the area between Model City Road and Porter Center Road. Narrow bands also occur at the base of the escarpment along its full length. Few areas of shallow soils can be found above the escarpment.

Soils that place moderate limitations on development are found throughout the town. A major band of these soil types extend from Riverside Manor northeastward to Swann Road in the vicinity of Harold Road, and continuing on along the former Penn Central railroad tracks to Ransomville Road as it exits the town. A second band originates at the base of the escarpment near Porter Center Road and extends to the town's northeasterly corner. A third band extends from Dickersonville to the town line along both sides of Lower Mountain Road.

Above the escarpment, moderately shallow soil are found in a random pattern on both sides of Saunders Settlement Road. A concentration of these soils is located on both sides of Town Line Road from Sanborn to Upper Mountain Road.

*Seasonal High Water Table* - The local water table is the upper surface of groundwater. The location of this surface during an area's wettest time is one indicator of the development potential of the area. Soil characteristics provided by the USDA are a means of assessing the probable location of the seasonal high water table in each soil type. According to USDA criteria, soils with less than 6 inches to the seasonal high water table place severe limitations on development. Those areas or soil types where the seasonal high water table is between 6 inches and 3 feet below the surface place moderate limits on development. Only slight limitations are expected where the water table is greater than 3 feet below the surface.

Lewiston's soils almost universally have season high water tables of less than 3 feet that place moderate limitations on development. Areas of severe limitations are concentrated below the escarpment. They are distributed evenly throughout this area.

*Permeability* - Permeability is the rate at which water passes through soil. The slower this rate, the greater the limitations the soil put on development due to the soil's inability to handle increased run-off, ponding, decreased suitability for septic systems, and increased costs of stormwater drainage systems. According to USDA criteria, soils that pass 0.2 inch of water per hour place severe limits on development. Where this rate is between 0.2 and 6.3 inches per hour, soils are rated as having moderate limitation on development. Permeability rates of greater than 6.3 inches per hour have slight limits on development.

Areas of soil that moderately and severely limit development cover an estimated 90 percent of the town. These areas are evenly distributed above and below the escarpment. Moderately limiting soils represent 40 percent of the areas, while the more severely limiting soils account for the remaining 50 percent.

*Agricultural Suitability* - Agriculture is an important economic activity and contributes significantly to the quality of life residents of Lewiston enjoy. The USDA has developed soil capability groups that indicate the suitability of soils for growing most field crops. These groups are established by determining the limitation of the various soil types when planted with crops, which type of detrimental effects could result, and what steps would be necessary to restore the soil to their natural condition. Soil Classes I and II have the greatest suitability for agriculture while Classes III and IV have good potential. Classes V through VIII are less desirable for agricultural uses.

Figure 8 provides a snapshot of the distribution of agricultural soil classes in Lewiston. Classes III and IV occupy most of the town, while Classes I and II are found in several separate bands. The first of these, a narrow band, lies along River Road from the village to Joseph B. Davis State Park. This band is approximately 1,000 feet wide at its broadest point. The second band is at the base of the escarpment extending from the village to Dickersonville. This band continues to the east of Bond Lake County Park along the north side of Upper Mountain Road to the Cambria town line. Classes I and II also occupy the westernmost part of Lewiston Heights in the area of the Lewiston County Club. This may account for the beauty of that facility.

### **3.2.7 Implications for Planning**

*Topography and Slope* - The Niagara Escarpment is Lewiston's most prominent and environmentally-sensitive land form. It also provides a visual feature which is a symbol of the quality of life in the community. Insensitive development of the areas adjacent to its vertical elements could distract from or destroy its role as a visual element in the community. In addition, development of vertical slopes will lead to increase erosion and associated increased maintenance costs for roads and drainage structures. As a rule of thumb, slopes over 15 percent should be maintained in open space, as should a buffer along the rim of the escarpment. Slopes in the 3 to 15 percent range are suitable for residential development. Areas at the upper end of the range (8 to 15 percent) should be considered

only for large lot residential development or as permanent open space in cluster developments. These areas should be considered for permanent open space as part of a community-wide open space and trail system. Special development regulations should be instituted for projects on these slopes in order to minimize adverse environmental consequences. Development activity should be encouraged on slopes in the 3 to 8 percent range. Special consideration should be given to significant areas where the slope fall below 3 percent. The concern in these areas should be providing positive drainage and avoiding flooding conditions.

*Freshwater Wetlands and Flood plains* - Freshwater wetlands are regulated by the state and federal government. The Town of Lewiston has a wetlands chapter in its code. These unique environmental features are adequately regulated, although coordination of the review efforts may be warranted. From the planning perspective, the town should designate these areas as wetlands in the comprehensive plan and emphasize the need to maintain them in permanent open space in order to preserve their function within the town's drainage system. Wetlands also can provide an open space role as an element of the permanent open space system. Care must be given, in this case, to ensure that the function of the wetlands is not compromised by any open space or recreational activity.

The town should develop a uniform policy for using wetland acreage in calculating unit counts in residential developments. Often, communities will reduce the gross acreage of a development by the acreage required for the road system and recreation prior to calculating a net buildable acreage. This net buildable acreage is then divided by the lot area per dwelling required by the zoning code in order to determine the maximum number of units. The policy can work to encourage development in other areas by allowing the acreage of wetlands to be included in the net acreage.

The 100-year floodplain should not be developed. In Lewiston, however, there are serious concerns regarding the accuracy of the floodplain location information currently available. An effort to confirm the accuracy of this information or provide more accurate information would be required prior to finalizing Town development policy regarding these features. The extent of flooding along waterways varies not only with the intensity of storms, but also with changes in run-off due to urban development. Lewiston's planning should take such changes into consideration. On the positive side, flood plains make excellent linear recreation areas and open space connections.



*Coastal Erosion* - Coastal erosion problems have not been documented adequately; therefore, a program to provide this documentation is appropriate. This program can provide the location and extent of this erosion, a prerequisite to any action program aimed at reducing or eliminating the problem.

*Hydrology* - Water enhances the human experience of farmland, urban spaces and recreation. Water also can perform work, as it does at the power project. However, as development is accommodated, water features and quality can be degraded. During the planning process, adequate space along streams and ponds can provide natural control for water contamination. Stream courses and ponds can be incorporated into site development plans in their natural condition. Stormwater retention features also can protect watercourses while providing visual interest and greenspace in urban projects.

The Niagara River is a unique planning resource for Lewiston. It can continue to provide a “sense of place” for the community, and can act as a draw for increased recreational and tourist activities. While this can be encouraged, care must be given to the river's water quality and its unique flow characteristics. These flows can, at times, be threatening to recreational users immediately below the power project.

*Soil Depth and Seasonal Water Table* - Although unrealistic in the framework of New York State land use laws, development should be severely restricted in areas of shallow depth to bedrock or high water table. A more realistic approach would be to provide the development community with information necessary for them to make informed decisions regarding development of such sites. That information could be part of a geographic information system. The zoning code is an excellent vehicle for ensuring soils information becomes part of the development design and review process.

*Agricultural Suitability* - Good agricultural soils are one of the necessary ingredients to maintaining farming as an economically viable activity. Strong markets and effective farm management are also important factors. Lewiston has many of these and should view agriculture as a key economic resources, as well as one which supports the quality of life and a growing tourism industry. Support for these activities should take the form of positive actions to support farming and regulatory actions to discourage wholesale development into incompatible uses.

### **3.3 Existing Land Use Characteristics**

Existing land use in the Town of Lewiston can be defined as residential, commercial, industrial, agricultural, recreational, and vacant. Existing land uses in the Town of Lewiston are graphically represented in Figure 9 and described in Table 1.

Single family detached housing dominates the residential development in the town with clusters of multi-family/townhouse structures scattered throughout the community. The most concentrated residential land in the Town of Lewiston is bounded on the west by the Niagara River, on the north by the Joseph Davis State Park, on the east by the Robert Moses Parkway, and the south by the Village of Lewiston northerly boundary (a line parallel to and just to the south of Chicora Road). Business and commercial activity is primarily located along the Model City Road, Upper Mountain Road, and Saunders Settlement corridors.

The concentration of light industry in the town is located along the Model City Road corridor. Historically, the development of Model City, the presence of the old rail right-of-way, the power line transmission corridor, and the establishment of the waste sites have made this an important development area in the Town of Lewiston. The significant industries located in this area include the Lake Ontario Ordinance Storage Area, Modern Landfill, Chemical Waste Management, and Niagara Recycling.

The majority of agricultural land is located in the northern and southern portions of the town. Agricultural uses also are scattered along the Creek Road, Upper Mountain Road, and Saunders Settlement Road corridors. Vacant or undeveloped land is also concentrated in the rural areas of the town, to the north and south. Undeveloped land is also located along the northern corridor of River Road and the Robert Moses Parkway. Of the approximately 1,200 acres in the River Road corridor, more than 200 acres are utilized by the Town's sewer plant, Stella Niagara School, Meadow Park, and Kiwanis Park. Joseph Davis Park is also located between River Road and the Robert Moses Parkway.

### **3.4 Recreation and Open Space Resources**

#### **3.4.1 Recreation and Open Space Inventory**

The land use inventory prepared by LANDPLAN and later updated by the Niagara County Department of Planning and Development includes 11 significant open space and recreation areas within the town. They include:

1. Joseph Davis State Park (public)
2. Conti Hunt Club (private)
3. Fin, Feather, and Fur Conservation Club (private)
4. Camp Stonehaven (Boy Scouts)
5. Bond Lake County Park (public)
6. Niagara County Sportsman's Club (private)
7. Niagara Ski Club (private)
8. Niagara Falls Country Club (private)
9. Devil's Hole State Park (public)
10. Reservoir State Park (public)
11. Power Authority Reservoir (public)

The 115-acre Barnabite Fathers (private) property on the north side of Swann Road was not included in this inventory, but has open space value.

An inventory of significant coastal resources prepared in 1997 for Seaway Trail, Inc., an organization dedicated to promoting tourism along New York State's Great Lakes Region, identified several other open space resources. These include the Stella Niagara Convent and Niagara University.

There are 1,783 acres of publicly-owned recreation areas in the town, the largest percentage of which is owned by the State.

The recognized recreation standards call for 10 acres of local recreation for each 1,000 residents. Using that standard, the Town of Lewiston should have approximately 150 acres of developed recreation space. Contemporary recreation systems use public facilities to the maximize the return on public investment. The recreation acreage and facilities available at the Lewiston-Porter Central School and Niagara Wheatfield School District complexes would fill part of Lewiston's need. It also provides that function for the other communities within the school district. Its recreation value, therefore, is shared by these communities.

At present, there are no linkages between Lewiston's recreation areas. A pedestrian and bicycle path is being constructed along the north side of Pletcher Road between the Town Park and Senior Citizen's Center. Another will be included as part of the River Road reconstruction project. The Town also plans to include a system of pathways through an 18-hole golf course it is planning to construct on land within Joseph Davis State Park. The Town ultimately plans to lease the facility.

Composite tax maps indicate that the town is laced with utility rights-of-way, abandon railroad beds, and paper streets (road rights-of-way without constructed roads). Each of these has potential as a greenway corridor and pathway location.

### **3.4.2 Implications for Planning**

Lewiston's recreation system would benefit from the addition of parkland and open space linkages. For a community of its size, one central community park would be appropriate and would provide a wide range of facilities not offered at the Lewiston-Porter School site. Ideally, it would be integrated with another community facility, such as a municipal complex or school. Should the proposed golf course on State-owned land not come to fruition, a site which would accommodate both recreation uses could be acquired and developed.

Recreation facilities work best when located close to residential areas and where there are clean, safe, and attractive pedestrian linkage. In locating a community recreation area, the Town should seek out a site in close proximity to existing development. This task will be complicated by the power project and escarpment, which form a barrier between residential developments north and south, and the Tuscarora Indian Reservation, which, being a sovereign nation, cannot be considered as a route for trail linkages.

### **3.5 Population and Housing Characteristics**

#### **3.5.1 Introduction**

The formation of households is as important an indicator of community character as is population. By reviewing housing trends over the past 20 to 50 years, a picture of shifting patterns of development becomes evident. Most planning projects, especially large-scale ones, can have a direct impact on residential development in a community. The household size can vary, starting with the single person household, but it is traditionally made up of a number of related individuals.

There is an intriguing relationship between households and population. For instance, in the Town of Lewiston, the number of persons per household has been declining, which can create a demand for more housing units even if the population base were to remain stable or decline. Even though the number of people per household in the town has fallen, this number still exceeds the national average. As the trend is to smaller and older households, there is a question as to the future market demand for the many large homes in the township.

In a comprehensive plan of this nature, the primary interest usually lies in the projections. Where is development going to occur? How much? How fast? While these are legitimate questions, it is important to devote some attention to a description of how we arrived at where we are today. By reviewing population and housing trends over the last 20 to 50 years, a picture of shifting patterns of development becomes evident.

The Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) has prepared population and housing forecasts for the year 2020. These forecasts have been allocated into Traffic Analysis Zones (TAZs), which are transportation planning statistical units used to estimate traffic demand and the impact of population/household and employment distributions on the transportation network. The year 2020 distributions are based on a historical trends method. The difference in 1980 and 1990 TAZ share distributions for each district were prorated to 2020 district figures to arrive at 2020 TAZ allocations. These statistics are useful in analyzing the existing and future character of a community. This subsection analyzes changes in demographics and housing characteristics using available Census data up to 1990 (the last decennial census) and GBNRTC year 2020 projections.

### **3.5.2 Population Characteristics**

An analysis of population densities is useful in projecting the type, intensity, and potential location for future land uses. A realization of current characteristics also indicates the density which is appropriate to maintain Lewiston's character with minimal impact.

In the decade from 1980 to 1990, the town lost 756 people or about 4 percent of the 1980 population. Data indicate that 756 fewer people formed 441 more households, meaning that family size per household was smaller. This trend to more households with fewer people is reflected in the fact that there are 435 more housing units in 1990 than there were in 1980, even though the 1980 population was larger. Figure 10 illustrates a historical account and a forecast for population by TAZs in the town. The appropriate TAZs have been applied to the town in an effort to portray the varying population characteristics throughout the community. The population's median age advanced a significant 5.3 years to a statistically "old" median age of 36.5 years in this census period. Figure 11 illustrates the age of town residents in 1990 by Census Group.

The population of the Town of Lewiston and the County of Niagara grew in the period 1930 to 1960. While Lewiston's population grew from 1960 to 1980, the county populations already had begun to fall. In fact, the City of Niagara Falls began a sharp decline which has not yet abated and has resulted in a population loss of over 40,000 people since 1960. While some of the population loss of Niagara Falls from 1960 to 1980 may have been a part of Lewiston's gain, the fact that the County, as a whole, is losing population does not auger well for Lewiston. If Niagara Falls has lost most of the people who had the will and economic potential to emigrate to Lewiston, the fact that Niagara County is also losing population means that Lewiston's populations likely to stagnate or fall over the next 10 years. This projected trend is also supported by the relatively old population which does not have a high birth rate potential. Tables 2 through 4 present population trend data for the Town of Lewiston.

### **3.5.3 Employment Profile**

Due to the increasing trend of having more than one wage earner per household (spouses and children over 16), the town shows more employed people in 1990 than in 1980. One significant change is that less people were employed in the manufacturing of durable and non-durable goods. The number of town residents employed in the agricultural industry also fell from 205 to just 72 over the decade. There was significant employment growth in the classifications of public utilities, business services, health services, and other professional services (see Figure 12 and Table 5).

Approximately 470 people, or about 3 percent of the total population, live in poverty; 120 of which are persons over 60 years of age. The median household income in the town is \$45,935.

Of the 7,455 people reporting Place of Work, 2,418 report that they work in the City of Niagara Falls and an additional 3,961 work in the remainder of the county. Just over 1000 Lewiston residents work outside the county (400 in Buffalo). Figure 13 represents total employment statistics for 1990 and 2020 allocated by TAZs.

### **3.5.4 Housing Characteristics**

There are approximately 500 total rental units in the town (not including the village). Vacancy in the town is negligible (122 total units not including the village) and represents a housing choice deficiency in the *for rent* and *for sale* categories by national standards. Figure 14 provides a smallest geographical units for which detailed demographics are available from the US Census Bureau.

Figure 15 and Tables 6 and 7 illustrates a historical account and a forecast for households by TAZs in the town. The appropriate TAZs have been applied to the town in an effort to portray the varying housing characteristics throughout the community.

### **3.5.5 Implications for Planning**

One purpose of this comprehensive plan is to provide information which can be used to anticipate and, therefore, plan for future development in the Town of Lewiston. To do this, demographic information is used as a tool for analyzing any significant trends. The data reported in this plan were taken from existing sources such as the US Census Bureau and the GBNRTC. There are discrepancies among these various statistics. The differences, however, are mostly in the magnitude of change, and not in the direction.

The statistics show a population which is decreasing and getting older. While there is no cause for alarm, we cannot expect large increases in employment and housing. Growth will occur, but at a slower rate.

It is important to note that demographic projections rarely take into account the other “intangibles” of development. For instance, various economic development opportunities may influence residential trends, as will governmental policies, public opinion, institutional factors such as zoning, or programmatic changes (such as the elimination of grant-funded programs). Zoning and growth management regulations are addressed in Section 3.9.

### **3.6 Cultural and Historic Resources**

#### **3.6.1 Inventory of Cultural and Historic Resources**

As discussed in Section 1.3, Lewiston’s history is tied to its role as a center of transportation. Prior to the construction of the Erie Canal and, subsequently, the Welland Canal, goods and materials destined for the west were off-loaded at Lewiston for an overland trip to Lake Erie where they were shipped to ports along the Great Lakes system. Raw material followed this route from west to east.

The War of 1812 and the three decades that followed set the tone for Lewiston’s historic character. During that period, many of the outstanding example of architecture were constructed. Agriculture, which remains as the prominent economic activity of the town's eastern half supported the community's residents and provided a stimulus for growth outward from the village.

Figure 16 and Table 8 present an inventory of cultural and historic resources within the town.



### **3.6.2 Implications for Planning**

A wealth of history still remains in the town, it provides an essential part of Lewiston's quality of life, a quality that must be retained. Lewiston's planning should reflect a sensitivity for its history. Development that threatens or destroys a historic site should be avoided. Where development does occur, care should be taken to ensure that historic resources are integrated into the development plan in a manner which preserves its historic value and context.

### **3.7 Community Facilities**

Figure 17 and Table 9 show the location of the public facilities which serve the Lewiston community. They include schools, police stations, fire companies, libraries, hospitals and municipal buildings. The latter provide a full range governmental functions from assessment to zoning.

#### **3.7.1 Community Facilities Inventory**

Community facilities are clustered along the Niagara River corridor, where much of the historic and recent growth has occurred, and above the escarpment along Saunders Settlement Road.

Although a detailed analysis of the remaining capacity of existing schools to meet future demands has not been undertaken, the Master Plan Update prepared by RWM consultants presented enrollment information for the Lewiston-Porter Central School District. The report tracked total enrollment for the years 1975 to 1992. It concluded that enrollment had declined sharply in the late 1970 from approximately 4,500 to approximately 2,750. Enrollment remained steady through 1992. Trends throughout the region may indicate an increase in elementary school enrollments; however, any conclusions regarding the exiting student population should be based on more up-to-date information.

Police protection is provided by the New York State Police, the Niagara County Sheriff's Department, and a consolidated Town and Village Police force.

Fire protection is provided by five coordinated volunteer companies. An analysis of the coverage of these companies would indicate that minimal coverage is provided for the north-central part of the town. Land use in this area is dominated by Chemical Waste Management Corporation and Model City Landfill uses which are less vulnerable to fire hazards. The area also includes the Lewiston-Porter Central School on Creek Road. Coverage for this area may be provided under mutual aid by other fire companies in the Town of Porter.

Lewiston has provided two excellent libraries for its residents: one on Tuscarora Street in the village which presently is being expanded, and one on West Street in Sanborn which recently has been renovated.

The Town Hall, located on Ridge Road at the intersection of Model City Road, appears to have reached its design capacity.

### **3.7.2 Implications for Planning**

Community facilities favor locations in close proximity to the residents they serve. Existing facilities in Lewiston have followed that guideline. Future facilities required to replace obsolete and aging structures also should be located with respect for these guidelines. In addition, the location and design of community facilities have a direct impact on the quality of life in a community. Facilities, like municipal buildings and libraries, favor central locations in historic centers and can provide a sense of activity which acts to revitalize and support community centers. Although not part of the analysis, indoor recreation facilities also can provide this function. Schools, though requiring excellent access to the communities transportation network, can assist in creating satisfying urban places by locating them at the periphery of historic centers.

The location of fire stations needs to ensure that each geographic area of the community is no more than 3 miles from a fire station. This standard also can be used to minimize unnecessary overlapping of service areas. Planning for fire safety services is best accomplished on a multi-community or county-wide basis that takes mutual aid services into consideration.

## **3.8 Traffic Circulation and Infrastructure**

### **3.8.1 Circulation**

*Existing Road System* - The existing combination of interstate, state, county, and town highways and road systems within the Town of Lewiston is adequate for its present need. The existing traffic demand is illustrated in Figures 18A, 18B, and 18C.

In the western part of Lewiston, two limited access highways, Robert Moses Parkway and the I-190 (Niagara Expressway) provide for the north-south traffic movement with adequate access from the developed areas along the lower Niagara River region to Western New York, and for access to Canada via the Lewiston-Queenston Bridge. Two parallel north-south routes NY18 (Creek Road) located about : mile to the east of the Parkway and NY18F (Lower River Road), County Road (CR) 907 located about 1 mile west of the Parkway and Military Road (NY265) located in the southwestern part of Lewiston, also facilitates north-south traffic movements.

The central and eastern portions of the Town of Lewiston are serviced by the following north-south arterials: Model City Road, Porter-Center Road (CR57), Dickersonville Road (CR140), Ransomville Road (CR17), Walmore Road, and Town Line Road (NY429). Dickersonville Road becomes a Town of Lewiston road north of NY104. Note that all routes without designations are Town roads.

The northern portion of Lewiston is serviced by Pletcher Road and Swann Road. The primary east-west routes that facilitate traffic through the town are Saunders Settlement Road (NY31) located in the southern part of the town, and Ridge Road (NY104) located through the central part of the town. Also, Upper Mountain Road which traverses the Tuscarora Indian Reservation (designated as CR5 west of the Reservation, and CR11 east of the Reservation) and Lower Mountain Road (CR116) service the central areas of the town.

*Traffic* - The latest traffic count information has been obtained from the New York State Department of Transportation (NYSDOT) Region 5 Planning and Program Management Group, the Niagara County Department of Public Works and the GBNRTC. The capacity for four-lane facilities (i.e., I-190 and Robert Moses Parkway) are analyzed in a different way by the *Highway Capacity Manual* (HCM). They are determined by service flow rates of passenger cars per hour per lane. However, for uniform comparison, the maximum average annual daily traffic (AADT) was determined for these four-lane facilities by taking the service flow rates using an LOS C and multiplying them by four lanes and by 24 hours. All of the two-lane highways and roadways located within the town except for NY31, as indicated in the traffic demand map(s) are operating at an LOS C. NY31 is operating at an LOS D. The HCM indicates the maximum capacity, AADT for LOS C and level terrain for two-lane rural highways is 7,900 vehicles per day. The maximum AADT for LOS D is 13,500 vehicles per day.

The GBNRTC has reported that Canadian automobile traffic through Niagara County (which includes the Town of Lewiston) has dropped off significantly in the last few years and that in some instances, there has been no growth and even a decline in traffic volumes. This is supported by traffic count data provided by the NYSDOT. This does not apply to all segments of all roads, since there does appear to be some increases. However, even in some of the segments that are showing increases in traffic, some of the counts are still less than counts taken 10 years prior. This is most likely due to higher exchange rates and the Canadian dollar having less purchasing power than has historically been the case.

*Planned Improvements* - The following are projects planned for the next five years as per the latest Transportation Improvement Program (TIP) 1998-2002 published in April 1997 by the Niagara Frontier Transportation Committee (NFTC) and as amended by Resolution 98-9 on December 9, 1998 by the GBNRTC formerly known as the NFTC:

- PIN 500207 NY18F (Lower River Road) Lewiston North Village Line to Youngstown  
September 1998
- PIN 500206 NY18F (Center Street) NY104 - 4th Street NYSDOT - Reconstruction May  
1997- 1998

- PIN 575449 Village of Lewiston Streetscape NYSDOT 1998
- PIN 501917 NY265 and I-190/Power Reservoir NYSDOT Bridge Rehabilitation May 2002
- PIN 501913 NY265 (Military Road) at Upper Mountain Road NYSDOT Intersection Reconstruction July 1999
- PIN 503902 NY429 (Town Line Road) at Upper Mountain Road NYSDOT Retaining Wall April 1998
- PIN 504523 NY104 at Irving Drive NYSDOT Safety Intersection Improvement April 2002
- PIN 541042 Robert Moses Parkway NY104 to Lewiston NYSDOT Pavement Resurfacing April 2003
- PIN 541043 Robert Moses Parkway Lewiston to NY18 NYSDOT Pavement Resurfacing April 2003
- PIN 541044 Robert Moses Parkway, etc. Lighting Removal NYSDOT Safety May 2002
- I-190 / NY31 NYSDOT Bridge Rehabilitation Planned Construction 2001-2002
- CR907 Lower River Road Part 3 Reconstruction of 0.4 miles 1998 (Niagara County Project)
- CR5 Upper Mountain Road at Meyers Hill Rd 600' Vertical Realignment 1997 (Niagara County Project)
- NY104 Ontario Street to Niagara Falls-North City Line Resurfacing Local July 2003  
(South of Town of Lewiston)

- NY265 (Military Road) Packard Road to NY31 (South of Town of Lewiston)
- Robert Moses Parkway (CR957A) / Sewage Plant Road (NF) NYSDOT Bridge Rehabilitation November 2002

### **3.8.2 Water Distribution System**

*Inventory of Existing Conditions* - With the significant exception of the Tuscarora Indian Reservation, the entire town is served by municipal water. The Niagara County Water District (NCWD) provides potable water through several interconnections along the southern town border. The primary connections are located at Military, Saunders Settlement, Miller, Walmore, Ward, and Carney Drive. They range from 6 to 30 inches in diameter and each is equipped with a dedicated usage meter. The town is billed based upon the meter readings for the total flow entering the town.

The water distribution system within the town consists of 4 through 10 inch water mains along residential, commercial, and rural roads. Approximately 25 percent of the system was constructed in the 1930s, 60 percent in the 1960s and 15 percent in the past three decades. Construction materials include cast iron with lead and oakum joints, asbestos cement, ductile iron, and polyvinyl chloride (PVC) pipe.

At several locations along the northern border of the town, service continues to the towns and villages to the north. Although the town acts as a pass-through carrier for distributing water to other municipalities, they are responsible for the operation and maintenance of the transmission mains carrying the flow. Their agreement with the NCWD does not provide compensation for this service. This does become an issue, particularly related to the Military Road (former Niagara Falls City line) water main which is aging. It was constructed in 1932 and has exceeded its expected service life. Low pressures and fire protection flows are experienced in the service area of the former Niagara Falls City line. In 1989, a 3 million gallon water storage tank was installed to address this issue. Because of the significant elevation change north of Ridge Road, pressure reducing valves were required to control the water pressures north of the escarpment.

Most other areas of the town have adequate water pressure, with no reports of contravening State Sanitary Code. Fire flow protection is adequate throughout the town with reported minimum readings of 500 gallons per minute (gpm).

The Town has undertaken limited computer modeling of the distribution system, primarily in the area of the former Niagara Falls City line to determine which improvements are necessary to supplement water delivery in the northwest section of the town and village.

*Evaluation of Existing Conditions* - The existing water distribution system generally is in good condition and provides adequate pressures and fire protection flow, except for the Sanborn area and Military Road where reduced pressures are experienced. Significant areas of the older portion of the town are served by 4 and 6 inch water mains. Although this is typical of older towns and villages, it does not meet current design standards which establish 8-inch water mains as the minimum for serving residential and commercial areas.

With the exception of the more recent ductile iron pipe, each of the construction materials have their own inherent concerns. Cast iron pipe with lead and oakum joints can release lead into potable water, causing health concerns for lead poisoning. Asbestos cement pipe can release asbestos into the water also causing health concerns. However, based upon information provided by the NCWD, testing has demonstrated that there are no significant concentrations of lead, copper, or asbestos in the drinking water within the town.

The former Niagara Falls City line is constructed of cast iron with oakum and lead joints. Of all the water mains in the town, this single main has resulted in the most service disruption in recent history. Over the past several years, at least three serious breaks have occurred which effected service to the Village of Lewiston, northwest sections of the town, and northern towns and villages. The Town has partially addressed this issue by installing a by-pass water main around the critical area at the escarpment. This by-pass allows the Town to remove the sections of the old main from service to allow for repairs while serving the effected areas. Implementation of this by-pass is not immediate and requires approximately eight hours to establish.

The balance of the former Niagara Falls City line is of the same age and condition up to the town line where it reduces to 8 inches. At this location, it proceeds north to serve the Town of Porter. The 16-inch main on Creek Road reduces to 8 inch at Pletcher Road. From this location it proceeds north to serve the Town of Porter and Lew Port School. Reduced pressures and fire protection flows have been experienced in this area.

### **3.8.3 Sewage Collection and Treatment System**

*Inventory of Existing Conditions - Sewage Treatment* - The Town owns and operates a water pollution control center (WPCC) is located on Pletcher Road. Constructed in 1976 and placed in operation in 1978, the facility has a design capacity of 2.75 million gallons per day (mgd) and a peak capacity of 7.1 mgd. However, during wet weather conditions, plant flows can exceed 15 mgd. The present rolling average daily flow rate, based upon recorded flows from January 1996 to January 1999, is 2.35 mgd. The WPCC serves the Lewiston Master Sewer Improvement Area (LMSIA), the Lewiston South Sewer Improvement Area (LSSIA), the Villages of Lewiston and Youngstown, and the State Park (Figure 19). Since its construction, the WPCC consistently has met its permit required removal rates and discharge limits. A limited amount (70,000 gallons) of trucked-in industrial waste is received from Modern Landfill on a daily basis.

The WPCC is a conventional activated sludge, secondary treatment plant with phosphorous removal. Flow enters the plant headworks where it undergoes preliminary treatment for solids reductions using chopper pumps, grit settling, and primary clarification. Ferrous chloride is added for phosphorous removal and odor control; grit removal is accomplished in two circular vortex grit chambers; and clarification and sludge settling is performed in two circular primary clarifiers. Activated sludge aeration tanks follow the primary clarifiers and are equipped with four 2-speed surface mixers which provide 2 milligrams per liter of oxygen concentration in the tanks. Final clarification occurs in two final clarifiers where sludge is settled and either returned to the head of the aeration tanks or to the sludge thickeners. Chlorine is added to the wastewater stream prior to discharge to the Niagara River.



The WPCC is equipped with off-line storage facilities which allow for flattening of the peak flows through the plant. In extreme conditions, the wastewater is diverted to the storage lagoons receives primary treatment of solids settlement and disinfection prior to discharge to the Niagara River. These storage facilities allow the plant to remain within its discharge permit limit for quantity under all conditions and for flow except in extreme situations.

Waste activated sludge (WAS) is thickened in a circular sludge thickening tank for mixing with primary sludge. The combined thickened sludge is conveyed to a two-stage anaerobic digester: one primary digester heated to promote digestion of sludge and a secondary digester for storage. A belt filter press provides dewatering of the sludge prior to landfilling.

In 1998, the WPCC agency performed a review of the WPCC to determine how often the plant exceeds its permitted capacity and open negotiations with the NYSDEC to investigate permit modifications for a seasonal increase in discharge capacity. This process is continuing and will be completed in the near future.

*Inventory of Existing Conditions - Sewage Collection System* - As part of the WPCC construction project, large areas of the town and outlying service areas had sewers installed in the mid 1970s to convey sewage to the WPCC. Two older residential areas within the town previously had onsite sand filters and discharged to the Niagara River. These also were connected to the WPCC. Approximately 25 percent of the sewer system was constructed prior to the mid 1970s, while the balance was constructed in conjunction with the WPCC. Sewers range in size from 8 to 48 inches and are constructed of vitrified clay tile, PVC, and reinforced concrete pipe. Generally, the areas served by sewers are located in the western sections of the town and not in the more rural areas to the north and east. The Tuscarora Indian Reservation is not served by sewers. New sewer service areas have been created in the south and southeast sections of the town and are undergoing intermittent sewer extension construction.

The Town is in the process of conducting infiltration/inflow (I/I) testing in areas suspected of having higher than expected flow rates. This most often occurs during wet weather, but can be an ongoing problem in areas of high groundwater as well. To date, the Town has investigated an area on the Niagara University campus and determined that excess I/I is prevalent. In the older portions of the service area, this can be expected to be typical.

*Evaluation of Existing Conditions - Sewage Treatment* - Based upon information provided from the treatment plant evaluation, it appears that the plant is operating well within its discharge permit limits and is capable of sustaining that practice at least up to the current maximum discharge of 2.75 mgd. Since the current average daily flow rate is below the permitted discharge, there appears to be available capacity for a limited amount of growth, approximately 6 percent, in the service area.

*Evaluation of Existing Conditions - Sewage Collection System* - In general, the collection system is in good condition with limited areas of excess I/I. The Town has initiated efforts to locate and ultimately eliminate the undesirable flow. The origin of the I/I is usually illegal connections from roof leaders and sump pumps, cross-connections with the storm sewer system, and leaky joints and broken pipe. Additional areas which may warrant investigation are the older areas of the town where vitrified clay tile sewer pipe is in use. The existence and enforcement of plumbing codes when these sewers were constructed were not always optimal, resulting in substandard construction and unauthorized connections. Currently, no sewage collection service is provided to the industrial area (i.e., the former US government military facility and Modern Landfill). If industrial development within the town is to be experienced, this area is the most likely location.

#### **3.8.4 Stormwater Drainage**

*Inventory of Existing Conditions* - The last comprehensive evaluation of the Town's stormwater drainage was performed in 1972. Since that time, little development has occurred within the town. Generally, with few exceptions, the areas identified in the 1972 report as experiencing stormwater run-off problems have not been addressed.

Conversations with the Town Engineer revealed that problems persist in some low lying areas north of the escarpment. Generally, these areas are in the vicinity of Four-Mile Creek and some of the residential developments just north of the village.

Town ordinances are in place and are being enforced to curtail development in flood plains. Generally, development shall not increase the amount of run-off leaving a site from preconstruction volumes. Precautions must be taken to prevent the discharge of contaminated or silt-laden water during construction. Stormwater regulations have not been reviewed and revised in recent history. The Town may wish to review these regulations and bring them into conformance with NYSDEC stormwater regulations and FEMA requirements.

Flood plains in the town are limited to those areas relatively close to the main creeks providing drainage for the town which include: Four-Mile, Twelve-Mile, Fish, Gill, and Cayuga Creeks. No significant flooding was reported during the information-gathering phase. Participation in the FEMA flood insurance program is limited to those properties which have been required by the mortgage lender.

*Evaluation of Existing Conditions* - Erosion has not been identified as a widespread problem; however, the area along River Road and the Niagara River gorge have experienced some loss of property along the west property lines at the gorge edge. These areas should be monitored for threat to existing structures.

Flooding within the town has not been wide spread and with enforcement of existing flood plan regulations should not pose any significant threat to safety or structures. Isolated areas to experience significant flooding possibly due to flat slopes and high rock elevations.

### **3.8.5 Implications for Planning**

*Traffic Circulation* - In the near term (5 years) minor seasonal disruptions to traffic may be expected as improvement projects are initiated. In the Long Term (greater than 5 years) general traffic can be expected to remain relatively constant. If this is the case no significant improvements to transportation facilities are envisioned.

*Water Distribution System* - The Town is generally well-served by the existing water distribution system. With the exception of isolated areas which may experience residential growth on developing farmland no distribution system extensions appear to be necessary. However, rehabilitating and upgrading of portions of the existing system are necessary and warrant strong consideration to provide reliable and healthy potable water. Specific areas which should be considered include:

- Former Niagara Falls City line should be replaced to improve service in the northwest section of the town to the village, and around the school campus

- Water pressures in the southeast sections of town around Sanborn should be improved
- 4- and 6-inch water mains originally constructed in the 1930s should be replaced to conform with current design standards
- Regular sampling and analytical testing of water for lead, asbestos, and copper content should be continued
- Asbestos cement pipes should be systematically replaced to reduce the potential for health concerns
- A revised agreement with the NCWD should be negotiated to share the cost of operating and maintaining transmission mains which convey flow to northern towns and villages

*Sewage Treatment* - The WPCC is nearing its existing permitted dry weather flow discharge limit. Based upon the evaluation performed in 1998, this limit is exceeded during wet weather and snow melt conditions in the months of December through May. Discussions are underway with the NYSDEC and appear to be favorably received to modify the permit for seasonal flow increases of the allowable treatment capacity. These negotiations should continue and if necessary requested additional information supplied.

According to WPCC personnel, the existing permitted treatment capacity of 2.75 mgd was expected to be reached in the early 1990s. Unless ongoing studies to identify excess I/I are moved forward and corrective actions implemented in the near future, little or no capacity will remain for future growth within the town. If this occurs, a directive to institute a moratorium on sewer connections may be issued by the NYSDEC. Based on the limited information contained in the 1998 report it may be possible for the WPCC to obtain a permanent capacity increase if it can be shown that current effluent discharge limits will not be exceeded. The worst case is that a treatment plant upgrade will be necessary to accommodate future growth.

*Collection System* - Based upon information obtained, the collection system is in generally good condition with the exception of excess I/I rates in isolated parts of the town. The high flow rates are creating problems at the WPCC during wet weather conditions. Correction of the I/I will relieve the WPCC of unnecessary flows and restore original capacity in the sanitary sewers for domestic flow. Eliminating the flow may off-set the need for potential costly WPCC upgrades to accommodate increased flows. In most instances, rehabilitating the collection system to eliminate unwanted flows is more cost-effective than constructing a treatment plant upgrade.

Presently, the town's sewers are located primarily along the western boundary, with planned extensions in the LSSIA and LMSIA. Based upon the projected growth areas in the town, few additional sewer extensions are believed to be necessary. Development within the LSSIA is expected to increase, necessitating the planned improvements in that district. However, it may be prudent to limit the development to the area below Saunders Settlement Road and allow the area north to remain primarily agricultural lands.

Within the LMSIA, most areas of expected or recommended development are adequately served by sewers. Minor exceptions are the industrial area in the vicinity of the landfill. Installing service to this area will allow the direct discharge of approximately 70,000 gpd of landfill leachate to the WPCC, eliminating the need for transport of the material overland by truck. This will reduce the potential for spills, and the associated health and environmental concerns. Appropriate controls would have to be placed on the discharge from the landfill to ensure that the town discharge permit is not violated. Generally, these would be relatively simple engineering design issues. Since primarily the landfill facility would benefit from the extension negotiating, a cost sharing or total subsidy is within reason.

If an extension is constructed to the industrial area, the location will become more appealing to outside industry as potential development sites. Even without subsidy, the benefit to the town may outweigh the cost of the installation.

*Stormwater Drainage* - The Town should continue to stringently enforce zoning regulations in flood plains. Consideration should be given to preparing a flood mitigation plan for those areas which experience damaging floods. Specific areas include Cayuga Creek, Gill Creek, Four Mile Creek and other isolated areas.

## **3.9 Growth Management Regulations**

### **3.9.1 Introduction**

The Town of Lewiston Code includes numerous chapters which influence the character of growth and development in the community. Although zoning and subdivision regulations have the greatest influence on the town's physical environment, several others play significant roles in community development. They include:

- (6A) Camp Grounds and Parks
- (6C) Control of Drainage
- (8) Disposal of Run-off Waters
- (8C) Environmental Conservation Commission
- (8D) Excavations
- (10A) Flood Damage Prevention
- (13A) Freshwater Wetlands
- (14) House Trailers
- (17) Junk Yards
- (19A) Mobile Homes
- (19C) Parks
- (20) Recreation Commission
- (21) Sewers
- (21A) Signs
- (21C) Specifications for Public Improvements
- (22) Streets and Sidewalks
- (22A) Subdivision Regulations
- (22B) Towers
- (24A) Vehicles and Traffic
- (24C) Waste Disposal and Landfills
- (25) Water Department
- (26) Water Usage
- (29) Zoning Enforcement
- (30) Zoning

### **3.9.2 General Code Analysis**

In general, code language is intended to protect the community and individual residents from the negative effects of inappropriate development. This approach is consistent with traditional thinking, particularly as it applies to zoning and subdivision regulations. Contemporary codes continue to provide a strong element of protection while emphasizing implementation of a community's development policy (particularly those policies included in the comprehensive plan). Lewiston's codes do not include that planning element.

The organization of the code with multiple chapters, some addressing with similar or related topics, presents a cumbersome document that is not user-friendly. Moreover, specific roles of local review boards and the Town Board are not clearly outlined, and the permit/approval process differs from chapter to chapter. Cross-referencing is clear within each chapter, but referencing between chapters is minimal.

The quality of development applications is not consistent throughout the code. To the maximum extent possible, contemporary codes attempt to standardize submissions. This is particularly important as it applies to graphic submissions. Increasingly, communities are using digital technology, such as computer assisted drafting and design (CADD) and geographic information systems (GIS), which allow towns to composite utility, roadway and other public facilities into a single document showing the location of each facility throughout the community.

Fees required for application and permits are included in each chapter rather than in a single document that can be revised and updated annually. The fee structure is conservative and appears to have little relationship to the cost of providing necessary reviews and administrative costs.

The Recreation Commission Chapter provides an outstanding model for cooperation between the communities of western Niagara County. It provides for joint use and supervision of the recreation facilities of the town and village. In 1971, the Town of Porter and Village of Youngstown were added to the commission. Provisions are also included which would bring the Lewiston-Porter Central School District under this code. As previously discussed in Section 3.4.1, the use of tax-supported school facilities to provide indoor and outdoor recreation is an effective method for meeting recreation demands. The chapter not only provides for an administrative structure, it provides for a cost allocation structure.

Chapter 21, which address sewers and sewer extensions, provides for the approval of connections to users outside the Town of Lewiston. Although this practice can provide additional sewer revenues, it also could enable the development of land use patterns in adjacent towns that may be in conflict with the Lewiston's planning goals. For instance, providing sewer capacity to an industrial use outside the town may result in increased traffic on roadways without adequate capacity and that are designated in the plan as rural roadways. This concept applies to sewer extension provisions that are included in the Town subdivision regulations as well. Development follows services; service areas shape the community.

### **3.9.3 Subdivision Regulations Analysis**

Subdivision regulations are designed to guide the parceling of land by providing design guidelines and a review/approval procedure to ensure public improvements are designed, constructed, and maintained at the least cost to the community, while ensuring each family purchasing a lot can build a home that conforms to acceptable building practices and relevant codes particularly zoning. Each communities regulations must be consistent with New York State Town Law Section 276. The law provides for standard review and approval procedures. The code provides for review of subdivisions by the Niagara County Planning Department in accordance with General Municipal Law Section 239-n. This provision of state law is rarely used by counties and rarely is included in local regulations.

From the user's perspective, the town regulations do not provide the full range of definitions needed to adequately understand the terms used in the regulations. In addition, they do not reference the proper state statute which authorizes Town review of subdivisions or provide for the simultaneous compliance with the New York State Environmental Quality Review Act (SEQRA). Compliance with this statute is important to providing timely approvals which cannot be overturned because of the lack of compliance with SEQRA at the proper time in the review process.



Although the regulations provide a mechanism for setting aside up to 10 percent of a residential subdivision for local recreation purposes and provides for the payment of an in-lieu fee where the comprehensive plan does not recommend local recreation, the fee structure is conservative. Many communities have recreation fees which are several times as large as Lewiston's. Others look to tie recreation fees to the undeveloped value of 10 percent of the subdivision acreage. Recreation fees need to be updated periodically, so, they are best included in a portion of the code that can be updated easily without a significant rewrite of each chapter.

The regulations provide for the extension of sewer service to proposed residential developments. What is absent from the language, however, is the need for all extensions to be consistent with the recommendations and policies of the town's comprehensive plan. In this manner, the plan and planning becomes a greater force in shaping the community.

Section 30 (Zoning) includes a Cluster Housing Zone that is significantly different than the cluster provisions defined in New York State Law Section 278. Lewiston's provisions are in the form of a separate zone, while state law provides for cluster planning through the subdivision review authority which may be granted to the Planning Board. Until recently, clustering was at the option of the developer. Now, cluster planning can be mandated by the Town.

#### **3.9.4 Zoning**

*Zoning Map* - The existing zoning map (Figure 20) shows a number of inconsistencies with the land use plan (Figure 9) included in the Lewiston's 1981 Master Plan. R-2 (residential) zoning between Creek Road and Model City is comparable to the plan's single-family residential districts, but extends farther to the east than recommended in the plan. Although the I-2 (industrial) zone is almost identical to the plan, an additional industrial zone I-1 has been added east and west of that zone. Both industrial zones are bordered by a residential zone which is not in conformity with the plan. Also, an unusual feature of the zoning map is the lack of a zone for the land owned by the PASNY. In effect, this land is not zoned. One of the basis tenets of zoning is that it be comprehensive and be applicable to all lands within the community.

*Uses and Procedures* – Lewiston’s zoning code has evolved over time and is in need of revisions that would coordinate individual sections. In particular, there is a need for standardizing the language and application requirements for reviews by local boards. Standardization can reduce the code's size while making it easier to use and understand. Its utility also would be enhanced by using a table format which provides a row for each zone and a column for standard zoning information such as permitted, accessory, and special exception uses. Lot size, required setbacks and density can be presented in this tabular format as well.

Although criteria for deciding on special actions such as zoning variances have been included in several sections, few if any related to the comprehensive plan or state law. New York State Law clearly defines the "test" to be met by applications before the Zoning Board of Appeals can issue a variance. Specific standards must be met prior to the board's issuing a “use variance”. These differ greatly from the standards for “bulk and area variances”. Those standards are not reflected in Lewiston’s code.

There are numerous single-family residential zones modeled after the R-1 One-Family Residence District each having the same lot size, but differing front yard setback requirements. The code does not provide a reason for these difference and none is evident. Requirements for varying setbacks are often found in zoning codes. Differences are universally related to the type of roadway providing access to the lot. For instance, lots on highly trafficked roads may be required to have greater setback, thereby reducing the impact of traffic noise on residential values. In many cases, the required setback for busy roads is inadequate. The Business Zone requires a minimum of 35 feet from the structure to the pavement edge. However, one bay of parking could take up 40 feet (potentially resulting in a substandard lot). Without adequate room for landscaping and sidewalks, there is no method of separating the parking access from the public road.

Lewiston’s zoning regulations apply to the use of individual parcels with little or no provisions for integrating uses on adjacent parcels. The codes lack a definitive relationship to the comprehensive plan. This fact is clear in the Town's Planned Development District. Many New York State communities require these zones to be fully integrated into the rest of the community and be consistent with the plan.

The Planned Development District itself is excluded from most of the residential areas west of Creek Road [development is most appropriate while the R-2 and RR (Rural Residential) zones in the central and eastern areas of the town]. Through this pattern of zoning, the Town is encouraging development of services where none exist and in its prime agricultural area. Planned Development Districts are most appropriate for non-agricultural areas where both central water and sewer services exist or are programmed. Although the code provides for four variations of planned developments, only two are shown on the zoning map. In common practice, only one district is included. This district provides for any number of combinations of land uses and densities that are determined on a case-by-case basis by the Town Board with the advice and council of the Planning Board. The review process requires a relationship between the proposal and the comprehensive plan and there are numerous opportunities for the community to have an input to the final decision. This process also provides opportunities for integrating community facilities and recreation into private projects.

Procedurally, the code encourages prospective planned development applicants to go directly to design prior to meeting with Town officials. This process results in the applicant investing time and money in a design that is inconsistent with the Town plan and the thinking of the boards. Ultimately, developers resist changing the plan in any significant manner. A preferable alternative is for the developer to meet with Town officials in a “sketch plan” phase prior to any design work. At this meeting, the Town learns the applicant's project needs while it passes on information regarding design guidelines, procedures, comprehensive plan recommendations, and their initial reaction to the project. Costs are avoided and the applicant is less resistant to incorporating Town needs into their plan. They also begin to understand the design guidelines that will be used by the Town in reviewing the application.

Lewiston's industrial zones are what is historically known as “pyramidal zones”. That is, they permit all of the uses permitted in all of the less intensive or more restrictive zones such as residential and commercial (business). Although this practice is still found in codes in western New York, many communities avoid this practice as it builds in future conflicts between residential and industrial uses. The practice also creates difficulties for planner in that service generation such as traffic, water supply, and waste treatment are impossible to estimate.

Lewiston's industrial zones also include provisions for the Zoning Board of Appeals to grant a permit to establish a use not listed in the code. This conflicts with other industrial provisions that limit the zone to industrial uses only.

The code does not include provisions for site development plan review. Site development plan review is a common procedure throughout New York State and is specifically authorized by state legislation. It allows municipalities to review and approve plans for developments prior to the issuance of building permits. This review process is most often undertaken by the Planning Board which makes a recommendation to the Town Board which approves the plan. More progressive communities provide for Planning Board review and approval. In most cases, the zoning code provides for site development plan review for all uses except single-family residences. It applies most often, however, to commercial and industrial facilities, attached housing and commercial recreation facilities. Provisions normally include language specifying the application and review process, information to be included in the application, and general design criteria.

*Supplementary Regulations* - Generally these provisions regulate land uses which have special site development needs or have a potential for creating conflicts with adjacent uses. Lewiston's list of supplementary regulations needs to be revised to include a broader range of supplementary uses and to update regulations for such uses as "home occupations" to bring them into closer conformance with current needs and practice. Parking requirements, in particular, need to be amended to reflect the actual parking demand for each listed use.

Lewiston's code includes sweeping provisions that enable the Zoning Board of Appeals to issue a special permit to establish a "non-conforming" uses. These provisions are unusual and border on a legislative action. Establishing uses within each zoning district is clearly a legislative act reserved for the Town Board. Beyond the issue of authority, the provisions, if exercised without consideration of a clear set of criteria or guidelines, would make the implementation of a community plan extremely difficult.

### **3.9.5 Implications for Planning**

Zoning codes are one of the most effective tools for implementing a community's comprehensive plan. In order to use the tool effectively, however, the code must be consistent with the goals, objectives, and recommendations of the plan. This relationship has been established legally by New York State Law. Future amendments must be measured in terms of their conformance to the plan. In cases where an amendment is inconsistent with of the plan, the Town Board first should consider reviewing and amending the plan. Lewiston's plan should include an implementation item which calls for comprehensive amendments to its zoning code. Those amendments should implement the community's land use pattern recommended in the plan. In addition, the code amendments should simplify procedures and standardize application requirements. The roles of each review board should be stated clearly, and duplicative or repetitive reviews should be minimized.

Strong planning and zoning are an indication of a community's commitment to an excellent quality of life. It also provides the investor with a degree of confidence that their investment will be protected by the community. Establishing a strong program based on an updated comprehensive plan will assist in bringing quality growth to Lewiston.

From a procedural perspective, developers are not adverse to reasonable regulation provided that those regulations are clearly written, universally followed, and equitably administered. Developing and administering a code with these characteristics can be a tool for encouraging quality developers to come to Lewiston.

### **3.10 Development Trends**

#### **3.10.1 Land Development Trends**

Lewiston reflects regional growth trends of the past two decades. Growth statistics indicate that the region is not growing and is declining slightly. A regional decline might indicate that no development is occurring, however, this is not the case. Significant shifts are occurring within the region which are characterized by a decrease in urbanization with a corresponding increase in suburbanization. Population changes are resulting in a redistribution of consumer buying power that

influences retailers to relocate in suburban shopping malls. This movement is accelerated by a major change in the nature of retailing that favors the "big box" retailers like K-Mart, Sam's Club, and the giant food markets. The ultimate result is a shift of employment opportunities (jobs) out of urban areas into the suburbs. These job opportunities often seek locations along major transportation routes. This suburbanization is creating a new set of outer ring suburban developments while city population and, to some degree, older inner ring suburbs show significant declines.

For Niagara County, these shifts are occurring, but are significantly less pronounced than those in Erie County. Although urban decline is occurring here, growth rates in inner ring suburbs remain stable.

From the standpoint of the urban planner and municipal official, the entire process results in the development of more public infrastructure while older infrastructure goes under-utilized and deteriorating. This process has a fiscal consequences as tax levies and user fees rise to pay for new infrastructure maintenance without a significant net gain in population and taxable property to pay for there improvements.

### **3.10.2 Key Development Sites**

What emerged from an initial analysis of each component of the inventory is a potential land use scenario which maintains the eastern half of the town in agricultural and rural residential uses.

This rural pattern could be serviced by nonresidential uses located in close proximity to Sanborn, a rural service center.

In this scenario, suburban uses would be located in the "river corridor" in the northwestern corner of town. This development would focus on growth opportunities in the I-190 corridor and in the Village of Lewiston. The character of growth in these two areas would be quite different with the area south of the escarpment relying on economic growth associated with the I-190 and some growth associated with the City of Niagara Falls. Below the escarpment, growth might focus on the community's historic character and tourism. It is important to realize that this scenario does not consider town development policies nor does it provide for the qualitative aspects of this growth pattern.

This natural development scenario has land use implications for key parcels within the town. Figure 21 identifies these parcels. The accompanying narrative provides insight into how each parcel might be used under this development scenario. In the final analysis, however, Lewiston's development policies as defined in the Comprehensive Plan will determine the overall pattern of growth and growth policies that will govern the use of each parcel. For the following analysis, development sites may be composed of multiple properties.

#### Escarpment South:

Parcel 1      *Niagara University East*- east of Niagara University and bounded on the north and east by the PASNY Power Project, this parcel would derive access from Witmer Road in the Town of Niagara. Its principal attribute is its proximity to the I-190 to the east, and the potential for shared resources and educational benefits with Niagara University. The parcel's location makes it a prime site for office uses for activities that have a research and development component.

Parcel 2      *Mount Saint Mary's Hospital Complex* - approximately 60 acres on three corners of the intersection of Military and Upper Mountain Roads. The site's proximity to I-190 and the Queenston Lewiston Bridge is its main development attractions. The presence of the hospital and office building on this site create an opportunity for a medical-related complex. Also, the site abuts US Customs Agency facilities to the south, presenting possibilities for activities related to international (cross-border) trade.

Parcel 3      *Upper Mountain Road West* - approximately 133 acres on the north side of Upper Mountain Road between Bronson Drive the Niagara Falls Country Club, this site is composed of two major parcels. It is surrounded by residential parcels, except on its western boundary which is shared with the country club. This parcel has mixed use potential, particularly for cluster residential uses offering large open spaces and buffers from adjacent uses. Limited office or service uses may be appropriate for this site due in large measure to its size, ability to accommodate such uses without impacting

residential values, and proximity to the I-190 interchange. This potential may be limited by existing plans for a residential development.

Parcel 4      *Upper Mountain Road East* - located on Upper Mountain Road east of Bronson Drive, this parcel is in excess of 100 acres. Its proximity to existing residential development creates a potential for similar uses. Its distance from the I-190 limits its potential for more intensive uses. A mixed residential use development is currently under construction for significant portions of this parcel.

Parcel 5      *Artpark East* - a parcel currently owned by the PASNY commands a view of the gorge and Lower Niagara River. Its relationship to the village and Artpark provide opportunities for arts and community activity related uses. Its views to the north also create residential values that would provide further residential support village activity centers. Its potential would be increased by the revitalization of Artpark.

Parcel 6      *Witmer Road* - this site is currently owned by the New York State Power Authority. Due to excellent access, the site offers an opportunity for development as an Office Research Park. This development would prove beneficial to the town through increased tax revenues and economic activity without promoting sprawl, requiring significant infrastructure extensions, or adversely impacting traffic on local roads.

Escarpment North:

Parcel 7      *Fifth Street South* - an 84-acre site composed of two parcels, this site is prime residential land. Its location dictates a development plan which emphasizes a design which fits seamlessly into the existing “village scale” residential. Open space and trailway opportunities possible on the adjacent parkway would be extended through the plan.



Parcel 8        *Fifth Street North* - a 61-acre site with similar development opportunities and constraints to parcel 6 to the south. Vacant land is to the north.

Parcel 9        *Creek Road South* - a 341-acre parcel on the north side of Ridge Road, east of Creek Road, has the potential for multiple uses that support the village as the center of commercial services and governmental activities in the community. Its size could accommodate a recreation-residential complex possibly with the residential uses designed in a “neo-traditional” plan. Open space connections to existing greenspaces are possible, allowing for an extensive trailway system. It’s proximity to the village dictates that commercial uses be matched to the scale of residential development and not compete with those within the village. This proximity also creates a high potential for a future municipal complex which may best be sited in the southwest corner and have a strong visual connection to Ridge Road.

Parcel 10       *Creek Road North* - a 186-acre parcel on the west side of Creek Road with high residential potential, the parcel lends itself to a cluster plan with greenspaces linked to the parkway to the west and an existing subdivision to the south.

#### Growth Alternates:

These parcels would not be considered for intensive development under prevailing regional and community growth pressures. Should those pressures increase due to regional improvements, they might be considered for appropriate development.

Parcel 11       *Pletcher Road West* - a composite of numerous parcels totaling approximately 330 acres, the area lends itself to a large-scale, low-density cluster subdivision which might include a recreational component. A neighborhood-scale commercial use could be considered along Pletcher Road near the Robert Moses Parkway interchange only if commercial vacancy rates in the village indicate that the commercial market is saturated.

This use would be incorporated into the residential plan for the site and be visually and functionally related to the residential neighborhoods which would surround it.

Parcel 12      *Pletcher Road East* - a 96-acre parcels suitable for lower-density residential development similar to that described for parcel 10 and under same conditions.

Parcel 13      Should planned improvements to the Niagara Falls International Airport result in significant economic activity on and around that facility, suburban scale growth may push northward. This potential would affect Sanborn. This parcel should be considered as an option for the expansion of the existing rural service center should this growth scenario occur. Commercial and light industrial use could be an element of this pattern.

Parcel 14      *Stouffer Site* – this site is currently an active brownfields site that is being remediated with the NYSDEC. Consideration has been made for the dedication of this property to the Town. Preliminarily, it appears that this site would be appropriate for complementary special industrial or office research. However, future development is highly dependent upon results of future environmental testing and remediation activities. The site has been observed as having some access limitations.

### **3.10.3 Implications for Planning**

Lewiston lies across what could be described as a suburban frontier. Areas along its southern boundary are experiencing slow suburban growth. Older parts of the community around the village are also in a slow growth mode. Some new housing has been developed north of the village along Creek Road. This pattern is the most significant for the community planner, as it provides a key to development pressures in the future.

Without significant improvements in the regions economy, Lewiston will remain in a slow growth mode for the foreseeable future. The key to capturing its share of the growth is its historic character, generous open spaces, the rural landscape created by a strong agricultural economy; its fiscally responsible government; and its close proximity to the I-190 corridor. Lewiston will have to “compete” with other suburban areas for its share of growth and to be competitive, it well have to continue to act on the goal of providing its residents with a superior quality of life.

#### **4.0 ALTERNATIVE LAND USE EVALUATION**

Following the establishment of the plan visions, goals, and objectives, the committee proceeded to develop, analyze, and identify specific land uses and development densities for the various areas within the town. To facilitate this effort, three alternative land use scenarios were prepared for discussion and modification to arrive at a preferred land use plan. The primary differences between the alternatives were: residential development densities, boundaries of the various land uses, and developing a consensus opinion on the most appropriate location for certain proposed land uses (e.g., office research, complimentary special industrial, etc.). The following is a brief description of the alternative land use plans given consideration in the development of the preferred land use plan.

##### **4.1 No Action Alternative**

The least costly alternative based upon capital improvements and environmental considerations is the no action alternative. By maintaining the status quo, the town will continue to experience a stable population and tax base. The development climate within the town would be limited. Without capital investment in infrastructure, this will continue and the expected development will go to other communities which have prepared for and are encouraging development.

If the zoning code is not updated and brought into conformance with state municipal law the Town's ability to influence and control growth is limited and the economic development which does occur may not be in conformance with the goals and objectives of the Town.

The natural and man-made environment within the town may ultimately suffer at the hands of development activities since there are few opportunities and constraints in the existing comprehensive plan and zoning code to influence development.

#### **4.2 Land Use Alternative A**

Land Use Alternative A considered a conservative alternative for land use in the Town of Lewiston. This alternative increased the rural agricultural uses in the northern portion of the Town. It maintained or promoted suburban residential uses in the area adjacent to the village. The alternative designated the area south east of Niagara University as a university related research park. Open space and resource preservation areas were increased throughout the Town. Additional land was set aside for the expansion of the Artpark complex to the north and the east.

#### **4.3 Land Use Alternative B**

This conceptual land use alternative was the most aggressive and far reaching providing the greatest expansion of commercial and light industrial land use. The land reserved for suburban residential uses was by far the most significant feature of this alternative. There was increased suburban residential uses in the northwest quadrant of the town however the greatest increase for this land use takes place in the southeast quadrant. The latter is predicated on the extension of municipal services, while the former was less dependent on such extensions, and may have resulted in an increase in density. In the southeast section, adjoining Sanborn, an increase in the hamlet scale residential and the rural service center land uses were proposed.

The western half of the town will utilize the largest number land use alternative categories. Proposed Office Research uses were confined to the corridors adjacent to the Interstate 190 and the Robert Moses Parkway. Property owned by Niagara University was to be utilized as a university research park. There was a substantial increase in the village scale residential uses in the general vicinity of the existing village.

The property adjacent to the special industrial district was reserved for uses complementary to these special industries.

Open space and resource preservation areas increased under this alternative, while rural agricultural land use was reduced. As in Alternative A, the land use for the Artpark complex was increased.

#### **4.4 Land Use Alternative C**

This alternative presented a moderate land use plan. Alternative C preserved the character of the southeast section of the town by maintaining the existing uses while incorporating a moderate expansion of the rural service center adjoining Sanborn.

In the western half of the Town, Alternative C introduced an increase in the area designated for village scale residential uses over the other plans. As in Alternative B it included an Office Research component in the southwestern corner adjacent to the Interstate 190. There were no commercial designations on the Robert Moses Parkway. Alternative C did utilize the concept of complementary special industrial uses adjacent to the existing special industrial land use as in Alternative B. As in both of the aforementioned plans, the land use reserved for the Artpark complex increases.

These three alternatives fostered discussions of the most appropriate locations to encourage specific land uses, development densities, and growth. A consensus plan was developed and refined over several months to arrive at a preferred land use plan. The preferred land use plan is presented in the following section.

#### **4.5 Land Use Plan**

The Land Use Plan is a synthesis of the alternatives discussed above. Lewiston's Comprehensive Plan is intended to provide the basis for the Town's growth management regulations that will provide effective tools for community decision-makers. The plan will also provide a reference for the Town's boards responsible for administering land use regulations that will assist them in day-to-day decision-making, and will provide the legislative basis for coordinating local decisions so that the community goals embodied in the plan can be achieved.

The borders of land use designations shall not be construed as fixed and precise unless concurrent with obvious boundaries (i.e., streets, municipal boundaries). The Land Use Plan is a general statement of desired future land use and does not identify existing non-conforming uses. The Land Use Plan is not intended to preclude the continued operation of existing non-conforming land uses.

The plan is intended to guide local decision-making, the plan makes a clear and concise statement regarding the location, extent, character, and intensity of growth Lewiston will encourage. This statement is intended to provide state, county and federal agencies along with regional authorities a tool for coordinating their own actions with local land use policies.

Finally, the plan provides a starting point for subsequent updates to the Lewiston's growth policies.

#### **4.5.1 Plan Overview**

The plan reflects Lewiston's unique physical, land use, infrastructure and historic character such as the Niagara Escarpment, New York State Parks, the Robert Moses Parkway, the New York State Power Authority, and the River Road corridor (Figure 22). The community is separated into two land use areas; an agricultural area characterized by activities which will promote and expand existing agricultural uses and a development area located along the Niagara River and extending a mile and a half to the east. Both of these areas border the Tuscarora Indian Reservation, a sovereign nation and not included in the plan. Because of the Tuscarora's emphasis on maintaining the traditional Native American lifestyle and relationship to the land, the reservation presents a significant open space resource for the surrounding community.

The natural and scenic character of the community form the identity of Lewiston. Preservation of open space is planned throughout the community. This provides an open space value while preserving sensitive environmental resources and creating opportunities for linear recreation.

Although one of the goals of the open space system is to provide public recreation, the system is intended to integrate a wide range of efforts to provide recreation experiences to Town residents. In order to accomplish this goal, the plan provides for public/private cooperation so that private facilities are also integrated into the open space network and link with other recreation facilities. A tool to help accomplish this goal and preserve open space could be to encourage the use of clustering. To ensure adequate separation of homes, minimum lot sizes will be set for each district. These minimums will further ensure the preservation of significant common open space.

Within the agricultural area, the plan provides for a series of land use policies designed to promote agriculture and maintenance of the areas open space character. Residential uses are accommodated within this area at low densities and in a manner that preserves highway frontage and maintains the rural, agricultural atmosphere. Sanborn in the Town's southeastern corner forms a rural service center within this area and provides for commercial uses in the Route 31 (Saunders Settlement Road) corridor. An area around this hamlet, designed to provide for its expansion, has been defined on the Preferred Land Use Map to accommodate additional growth that might occur should efforts to expand economic activity at the Niagara Falls International Airport be successful. The expansion of sewer service north and west of the Hamlet along Route 31 will enable this compact mixed-use development to occur at moderate densities.

In the Niagara River Corridor, the plan recognizes the key role the Village of Lewiston plays in the future of the Town. Moderate density residential uses are clustered north to Dutton Drive between Fifth Street and the Robert Moses Parkway and east of the village to Creek Road extending the villages residential character and providing housing that will support retail and services offered in the village.

The 1981 Master Plan states and is quoted as follows:

“Maximum future residential densities are recommended to correspond to density standards currently in place in Town ordinances:

3 to 4 units per acre in single family zones

15 units per acre in multiple-dwelling zones



It should be noted that such density levels are the **maximum** to be allowed”

The 1981 Master Plan references units per gross acre.

The density proposed in the 2000 Town of Lewiston Comprehensive Master Plan will propose lower density levels per acre than that of the 1981 Town of Lewiston Comprehensive Master Plan.

All commercial uses serving the Niagara River corridor are accommodated within the village.

A key objective of the plan is to promote economic development. Three economic development initiatives are reflected in the plan. These capitalize on existing waste management facilities (Modern Landfill and CWM), Artpark and its potential for promoting regional tourism, and the cross-border trade potential of the Thruway (Interstate 190) corridor. The potential of the latter initiative is limited significantly by the New York State Power Authority's reservoir and powerhouse development which occupies sites, which in their absence, would be prime sites for office and transportation uses related to the growing trade between the United States and Canada.

The availability of land and infrastructure is important to the economic development process in the Town. Of similar importance is the availability of financing mechanisms and tax incentives. The Town of Lewiston, through a more proactive planning process will encourage the use of the Niagara County Industrial Development Agency to provide those incentives.

The availability of capital facilities and environmental services are important to the growth and development of the community and work to ensure the high quality environment residents now enjoy is maintained in the future. Lewiston's plan includes provisions for participation in major decisions that influence the location and capacity of these facilities and services by its involvement with the development of the Niagara County Strategic Plan and the repermitting process for the Power Authority of the State of New York's project. Local capital facilities (infrastructure) are serving Lewiston well. The plan does, however, recognize the need to rehabilitate and upgrade portions of the existing water distribution system. On the wastewater side, Lewiston must acknowledge the lack of capacity to support future significant development.

Residential development along all major arteries should be encouraged to develop without direct access to the existing roadway. This policy is an effort to maintain the current through capacity of the roadways and discourage the need for capacity building highway improvements that would expand the roadways, impinge on existing residences and create a marginal residential environment for current homes. New residential sites will be designed to derive access from new internal subdivision streets. Existing residential lots will, where practicable, have common access points. Reverse frontage lots and service roads will also be considered as design alternatives in an effort to minimize curb cuts to preserve the function of the roadway.

The plan does not advocate for the construction of major new highway or transportation features. It does include major improvements to trail systems and speaks to the need to both maintain the function of highway systems and to improve the visual quality of highway corridors. In the near term, planned improvements to the Town's highway network may create minor disruptions. In the long term, traffic can be expected to remain relatively constant.

Protecting sensitive environmental features is important to the community. Although many of these have been accurately identified in the plan, some remain a concern. Flood plains associated with Lewiston's streams will require additional study to determine the extent of flooding that would occur during a major storm event. Under the plan, the Town will continue to identify sources of funding and technical assistance to more accurately define the 100-year flood plain along these streams. Within areas designated for suburban scale residential development, floodways will be identified either through comprehensive drainage studies or as development proposals are received.

The demographics of the Town indicate a continued aging of the population. This aging process will place additional burdens on services for senior citizens and create a need for specialized housing for this age group. The plan recognizes this trend by providing for senior citizens housing in close proximity to the services and medical facilities to meet their needs.

Significant Historic, Cultural and Scenic Sites have been identified in the plan as having a major influence on the daily lives of residents and contributing to the essential character of Lewiston. The plan advocates for the preservation and maintenance of these sites through creative adaptive reuse.

In order to implement many of the recommendations of the plan, comply with current State planning statutes, and create a predictable, user friendly regulatory environment, the Town recognizes the need for a major overhaul to its growth management regulations particularly the Zoning Code.

#### **4.5.2 Land Use Descriptions**

Each of these major land uses areas:

- Artpark Festival Center
- Open Space Preservation and Recreation
- Village Residential
- Suburban Village Residential
- Suburban Residential
- Rural Residential
- Hamlet Residential
- Rural Service Center
- Rural Agricultural
- Office Park
- University Research Park
- Special Industrial
- Complimentary Special Industrial

Are analyzed based on the following:

*General Land Uses*

*Residential Uses and Densities*

*Community Facilities and Recreation*

*Public Utilities Improvements*

*Transportation*

*Special Features ( Historic, Wetlands, Steep Slopes & Vistas )*

For purposes of consistency, residential density is expressed in dwelling units per gross acre. Gross acreage is not adjusted for the land area required for streets, recreation, and other natural resource deductions such as wetlands, flood plains and steep slopes. Unit counts, which may be used for a “buildout analysis,” may be calculated by multiplying the recommended density by the gross area devoted to that density.

### **4.5.3 Artpark Festival Center**

Artpark is identified in the plan as one of the economic engines that will drive the economy of the Town and region in the coming years. In order to reach its full potential, however, this venue will need to undergo significant changes. Under this plan, Artpark will be redefined as the centerpiece of an all-season performing arts complex that supports commercial and service uses within the Village while providing employment opportunities for the community. Artpark should investigate the opportunities to partner with other upstate venues to attract national performing and entertainment acts for performances at each venue. Having more performance dates guaranteed will produce more opportunities to sign larger drawing performances.

The complex will require the reuse of filled land to the east of the existing theatre complex on land owned by the Power Authority. The nature of this land area will require that environmental quality concerns related to the composition of the fill need to be addressed. The results of environmental testing will be a factor in determining the feasibility of undertaking the plan's proposals. This area is designated for a village scale festival and recreation area to promote tourism, recreation and future development uses. This space could also include additional smaller arts venues related to the theatre. This location should be considered as one of the potential sites for a Community Center discussed below in Section 4.5.4. A major public square with direct visual and physical connections to the village center are key elements of this concept. This site will be programmed for community and regional events that relate to the region's history, the performing arts, and community life.

Artpark will be a focal point for Lewiston’s and the communities of the Lower Niagara River's open space network and trail system. From this point, trails providing pedestrian and bicycle access will radiate out along the Niagara River Gorge, the escarpment and the Robert Moses Parkway. The parkway link should be a major feature of a regional recreation and tourism activity center which links

Niagara Falls with Artpark, a revitalized Town and Village of Lewiston, Joseph B. Davis State Park, Youngstown and Fort Niagara which will enhance the status of the Historic Niagara Colonial District. The Town of Lewiston, with the support of the Village, will ensure that its efforts to revitalize the Artpark complex receive appropriate attention in the Western New York Erie Canal Heritage Corridor Plan and other potential sources of assistance.

Transportation improvements required for a revitalized Artpark should emphasize integrating the feature into the fabric of the Village's road system and minimizing the traffic impacts on residential uses particularly those south of Center Street.

#### **4.5.4 Open Space Preservation and Recreation**

Open space preservation is one of the cornerstones of Lewiston's comprehensive plan. These uses are designed to preserve sensitive habitat and natural resources such as wetlands, flood plains, stream corridors and the steeply sloped face of the Niagara Escarpment and gorge. They provide logical boundaries between uses and use density and opportunities for linkages between major recreation areas. Existing major recreation areas are included in this designation. The open space system provides the basis for a network of linear recreation areas offering walking, cycling, rollerblading and passive enjoyment of the natural setting. They also provide a unique element of the community's natural character that is worthy of preservation. For areas west of Creek Road, this system of trails and open spaces also provides a functional element of an enhanced tourist industry by providing non-vehicular access to venues along the Niagara River in both Lewiston and Youngstown. In this capacity, the plan provides for a node or central gathering point at Artpark. Here, the passive pastoral character of the open space system meets the more spectacular Niagara River Gorge. This open space element will be a special feature of the system and a national or international draw for other tourist related activities along the river corridor. A revitalized Fort Niagara State Park with its historic character, conference facilities and ferry linkages to Niagara-on-the-Lake will anchor it on the north. Plans to link Lewiston with Toronto via high-speed hydrofoil will add to the plan's viability.

Recreation is also a major activity that will be developed within or with linkages to the Open Space Preservation system. Conceptually, Lewiston's recreation system will be characterized by a strategically located community recreation facility offering a full range of active facilities. This community based park will continue to be supported by a series of small existing neighborhood parks recreation with more limited facilities. The Community Center will be in close proximity to the Village of Lewiston and have easy access to residential areas. Four alternative locations have been given preliminary consideration as potentially being viable for the Community Center. They are located at the Artpark Festival Center, at Town Hall, within Joseph Davis State Park, and in the vicinity of Creek and Ridge Roads.

The Riverfront Park offers water-oriented opportunities not available at other sites. This park should be expanded to provide additional water-oriented recreation experiences. The Stella Niagara area is a valuable open space resource. Should the Stella Niagara property south of the park become available, an appropriate agency should acquire that property to remain as an open space resource.

Lewiston should continue to explore the use of existing undeveloped and underutilized State Park land for use by its residents. Plans for the use of Joseph B. Davis State Park for water sports, golf, and other community-oriented activities should be continued. In moving these proposals forward, Lewiston needs to maintain its partnership in recreation with the Town of Porter

The plan supports improvements to Niagara County's Bonds Lake Park in accordance with the park master plan. This facility should perform the function of a regional park providing recreation activities that cannot be provide by the County's cities, towns and villages. In addition the physical character of the park creates opportunities for certain types of recreation and education that cannot be provided at other sites. The Town of Lewiston will support the development and operation of these types of facilities at the park.

#### **4.5.5 Village Residential**

The Village Residential area, east of the village to Creek Road, is included in the plan to provide village scale housing at a somewhat higher density. Attached, semi-attached and detached housing types are planned for this area at a density of five dwelling units per acre. Housing development in this area should be designed to be consistent with the scale, street pattern, setback requirements, street amenities (sidewalks, lighting and street furniture) provided within the Village. Pedestrian access to Center Street should be provided to create a sense of connection with the Village.

#### **4.5.6 Suburban Village Residential**

Suburban Village Residential uses are located north of and adjacent to the Village of Lewiston on the broad relatively flat plain between Fifth Street and the Robert Moses Parkway, north to Dutton Drive. This area is designed to provide for single-family residential and special residential uses at a density of four dwelling units per acre. Special housing should be exclusively for the elderly particularly those requiring health care support. Units should be arranged in a neo-traditional pattern that reflects the existing character of the Village. Residential uses within this area will support the economic viability and retention of commercial and service uses along Center Street.

A grid road pattern with sidewalks and street trees should be essential elements of the pattern. Front yard setbacks should be consistent with existing Village residences. Residences, either single-family or special residential, should be architecturally consistent with the general character of village neighborhoods in terms of style, height, building mass, color, textures and materials.

Open spaces will be small and highly organized yet linked where possible to the town-wide open space system particularly the greenway planned for the extension of 5<sup>th</sup> Street and linear recreation opportunities planned for the Robert Moses Parkway. Community facilities serving this neighborhood will be integrated into those serving existing residences. Roadways will be designed using Village design guidelines or those compatible with the character of existing Village streets. New streets will connect to existing ones without development of major collectors.

#### **4.5.7 Suburban Residential**

Aside from the Rural Agricultural area, Suburban Residential uses will occupy the largest area of the Town of Lewiston. Suburban Residential areas will offer the full complement of public utilities and facilities. Capital expenditure for these purposes will seek to provide facilities as the demand is created. They are located in a north and south corridor east of the Fifth Street greenway extension to the boundary of the Tuscarora Indian Reservation, extending to the Town boundaries. This area is designated primarily for single-family residential uses at a density of four dwelling units per acre.

To preserve open space, a variety of modes of single-family housing should be encouraged by the use of accepted planning standards. . That open space will be required to be linked to the major open space system defined in the plan. Flood plains, wetlands and stream corridors will be prime locations for this open space. The open space network will be designed to link existing and future recreation areas.

#### **4.5.8 Rural Residential**

The Rural Residential category creates a transition between the rural and agricultural atmosphere in the eastern half of Lewiston and the more suburban uses in the Niagara River corridor. Located in three zones in the community, the first area is north of the Village boundary to Joseph Davis State Park between Fifth Street and the extension of Fifth Street and the shore of the Niagara River. The second zone is located north of Route 104 to north of Swann Road. It runs east of the Three F Club and approximately 1/3 of a mile west of Model City Road. The last area parallels each side of Porter Center Road to Swann Road. It also parallels Route 104 at the intersection of Porter Center Road for approximately a mile in each direction.

This category accommodates single family residences at a density of two dwelling units per acre. An overlay district for manufactured homes, within well-designed parks that offer the full range of amenities including on-site recreation facilities, shall exist east of the Three F Club and approximately 1/3 of a mile west of Model City Road.



As a residential area, the Rural Residential district would also be a location for community facilities and recreation areas. Recreation facilities will be limited to linear trailways, that parallel watercourses which traverse the area.

This area is at the periphery of the “suburbanizing” area of the town. Its success will be dependent upon the availability of transportation improvements and high quality public utilities.

#### **4.5.9 Hamlet Residential**

The Hamlet of Sanborn has been a traditional rural service center for the farm community and other residents of the Town of Lewiston and the neighboring communities of Cambria and Wheatfield. This single-family residential role will continue and will be strengthened by infrastructure improvements that will encourage additional residential uses south of Route 31. The limits of this residential area will be flexible and designed to expand with demands created by economic development efforts in the Town of Wheatfield. Improvements supported in the plan enable residences at a recommended density of five units per acre to be developed. This flexibility will require that sewer and water extensions are capable of future expansion as the growth climate dictates. Although not ideal for intensive care housing for the elderly, the village scale atmosphere of this type of development makes it an exceptional site for senior citizens housing options particularly for those capable of independent living.

Community facilities such as the Sanborn Free Library and community schools will be encouraged to remain or locate in this area where they can efficiently serve residents and contribute to a village-scale fabric.

The existing road system within the Hamlet Residential area is a traditional grid pattern and neo-traditional housing design. This pattern will be encouraged in any new residential development that occurs. No additional high capacity roads should be required. If, however, economic development efforts at the Niagara Falls International Airport are successful, and secondary growth extends northward to Sanborn, Hoover Road may require capacity improvements. Residential uses should, therefore, be designed with greater setback from this roadway and provide for visual and noise buffering.

#### **4.5.10 Rural Service Center**

The Rural Service Center lies astride Saunders Settlement Road and is an integral part of the Hamlet of Sanborn area that includes commercial uses along this major east-west roadway. The focus of this commercial area is three-fold:

1. To provide for the daily needs of residents of the hamlet
2. To provide goods and services to the academic community at Niagara County Community College
3. To provide the commercial needs of the wider residential community that uses Route 31 for trips between work and home.

Although the pattern of commercial uses is linear along Saunders Settlement Road, the intent of the district is to provide commercial uses in greater concentration than in existing commercial developments in highway locations. A residential component is provided in this district providing it with a distinct mixed-use characteristic. Residences can be accommodated within the district at a density of five dwelling units per acre. These may be accommodated in the second stories of commercial structures.

The district is bisected by Saunders Settlement Road, which also establishes the economic viability for commercial uses at this location. Over the plan period, traffic volumes may show slight increases. Longer-term growth may require that capacity building improvements be provided at this location. In order to avoid the need to take individual structures, supportive parking and character building landscaping for these long-term improvements, setback and landscape provisions need to reflect this goal. In addition, an expansion area for Hamlet Residential uses has been established north and west of this mixed-use area. Provisions for establishing access to residential uses behind should be made in reviewing site development plan and subdivisions.

#### **4.5.11 Rural Agricultural**

Rural Agricultural uses dominate the eastern half of Lewiston. This pattern of uses emphasizes active promotion of agricultural uses and land resource based uses that support agriculture. This area will accommodate homesites at an average density of one unit per three acres although three acre lots will be discouraged in favor of clustering units on smaller lots on marginal agricultural land. In order to maintain the rural atmosphere of the area with its characteristic “long views” over agricultural fields and orchards, Town development policy will discourage the “parceling-off” of the rural street frontage in favor of development in depth. This will be accomplished while reducing the need for new public roads by providing options for common driveways and similar techniques.

Densities will be accommodated by utilizing the existing central water system. Generally, capacity-building improvements to utilities within the area will be avoided. Similarly, community and recreation facilities will be limited to those required for public safety such as fire stations. Transportation improvements will also be limited to those that do not build highway capacity. Improvements in highway geometric, bridge structures and running surfaces will, however, be made as needed. Every effort should be made to minimize conflicts between existing agricultural uses and new residential uses.

Preserving Lewiston’s farmland and agricultural economy will require that new techniques be developed. Conservation easements, purchase of development rights and transfer of development rights mechanism will be explored as alternatives to accomplish the Town’s agricultural preservation goals. Funding for the purchase of development rights available from New York State and the federal government will be considered as part of the effort. In addition, assistance available under the Niagara County Agriculture and Farmland Protection Plan will be solicited.

#### **4.5.12 Office Park**

Office Park complexes are planned for four locations: three in the Interstate 190 corridor and another at Model City along Route 104. These locations are sited within the area where a complete array of utilities is available and where, with the exception of the Model City site, transportation facilities encourage office development. High-tech research and development laboratories and offices

are encouraged for these sites. Those in the Thruway corridor have an added advantage of providing space for office related to cross-border trade and tourist services while the site at Model City is suited for offices related to the waste management industry, recycling and related offices.

Building coverage for these sites would be in the 25 to 35 percent coverage range. For the Model City and Reservoir State Park sites, the lower end of this range is favorable in that it will tend to maintain the park-like and rural low-density character of the surrounding areas. Development regulations will provide the framework for developing each site into an attractive visually integrated campus-like setting. Extensive landscape requirements will ensure that each development blends attractively into the town's natural landscape.

Utilities and transportation infrastructure are in-place to support Office Park uses. The key to managing the relationship between infrastructure and these land uses will be ensuring that excessive highway capacity is not utilized as a result of the office development. Minimizing the number of access points between land uses and the roadway and other access management techniques can accomplish this.

Community facilities and community recreation areas are not appropriate for these areas. Linkages to the open space network can, however, be a positive visual factor in site location and development. In addition, trail and pedestrian paths can enhance the work-a-day experience and provide access options.

#### **4.5.13 University Research Park**

The University Research Park is designed to provide for office, research and related uses that could benefit from a location in close proximity to a quality university. The concept is also predicated on the understanding that an office research facility has the capability of supporting the university's educational mission and providing enhancements to the educational experience of university students. Research based office, laboratories, fabrication, and design incubators are envisioned for the park.

The design of the University Research Park will reflect the existing scale and character of Niagara University to create a seamless development with a common character. Although security issues for the park and the university will be a major consideration, the circulation and open space systems of both entities will be integrated. Where practical, facilities may be shared. Although the university offers residential opportunities for students, the lack of prime office sites in the Thruway corridor dictates that this site be used exclusively for office purposes. No residential uses will be permitted and both community facilities and recreation uses will be discouraged. Public utilities will be provided in accordance with the needs of the university and those uses that are developed on this site.

Prior to the development of this site, sufficient environmental testing will be required to ensure long term public safety. The Town of Lewiston will facilitate this process while potential developers and the Power Authority will be responsible for the cost of completing those tests. In addition, the Town will facilitate the process of assembling a suitable parcel and clearing existing debris in preparation of its development. The Town will also coordinate resolution of development issues between the university, the Power Authority and other site interests.

The University Research Park is within the Thruway corridor. Future uses of the site will derive primary access to it via its interchange with Witmer Road in the City of Niagara Falls. Development of the site in quality office uses will require coordination of development activities with the City. Coordination will include enhancement and preservation of a visually attractive roadway. Berming and screening of existing uses and the use of visually attractive site amenities such as lighting will be required to accomplish this

#### **4.5.14 Special Industrial**

The Special Industrial area is designed to accommodate the current industrial activities taking place in the north-central part of Lewiston and across the Town Line in the Town of Porter. Because of former national defense related industries and the unique soil characteristics of that portion of the town below the Niagara Escarpment, a thriving waste management industry has grown. This industry provides the region and beyond with environmentally sound municipal and chemical waste disposal facilities. These facilities are expected to continue throughout the plan period.

The plan provides for a continuation of these waste management uses in a large area extending from the Porter line southward to the Tenneco Gas Pipeline from Porter Center Road to the wetlands area associated with Four Mile Creek. Land uses within this area are limited to resource based waste management facilities and carefully sited soil mining operations. Traditional industrial uses involving the manufacture of goods would not be provided within this district with the exception of those related to the processing of waste for disposal on-site. Residential uses would not be accommodated within this district in an effort to minimize conflicts between residential values and normal industrial activities. Existing waste management operations would be encouraged to acquire vacant residential lots in order to accomplish this goal.

Although the area will be developed in waste management facilities that require large scale disturbance of the natural landscape and vegetation, land use and site development plan requirements for these industries will emphasize restoration of a “naturalized” environment as the waste management operations proceed. This approach will require that restoration be planned at the onset of operations and be implemented on an ongoing basis in an effort to preserve the rural character of this area of Lewiston. This approach will require creative site planning techniques in order to avoid the creation of landforms that are inconsistent with the character of the area.

This area and the Complimentary Special Industrial area to the south will be served with the full array of public utilities. Special consideration in the Town’s wastewater collection system will be made to provide facilities needed to bring environmentally sound waste from the both the Complimentary Special Industrial and Special Industrial areas to the wastewater treatment plant along Pletcher Road. The benefit of this provision will be to minimize industrial vehicle traffic through heavily traveled roadways serving residential areas along River, Creek, Swann and Pletcher Roads. Capital costs for providing the physical connections necessary to provide this linkage will be born by users. The use of potable water and the need to provide extensions of the Town’s water system will be limited by the nature of the industrial uses that will be located in this area.

Access to the Special Industrial area will be provided from the south along Model City Road. This roadway will be improved to provide quality access for industrial uses along its entire length. Traffic generated by the special industrial uses that will be located in this area will be minimized by the nature of the uses in that few employees per acre of industrial area will be required. Access to the regional and interstate highway systems will be via Route 104 east and west. Notwithstanding their industrial access function, the width, alignment, grading, amenities and landscaping of both of these roadways will be designed and maintained to retain their rural and residential character. This effort will be particularly important west of Model City Road where Route 104 will be a significant element in Lewiston's effort to promote quality residential uses and regional tourism.

#### **4.5.15 Complimentary Special Industrial**

Lewiston has created a Special Industrial land use designation in the plan that takes advantage of the existing resource based non-manufacturing activities that lie astride its boundary with the Town of Porter. The Complimentary Special Industrial area is centered on Model City Road and it is designed to accommodate industrial uses that either recycle products extracted from the waste stream or are by-products of the waste stabilization process. This district provides for manufacturing and processing and will require the full complement of utilities and transportation previously described for the Special Industrial area. Because the type of land use will generate commuter traffic, it will require better access to the regional highway network. Truck traffic for outgoing products will also be generated although the need for inbound truck traffic should be minimized by the fact that raw materials will be provided by waste processors to the north. These raw materials may also take the form of energy and gas generated from landfill operations. Energy consuming industries supporting agricultural activities in the town, such as cold storage, food processing, and hydroponics vegetable growing operations, could be accommodated within this area. In addition, this area will provide an ideal setting for office operations for solid waste disposal operations to the north.

## **5.0 ASSESSMENT OF ENVIRONMENTAL IMPACTS**

This Comprehensive Plan is unique in that it is the culmination of the community's involvement in defining the goals and objectives for the Town of Lewiston. The level of citizen involvement in this community planning project resulted in a plan which accurately reflects the goals and objectives of the people of the Town of Lewiston. The plan is not "cast in stone" rather, the plan offers a flexible guide that can be refined as new opportunities are identified in the future.

### **5.1 Potential Adverse Environmental Impacts**

The Town of Lewiston Comprehensive Plan will have no direct impact on the physical environment of the community. It will not result in the approval of any development activity, either private or public. The purpose of the plan is to direct and control growth as it occurs in the Town of Lewiston community.

Overall, the plan is expected to have a beneficial impact on the community over time. However, the plan does not prevent growth and, therefore, new development is possible under this plan. The result of new development (and indirectly from the adoption of this plan) is the potential loss of natural vegetation and wildlife habitat, introduction of impervious surfaces, increased stormwater run-off, erosion and sedimentation, increases in traffic, and a general increase in the demand for community services.

### **5.2 Irreversible and Irretrievable Commitment of Resources**

Goals of both growth and conservation are considered beneficial community values; however, development will cause a loss of environmental resources, both in the immediate future and in the long-term. Adoption of the proposed Town of Lewiston Comprehensive Plan will have no direct impacts on the physical environment. Furthermore, the purpose of the plan is not to encourage growth, but to control growth as it naturally occurs based on demand and economic conditions.



In addition to the environmental resources previously identified, there are other resources that will be committed to development. They include building resources (e.g., wood, steel, concrete, etc.), gravel and asphalt for roads, as well as other construction materials. The commitment of these relatively common resources would not be substantial.

In addition, there is a commitment of energy resources to power construction equipment and tools and to sustain the uses over time. New structures and plantings which substantially close off existing scenic views of the Niagara Gorge will be discouraged unless new visual or access opportunities are created.

### **5.3 Mitigation Measures**

To the greatest extent possible upon implementation of specific projects, the zoning code should be used to direct development to appropriate areas and to identify types of development which are most appropriate for specific areas. Development within flood-prone areas should be controlled and specific requirements placed on it. Development inconsistent with the comprehensive plan and zoning code should not be permitted. Provisions should be included in the zoning code to allow for mitigation for the use or destruction of wetlands or farmland related to subsequent development in accordance with this plan. Sediment and erosion control measures should include limits on the run-off generated during development and that which is produced following development. Post-development run-off should not be any greater than pre-development run-off. This measure will serve to protect downstream areas of the watersheds and maintain existing flood levels and conditions.

### **5.4 Growth Inducing Aspects**

The preparation, adoption, and implementation of a comprehensive plan by its very nature, impacts growth patterns. Several land use development scenarios were given consideration which analyzed the potential for growth patterns ranging from minimal little growth to highly intensive development. The preferred development scenario permits a moderate amount of future residential, commercial, and industrial growth in accordance with public opinions, input from the Master Plan Committee, and professional planning judgement. The preferred land use development scenario gives consideration to potential environmental impacts as well as other issues such as community character and the economic welfare of the public and the town.

## **6.0 PLAN IMPLEMENTATION**

The preceding elements of this plan provide direction for adopting the Comprehensive Plan; a first step in achieving Lewiston's overall planning goals and objectives. The Plan provides clear guidance on the desired land use pattern and intensity the town should achieve in the future. It specifies those areas where agricultural uses should predominate and establishes a design for community open space, recreation, and a trailway system. Recommendations for improving and maintaining the transportation system are provided along with clear guidance on the extension of utilities that promote economic growth.

The comprehensive plan is most effective as a current statement of the public and Town's desires for the future of the Town. For this reason, periodic review and/or revision of this document will be required to remain current. An annual review of development goals and objectives recommends in the Implementation Matrix of this comprehensive plan. A more thorough review is required every five years.

Each plan recommendation, however, requires a clearly defined action plan if it is to be achieved. The following Implementation Matrix provides that plan. Should revisions of the Comprehensive Plan be deemed to be necessary, the procedures of Town Law Section 272-a (as amended) shall be followed. Amendment procedures generally consist of:

1. Identification of the issue warranting comprehensive plan amendment.
2. Town Board referral to the Planning Board and other such Town agencies as necessary.
3. Development of the proposed amendment.
4. Referral to the County Planning agency.
5. Holding a public hearing.
6. Noticing a public hearing in a newspaper of general circulation at least 10 days prior to the hearing.
7. Town Board adoption of the amendment by resolution.

The provisions of the SEQRA and Agriculture and Market's Law 25AA need to be compiled with as dictated by the circumstances of the proposed amendment.

Each plan recommendation, however, requires a clearly defined action plan if it is to be achieved. The following Implementation Matrix provides that plan. The matrix was developed by revisiting each identified problem, opportunity, and plan recommendation and providing one or more actions that will be required to effectively address each unique situation. Actions are organized by category so that all additional planning or plan adoption activities are grouped together. Categories include Planning, Development Regulations, Natural Resources, Economic Development, and Infrastructure. Specific actions required to implement the plan are listed in these categories and are given a unique task number to aid in identifying that activity. Each action is described in sufficient detail to create an understanding of its required outcome.

The agency or department responsible for moving each task forward to completion is identified in the matrix. This "responsibility" element of the matrix is designed to identify both the entity that is responsible for shepherding the task to completion and the agency that has final authority for adoption. This concept is designed primarily to spread the responsibility among agencies as a means for managing the Town Board's "workload," while involving those agencies that have unique experience or special expertise with the particular action item.

As an additional tool for managing the sequencing of actions, each implementation task has also been scheduled. The highest priority items (those having the greatest impact on achieving plan goals) have been scheduled for early action in years 1 and 2. Those tasks which are less critical to plan implementation or have a lesser impact on plan goals have been scheduled in year 10.

**TABLE 1**  
**SELECTED LAND USE IN ACRES**

<b>LAND USE</b>	<b>APPROX. NUMBER OF ACRES</b>
Commerce	51
Industrial	676
Institutional	1,868
Recreation	1,346
Residential	2,760
Warehouse	105

Source: Niagara Frontier Transportation Committee (NFTC) Economic/Demographic Study 1997.

**TABLE 2  
LEWISTON IN BRIEF**

	<b>1980</b>	<b>1990</b>	<b>Change</b>
Housing Units	4,948	5,383	(+) 435
Population	16,219	15,453	(-) 756
Families	4,108	4,149	(+) 41
Households	4,813	5,254	(+) 393
Median Age	31.2	36.5	(+) 5.3 years

Source: U.S. Census Bureau Database (STF1A) Housing and Population.

**TABLE 3  
AREA POPULATION 1930 TO 1990**

<b>Year</b>	<b>Lewiston</b>	<b>Niagara County</b>
1930	3,420	149,329
1940	4,448	160,110
1950	6,921	189,992
1960	13,686	242,269
1970	15,888	235,720
1980	16,219	227,354
1990	15,453	220,756

Source: U.S. Census Bureau Database (STF1A) Housing and Population.

**TABLE 4  
LEWISTON MEDIAN AGE**

<b>Year</b>	<b>Lewiston</b>	<b>Niagara County</b>	<b>New York</b>	<b>United States</b>
1970	25.4	28.6		
1980	31.3	31.1	31.9	30
1990	36.5	34.6	33.9	32.9

Source: U.S. Census Bureau Database (STF1A) Housing and Population.

**TABLE 5  
EMPLOYMENT BY INDUSTRY**

	<b>1980</b>	<b>1990</b>
Agriculture, forestry, and fisheries	205	72
Mining	11	22
Construction	396	405
Manufacturing, nondurable goods	709	667
Manufacturing, durable goods	1,143	846
Transportation	196	286
Communications and other public utilities	211	300
Wholesale trade	220	199
Retail Trade	1,123	1,279
Finance, insurance, real estate	342	344
Business and repair services	205	248
Personal Services	135	117
Entertainment and recreation services	93	73
Health services	572	987
Educational services	994	979
Other professional and related services	337	546
Public administration	205	188
<b>Total</b>	<b>7,097</b>	<b>7,558</b>

Source: U.S. Census Bureau Database (STF1A) Housing and Population.

\*Persons 16 years and older

**TABLE 6**  
**DISTRIBUTION OF HOUSEHOLDS BY SIZE**

<b>Household Size</b>	<b>1980</b>	<b>1990</b>
1 Person	730	928
2 Person	1,591	1,784
3 Person	777	984
4 Person	972	1,022
5 Person	466	373
6 Persons or more	294	163
<b>Total</b>	<b>4,830</b>	<b>5,254</b>

Source: US Census Bureau Database (STF1A) Housing and Population.

**TABLE 7**  
**TOWN OF LEWISTON: HOUSEHOLD SIZE**

<b>Year</b>	<b>Lewiston</b>	<b>Niagara County</b>	<b>New York</b>	<b>United States</b>
1970	3.6	3.23	3.01	3.11
1980	3.01	2.78	2.7	2.75
1990	2.72	2.56	2.63	2.63

Source: U.S. Census Bureau Database (STF1A) Housing and Population.



**TABLE 8  
INVENTORY OF HISTORIC, CULTURAL AND SCENIC SITES**

1. View of Niagara Gorge towards Lake Ontario and Power Plant	18. Former Dickersonville Methodist Church, built in 1852	35. Historic German Immigrant homes
2. St. George Orthodox Church	19. View over Bonds Lake	36. Community Free Methodist Church
3. Historic chapel and site of War of 1812 ammunition house	20. Former Parks house	37. St. Michael's Cemetery
4. View of Niagara River	21. Historic brick home used to house Superintendent of Empire Limestone Quarry	38. Niagara Falls Memorial Park Association
5. Our Lady of Fatima Shrine	22. Historic farm of Silas Hopkins called Cranberry Bay Farm	39. Beth Israel Cemetery
6. Historic brick house, built in mid-1800s	23. View over Escarpment at farmland to the north	40. Lewiston Church of the Escarpment
7. Lewiston Assembly of God Church	24. View over Escarpment	41. Gate of Heaven and Holy Trinity Roman Catholic Church Society Cemetery
8. Lewiston Baptist Church	25. View along Meyers Hill Road	42. Riverdale Cemetery
9. Historic house, built around 1840	26. Stone house over 100 years old	43. Church of Jesus Christ of Latter Day Saints
10. Historic house, built around 1840; constructed of stone from Escarpment quarries	27. Historic brick Stover home	44. View down Niagara River towards Lake Ontario and Toronto
11. View towards Escarpment and Brandt Spring.	28. Pekin United Methodist Church, completed in 1856	45. Artpark
12. Historic stone house, built in mid 1800s	29. View of bedrock outcrops of Escarpment	46. Origin of Niagara Falls 10,000 BC
13. United Church of Christ, site of Hickory College founded around 1843	30. Methodist-Episcopal Church, constructed 1874	47. First Train (Rail) in US.
14. View down Indian Hill Road	31. Baptist Church, built in 1800s	48. House of Seven Cellars – Underground Railroad
15. Former Hayward House, the birthplace of Anna Merritt, member of Board of Education in Lockport	32. Historic frame house, built in 1834 by Seth Lyons	49. Hitchkis's House Stella Niagara.
16. Former Chateau-Gay Winery;	33. Marlboro Hotel built in mid-1800's	50. Route 104 Former Shoreline of Lake Iroquois 10,000 BC
17. Dickersonville Cemetery	34. Authentic log cabin over 100 years old	51. There are many additional historical houses located throughout the area

**TABLE 9  
COMMUNITY FACILITIES**

<b>Schools:</b>
Lewiston-Porter Central School (K-12)
Stella Niagara Seminary and Academy)
Saint Peter's School (Private K-8)
Niagara University (Private College)
Colonial Village Elementary (Lewiston) School (Public K-5)
Niagara-Wheatfield High School (Public 6-12)
Niagara County Community College (Public Junior College)
Edward Towne Elementary School (Public K-5)
Tuscarora School (Independent)
Barnabite Fathers Seminary
Lewiston Senior Center and Park
<b>Police Stations:</b>
New York State Police-Lewiston Station
<b>Fire Stations:</b>
Lewiston Volunteer Fire Company No. 1 and Sub-Station
Pekin United Volunteer Fire Company
Sanborn Volunteer Fire Company
Lewiston Volunteer Fire Company No. 2
Upper Mountain Volunteer Fire Company
<b>Libraries:</b>
Lewiston Public Library
Sanborn Library
<b>Hospitals:</b>
Mount Saint Mary's Hospital
<b>Municipal Buildings:</b>
Lewiston Village Hall
Lewiston Town Hall
Model City Post Office
Lewiston Wastewater Treatment Plant