

TOWN OF SOMERSET
2016 COMPREHENSIVE PLAN UPDATE



Adopted – 12/21/16



Town of Somerset Town Board

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

ACKNOWLEDGEMENTS

SECTION I

Introduction	1
Purposes of Planning	2

SECTION II

Background Analyses/Existing Conditions	3
A. The Regional Setting	3
B. The Natural Environment	4
Topographic Features- Steep Slopes	4
Natural Drainage	4
Generalized Soil Characteristics	6
Woodlands	8
Coastal Zone	9
C. The Cultural Environment	10
Population and Housing	10
Existing Land Use Analysis	12
Land Use Controls	13
Subdivision Regulations	13
Zoning	13
Other Codes	14
Transportation	14
Community Facilities	15
Parks & Recreation	15
Fire Protection	16
Police Protection	17
Administrative Facilities	17
Public Library	18
Educational Facilities	18
Water Supply and Distribution	18
Sanitary Sewer Service	18
Storm Sewers	19
Refuse Collection and Disposal	19

SECTION III

Goals and Objectives	20
----------------------------	----

SECTION IV

Findings and Recommendations	24
------------------------------------	----

SECTION V

Implementation Plan	33
A. Target Areas	33

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

B.	General Implementation Actions	37
C.	Other Implementation Items	37
D.	Vision Plan	39

SECTION VI

Environmental Analysis	42
-------------------------------------	-----------

APPENDICES

- Appendix A:** Applicable Components of 2004 Plan
- Appendix B:** Somerset Power Plant Multiple Use Plan
- Appendix C:** Meeting Information
- Appendix D:** Regional Plan Information
- Appendix E:** Barker Chemical Report

List of Maps

- Map 1: Regional Setting
- Map 2: Environmental Features
- Map 3: Agriculture Districts and General Soils
- Map 4: Aerial Imagery
- Map 5: Existing Land Use
- Map 6: Existing Zoning
- Map 7: Transportation
- Map 8: Community Features and Infrastructure
- Map 9: Vision Plan

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

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Somerset Town Board

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SECTION I

INTRODUCTION

Somerset prepared its first Comprehensive Plan for the Town in 1972. In 2003, the Town adopted an Update to the Comprehensive Plan that incorporated previous planning efforts while integrating more current planning concepts. The 2003 document was useful for the Town for nearly a decade. However, at that time, a number of changes to the community necessitated a fresh look at planning for the Town. One of the most critical issues was the pending bankruptcy of the AES Somerset power plant. The power plant is the largest tax payer in the Town and County, and a major source of employment and economic development for the region. These factors and others required a 2012 update (started in 2011) to refine the 2003 plan. The 2012 update addressed new issues, such as economic development, that were and still are important to the Town.

The 2012 revised Comprehensive Plan provided general direction to guide future growth and development in the Town of Somerset. It also provided an update of information and data relevant to planning the future of the Town of Somerset. The effort of preparing the 2012 update entailed a hard look at the Town's goals and objectives. The goals were modified, including the addition of a new goal addressing economic development. The 2012 revised Comprehensive Plan should be viewed as a summary of the policies and priorities of the people of the community as of 2012. The guide was intended to help guide decision-making, especially regarding land use in the Town. Critically, the 2012 plan stated that its first goal was to "Maintain the Rural and Agricultural Character of the Town".

To keep a Comprehensive Plan up-to-date, it is recommended that the plans be updated approximately every five (5) years or if major events warrant them to be re-evaluated. In the Implementation Section of the 2012 Plan, it states that, "Every five years the Town should evaluate the need for any major updates to the Plan".

It has been approximately five years since the 2012 Update was started. Since that time, the Town has seen potential users interested in developing the western end of the Power Plant site. The Town has also become aware of a proposal for a large scale Wind Energy Conversion System (Wind Turbines) project. The footprint of the proposed Industrial Wind Energy Facility would span from the Town of Somerset into the Town of Yates. Both the power plant proposals and the Industrial Wind proposal have prompted another hard look at the Comprehensive plan. Like the previous update, the Town has received multi-faceted input from its citizens (including a specific survey of the residents, public meeting input, e-mails, letters, etc.). Based on citizen input, the Town has decided to again update the Plan in order to strengthen and clarify the goals and objectives already stated in the 2012 plan, and to better reflect the concerns and priorities of the Town's residents.

This document is an update to the 2012 Plan and will serve as a guidebook for achieving the community's visions. This update does not alter the fundamental vision of Somerset as a primarily agricultural, residential, and rural community. This update merely clarifies the goals and objectives already stated in the 2012 Plan. Although some land uses were implicitly inconsistent with the 2012 Plan, this revision is intended to clarify the 2012 Plan by expressly stating that some land uses are not in keeping with the goals and objectives of the Town, and its vision. This revision provides a variety of tools and options that can be used immediately or in the future. Implementation of the revised comprehensive plan is the responsibility of elected officials and

appointed boards serving the Town of Somerset. The Implementation Section provides a range of recommended actions that the Town could undertake, including zoning and other land use codes; capital improvements; economic development activities and other actions.

PURPOSES OF PLANNING

A comprehensive plan carefully assesses strengths and opportunities inherent in the community in order to develop a rational basis for proposed policies, codes and other activities. In New York State, the right to zone land is premised on having a comprehensive plan for the community. Land development is strongly influenced by zoning, public investment, and availability of infrastructure and transportation access. A comprehensive plan addresses all of these issues.

In order to develop a meaningful and useful comprehensive plan, many sources of background information must be provided. This strong basis in data helps local legislative and administrative boards determine where growth should take place and how it should be phased. These background elements comprise an updated inventory of planning data and mapping of various features, followed by careful analysis of trends and issues. Based upon the findings of these basic elements, along with significant input from Town residents, goals and objectives are developed to guide future development. Then specific recommendations are made intended to help the Town make progress toward achieving those goals. As appropriate, these policies are presented on the Vision Plan (Map 11). The Vision Plan does **not** represent proposed land use patterns or zoning, but is intended to visually depict a vision for the community. It illustrates the general principles that should guide growth and development in the Town.

The revised Comprehensive Plan is the community's message to its residents, to developers, to industry, and to other levels of government, that the Town of Somerset has given consideration to its environs and has proposed a program of development based upon sound planning principles and direction, with public input and support. It is important for the Town to have such a statement of policy, with supporting documentation that led to that policy. This ensures that the Town's interests are clearly stated, and provides guidance for the Town in evaluating proposals that come before it. Adoption of a Comprehensive Plan also lends weight to the Town's position when conflicts arise, because this position is based on sound planning and has public consensus behind its findings.

Policies, plans and capital improvement programs instituted by higher levels of government -- at the national, state, regional and county levels-- often play a significant role in shaping the future of local communities. The Town's Comprehensive Plan clearly communicates the Town's consensus in regard to its future. This Plan has been prepared with an understanding of regional and State trends and policies. Where appropriate, it is consistent with these higher government programs; where there are variations, it explains the rational basis for any differences.

The recommendations and policies in this comprehensive plan grew out of existing land use patterns, its strategic waterfront location, future vision, and practical considerations of access to infrastructure and transportation, with an eye to preservation of important natural features. Business and industrial firms and, to some extent, individual homeowners are all engaged in looking into the future from time to time in order to provide some direction to their day-to-day activities. Most businesses, for instance, project their anticipated needs and goals for at least a five-year period. A community likewise must have some direction to its day-to-day activities. In fact, it is even more important for a community to think ahead, due to its size and complexity; the environmental importance of its assets; and the enduring and long-reaching nature of its decisions, particularly in regard to land use. A comprehensive plan can provide insight and

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

direction for the future of the community, to protect its resources; plan for prosperity and provide improved local quality of life.

It should be noted that Somerset, as a waterfront community, has a separate Plan for its waterfront area, the Local Waterfront Revitalization Program (LWRP). In completing this Comprehensive Plan Update, the LWRP was referenced extensively. This Plan includes a recommendation for minor updates to the LWRP to better reflect the overall vision of the Town established during this Update. Please refer to the Town's LWRP for more information on the Town's important waterfront initiatives.

A comprehensive plan provides a number of benefits:

- Dealing with minor problems so that they do not become major problems in the future.
- Limiting the impact of changes which can be foreseen and which will occur in the future.
- Shaping new development to the community's needs and preferences.
- Guiding both public and private action to save money, time and effort.
- Providing continuity of future programs for community improvement.
- Improving coordination between municipalities, especially between the Town of Somerset and the Village of Barker.
- Providing a unifying focal point for the efforts of all community interests.

SECTION II

BACKGROUND ANALYSES/EXISTING CONDITIONS

A. THE REGIONAL SETTING

With the current focus on regional planning, it is important to look at how the Town of Somerset fits within the context of the wider region. Somerset is a rural waterfront Town located on Lake Ontario, at the outer limits of the Buffalo-Niagara metropolitan area. (See Map 1: Regional Setting). Much of the Town's labor force works outside of Somerset but within the two-county metropolitan area. As such, local development policies must recognize Somerset's dependence on the metropolitan economy and transportation networks.

The Town's waterfront location is also an extremely important asset to the Town and the region. It has drawn people to live and recreate in the Town, and businesses, such as the power plant, have chosen to locate in the Town to take advantage of the waterfront attributes.

The metropolitan area, which consists of Erie and Niagara Counties, has experienced significant population declines over the past decades. Between 1970 and 2010, the total population of the two county region decreased from 1,349,211 to 1,135,509, a drop of 15.8 percent over the past forty years. Population decline has been leveling off, with a two-region decrease of just 3.0 percent between 2000 and 2010. Much of the decline is focused in Erie County, particularly the City of Buffalo and its inner ring of suburbs. Population in Niagara County has experienced more modest population loss. Between 2000 and 2010, the population of Niagara County decreased just 1.5 percent, compared to 3.3 percent in Erie County, and between 2000 and 2010, the population of Niagara County essentially remained unchanged, with a decrease of only 0.4 percent. Population projections prepared by the Greater Buffalo-Niagara Regional Transportation Council) suggest that population declines may be reversing, although the projections are conservative for transportation planning purposes, and tend to be optimistic. The projections indicate that Niagara County will increase in population to 245,930 by the year 2030, an increase of 13.6 percent, or approximately 29,500 persons.

The *Regional Framework for Erie and Niagara Counties*, a regional policy plan for the two counties, promotes the concept of Somerset remaining rural. The regional document sets forth preferred development patterns, which focus growth on urban and rural centers while preserving the rural character of outlying areas. The Town of Somerset is identified as a rural area, which is defined as an area that is less intensely developed with large, contiguous blocks of farmland and forested areas, with more compact residential, commercial and public uses concentrated in Villages, such as Barker. The document identifies Barker as a "Rural Center" – an area that serves as "the social, cultural, economic and often historic heart of the region's rural communities." Strategies for rural areas promote limited development, encourage reinvestment in the rural centers and discourage the development of rural and agricultural lands. This emphasis on preserving rural character is consistent with the Town's vision for its own future.

The Town is also part of the 5-county Western New York Region. The Western New York region is a State designation prompted by the State's new approach to economic development. Increasingly, State activities will be organized and distributed on the regional level, particularly in regard to economic development, grants and financing. To be competitive for these funds, municipalities need to examine how they are integrated into the region and its priorities. The recently completed regional economic development strategic plan, "*A Strategy for Prosperity*" (and its yearly updates), addresses the region's economic vitality and viability. It outlines a

regional agenda intended to promote “a more dynamic and sustainable economy” for the region. The Regional Strategy emphasizes job readiness, smart growth and entrepreneurship, factors that resonate with the Town’s needs and assets. It targets 8 industry sectors, including advanced manufacturing, agriculture, energy and tourism, which are sectors that could be compatible with the Town of Somerset’s assets. It should be noted, as discussed later in the Plan, that neither regional document mentions the Somerset power plant, which represents a multi-billion dollar investment in the region, and is the largest tax payer in Niagara County.

B. THE NATURAL ENVIRONMENT

The Town’s natural environment consists of the physical characteristics of the land and ecology of the Town of Somerset. This section of the plan considers the natural environment, focusing on the sensitive environmental features that require some degree of protection from development.

Topographic Features - Steep Slopes

Topography is one of the prime physical characteristics determining an area's development potential. Relief and grade levels often dictate the extent and character of land development. Land that is nearly flat or has gentle slopes (0-5 percent), lends itself more advantageously to development than land characterized by greater slopes or variation in elevation. The Town of Somerset is generally characterized by gently sloping topography and has only a few limited areas where there are steeper slopes. Topography, therefore, sets very few limits to the prospective pattern of development in the Town. It also lends itself to long lines of visibility and impacts to view sheds from large scale development, such as Wind Turbines. The exceptions are the steep slopes along the Lake Ontario shoreline. These slopes present some serious concerns, which must be addressed through planning policy. The problems will be discussed later in the section on the coastal zone.

Somerset is typical of towns found within the Iroquois Plain, which extends from the south shore of Lake Ontario, southerly to the Niagara Escarpment. The Escarpment traverses, in an east-west direction, the Towns of Lewiston, Cambria, Lockport, and the northern part of Royalton. South of the Escarpment, elevations of 500-600 feet are typical. North of the Escarpment, elevations of below 500 feet are most common. Lake Ontario itself is at an elevation of approximately 250 feet above sea level. The Town of Somerset, which lies between the Escarpment and the Lake, ranges in elevation from a high of approximately 370 feet above sea level at the south town line, near Johnson Creek Road, to a low of 250 feet at lake level, a drop of 120 feet.

The Town, overall, has a change in elevation difference of approximately one-foot per thousand feet (0.1 percent) throughout its north-south length, to approximately Lower Lake Road. From Lower Lake Road northward, topography recedes toward the Lake at a rate of 50 feet per 1000 feet, or 5 percent slope. Areas to the west of Quaker Road have steeper topography up to 6 to 8 percent slopes on the northern extension of Hartland Road and Lower Lake Road. Immediately adjacent to the Lake, there are bluffs of 20 to 40 feet for approximately 80 percent of the Town's lakefront. These bluffs have inhibited denser lakefront development. The majority of lakefront residential and recreational development has encroached on the lakefront bluffs north of Lakeview Drive in an area from Quaker Road, easterly to the west edge of Golden Hill State Park.

Natural Drainage, Floodplains and Wetlands

Natural drainage refers to how surface water travels across a watershed. An understanding of the natural drainage system is important in understanding watersheds, the management

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

of storm water, protection of water quality, and also the design and development of constructed sanitary sewer and natural storm water run-off systems.

Topographically, the entire northeastern part of Niagara County is drained toward Lake Ontario by several major drainage courses including Johnson and Marsh Creeks. These creeks extend easterly into Orleans County. Fish and Golden Hill Creeks and their tributaries are also important creek corridors through the Town of Somerset. (See Map 2: Environmental Features)

Natural drainage within the Town of Somerset is provided by two separate drainage basins: the Golden Hill Creek basin and the Johnson Creek basin. The Golden Hill Creek divides the Town in half, running from the extreme southwest corner of the Town to the northeast corner through Golden Hill State Park. All land south of Golden Hill Creek and land for a parallel distance of approximately 1,000 feet north drains toward Golden Hill Creek. All land lying generally north of a line 1,000 feet north of Golden Hill Creek, and below an elevation of 330 feet, drains to the north into Fish Creek or one of its tributaries, or a small west branch of Golden Hill Creek. There are two small exceptions. An area on the AES Somerset property drains directly into Lake Ontario and a portion of the southeast corner of the Town drained by Marsh Creek lies within the Johnson Creek basin. The upstream area of the Johnson Creek basin lies in the Town of Hartland, and its downstream basin area is in Orleans County.

As the Town of Somerset shares its drainage basins with other towns, it does not have complete control over its drainage problems. The Town itself may develop and put into effect sound policies to prevent drainage problems, only to have such problems arise through inappropriate regulation by upstream towns. The importance of this situation is such that it should be the basic policy of the Town to coordinate its drainage system planning efforts with those of other towns which share its drainage basins.

As noted above, the Town of Somerset is crossed by a number of creeks, the most significant one being Golden Hill Creek. These creeks not only serve an important drainage function, but also provide attractive natural settings and offer opportunities for recreation. Golden Hill Creek and Fish Creek have experienced some salmon runs, and may have the potential to become an attraction for sport fishing. The goals and policies section of the comprehensive plan suggests specific policies to guide local decision making in order to protect the creek from the adverse effects of development. The implementation of these policies would allow these waterways to maintain their important natural purposes, their environmental attractiveness, and their recreational potential.

The Federal Emergency Management Agency (FEMA) issued new Flood Insurance Rate Maps (FIRM) for the Town of Somerset in 2010, replacing the maps from 1982. The FIRMs delineate flood hazard boundaries which provide the basis for the implementation of the regular program phase of the National Flood Insurance Program within the Town. The flood hazard areas (100 year floodplains) are depicted in general form on Map 2 and include the Lake Ontario shoreline, much of the land along Golden Hill Creek and land near the outlet of Fish Creek. Map 2 should be used only for general planning purposes. Persons interested in determining the exact locations of the flood hazard boundary areas should refer to the official map on file at the Town Clerk's office, particularly in regard to the need for flood insurance for a property.

In order for property owners to take advantage of the National Flood Insurance Program, the Town Board is required to adopt federally approved floodplain management regulations to manage land use and development within the designated flood hazard areas. Flood hazard regulations were developed as part of the Town's Coastal Energy Impact Program

and incorporated into the Town's zoning ordinance. Had the Town failed to enact such provisions, property owners within designated flood hazard areas would lose their eligibility to receive federal flood insurance. No federally insured mortgage money would be available to buyers within the Town and federal funds would be withheld.

Under the New York State Freshwater Wetlands Act, DEC has prepared a wetlands map for Niagara County. A wetlands map for the Town of Somerset is on file and the Town has adopted a wetlands law. There are large areas of wetlands in the southern portion of the Town near the Town of Hartland. All mapped state-regulated wetlands are in the southern part of Somerset. Additional areas of wetlands under federal jurisdiction are located throughout the Town, as depicted on Map 2. Map 2 illustrates federal and state wetlands that have been mapped. There may be additional areas of unmapped wetlands located in the Town of Somerset.

This Comprehensive Plan sets basic Town policies for protecting the Town's important drainage features: the creeks, the floodplains and the wetlands. The policies, carried out through effective regulation, are intended to protect the public interest from the adverse effects of development that disregards the drainage system. There are many benefits associated with protecting drainage features. By acting as a natural sponge to trap stormwater, snowmelt and other surface waters, they reduce the volume and speed of runoff. This protects areas from negative impacts associated with flooding and helps reduce risk of erosion. They add natural beauty to the Town, and provide important habitats for wildlife. Avoiding development in floodplains prevents risks associated with serious flood damages. Too often the public at large bears the cost of development which disregards the drainage system by having to pay for engineering and public works measures to reduce the risk of flood damages. These costs and potential damages can be minimized by establishing proper natural resource policies to guide local development actions. These policies may best be utilized by providing the basis for establishing a master plan for drainage.

Generalized Soil Characteristics

The study of soil characteristics constitutes another important determinant of future development potentials. The ability of local soils to sustain development greatly affects the nature and intensity of development in the Town. Of primary importance is the ability of soils to facilitate surface water runoff. To an extent, this capability is related to and dependent upon local topographic conditions. Surface water drainage is more difficult to manage in areas that are relatively flat. In these areas, soil composition must accommodate a greater percentage of this surface water through seepage, or the cost of storm water drainage becomes extremely expensive. In areas where septic tanks are utilized, residential development must be kept at a density that permits the proper percolation of septic tank effluent. The ability of soils to accept sanitary sewage effluent is very important if an area is to remain free from health problems.

The majority of land within the Town of Somerset will continue to be utilized for agriculture and rural uses over the next 20 years. Therefore, the land's suitability for agricultural use is of continuing and perhaps increased importance. As other areas are consumed for development, fewer areas remain for agricultural production. Any area that is well suited to food production from a soil, climatic, and available land standpoint, should be considered as much for its inherent agricultural qualities as for its capability to support what may be unnecessary urban sprawl.

The primary source of information for soil data is the publication "Uses of Soils for Community Development and Recreation Use," prepared by the U.S. Department of Agriculture at the Niagara County Soil Conservation Service. The soil types within Somerset and Barker have

been grouped into categories and simplified for presentation purposes. The basis for these classifications is drainage conditions and topography. It should be understood that the soil description which follows is general in nature, and if any questions arise for a specific area, a more detailed on-site soil survey would be required. Table 1 summarizes this information on soils in Somerset. In addition, Map 3: Agriculture District and Generalized Soils, provides information on the soil types within the Town.

Soils within the Town vary greatly because of their initial creation as glacial drift deposits mixed with alluvium from the prehistoric recession of Lake Ontario. Although deposits of gravel are common in glacial formations, most of the soils in Somerset are alluvial deposits of silt and are heavy textured. Silts in particular have a soil composition in which moisture cannot be retained and a tight structure through which water cannot pass. This impervious soil structure, which inhibits the absorption of moisture, can be found in many areas of the Town, but is particularly evident in the swampy area in the southeast section, in the vicinity of Carmen, Johnson Creek and the Hartland-Somerset Town Line Roads.

The majority of soils in the Town can be productive if they have good natural drainage or can be mechanically drained by tile lines or ditches. With adequate drainage, only one of the numerous soil types found within the Town is of limited agricultural value. High soil suitability for grain crops, fruits, and some vegetables coupled with late springs and long falls (typical along Lake Ontario) combine to provide better growing conditions than in most other areas within the state. These two natural phenomena help to explain the relative stability that farming has had in the Town of Somerset. According to the U.S. Census of Agriculture, in 2007, the most recent year available, there were 59 farms in operation in the 14012 zip code, which corresponds roughly to the Town of Somerset. There were 865 farms across Niagara County in that year, and increase of 8 percent since 2002, when there were 687 farms in the county.

While there has been a national trend toward larger and larger farms, the trend in Niagara County is toward moderate sized farms (this may be misleading as more acreage is being rented and separate parcels may all be rented by a single farmer) In Niagara County, the average number of acres per farm was 185 acres in both 1997 and 2002. In 2007, it dropped to 165 acres. Most farms in the county are 10 to 48 acres (37 percent) or 50 to 179 acres (37 percent) in size. In 2007, the value per farm was \$351,933, and the value per acre was \$2,134.

As can be seen in Table 1, most of the soils in the Town will not readily accept dense urban development patterns without the extensions of water and sewer lines, because of high water tables and impermeable soils. The existing sewer-served areas of the Village and Town contain sufficient capacity to more than accommodate the needs for future growth during the next ten to twenty years. Growth will benefit the public investments in sewer and water lines costs if it is concentrated within the existing sewer and water district areas. Not only will adding customers within the districts help permit less costly district charges and maintenance costs for landowners, it will indirectly stabilize and enhance the area's agricultural economy by reducing the potential of scattered residential development throughout farming areas. Concentrating residential development largely within the sewer district will also help promote a sense of community and stronger neighborhood ties that cannot be created by scattered sprawl development along major highways.

**Table 1
Generalized Soil Limitations
Town of Somerset, Niagara County, NY**

Predominant Soil Types	Slope	Erosion	Capabilities for Septic	Capabilities: Home Sites	Capability for Agricultural Production
Total Town Area					
Type 44	0-2% 2-6%	Little to none Slight	Severe- a, d	Moderate- a	Highly suitable with drainage
Type 86	0-2%	Little to none	Severe- d	Moderate- a	Suitable, most crops
Type 46	A	Little to none	Severe- a, d	Severe- a	Suitable with drainage
Type 93	0-2% 2-6%	Little to none Slight	Severe- a, d	Severe- a	Suitable with drainage
Type 85	0-2%	Little to none	Severe- d	Moderate- a	Suitable, most crops
Type 71	0-2% 2-6%	Little to none Slight	Moderate- a, b	Moderate- a	Highly suitable, most crops
Type 112	0-2%	Little to none	Severe- a, c, d	Severe- a, c	Limited suitability
Type 88	0-2%	Little to none	Severe- a, d	Severe- a	
Lakeshore Area					
Type 93	0-2% 2-6%	Little to none Slight	Severe- a, d	Severe- a	Suitable with drainage
Type 44	2-6%	Slight	Severe- a, d	Moderate- a	Highly suitable with drainage
Type 86	2-6%	Slight	Severe- d	Moderate- a	Suitable, most crops
Type 63	0-2%	Little to none	Severe- a, d	Severe- a	Suitability, with drainage
Along Creeks					
Type 2	0-2%	Little to none			Highly suitable, most crops

NOTES:

- a. Seasonal high water table, generally 1½ to 2 feet below the surface
- b. Severe pollution hazard
- c. Shallow bedrock: 1 to 3 feet
- d. Slow permeability at depths of 8" to 2 feet

Source: *Uses of Soils for Community Development of Recreational Use, Soil Conservation Service, U.S. Department of Agriculture, Niagara County, NY—taken from Comprehensive Plan-Town of Somerset and Village of Barker, 1972.*

Woodlands

Woodlands are important environmental features of the Town of Somerset that merit some degree of protection from development. Woodlands provide attractive natural settings, offer important habitats for wildlife and contribute to the rural character of the Town.

According to an inventory by the Niagara County Environmental Management Council (EMC), the Town of Somerset had 6,091 acres of woodlands in 1978, covering about one-fourth of the total land areas of the Town. Some 4,400 of these acres were in brushland,

while the remaining acres were in mature woodland. There are areas of “old growth” forest with trees dating back to the 19th century in the Town. One such location is the 5.3 acre area behind the Town Hall (see appendix for a NYSDEC report on this site). Much of the brush land will eventually mature, adding to the forest resources of the Town. A comparison of the EMC inventory with a comparable inventory by the State of New York in 1968 indicates that the area of brush land in the Town increased by about 1,200 acres between 1968 and 1978. This trend could be due to the retirement of land from farm production, or may be due to differences in methodologies. The 1978 inventory of woodland has never been updated, and the current status of woodlots in the Town must be estimated. Based on aerial photographs of the Town, it is estimated that the amount of land coverage in woodlands has decreased since 1978, to an estimated 15 to 20 percent of the Town. Map 4: Aerial Imagery is an aerial photograph of the Town of Somerset. Wooded areas can be seen as dark green on this map. As can be seen on the aerial, this loss of woodlands is not due to residential or commercial development. A current acreage of woodlands has not been calculated.

Coastal Zone/Waterfront Areas

One of the most important environmental features in the Town of Somerset is its coastal zone, the Lake Ontario shoreline. This area is regulated through the New York State Coastal Zone Management Program. In 2005, the Town completed a Local Waterfront Revitalization Program (LWRP), which enabled stronger local control over development in the coastal zone. The LWRP provides a complete inventory of Somerset’s coastal area and its assets. It establishes local policies and programs to guide development in this important area, and identifies preferred future land uses and project for the waterfront area.

The 2005 LWRP identified a number of issues affecting the coastal zone in the Town of Somerset:

- Industrial and commercial properties account for a significant amount of the land area within the Local Waterfront Revitalization Area (LWRA). The AES power plant is a major property owner, with control over ¼ of the Town’s shoreline.
- There are a number of vacant or undeveloped properties that could be subject to development pressures.
- There is public sewer along the western end of the LWRA, but there are dense areas of residential development with no public sewer.
- Shoreline erosion is a major problem. The coastal area is characterized by steep bluffs that are highly susceptible to erosion. Existing shoreline protection structures are in various states of disrepair.
- Waterfront access is limited to Golden Hill State Park. The Village’s Barker Bicentennial Park offers views of the lake, but topography precludes access to the water.

Since the LWRP was prepared, the former AES power plant has experienced economic difficulties. It entered bankruptcy in 2012 and was sold. The power plant is a major property owner in the Town and along the lakeshore, as well as the largest taxpayer in Somerset and Niagara County, and the future of the former AES property is of major concern to the Town. The primary concern is the potential economic impacts of the potential loss of this industry. The Town is also interested in preserving the future potential of the “Multiple Use Plan” for waterfront lands owned by AES. As part of the Coastal Energy Impact Program many years ago, the Erie and Niagara Counties Regional Planning Board prepared a multiple use plan for a portion of the Somerset power plant site. The development program included a variety of recreation activities, such as active play areas, picnic grounds, water based recreation, and a nature trail, that were designed to take advantage of the lakefront, its scenic vistas and associated resources. Although there are no immediate plans to implement this multiple

use plan, the Town wants to retain these concepts for potential future implementation. The development of the multiple use concepts would expand public access to the shoreline and increase recreational options in the Town.

The waterfront area also includes important stream corridors, fishing habitats and is an important International Bird corridor and area for migrating birds. With regards to this important bird corridor and migratory area, a recent US Fish and Wildlife Service study utilizing radar has developed a tremendous amount of information about the bird populations in the Great Lakes area. Based on this study, the US Fish and Wildlife Service has recommended that no wind turbines be built within three (3) miles of a Great Lakes shoreline. Other organizations, based on this study have recommended greater setbacks; five (5) to ten (10) miles.

Another extremely important and unique component of the Town's "Recreation/Tourism" opportunities and of the Town's Waterfront is the location of the Great Lakes Seaway Trail in the Town. This scenic driving route connects Lake Erie, the Niagara River, Lake Ontario and the St. Lawrence River in New York and Pennsylvania. It is a National Scenic Byway that includes unique historical locations and cultural heritage sites in addition to outstanding views and scenic vistas.

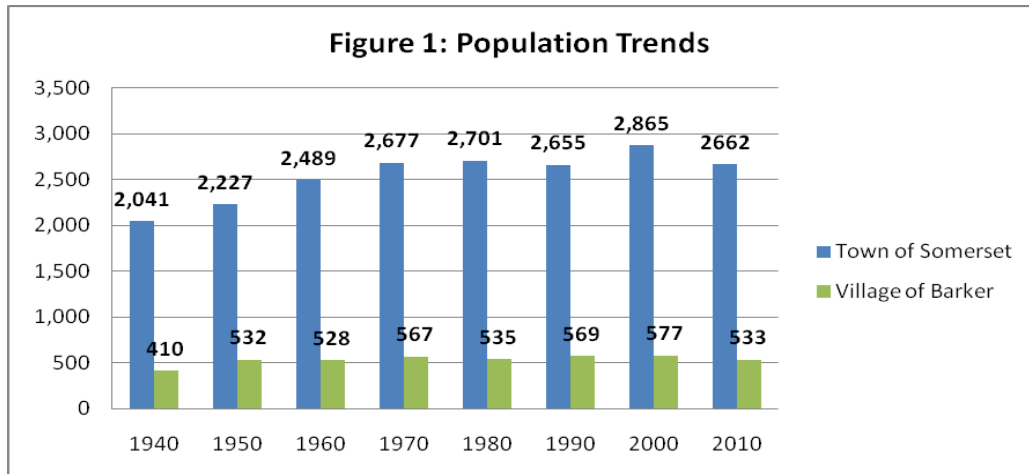
C. THE CULTURAL ENVIRONMENT

The cultural environment of the Town of Somerset is made up of its people, its land uses, and its public facilities. This section of the document addresses these issues.

Population and Housing

The metropolitan area, which consists of Erie and Niagara Counties, has experienced a decline in population over the past decades. Between 1990 and 2010, the total population of the two county region decreased from 1,189,288 to 1,135,509, a drop of 4.5 percent over the past twenty years. Much of the decline resulted from losses in Erie County, which lost 5.1 percent of its population, compared to Niagara County, which lost 1.9 percent. While the region is still losing population, the steep decreases experienced in the 1970's have moderated. Between 2000 and 2010, Niagara County lost 1.5 percent of its population, and Erie County lost 3.3 percent. Population projections prepared by the Greater Buffalo-Niagara Regional Transportation Council indicate that Niagara County will increase in population to 245,930 by the year 2030, an increase of 13.6 percent, or approximately 29,500 persons. These figures, prepared to assure adequate capacity for transportation planning purposes, are generally considered optimistic.

Population trends for the Town of Somerset are depicted in Figure 1 and Table 2. The Town grew steadily between 1940 and 1980, increasing from 2,041 to 2,701 (32 percent). In the 1980s, the population dropped slightly (-1.7 percent), followed by strong growth between 1990 and 2000, when the population increased by 7.0 percent. These increases were essentially erased in the past decade (2000 to 2010). The population in 2010 (2,662) is essentially the same as it was in 1990 (2,655). The American Community Survey's 2010-2014 estimate shows the Town's population increasing to 2,718, but the margin of error is +/- 165. For the purposes of this update, it is assumed that population has remained stable. In contrast, the Village of Barker has maintained a relatively stable population. In 2010, the Village had nearly the exact same population as in 1950.



The number of households in the Town of Somerset decreased slightly over the past 10 years. There are currently 988 households in the Town, compared to 1000 in 2000. This represents a decrease of 1.2 percent over the past decade. In Barker, the number of households remained essentially unchanged, with the loss of one household between 2000 and 2010, to a total of 210 households in 2010.

Table 2
Population Trends

Population	Town of Somerset		Village of Barker		Town outside Village	
1940	2,041		410		1,631	
1950	2,227		532		1,695	
1960	2,489		528		1,961	
1970	2,677		567		2,110	
1980	2,701		535		2,166	
1990	2,655		569		2,086	
2000	2,865		577		2,288	
2010	2,662		533		2,129	
Change/Trends:						
	Town of Somerset		Village of Barker		Town outside Village	
	Number	Percent	Number	Percent	Number	Percent
1940-1950	186	9.1%	122	29.8%	64	3.9%
1950-1960	262	11.8%	-4	-0.8%	266	15.7%
1960-1970	188	7.6%	39	7.4%	149	7.6%
1970-1980	24	0.9%	-32	-5.6%	56	2.7%
1980-1990	-46	-1.7%	34	6.4%	-80	-3.7%
1990-2000	210	7.9%	8	1.4%	202	9.7%
2000-2010	-203	-7.1%	-44	-7.6%	-159	-6.9%

Source: US Bureau of the Census

	1990	2000	2010	Change: 1990-2010		Change: 2000-2010	
Households							
Somerset (all)	940	1,000	988	48	5.1%	-12	-1.2%
Barker	218	211	210	-8	-3.7%	-1	-0.5%
Somerset (part)	722	789	778	56	7.8%	-11	-1.4%

Source: US Bureau of the Census

As the table above illustrates, population decline exceeds household loss. This is due to the fact that average household size has been declining throughout the country, and Somerset has also experienced this trend. The decline has been due to a reduction in the birth rate, combined with an increase in single person households, separations and divorces. The effect of this trend has been to create a demand for new housing, even in communities that have experienced a stable population. As the population ages and the number of single person households continues to increase, this trend is expected to continue. In Somerset, the average size of a household in 2010 was 2.68 persons, which is significantly lower than it was in 2000. Village patterns parallel Town trends: in Barker, the average size of households increased from 2.62 persons in 1990 to 2.85 persons in 2000, then fell back down to 2.54 in 2010.

**Table 3
Household Size Trends**

	Town of Somerset	Village of Barker
1990	2.84 persons per hh	2.62 persons per hh
2000	2.85	2.85
2010	2.68	2.54

In addition, the number of housing units has been steadily increasing. In 1970, there were 927 housing units in the Town. By 2010, the number had increased to 1,141, representing a growth of 23.1 percent over the past forty years. This is partly due to increased numbers of second homes, and a larger proportion of unoccupied units in the Town. This growth continued modestly in the past decade (9 net new units), even while population and household numbers decreased.

Existing Land Use Analysis

The study and analysis of existing land uses within a community is one of the fundamental elements of a comprehensive planning program. A comprehensive plan will assess the patterns and relationships of existing land use, providing guidance for making decisions on how to address zoning, potential future growth and how land is developed. Land use can be classified into several generalized categories. The categories include:

Agricultural/Active Farmland - Land which is currently under cultivation or producing a crop directly related to sustaining farming operations. Included are pasture land, hay fields, field crops (wheat, oats, etc.), wood lots, and associated lands that are part of an active operation, including fallow fields.

Residential- Land containing one or more dwelling units, including seasonal housing and mobile homes. (A dwelling unit is a group of rooms in which a family lives, independent of any other unit.) Residential land use can be further categorized as single family, multi-family, multiple residential (e.g. institutions), or rural residential (very low density).

Commercial/Business - Land where goods or services are offered for sale to the public. Examples include grocery stores, offices, gasoline stations, etc.

Industrial - Land where a product is manufactured, fabricated, constructed, stored or assembled, or any combination of industrial activities including product or material handling, storage or treatment including the extraction of natural resources from their parent site, and research related activities that lead to the development or refinement of industrial products.

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

Government/Public Facilities - Land with or without structures, which is used or maintained by a governmental or institutional organization for the benefit of the residents of the community. Included are schools, churches, fire stations and libraries.

Parks/Outdoor Recreation - Land with or without structures, which is used for both active and passive recreational purposes by the public. Included are state and local parklands.

Vacant and Other Underdeveloped Land - Land which is currently not being used or is not suitable for active farming operations. Included are wooded areas, freshwater wetlands, forests, outlands and water bodies.

Utilities/Infrastructure - Land used for various utilities uses, such as pipelines, rail and electric transmission lines.

There have been some changes in land use in the Town of Somerset over the past decades, but generally, the Town remains predominately a rural and agricultural community. The construction of the Somerset Power Plant entailed the purchase of 1800 acres in the 1970s. More recently, there have been modest increases in residential development. Most of the residential development has been low densities, although there are areas of more concentrated residential development in the Village of Barker, in the hamlet of Somerset at the intersection of Lake Road and Quaker Road, and in some areas along the lakeshore. Certain streets, such as Quaker Road between the Village of Barker and the hamlet of Somerset, have experienced strip frontage development for residential uses. Elsewhere, residential development is scattered at a fairly low density along the frontage of highways. Other large land users include the Somerset power plant, which occupies nearly 1,100 acres of land, representing the vast majority of industrial land in the Town. Golden Hill State Park is another large parcel.

Much of the Town of Somerset is included in state-designated agricultural districts, as shown in Map 3: Agricultural District and General Soils. The exception is the southeast portion of the Town, which is characterized by woodlands and wetlands. The agricultural district boundary is set by the Niagara County Legislature and the State Department of Agriculture and Markets pursuant to the provisions of Article 25 AA of the State Agriculture and Markets Law, and represents lands that consist primarily of viable farming soils. By being located within a designated agricultural district these lands receive an extra layer of protection from development. The district was created as a means of stabilizing farming in the county, to protect agricultural investments and to encourage expansion of farmland wherever possible. Local land use policies should complement the objectives of the agricultural districting program in order to support farmland preservation. Current land uses based on assessment data are shown on Map 5: Existing Land Use.

Land Use Controls

Two of the major tools in controlling land use in a community are zoning and subdivision regulations. The Town of Somerset has regulations for both; Chapter 171 - Subdivision of Land, and Chapter 205 - Zoning. Both are found in the Code of the Town of Somerset, which have been codified with all the codes of the Town.

Subdivision Regulations

The Town's subdivision regulations are fairly standard regulations, with procedures for both minor subdivisions (4 or less lots, not involving public infrastructure improvements or extensions), and major subdivisions (more than 4 lots). A minor subdivision approval is a two

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

step process: sketch plan and minor subdivision plat review. A major subdivision requires three steps: sketch plan, preliminary plan review, and final plat review.

The remainder of the subdivision code sets forth plan specifications, development standards, required improvements and penalties. The regulations do not include any creative subdivision techniques such as rural cluster development (see zoning code for cluster development regulations) or other rural development regulations.

Zoning

The zoning code of the Town is also a fairly standard code, including sections on the following: nonconforming uses, the zoning districts, supplemental regulations (including cluster developments and planned unit developments), parking regulations, site plan review, administration and enforcement, and Board of Appeals.

Zoning in the Town includes four residential categories (agricultural, single-family, single and two family, and a lake shore residential district), one business, two industrial zones (industrial and general industrial), and a mixed use floating zone, PUD. The R-2 district allows medical centers or clinics by special use permit, and the "planned business areas" of the code encourages PUD's in the R-2 district.

The Town has kept its zoning map in general conformance with the goals and objectives of the community. In 2001, several zoning revisions were enacted in keeping with this vision. These zoning map amendments included the following:

- Making all lands within 500' of the high bank of Lake Ontario either "residential lake shore" or agricultural (excluding the power plant site).
- Removal of some isolated commercial zonings in areas no longer commercial in nature.
- Removal of some industrial zoning in areas that are agricultural in nature, and making them agricultural zoning.
- Adding consistency in the industrial zoned areas by adding some railroad property back into the industrial zone.
- Adding a PUD designation over the AES power plant site, acknowledging the present uses on the property. The PUD allows many types of uses, but any changes to the property would require a zoning amendment (new PUD designation). The western portion of the AES property was not zoned PUD, and it was stated that it would not be rezoned to PUD until a plan for the property was submitted and accepted.

A copy of the Town's zoning map is included in this report as Map 6: Existing Zoning.

In general the Town's zoning map represents that land use vision of the community, and the code only needs minor updates to provide better direction to developers in the Town. The code was updated in 2000 with improvements made to the "I" and "GI" districts, site plan review regulations, parking regulations, and the PUD category.

Other Codes

Other codes in the Town of Somerset that affect land use in the Town are as follows: "Bed and Breakfast establishments", "Campgrounds and Vehicle Parks", "Environmental Quality Review", "Excavations", and "Mobile/Manufactured Homes". The Town also updated the Wind Energy Law in 2016 and is presently working on a Solar Law.

- "Bed and Breakfast establishments" are allowed by special use permits throughout the Town.
- "Campgrounds and Vehicle Parks" establishes a yearly permit requirement for these uses that are allowed in an agricultural district by special use permit.
- "Environmental Quality Review" is the SEQR (State Environmental Quality Review) requirement for all development projects in the Town (this code is outdated).
- "Excavations" regulates excavation activities in the Town.
- "Mobile/Manufactured Homes" establishes standards for these types of uses which are allowed by special use permit in agricultural districts (controlled by yearly license).
- The updated Wind Energy Law (§205.43.5 of the Code of the Town of Somerset) was enacted in 2016 to regulate the placement of commercial and industrial wind energy conversion systems in accordance with the goals and objectives of the 2012 Comprehensive Plan and the Goals and Objectives of the Town.

In addition, the Town has adopted a "Right to Farm" law intended to support agricultural use in the Town, and protect agricultural operations from nuisance complaints.

Transportation

As a predominantly rural town, the Town of Somerset has a relatively simple roadway system. Route 18 is the principal east-west route in the Town, and Route 148 is the main north-south route. Both are state highways, as is County Line Road south of Route 18. All other roadways in Somerset are under local or county jurisdiction. Primary east-west roadways include Lower Lake Road, Haight Road, West Somerset/Coleman Roads and Town Line Road. North-south routes include Hosmer Road, Hartland Road, Quaker Road, Johnson Creek Road and Carmen Road. During the construction of the power plant, Hartland Road was rebuilt as a heavy haul road.

Traffic counts indicate that Route 18 (Lake Road) and Hartland Road (CR 108) experience the most traffic in the Town. According to statistics provided by the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC), the average daily traffic along Lake Road is in the range of 1,200 to 1,400 vehicles per day. On Hartland Road, the most recent traffic counts indicate volumes of 1,200 vehicles per day. Traffic counts have been declining slightly: in 2001, traffic counts along ranged from around 1,400 to 1,500 vehicles daily on these two roadways. Traffic volumes are very low on other roadways in Town. On roadways where traffic counts were taken, average annual daily traffic (AADT) is 700 vehicles per day or less.

An active rail line runs through the western end of the Town, providing access to the Somerset power plant. The railroad right-of-way continues eastward through the Town, but this portion of the rail line is in private ownership and is not in operation. There is no public transportation service in Somerset. According to the Buffalo-Niagara bicycle route map (2010) prepared by the GBNRTC, Lake Road and Hartland Road are designated on-road bicycle routes. They are rated as in "acceptable" condition. Quaker Road north of Lake Road and Lower Lake Road are designated as a "Local Bicycle Connector", tying the Village to the State Park.

Major transportation features, including available traffic counts, are shown on Map 7: Transportation. The AADT figures on the major roadways of this map show the average annual daily traffic, or the typical number of vehicles using these roadways on a daily basis. The year that each traffic count was taken, which ranges from 1993 to 2010, is also shown on the map.

Community Facilities

The availability of efficient municipal services contributes to quality of life and can be seen as an essential component of a successful community. This portion of the comprehensive plan analyzes existing community facilities in Somerset and their physical condition to determine what deficiencies may exist. The following facilities and services were studied:

1. Parks and Recreation
2. Fire Protection
3. Police Protection
4. Administrative Facilities
5. Public Library
6. Educational Facilities
7. Water Supply & Distribution
8. Sanitary Sewerage System
9. Storm Water
10. Refuse Disposal System

These features are illustrated on Map 8: Community Features and Infrastructure.

1. *Parks and Recreation*

The need for recreation space is an important component of any community. Space for people of all age levels to enjoy recreational pursuits is an important part of our daily life. The Town of Somerset has a number of recreational lands within its borders.

There is one Town-owned Park and recreation facility in the Town of Somerset, located on the Town Hall and Town highway garage complex at 8700 Haight Road. The site contains 17.5 acres of land, with approximately 15 acres in active recreation use. The park has softball diamonds, playground equipment areas, a basketball court, volleyball court, shuffleboard court, a horseshoe court and a multi-purpose building with a lunch stand and rest rooms used primarily for the baseball events on the site. There are also some nature trails.

The largest park facility in the Town is the Golden Hill State Park. This park is a 511-acre state-owned facility that contains a campground, nature trails, picnic areas and shelters, and playgrounds. The park is located on the Lake Ontario shoreline. The park's facilities include a state-operated boat launch, and the park offers public access to the lake for fishing, boating and other water-related recreational uses. A unique feature of this park is the Thirty-Mile Point Lighthouse, a historic lighthouse built in 1875. The lighthouse, which is listed on the National and State Registers of Historic Places, is a popular tourist attraction, and was featured on a US Postal Service postage stamp in 1995 as the representative for Lake Ontario in a series of lighthouse stamps. Excellent views of the Lake Ontario shoreline are available from this site.

There is potential for future park facilities. As part of the approval of the Siting Board in the mid-1970's granting NYSEG permission to build what is now known as the Somerset power plant, the power company was directed to work with local officials to prepare a multiple use plan for the site. The intent of the multiple use plan was to provide for the recreational needs of the community and to replace land previously designated by the Town for future recreation use. The staff of the Erie and Niagara Counties Regional Planning Board prepared a plan for approximately 30 acres of the power plant site. This plan, which was adopted by the Town Board, the Town Planning Board, the power company, and various regulatory agencies, provided for continued access to the lake and a combination of active and passive recreation uses to be implemented over a long term period.

The Town recognizes that the current status of the power plant is a barrier to implementation of the multiple use plan, and there is no immediate pressure for

additional recreational facilities in the Town. Also, in the event that the proposal was to move forward, the plan was prepared over thirty years ago and would need to be updated to reflect current needs. However, the Town wishes to retain its rights for the future in the event that conditions change. With the change in ownership of that property, it is important to preserve the vision of a portion of the power plant site being used for recreation and public access to the waterfront at some point in the future. The Village of Barker owns two park sites of approximately one acre each. One is at the intersection of Quaker Road and Main Street, and the other is at the north end of Quaker Road, on the lakefront. The sites are used primarily for passive recreation purposes, but include a seasonal ice skating rink. Also partially within the Village, the Barker Central School facilities provide active recreational lands and playground facilities, used extensively for school sport programs. There is also a nature trail on the school property. The school facilities are available to the residents of the entire community.

2. Fire Protection

The Town and Village are served by one volunteer Fire Company, the Barker Fire Department. One fire station, located on Quaker Road in the Village of Barker, serves the Town and Village. This station is conveniently accessible to most areas of the Town. It is especially well located in relation to the central business area of the Village.

As with most fire departments throughout the state, the Barker Fire Department is part of a countywide mutual aid fire protection plan. Under the mutual aid system other outside fire departments can be called in to fight fires in Barker and Somerset or cover for the Barker Fire Department, from throughout Niagara County. At present time, Olcott in Niagara County and Lyndonville in Orleans County are the most immediately available fire companies to provide equipment with travel times of approximately fifteen minutes to the Village.

Due to the remoteness of the Town, Mercy Flight is an important component of emergency services in the Town.

There are two major concerns in regard to fire protection in the Town. There is the need to continue to recruit volunteers to serve as fire fighters. A number of incentives have been developed to encourage new members to join. There is also a concern about an area of the lakefront where development is characterized by densely developed, wood-frame private cottages. The combination of limited accessibility, remoteness from the fire station and susceptible construction raises concerns regarding fire hazards in this area. The problem is particularly hazardous in the winter since many cottages are on private roadways which are not plowed in the winter. With this exclusion, the Town has good fire coverage. The Village and all Town roads have a public water system adequate for sustained fire defense. Other areas are protected by water available in farm ponds and creeks or by the fire department's pumper trucks and tank truck.

3. Police Protection

In the past, the town of Somerset contracted for police services from the Village of Barker. In 2012, the town voted to establish its own police department, which became operational in April 2012. The town of Somerset Police department provides law enforcement services throughout the entire Town, including the Village. The police force is not full-time but police constables are assigned strategically to patrol during the late afternoon and through early morning hours when call volume for police services is

typically greatest. Patrol is assigned each night of the week during the year and typically responds to approximately sixty percent of entire calls for service in the Town. The primary focus of the Town of Somerset Police Department is to protect life and property for Town residents and businesses. A heavy emphasis is placed upon physical areas, business, private property and house checks. The supplementary focus of the agency is to promote safe roadways for vehicular, bicycle and pedestrian traffic by enforcing vehicle and traffic law and conducting safety checks.

Additional police patrols within the Town and Village are provided on a twenty-four hour basis by the Niagara County Sheriff's Department and the New York State Police, either by routine road patrol or by telephoned requests from residents of the community. Through the cooperative efforts of these law enforcement agencies, the Town enjoys good quality police protection.

4. *Administrative Facilities*

The Town of Somerset Office Complex at 8700 Haight Road was opened in 1978 and enlarged in 1986. It is located on 17.5 acres of land, which also contains the Town's Highway Garage and Town Park facilities described earlier. The site is centrally located in the Town and is adjacent to the Village. The Town Hall complex represents a strong commitment by the Town to provide improved governmental services to its residents.

The Village's offices are located in the former railroad station with the Barker Library, on Main Street in the Village. The building is sound, the interior lighting and space is adequate and the patron parking immediately accessible. The building also houses other Village functions. The renovation has been tastefully designed and is a tribute to the residents of the Village and Town.

5. *Public Library*

The Barker Free Library is located on Main Street, sharing the former railroad station with the Village offices since 1969. A new addition to the building was constructed in 1990 to house the library's expanding collection. The addition of a children's library, completed in 2001, has further expanded the available space for the library and made it possible to offer a wider range of programming, including children's programs. In addition to books, the library provides reference materials, books-on-tape, magazines, videos, and public Internet access. It also houses a local history collection. The Friends of the Barker Free Library sponsors events and helps raise funds for the library.

In addition to its own collection, the Barker Free Library offers access to interlibrary service to all libraries in the Nioga Library System. The Nioga Library system includes all public libraries in Niagara, Orleans, and Genesee Counties, and has access to other reference data throughout the state. Participation in the Nioga Library system increases accessibility to a wider range of materials for residents of Barker.

6. *Educational Facilities*

Barker Central School, located at the intersection of Haight and Quaker Roads, provides public school facilities for the children in the Towns of Somerset, Hartland, Yates, Ridgeway, and a portion of the Town of Newfane. The school originally covered less than one-quarter its present physical plant size, and considerably less than the present site. Enrollment has been dropping. In 2004, it was approximately 1200 students, while in 2010-2011 there were 937 students. Current year enrollment (2012/2013 school year) is 885

students, with 50 students in the entering Kindergarten class. The school district has 150 employees, including 86 teachers.

The Barker Central School site has been developed into a central campus school, with all grades, K-12, attending at one location. The school has adequate space to accommodate its students and programs. The school site presently extends from Haight Road southward to the Penn Central railroad right-of-way then easterly to Golden Hill Creek and the rear property of houses facing Quaker Road. The site includes the old Trade School Airport. There is adequate space for any future expansion that may be needed. Current enrollments are below the district's rated capacity. It is anticipated that any future increase in enrollment of school students from Somerset and adjacent areas could be assimilated into the existing facilities without major renovations or new construction.

7. Water Supply And Distribution

At the present time, all of the Village of Barker and all of the Town of Somerset are served by public water from the Niagara County Water District. Service is provided to Barker through a 10-inch line located on Quaker Road, which connects to a 24-inch line coming easterly on NYS Route 31 from the direction of Lockport. There are also two 10-inch water mains located along Route 18 and West Somerset Road that tie into the Town of Newfane, which are part of the Niagara County Water District. In general, the Town is well interconnected to the Towns of Newfane and Hartland, and the water system is up-to-date and in good condition. Water is now supplied to the Town of Yates through interconnection off of County Line Road. Areas of the Town served by public water lines are depicted in Map 8: Community Facilities and Infrastructure.

8. Sanitary Sewer Service

The Somerset-Barker Sewer District was created in 1977, with construction commencing in 1978. The system, serving the central area of Somerset and the entirety of the Village of Barker, extends north to Lake Ontario and west, north of the Lake Road as depicted in Map 8. The Sewer District was extended around 1980 to provide domestic sewerage treatment to the power plant.

The sewage treatment system has sufficient surplus capacity to meet projected population growth. The sewage treatment plant is located on a 40-acre tract of land on the southwest corner of the intersection of Lower Lake Road and Quaker Road, with an outfall into Lake Ontario east of Camp Kenan.

9. Storm Sewers

The Village of Barker, storm water sewer system contains four independent tile systems, which deliver the surface water either directly to Golden Hill Creek, or to open drainage ways that empty into Golden Hill Creek. There are no public mechanical drainage systems in the Town of Somerset. However, storm runoff has not become a major problem because of proper highway construction and an annual program to maintain and clean ditches. This program has successfully minimized flood conditions and has helped to maintain the viability of active farmland.

Efforts must be continued to keep roadside ditches and culverts open and free from growth and debris. Further, drainage considerations must be included in all development proposals.

10. Refuse Collection And Disposal

Modern Disposal currently provides refuse collection and recycling services in the Town. Weekly curbside collection of household trash and recyclables is offered to Town residents. Residents may also put out one large item for pickup weekly. Electronic waste and tires can be disposed of at drop-off events at the wastewater treatment plant.

SECTION III

GOALS AND OBJECTIVES

The goals and objectives of a Comprehensive Plan articulate priorities for the Town of Somerset. These goals and objectives express the Town's Vision for its future, and as such, they provide guidance for policy makers regarding the preferred direction for development and other activities in the Town.

The goals and objectives delineated here represent a written statement of the manner in which the Town desires to see development directed. The goals are numbered in order of general importance and should be provided relative weight accordingly in any decision making process. In addition to assisting in the creation of laws, policies, rules, regulations and other Town actions, the statements provide a blueprint for the investment of public dollars for community facilities and services.

1. Maintain the Rural and Agricultural Character of the Town

- a. Foster agriculture through the adoption of land use regulations which encourage farming operations within the Town's agricultural areas.
- b. Promote policies and activities that foster the growth of farming and farming related activities and businesses.
- c. Concentrate future development within the existing sewer district and other targeted areas; protecting farmland from encroachment of non-agricultural uses.
- d. Strive to protect important features, such as woodlots. Wetlands and important views and features that contribute to the rural character and visual appeal of the Town.
- e. Protect the Town from Land Uses that do not support and maintain the Rural Character of the Town and the Vision expressed in this Plan.
- f. Promote standards for roadways and other infrastructure that are compatible with the character of the surrounding area, such as rural, agricultural, Village or lakefront areas.

2. Protect Important Environmental Resources from Adverse Effects

- a. The Town of Somerset encompasses a shoreline on Lake Ontario of unique natural beauty. Wherever feasible the shoreline should be preserved for the benefit of all Town residents, present and future. Where public preservation is not practical, private development must be carefully controlled and limited to specific areas.
- b. The Town's shoreline and areas surrounding this important waterfront area also include important environmental features including bluffs, wetlands, stream corridors and wildlife habitats including significant bird habitats and migratory bird areas. These features must also be protected and preserved.
- c. Coordinate drainage activities with those of neighboring towns that include the same drainage basins as the Town of Somerset, and carefully evaluate the effects on drainage of all proposals for development.
- d. Develop actions to protect the important natural systems identified in the Erie and Niagara Counties' Framework for Regional Growth document, other Regional Planning

documents and this Plan.

- e. Encourage the dedication of easements along creeks and other major drainage ways to protect their character, enhance environmental sustainability, allow for their maintenance and reduce the risk of flood damages.
- f. Maintain wetland areas in their natural state by controlling draining, filling, and development in these areas.
- g. Regulate development within flood hazard areas so as to minimize potential property damage from flooding.
- h. Strive to protect significant woodland areas.
- i. Support the policies and programs identified in the Town's Local Waterfront Revitalization Program, which regulate development in the coastal zone so as to minimize potential property damage from shoreline erosion and to afford increased public access to the shoreline.
- j. Protect the environment from pollution by carefully controlling waste disposal policies.

3. Create a vital and sustainable economy for the Town of Somerset that provides a strong tax base and jobs for our citizens.

- a. Promote rural economic development.
- b. In support of the Western New York Regional Strategy for Prosperity, target the appropriate industrial sectors for the Town of Somerset.
- c. Support, expand and diversify the agricultural economy in the Town.
- d. Promote the vitality and viability of existing businesses and industries in the Town and support their expansion efforts.
- e. Encourage entrepreneurship and local new business development.
- f. Identify underutilized sites and areas within the sewer district where economic development is appropriate and identify appropriate industrial sectors for those locations.
- g. Prioritize economic development opportunities in and around the Village of Barker and within the existing sewer district, supporting a seamless expansion of the Barker Rural Center.
- h. Evaluate strategic expansions to the sewer district to accommodate economic development opportunities consistent with the community's vision.
- i. Identify opportunities to foster and support agricultural support enterprises.
- j. Promote Agri-tourism in the Town and target the northeastern end of the Town for an area that will accommodate Agricultural uses, Agri-tourism uses and expansion of tourism opportunities (capitalizing on the existing State Park, the Seaway Trail and other waterfront features).

- k. Identify areas surrounding the Village appropriate for economic development opportunities that can promote connections between the Village and the Town, and encourage an expanded Rural Center.

4. Achieve a Pattern of Development which Minimizes Travel Time, Adheres to Smart Growth Principles and Establishes a High Standard of Design

- a. Concentrate residential development in areas that are highly accessible to employment opportunities, commercial services, and the Barker Central School.
- b. Concentrate commercial and industrial development within well-defined nodes.
- c. Support efforts to improve and build upon the commercial center of Barker where feasible.
- d. Require adequate landscape screening and separation between residential areas and non-residential uses to minimize land use conflicts and achieve high visual appeal.
- e. Achieve a high quality of design in residential subdivisions through such measures as cluster development, conservation subdivisions and rural design guidelines to protect natural features, conserve energy and reduce public service costs.
- f. Strive to have a variety of goods, services and facilities readily accessible to the residents of Somerset.

5. Meet the Housing Needs of the Community by providing for a Variety of Choices in New Housing and by Encouraging the Improvement of Existing Housing

- a. Provide sufficient land area in appropriate areas of the Town to meet the prospective demand for an appropriate variety of housing styles, including garden apartments, townhouses and other alternative forms of housing. Such development should be located in areas which provide active settings for such uses and be required to meet high standards of design and construction.
- b. In an effort to provide affordable housing and housing for seniors, encourage developers to take advantage of federal and state housing assistance programs, including programs which provide assistance for the construction of new single family and multi-family housing and rental assistance programs for existing housing.
- c. Maintain the integrity of residential areas by allowing only those uses which are compatible with the nature and intensity of neighboring residential use. Protect these residential areas from incompatible uses.
- d. Maintain and enhance the quality of the residential environment through programs to improve the existing housing stock.

6. Provide High Quality Community Facilities and Services at an Acceptable Cost to the Local Taxpayer

- a. Carefully plan capital improvements so as to avoid significant increases or fluctuations in the Town tax rate.
- b. Provide for adequate maintenance, repair and replacement of existing Town facilities,

including sewer and waterlines, Town buildings and cemeteries, parks, roads and drainage facilities.

- c. Expand the opportunities for recreation on the Lake Ontario shoreline.
- d. Improve and expand existing Town recreation facilities adjacent to the Town Hall consistent with local needs.
- e. Address drainage needs and issues in the Town.
- f. Work closely with County and State officials and advise them of local concerns, particularly with regard to improvements to Golden Hill State Park and County and State highways within the Town.
- g. Coordinate activities with the School District and assist them with providing education and other community services in a cost effective manner.
- h. Pursue intermunicipal agreements so as to provide community facilities and services in an efficient and cost effective manner.
- i. Support local efforts at economic development and grantsmanship in cooperation with the Regional Economic Development Council strategies.

7. Provide for the Future Movement of Traffic through the Town in a Safe and Efficient Manner

- a. Promote a safe system that reduces hazardous curves, misaligned intersections or other highway safety problems.
- b. Discourage "strip" development (road frontage development) that hinders the smooth flow of traffic.
- c. Support safe alternatives to vehicular traffic by encouraging the development of facilities and trails for pedestrians and bicyclists, particularly in the vicinity of the Village, the Barker-Somerset residential corridor and along the lakefront.
- d. Minimize, to the extent feasible, the number of individual access drives to highways in order to maintain their safety and carrying capacity.
- e. Encourage rural public transportation and other options.
- f. Connect the rural center of Barker to "developed area" destinations identified in the Framework for Regional Growth document.
- g. Help to minimize conflicts with agricultural use of the roadways and use for residential and business purposes.

SECTION IV FINDINGS AND RECOMMENDATIONS

This Section presents observations and findings for the Town of Somerset, based on an assessment of existing conditions, compared to the Town's preferred future as articulated in the Goals and Objectives. It has also been informed by input received from the public (including a survey of the Town residents on the issue of Wind Turbine development and a public hearing on 11/30/16 and 12/21/16), the 2012 Plan steering committee, the Town Board, and regional planning documents.

Following the observations are initial recommendations for each category. These recommendations represent the ideas for the direction that the community should take to move toward achieving its goals, based on input from the public the Town Board and the previous Comprehensive Planning efforts. This listing of "recommendations" has not been prioritized, but prioritization of goals is expressed in Section III of this document. This listing can be utilized as a "tool box" by the Town in establishing actions in the coming years. Some ideas may be long term or never utilized to implement the Plan.

The next section of this Comprehensive Planning document focuses on Implementation and Action Items that present specific activities that have been prioritized in the 2012 Plan and the 2016 Update. The Town can undertake these activities to help move toward achieving their Goals and Objectives. This section has been organized to parallel the goals for the Town. Because there is significant overlap and interrelationship among the goals, many issues could fall into more than one category. They have been cited in the section that seems most consistent with the intent, but clearly, findings and recommendations Items under one category may also be relevant for other categories.

Maintain the Rural and Agricultural Character of the Town

Observations:

- Agriculture remains a strong industry in Somerset and a major local employer. Between 2002 and 2007 (most recent year available), the number of farms in Niagara County grew from 801 to 865 (8 percent increase) according to the Census of Agriculture. Over the same time frame, the market value of agricultural products sold increased from \$59.9 million to \$103.6 million.
- The average size of a farm in Niagara County is 165 acres. The majority of farms fall between 10 acres and 179 acres in size, although there are some farms over 1,000 acres in size (It has been verbally reported and observed that the farms tend to be smaller in the Town of Somerset).
- Sales per farm in the County have been increasing. The average market value of products sold in 2007 was \$119,820 per farm, an increase of 60 percent over 2002 figures. Even after adjusting for inflation, the increase was significant: 50 percent.
- The amount of land in agricultural use in the County decreased by 4 percent. Approximately 80 percent of land in farms in the county is in cropland. Just under 10 percent is woodlands and 11 percent are other uses.
- There is a variety of farming in the Town. Information from the Town identifies 30 active farms in the Town, with specialties in livestock/beef (7); orchards/fruit trees (7); dairy (6); various vegetables (4); corn/ soybeans (3); and field crops/hay (3). Other types of farms represented in the Town include a cidery, a nursery and cash crops. Many farms are producing more than one type of product.

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

- In the Town of Somerset, land use analysis confirms that the largest land use by acreage is agricultural and/or rural uses.
- While maintaining rural and agricultural character is a priority, there has been relatively minimal development pressure in the Town. Since 2005 (through 2011), the Town has issued building permits for 17 new residences, or an average of less than 3 homes per year.
- A large proportion of the Town falls within a State-designated Agricultural District (see map).
- Much of the active agricultural uses are in the northeast and southwest quadrants of the Town. The southeast quadrant is rural, with significant areas of wetlands and wooded areas, but it tends not to be in productive agricultural use.
- The Rural and Agricultural Character of the Town is primarily achieved through large acreages of farm fields, wooded areas and low density residential development patterns. The addition of large Industrial uses outside of targeted areas, such as Industrial Grade Wind Turbines, in inappropriate areas would be inconsistent with the rural character of the Town.
- Some have argued that the leasing of agricultural lands for wind turbines is good for farming as it offers another opportunity for improving farm incomes. Others have stated that this leasing of land only benefits the income of a few farmers, does not help actual farming, and has too many negative impacts on surrounding property owners and reduces other economic opportunities for the Town. Industrial Grade wind turbines are not protected under Agricultural laws as they are not agricultural uses.
- High energy costs are a factor for farms. Natural gas is not available everywhere in the Town. If more natural gas becomes available, energy costs may be significantly reduced. It would also be important to have three phase power and high speed internet available to more farmers and Town residents. The Town is working on a solar energy ordinance that would assist farmers with trying to offset power costs through the installation of solar panels.
- Agricultural support industries, such as Mayer Brothers, are also significant employers in the Town.
- While there is much talk about “Shovel Ready” in communities like Somerset, it is as important to consider how to be “Plow Ready”.
- Road and Bridge Infrastructure: Local roads must have adequate width and shoulders to accommodate large farm machinery and bridges must be able to support the weight of this equipment.
- Drainage: Ditches and swales need to be operational and maintained, particularly in areas where soils are poorly drained.
- Utilities: in general, the sewer district falls outside areas within the Agricultural Districts.
- The current agricultural zoning district in the Town allows a wide range of uses by special use permit.
- Agricultural operations are currently supported by agencies such as the Niagara County Soil and Water District and the Cooperative Extension of Niagara County.

Recommendations:

- There needs to be adequate infrastructure in support of farming and farming related activities. This includes adequate roads, shoulders and bridges for large farm machinery as well as utilities required such as water, sewer (only in agricultural business areas), three phase power, natural gas and high speed internet access.
- More creative approaches to Agricultural zoning could allow other small businesses at farms (e.g. small engine repair). The Town should update the zoning code to allow a greater variety of appropriate uses on active farms. These non-agricultural uses should not have adverse impacts on adjoining properties or the Goals and Objectives of the Town.
- The Town should help find assistance to farmers to help make them profitable through efforts such as grants, advice, etc.
- The Town should investigate ways to help develop agricultural support industries.

- The Town should consider revisions to the Town's Agricultural zoning district to more carefully control uses on non-agricultural properties.
- The Town should consider adopting rural design guidelines.
- The Town's new wind law (enacted in 2016) is consistent with both the 2012 Comprehensive plan and this Update, and only new wind turbines meeting the substantive and procedural siting requirements of the law should be allowed (the law and any proposed projects requires conformance with the Town's Comprehensive Plan. See the Vision map and related sections of this Plan to see where these type facilities may or may not meet the Goals and Objectives of the Town).
- If any portion of the new wind law is found to be preempted by state or federal law, the remaining substantive requirements of the wind law should be followed to the greatest extent possible, to safeguard the Goals and Objectives of the Comprehensive Plan, including, most importantly, the protection of the character of the Town.
- The Town should amend its zoning map and code to reflect the Vision Map and the discussion of allowed uses in Section V, Paragraph D – Vision Plan.
- The Town needs to finalize and adopt a solar ordinance that will help to site solar installations (all forms) in appropriate areas of the Town and not impact its character or environmental resources.
- The Town should promote policies and activities that foster the growth of farming and farming related businesses, such as farm stands, farmers' markets, pick-your-own farms, wineries, etc.
- The Town should continue to support and fund the Niagara County Soil and Water District and the Cooperative Extension of Niagara County.

Achieve a Pattern and Quality of Development which Minimizes Travel Time, Adheres to Smart Growth Principles and Creates a High Standard of Design

Observations:

- The Town could use more local shopping opportunities, particularly for local convenience goods such as a local grocery store and a hardware store.
- New retail development should be focused primarily in Barker.
- Barker- Somerset Corners could be developed as a walkable/ bikeable Community.
- School enrollment is down and the local population is aging. Efforts should be made to find ways to keep people in town.
- The primary constraint for youths is the lack of job and business opportunities.
- A primary factor for elderly residents is the need for local health care; a shortage of appropriate housing for the elderly is another concern.
- The "Framework for Regional Growth" document strongly emphasizes Smart Growth principles, which are now required for major projects under State Law. The Framework:
 - ✓ Encourages re-using existing buildings and/or developing land in or around the Village.
 - ✓ Discourages the continued subdivision of rural road frontage.
 - ✓ Encourages the preservation of agriculture.
 - ✓ Mandates the concentration of growth to areas with existing sewer and water, and recommends reducing existing sewer district boundaries in areas where there are no sewer lines and no plans to extend them.
 - ✓ Recommends potential enhancements to the waterfront area.
- The "Framework for Regional Growth" identifies the Village of Barker as a Rural Service Center. As such, it is a location where redevelopment and infill growth is encouraged.
- The Town is located in the far northeast corner of Niagara County, with nearest population centers and major support services located in Lockport and Medina.

- The *Strategy for Prosperity* requires that for project approval or funding, the project must promote Smart Growth principles, and must target one or more of eight target industries, which include:
 - ✓ Advanced manufacturing;
 - ✓ Agriculture;
 - ✓ Bi-national logistics;
 - ✓ Energy;
 - ✓ Health and life sciences;
 - ✓ Higher education;
 - ✓ Professional services; and
 - ✓ Tourism.
- New development should be encouraged to locate adjacent to areas where there is already more concentrated development, including the Village of Barker and historic 'hamlet' centers. This policy will also help maintain the rural, scenic character of other areas of the Town.

Recommendations:

- Explore ways to accommodate more elderly housing. The expansion of Barker Commons may be one option.
- Assess whether lot sizes make sense (both in and out of the sewer district).
- The subdivision and zoning laws need to be assessed to determine if they are helping the Town achieve its goals. Consider revisions that support more creative housing options.
- Incentive zoning could be utilized to encourage growth in the appropriate areas.
- The Village is an important partner and should be involved with the planning effort.
- The Town and Village could support the following target industries in appropriate areas: agriculture, professional services, small scale energy or green energy uses in the appropriate areas, tourism, and, at some level, advanced manufacturing.

Meet the Housing Needs of the Community by Providing for a Variety of Choices in New Housing and by Encouraging the Improvement of Existing Housing

Observations:

- There is not a lot of diversity in regard to housing options in Somerset. The vast majority of housing is single-family homes. Census data indicate 86 percent of units are one-family units, with mobile homes making up an additional 4 percent of units in the Town.
- There is a demand for more affordable senior housing options. Support systems to allow seniors to remain safely and comfortably in their own homes are also lacking.
- Often the only alternative for a senior looking for a smaller housing type or supportive housing is to leave town.
- Lack of local health care options also affects seniors' ability to remain in the community.
- Many seniors do not drive and transportation alternatives are needed.
- There are 24 units at Barker Commons, which was built in the mid - 1980's. This property was originally for seniors only, but it has been suggested that a growing number of tenants are eligible non-senior tenants.
- It has been suggested that there could be interest in other types of housing products, such as easier to maintain patio homes.
- Much of the housing on the lakeshore has converted to year-round residences.
- The zoning of the Town allows one-family homes in Agriculture (A), Single-Family Residential (R-1), and Lake Shore Residential (RLS) districts. Two-family homes are allowed in the Single-

and Two-family Residential (R-2) district. Multi-family homes larger than doubles are not allowed in any zoning district in the Town.

- Areas of existing clusters of residential development should be protected from non-compatible land uses that would negatively impact property values or would impact the continuing viability of these residential hamlet type areas.
- Cluster residential developments are allowed in the A, RLS, R-1 and R-2 districts with a special use permit from the Town Board.
- The zoning code allows for residential Planned Unit Developments that allow business uses within the A district; however, the regulations require a minimum of 100 homes. Given building permit trends in the Town, a development that large is unlikely.

Recommendations:

- The Town should explore ways to encourage a greater variety of housing options. In particular, more options for seniors should be considered and encouraged.
- Support services for seniors, such as health care and social opportunities, are also lacking. Perhaps the Barker Commons could be expanded to assist in some way as a clinic and a gathering place.
- Programs to help homeowners maintain their properties could help improve the existing housing stock.
- More creative approaches to housing options could help diversify the housing stock.
- For seniors, supportive services may help them remain in their homes, and therefore in the Town of Somerset. For example, transportation services or visiting nurse services can help residents avoid having to move to supported housing, which means moving out of town.
- The Town should create a Zoning District to support multi-family housing and apply it in appropriate places.
- Continue to enforce and create new legislation that protects the denser areas of residential development.
- Consider the investigation of rural development guidelines or a "rural transect" to protect the rural areas of the Town and maintain the rural character.
- Improve the PUD and Cluster Development Laws.

Protect Important Environmental Resources from Adverse Effects

Observations:

- The Town has an adopted Local Waterfront Revitalization Program (LWRP) to protect waterfront lands.
- The Local Waterfront Revitalization Area (LWRA) in the LWRP document was expanded to increase the area within the Town eligible for waterfront grants. However, parts of the expanded LWRA are distant from the shoreline. Since all development within the LWRA is subject to consistency review, this can create problems for projects on non-waterfront lands that fall within the LWRA.
- Shoreline erosion is a concern along portions of the Town's waterfront.
- The south central and south eastern portions of the Town have significant environmental features such as wetlands and woodlots.
- A 1978 survey found that woodlands covered approximately 25 percent of the Town; more recent estimates suggest woodland coverage has declined to perhaps 15 to 20 percent of the Town.
- There are areas of significant woodlands in the Town. One such area is the area behind the Town Hall which has 5+ acres of old growth forest.
- It was noted in public meetings that there are other important woodland and other environmental features (salt springs, bald eagle habitats, etc.) that should be included in

mapping of the Town. These areas should be protected and potentially used in bringing visitors to the Town. Some of these sites are privately owned and therefore cannot be used for public purposes.

- Golden Hill Creek is the major drainage channel in the Town and an important environmental feature of the Town. It should be protected.
- Other creeks (Johnson, Fish and Marsh Creeks) also run through the Town and should be protected.
- The Town's waterfront and surrounding areas support an abundance of wildlife including an important international bird migratory corridor.
- The Town is split into two drainage basins. The northeastern part of the Town drains toward Lake Ontario, while the remainder of the Town drains southerly into the Johnson Creek basin in Hartland.
- Signage identifying the watersheds (drainage basins) could raise public awareness of watershed issues.
- There are areas of floodplains along the lakeshore and along Golden Hill Creek.
- There are five identified brownfield sites in the Town and Village, where former uses resulted in some level of contamination that inhibits redevelopment.
- One brownfield site, the former Barker Chemical site, is located in the Town outside the Village. Currently a study grant has been awarded through the County to review what has been accomplished to date, verify previous findings and make recommendations for future action and/or uses. The program is scheduled to be awarded to a private contractor in April with results by December of 2012. The contractor will be required to obtain local input during the study process.
- The Barker Chemical site is adjacent to the Barker Central School property, and also presents a potential risk to Golden Hill Creek.
- Currently, public access to the Lake is provided at two locations: the Village of Barker Park and Golden Hill State Park.
- There have been suggestions to expand the harbor and the boat launch facility at Golden Hill State Park.
- It has been noted that there are no docking facilities at Golden Hill State Park, which effectively prevents boaters from visiting the park.
- New flood plain maps have been prepared since the prior Comprehensive Plan was completed in 2004.
- New interconnection of water system at Hartland Road at Townline has improved available fire flows and provides backup supply source for the Quaker Road line.
- One interesting feature of the Town noted by residents is the "Dark Sky" nature of the Town. It has been reported that the International Dark Sky Association sees the Town as being very unique in this aspect.

Recommendations:

- The Town should inventory major ecological resources, important scenic areas and other valued environmental features within the Town (map features like the salt springs, old growth forest areas, historic structures, eagle nest areas, important swamps, etc.) so it has a good baseline of where important environmental features are located; so that they can be protected.
- The Town should consider creating a creek corridor overlay district for Golden Hill Creek, and possibly other creek corridors in the Town. These overlays would protect the environmental quality of these creeks by providing appropriate setbacks and instituting other protections within their watersheds.
- Consider protection measures for the south central / southeastern portion of the Town to protect important wetlands and woodlots in this area. All major types of development should be severely restricted in these areas.

- The Town should support activities and programs to redevelop the Barker Chemical site.
- Assess the local demand for lake access (survey residents).
- Consider joint planning with adjacent communities to promote effective drainage.
- Evaluate the LWRA to determine whether the expanded area is appropriate.
- Consider developing 'best practices' manual for landowners along sensitive resources (lakefront, creeks, wetlands, woodlands) for how to be proper stewards of these resources.
- Establish regulations that will protect these important stream corridors and highly restrict large scale users from these areas.
- Continue to support measures to help alleviate shoreline erosion.
- Increase public awareness of the location and importance of area watersheds.
- Review the Town's laws to ensure that they protect the significant wildlife habitats and migratory bird corridor.
- Development proposal should evaluate their impacts on the "dark sky" nature of the Town. Zoning Codes could be amended to address this issue.

Provide High Quality Community Facilities and Services at an Acceptable Cost to the Local Taxpayer

Observations:

- The Town Hall complex and other municipal facilities are currently providing adequate services to the Town's residents.
- As noted in the environmental section, drainage is a concern. A Drainage Plan could assist farmers, since many of the soils in the Town are rated as good for agriculture when drained. Keeping ditches cleared helps support the agricultural economy.
- Natural Gas: It has been suggested that the lines should be expanded to cover more homes along the lake. Extending natural gas to farms could help drive down the cost of drying corn and other products.
- Lake Access/ Multi use site: the siting decision for the AES power plant set aside lakeshore frontage for the town as recreation space. This site has never been developed for that use, but the Town has retained the option. There is concern with the change of ownership that past plans may be lost.
- If this recreation space were to be developed, activities and resources on the site should not duplicate or compete with Golden Hill. One consideration is whether to provide public access at the site.
- A right-of-way for the Hojak line runs through the Town. However, portions of it have been sold to adjacent private owners, which would complicate converting this right of way into a hiking or a bike trail.
- Golden Hill State Park is a State facility and the Town has very little control over what happens at the Park. The Town should look into what the State's long range plan for this facility is and assess how Somerset fits into these plans.
- Options for Golden Hill State Park include an expanded boat launch, docking facilities, camping and fishing opportunities.
- Development of docking facilities at the State Park would enable increased visitation from boaters, who currently are not able to moor.
- The Seaway Trail is an important feature of the Town.
- School enrollment is down, and the population is aging.
- Fire Protection: there is adequate equipment: new equipment was purchased since the prior Comprehensive Plan. There is a problem with recruiting volunteers.
- Development is occurring outside the sewer district.
- There is very little waterfront access outside of State Park.

- The wastewater system has capacities to accommodate additional growth.
- The water system is a strong system capable of supplying adequate daily, peak and fire flows throughout the Town.
- The power plant is the largest tax payer in the Town; changes in the payment arrangements from this facility would create problems with the Town's tax structure.

Recommendations:

- The Town should consider conducting a drainage plan, possibly in conjunction with adjacent communities.
- The Town should investigate whether the sewer system should be expanded to accommodate future growth, particularly for economic development purposes.
- It has been suggested that the Town look into increasing lake access/ access to the water.
- Connect this NYS Park area with the Seaway trail, the Agricultural Tourism area of the Town, other environmental features, and the Village to encourage tourism and agri-tourism (trails, signage, expanded shoulders, etc.).
- The Town should explore options for the "Multiple Use" site adjacent to the power plant.
- The Town should assess the feasibility of the expansion of natural gas in the community, targeting the AES site and other business/ industrial areas.
- The Town needs a coordinated plan to improve tourism in the Town and "connect" existing and future features (see the Town's Vision Plan).

Provide for the Future Movement of Traffic through the Town in a Safe and Efficient Manner

Observations

- Transportation between communities needs to be addressed. Transportation within the Town is very automobile-oriented, with no options other than the private vehicle. This creates hardships for those that do not have a car or those that cannot drive any more.
- Traffic counts have actually decreased in the Town along major roadways.
- There may be potential for enhanced rail access and/or use of the Ho-jack line.
- More transportation alternatives are needed, such as trails, bicycle routes, and rural transportation options.
- It was suggested that there should be better connections to the Canalway Trail.
- There are abandoned rights-of-ways that could be converted to trail use; however, in many areas adjoining property owners have purchased this land.
- The rural nature of the Town, with its low density of development, makes it difficult to provide efficient public transportation.
- Roadways are an important resource of the Agricultural community.

Recommendations:

- Investigate the feasibility of multi-use trails in the Town, using abandoned rights-of-way.
- Look into the feasibility of adding bike lanes along existing major roadways.
- Consider developing better pedestrian/bike links to State Park.
- Assess continuity of sidewalk network within the Village.
- Conduct a connectivity assessment to explore whether extensions of the sidewalk and/or trail connections to destinations in proximity to the Village make sense (e.g. Town Hall).
- Investigate options for rural transportation services, such as vans, particularly for seniors.
- Create programs, signage and laws to help reduce conflicts between agricultural use of the roadways and residential and construction activities. Consider identifying important agricultural routes and establishing new road standards for these areas.

Create a vital and sustainable economy for the Town of Somerset that provides a strong tax base and jobs for our citizens.

Observations:

- Agriculture is an important component of the Town's economic profile.
- The former AES power plant is a major revenue generator for the Town and the County.
- There are few properties zoned to allow business in the Town (business zone is limited in geographic area).
- Some business uses are allowed with a special use permit in the agricultural zoning district of the town.
- Residential density in the Town is unlikely to support significant amounts of retail development.
- Physical Infrastructure: All areas of the Town have water service. There is a significant amount of undeveloped land within the sewer district.
- Natural gas service and three- phase power are lacking in many areas and that could hinder development. The lack of natural gas service increases heating costs for residents and increases operations costs for farmers due to the need to use more expensive propane fuel.
- The gas line currently ends at Johnson Creek Road. Extending it to County Line Road would provide natural gas service to a number of homes and to two farms that have significant grain drying operations.
- Brownfields: there is the opportunity to redevelop the Barker Chemical property with the County brownfield grant to study, review/test and recommend further courses of action and possible uses for this property.
- There are other underutilized formerly developed sites that could be redeveloped. These properties should be identified and inventoried.
- Tourism could be enhanced in Somerset with agritourism. Possible developments include an extension of the wine trail, an expansion of Mayer Brothers and further development of the cidery in town.
- AES is the largest employer and source of revenue for local government.
- Large scale industrial wind facilities require substantially larger and more distributed project area than the existing power plant facility currently uses. The existing Somerset power plant site is located in a small isolated area. Conversely, a large scale industrial wind facility would be spread throughout large areas of the Town, and would create significant impacts on the fundamental character of the Town.
- Shovel Ready: Term needs to be more clearly defined to make it clear that it represents more than just an open piece of property. Actions to make property Shovel-Ready need to include efforts to make sure there is appropriate zoning, environmental issues are addressed, potential new uses are identified, and all needed infrastructure and utilities are in place, including adequate services such as three-phase power, high speed Internet fiber optic cable, natural gas connections, road access, drainage, etc.
- Farming and related agricultural businesses employ many people. The Town should consider how to produce an environment where farms and agricultural-related business continue to thrive and expand.
- As enrollment in schools shrinks, there should be thought put into how to put excess building space to good public use.
- There are vacant buildings in the area that should be redeveloped or demolished, depending on their condition.
- The former Shoreline Fruit facility employed about 90 people at one time; it could be suitable as some type of food processing center.

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

- With the bankruptcy of AES and new owners taking over, this represents a threat and an opportunity. The Town and County should begin dialogues to support the new owners, and develop strategies to keep the facility viable.
- The power plant property includes large acreage and different 'use' areas:
 - ✓ Main site includes two landfills in addition to the power plant itself.
 - ✓ The west property is zoned PUD.
 - ✓ The "Mixed Use Site" is proposed as a future park.
 - ✓ Southside of Lake Street, AES owns land as "noise buffer" (between Hartland and extending to west side of Hosmer Roads).
- Regional economic development documents provide little guidance for economic development in the Town of Somerset.
- Consider creative approaches to agricultural issues. One suggestion was to develop a methane digester to produce methane fuel from agricultural waste. The facility could be either privately or publically owned.
- Types of businesses that were identified as appropriate for Somerset include data storage, light business park, farm stands, wineries, health center, and a senior living complex.
- Fels Road was suggested as a good location for future business development. It was questioned whether the area is shovel ready.
- The Town should be better prepared for another "Verizon Project": appropriate "Shovel Ready" sites in the appropriate areas of the Town should be identified in advance of businesses looking for sites.
- Sites across from Town Hall may be suitable for business development.
- Jobs are an issue. The largest employers in Town are Mayer Brothers, the School District, the Somerset power plant, and agriculture.
- The Town should explore how to better support agriculturally-related business.
- Agritourism, such as the Wine Trail, is expanding. There are no wineries in Somerset, although there is one in Appleton, just west of the Town, and a new cidery has opened.
- The PUD for the proposed "Verizon" site is specific to the development that was proposed; the Town should consider rezoning to a new PUD plan to better support new development on the property.
- The "Multi-Use Site:" the Town needs to consider their preferences for this site: Recreation or economic development?
- It was suggested that a Theme Park/ amusement park may be an option, although this would need further investigation into the market potential.
- Small scale, distributed Alternative Energy (wind turbines/ solar, etc.) in targeted areas is an option to explore. Large scale industrial grade wind turbines spread throughout the Town would negatively impact many of the Town's Goals and Objectives, and should be avoided.
- Somerset has larger parcels. It can be difficult to find sites of 100 acres or more.
- Assess what types of businesses could be successful in Somerset (e.g. not transportation dependent businesses).
- Review the success of JT Precision on Haight Road and how the Town could help them further and utilize strategies for other businesses.
- Support continued success of local businesses: Town should be supportive of business expansion planning and training needs.
- Assess where growth areas in the Town should be – where is there high speed Internet, appropriate utilities, etc.
- There is potential to bring in visitors to events. Many suggestions were raised, including sporting events, community events; sledding hill at AES landfill site.
- It was suggested that a deep water port may have potential. It would facilitate access to Canada and could be an economic driver.
- Since 2004 the Town has adopted several new laws (Right-to-Farm; Noise; Wind energy). A new Wind Energy law was adopted in 2016 to better protect the goals and objectives of the comprehensive plan.

2016 TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

- New development since 2004 includes four small wind turbines and JT Precision on Haight Road.

Recommendations:

- The Town should establish an economic development group to support and coordinate efforts to increase business activity in the Town.
- The Town should support agriculture as an important business and employer in the Town.
- Support and become actively involved in the planning for the former Barker Chemical site.
- Explore Agri-tourism efforts and marketing, working cooperatively with the County. The Agri-tourism area identified in the Vision map should be protected from incompatible uses that would negatively affect the ability of this area to support these types of uses (amend the Zoning in this area).
- The Seaway Trail, a national scenic byway with outstanding views and scenic vista's, represents an extremely important component of the Town and its future. The Seaway Trail needs to be protected from non-compatible uses and connected to important features. It is an important economic component of the Town and its tourism economy.
- Consider zoning changes that encourage new business development in targeted areas.
- Identify properties appropriate for business development and make progress towards facilitating future redevelopment of these properties.
- Coordinate with County and regional economic development agencies to promote business development in Somerset. The sites around the power plant should be added to County and Regional marketing efforts (completed since the last plan).
- Investigate ways to better link the educational system and industry to promote an appropriately trained work force.
- Work with Regional and State Agencies to help ensure that the AES Plant remains a vital business in the community.
- Large scale industrial grade wind turbines spread throughout the Town would negatively impact many of the Town's Economic Goals and Objectives as expressed in the 2012 Comprehensive Plan and this Update, and should be avoided (see Vision Plan).
- The power plant area (including all of the Somerset Operating Company owned properties) should be considered for economic development.
- A joint School District / Town Government Task Force should be formed to evaluate future scenarios and issues.
- The former AES properties should be evaluated for future uses and a new PUD created to encourage development (this has been accomplished). See the PUD Plan for the combination of uses that could be placed on this site.
- The Town should work with the Regional Economic Council and State Agencies to establish a Plan for the largest tax payer in Niagara County (power plant).
- The Barker Chemical Site should have a redevelopment plan completed (this has been completed) and implemented.
- Push for the expansion of natural gas in targeted areas in the Town.
- An Agricultural Committee working with regional and state agencies should investigate future agricultural trends and work with local farmers to evaluate how they can better prepare for and take advantage of these trends. Participate and input to Niagara County's update to their Agriculture and Farmland Protection Plan.
- Pursue potential shovel ready designations and potentially pre-permitting sites that are targeted for economic development opportunities.
- Evaluate tools such as expanded 485 (b) programs to encourage existing businesses to grow and expand in the Town.

SECTION V

IMPLEMENTATION

A. TARGET AREAS

In developing the Comprehensive Plan, the Town identified some concepts that represent higher priority target areas for implementation. Other recommendations and ideas remain valid, but the areas outlined below are the focus areas that merit more emphasis. Based on the research and discussions during the development of the Plan, these concepts emerged as having the greatest potential to help ensure that the Town achieves its vision, and represent the topics most likely to be prioritized as initial implementation actions.

1. Protection of the Rural, Agricultural, and Residential Character of the Town

The protection of Somerset's rural, agricultural, and residential character town should be the primary consideration in any land use or planning decision. Proposed uses that are facially inconsistent with this goal, or that will have a substantial impact on the character of the Town, should be discouraged. Other important components of this character are the environmental resources of the Town; waterfront areas, woodlands, wetlands, stream corridors, wildlife habitats, bird corridors, etc. and features such as the Seaway Trail.

2. Development and redevelopment in and around the Village of Barker

As noted in the Framework for Regional Growth, the Village of Barker is a Rural Center. Rural Centers are targeted growth areas; they represent the heart of the region's rural communities. Development in the Town of Somerset adjacent to the Village should strive to complement the Village, match development patterns and strengthen the Village's role as the civic center of the Town.

- *East of the Village:* Development in this vicinity should complement Village development, matching and extending existing land use patterns. In the southern portion of the eastern boundary, this would entail extension of the Village grid of residential neighborhoods. In the Fels Road area, the Town should capitalize on the success the Village has had with commercial development and continue to fill this area in with businesses.
- *West of the Village (Barker Chemical site):* Feasible options depend upon the results of Phase II ESA. The Town would like to see some level of light industrial/ commercial development out towards the road, while keeping the more sensitive lands in the center of the site open to avoid environmental issues. The rear of the property has potential for development but has access issues.
- *South of the Village:* Currently, this area is mostly residential development. Additional options include neighborhood level commercial and mixed uses (small commercial with residential uses).
- *North of The Village:* This area has the greatest potential for extending the Village character north toward the Somerset hamlet along Quaker Road. Town Hall and the school facilities are located in this vicinity. Future plans should ensure that these facilities are tied into the Village. See focus area 3 for discussion of Haight Road.

To accomplish the above items, the Town could take the following approach:

- East of the Village
 - a. Evaluate infrastructure needs and environmental restrictions for the development of this area.
 - b. Evaluate zoning alternatives, including a new zoning to meet the needs of this area.
 - c. Meet with the Village to discuss how to best mesh with the development occurring in the Village in this area.
 - d. When applicable and if needed, invest in the infrastructure needs of this area.
 - West of the Village
 - a. Once the current study is completed and accepted by the Town and County (see copy of the draft report sections in the Appendix), evaluate the proposed future development options and the needs for that development.
 - b. If additional clean up is necessary (or other activities), work with the County to find monies to accomplish this clean up or work.
 - c. Working with the County, evaluate options for marketing the site for re-development (incentives may be necessary).
 - South of the Village
 - a. Evaluate the use of a neighborhood / hamlet type zoning district for the area.
 - b. Evaluate the infrastructure needs in this area and determine the appropriate areas for prioritized development (senior housing could be an option).
 - North of the Village
 - a. Evaluate the use of a Hamlet Zoning District for this area (establish extent of area – see the Vision Map for suggestions).
 - b. Look at existing infrastructure for areas for targeted development. Longer term development may necessitate infrastructure improvements.
 - c. Create an Overlay of this “hamlet” area (see vision map) that protects this area from uses and actions that are not consistent with this residential area.
3. Development around the Somerset power plant site

The power plant site is the largest industrial site/user in the Town and is extremely important to the region. The WNY Regional Economic Development Strategic Plan targets “Energy” as a key WNY Industry Sector, and states, “The Electric Power sector is the fastest growing share of the energy economy in New York, the United States, and most of the world. This growth requires considerable investment and planning by power generating companies and State agencies.” The properties formerly owned by AES on the north side of Lake Road are zoned PUD to allow the power plant and associated commercial and industrial uses. It must be noted that under Article 8 of the New York State Public Service Law, the Town does not have jurisdiction over power generation activities on this site. Other, non-power generating related uses can be affected by local laws and ordinances. Some properties along the railroad, south of Lake Road, are zoned industrial. A Mayer Brothers facility is located to the west of the power plant. Much of the surrounding area is agriculture.

- “Verizon site”: This site consists of property on the north side of the lake, adjacent to the power plant and previously proposed for a Verizon Data Center. The Town should explore getting this site designated as “Shovel-Ready” for light industrial and business uses. This would help support economic development in the Town, in an area where there is already similar development types.
- *Northwest Sector of Town*: The area west of “Verizon” site to Mayer Brothers’ facility represents an opportunity for additional economic development, but given the

agricultural nature of the area, proposed uses include a mix of businesses, focusing on agriculture-related opportunities, similar in nature to Mayer Brothers, and possibly some residential uses along the lakeshore.

- *South of Lake Road/ West of Hosmer:* this area is another area where agricultural related business and light industrial agricultural related uses could be supported. East of Hosmer Road, north of Haight Road should also be reserved for agricultural related business.
- *Power Plant Property:* contains the power plant and its related uses and accessory uses. Efforts should continue to keep this important regional, State and national Energy provider and strategic Industry Sector in operation.

4. Other areas appropriate for economic development/ business expansion

As a first priority, development is encouraged to occur in the areas around the Village and in the vicinity of existing commercial / industrial businesses in the Town. However, other economic development options exist in the Town.

- *Haight Road in the vicinity of Town Hall:* This area has potential for business development, focusing on small businesses such as JT Precision. It should not be encouraged as a retail corridor, as retail development should be concentrated in the Village center.
- *Agritourism:* As opportunities present themselves, the Town should encourage agritourism enterprises. The greatest potential is in the northeast sector of the Town, near the cidery on Lower Lake road, as the cidery exists as an anchor and the area is in the vicinity to the State Park, where there is a concentration of potential visitors (see below for more information on agriculture). There also needs to be connections from the State Park and waterfront to the Seaway Trail.
- *"Hamlets":* Small scale, nodal development in the character of a small hamlet can be encouraged in key areas such as the Somerset hamlet. Any non-residential uses should be small-scale, locally supportive, such as small convenience outlets.

5. Agricultural economic development

Agriculture continues to be an important part of the Town, its economy, and its character. The Town should be exploring how it can encourage the continuation of farming in the community, and work with the agricultural community to help them prosper. Initial concepts include the following:

- Allowing more creative uses on farms, while discouraging uses that might change or convert the agricultural assessment of any parcel.
- Support of farming-related businesses.
- Explore what the needs are for farmers in Somerset and support the farmers by helping them achieve their goals.
- Agri-tourism can be part of the Town's agricultural economy. The Town can help look for new markets and marketplaces.

To accomplish these actions related to agriculture, the following approach could be taken:

- a. Establish a Town Agricultural Committee. They can work with agencies such as the Niagara County Soil and Water District, the Cooperative Extension of Niagara County, the NYS Department of Agriculture and Markets, and other agricultural groups and organizations

- b. Review and update, as necessary, the agricultural information gathered for this plan update (working with the County as they do their Ag plan).
- c. Obtain assistance from the County, Regional and State Agencies and groups to help evaluate agriculture in the Town and provide input on the trends in agriculture.
- d. Make sure the zoning of the Town does not inhibit these creative agricultural approaches (amend zoning as necessary).
- e. Work with the County and others to help establish what the viable agricultural markets are for farmers in Somerset, and help market these agricultural products.
- f. The Town should seek grants to help the farmers with transitioning to these new agricultural activities.
- g. Support and champion the extension/expansion of three phase power, natural gas and high speed internet in appropriate areas,

6. Sustainable Smart Growth

To be in accordance with regional plans (Framework for Regional Growth, County Comprehensive Communities Plan, Regional Economic Plans) and with State "Smart Growth" legislation, the Town should plan for sustainable Smart Growth. This pattern of growth and planning will help to make the community more economically viable, improve community characteristics, and help in obtaining funding support from State and Regional programs. Elements of Smart Growth that would fit in with the rural character of Somerset include the following:

- Make the community more walkable/bikable.
- Promote design standards to improve the quality of development.
- Encourage more housing diversity. In particular, there is evidence of a need for more options for senior housing. Senior housing ideally would be located in or near the Village, close to services.
- Other growth should occur primarily within the sewer district and around the Village. Non-sewered areas of the Town, with the exception of the economic development corridor adjacent to the power plant, should remain agricultural, with some low density residential development.
- Agriculture protection and strengthening of the agricultural nature of Town should be encouraged if not required.
- Preservation and protection of important environmental resources is another Smart Growth priority.

The following actions could be taken to help accomplish the above:

- a. Provide a map in greater detail illustrating potential connections (bike and pedestrian) between the Town and the Village. Once completed work with the Village to ascertain costs and potentials for grant applications.
- b. The Planning Board should review sample design standards / guidelines from other communities, to see what applies to Somerset.
- c. For senior housing, the Town should work with the County to identify senior housing developers in the region. The Town should talk to these developers to see if demand exists and their interest in potentially developing in Somerset. Evaluate infrastructure needs and further target areas for this type of use.

7. Expansion of tourism, recreational opportunities and waterfront access

A very important component of the Town is its waterfront and issues related to it, including recreation and tourism and the Seaway Trail. The Town needs to protect this very important asset, while also taking advantage of this asset. Elements to consider include:

- Fishing connections, building on Niagara County’s successful fishing tourism initiative.
- Festivals, events, and other activities to draw visitors.
- Careful consideration of how to address the “Multiple Use Site” development.
- Encouraging New York State to provide additional amenities for visitors to the Golden Hill State Park, such as docks.
- Capitalizing on visitors to the Seaway Trail by connecting it to the waterfront.
- Building on Wine Trail synergies: although there are no wineries in the town, the cidery is a related attraction that could draw visitors.
- Enhance the connections between the State Park, the Village, the Seaway Trail, the Wine Trail and other community features.

All of these actions require coordination with County, Regional and State Agencies, and Town Board representatives should be assigned to lead these efforts.

This area must be protected from incompatible uses that would negate the tourism and scenic components of this area.

8. Protection of environmental features

The Town of Somerset is blessed with some significant environmental features. These environmental features are important to the character of the community and can directly and indirectly affect the economic conditions of the community.

- Inventory significant woodlands and wetlands; tie into regional plans
- Protection of stream corridors, fishing sites, etc.
- Monitor issues and policies affecting Lake Ontario, especially policies that affect lake level control.
- Create Environmental Overlay Zoning Districts to help protect these resources. All proposed uses would need to show that they are not impacting these resources.

The above can be accomplished as follows:

- a. Utilize GIS mapping, local knowledge and site visits to update the environmental features map.
- b. Generate and add information concerning the stream corridors and fishing sites within the Town.
- c. Tie these efforts into the agri-tourism planning efforts. These features and important sites could assist in attracting more people to the Town for tourism related activities.
- d. If necessary, the Town could seek grants to help with improvements needed to capitalize on these features.

B. GENERAL IMPLEMENTATION ACTIONS

1. Once adopted, add the new plan to the Town’s website and provide copies to appropriate Town officials and agencies.
2. The Town should form an implementation committee consisting of Planning Board representatives, Town Board members, and other Town representatives. This committee will be responsible for organizing and helping to implement the Plan. They will also provide a yearly report that includes a summary of achievements for the year, suggestions for Plan modifications, and actions to be completed for the coming year (including any funding needs).

3. The Town should look for community volunteers to help “man” focus groups that are needed in implementing the Plan (such as the agricultural group).
4. The Town Board should include funding each year to implement the Plan.
5. Every five years, or more frequently if circumstances warrant, the Town should evaluate the need for any major updates to the Plan.
6. Amend the Town’s LWRP to reflect the new Somerset Comprehensive Plan.

C. OTHER IMPLEMENTATION ITEMS

Building upon the recommendations outlined in the Observations and Findings sections of this document, this section of the document includes a list of potential implementation items to help achieve the goals (and their priority).

Support Agriculture:

1. Create an agricultural committee that can help maintain communication between Town government and the farming community. The committee can also help look for opportunities to help improve agricultural operations and potentially seek grants (priority action).
2. Evaluate Town infrastructure, particularly roads and bridges, as to whether they are adequate to accommodate agricultural traffic (e.g. widths, weight limits). Prioritize needed upgrades and develop a capital works plan to address problem areas, and develop a grants strategy to help support the needed improvements (priority action).
Work with County and State agencies to focus them on this issue with County and State Jurisdictional roadways.
3. Investigate ways to promote more agricultural tourism (proper attractions, support services, marketing, etc.)
4. Support creation of “value added” processing ventures, which package/ market/ brand agricultural products.
5. The Town could work with the County more aggressively in exploring the creation of an Agribusiness Development Corporation (ADC) in the model of the Hudson Valley ADC. An ADC is an economic development agency with a focus on the viability of the agricultural economy. Such an agency would support marketing, promotion, financial support, agricultural entrepreneurship and other activities in support of the rural economy.
6. Work closely with Niagara County on their update to the County’s Agricultural Protection Plan.

Promote Smart Growth:

1. Create ‘nodal’ growth centers (areas of more concentrated development) around the Village and other areas of denser population (such as West Somerset and Somerset Corners).
2. In the more rural areas (outside the sewer district), provide opportunities for rural business, home occupations, and community services.
3. In and surrounding the Village, provide a variety of connections to allow residents to drive, walk and/or bike to locations throughout the Village center.
4. Work with the Village to create a vibrant village center that is supported by the Town.
5. Create design standards for targeted growth areas.
6. Evaluate the Town’s subdivisions regulations to determine if they are supportive of a ‘smart growth’ approach (e.g. rural cluster design that protects the rural character of undeveloped areas).
7. Support and promote economic opportunities in the Town and Village.

8. Consider adoption of rural development guidelines.

Encourage Greater Housing Diversity:

1. Investigate alternative housing types that could be located around the Village center.
2. Assess the Town's zoning to accommodate a greater diversity of housing choices. (Currently, only one- and two-family homes are allowed in the Town).
3. Consider zoning changes to allow creative housing approaches, such as accessory apartments or elder cottages.
4. Work with the county to identify entities that develop alternative housing and promote the Town to these entities.
5. Investigate the need for housing programs to support a stable and well-maintained housing stock.

Protect Environmental Resources

1. Inventory major ecological resources, important scenic areas and other valued environmental features within the Town (as noted in the Recommendations Section).
2. Consider a creek corridor overlay district for Golden Hill Creek, and possibly other creek corridors in the Town.
3. Consider protection measures for the south central / southeastern portion of the Town to protect important wetlands and woodlots in this area.
4. Assess the local demand for lake access (survey residents).
5. Consider joint planning with adjacent communities to promote effective drainage.
6. Using the completed study of Barker Chemical site, continue to explore appropriate reuse strategies.
7. Evaluate the LWRA to determine whether expanded area is appropriate.
8. Once the environmental inventory is completed, consider having site plan and subdivision plats reference important features.
9. Consider developing 'best practices' manual for landowners along sensitive resources (lakefront, creeks, wetlands, woodlands) for how to be proper stewards of these resources.
10. Continue supporting funding opportunities for shoreline erosion control.
11. Increase public awareness of the location and importance of area watersheds.

Provide Quality Community Facilities and Services

1. Explore options for the "Multiple Use" site adjacent to the power plant.
2. Assess the need for additional waterfront access.
3. Support the expansion of natural gas in the community, targeting the AES site and other business/ industrial areas.
4. Consider areas for careful expansion of the sewer system.
5. A drainage plan should include field tiling and an analysis of soil types. Drainage-related activities should be coordinated with adjoining towns.

Promote Transportation Options:

1. Conduct a feasibility study for developing better bicycle and pedestrian access in the town through the development of multi-use trails and/or bike lanes along existing major roadways.
2. Conduct a connectivity assessment to assess existing gaps in sidewalk/ pedestrian access, as well as exploring potential for sidewalk and/or trail extensions/ connections to destinations in close proximity to the Village.
3. Investigate options for rural transportation services, such as vans, particularly for seniors.

Create a Vital Local Economy

1. Establish an economic development group responsible for supporting and coordinating efforts to increase business activity in the Town.
2. Explore ways to support agriculture as an important business and employer in the Town.
3. Support and become actively involved in the planning for the former Barker Chemical site.
4. Work cooperatively with the County to explore agri-tourism efforts and marketing.
5. Consider zoning changes that encourage new business development in targeted areas.
6. Identify properties appropriate for business development and make progress towards facilitating future redevelopment of these properties.
7. Coordinate with County and regional economic development agencies to promote business development/redevelopment in Somerset.
8. Investigate ways to better link the educational system and industry to promote an appropriately trained work force.

D. VISION PLAN

The Vision Plan for the Town of Somerset is shown in Map 9. The Vision Plan, together with the goals and policies described previously, is intended to guide decisions which affect the future development of the Town. The recommendations portrayed on the Vision Plan map are based upon an analysis of the existing land use patterns and roadway system, economic conditions and environmental resources and constraints, in conjunction with the issues and opportunities identified by the public. It is a graphic representation of the general preferred future development of the Town, and it mirrors the intent of the goals and policies for the Town. The Vision Plan does not directly represent land use or zoning, and is not meant to rigidly depict the specific type of development that should occur on a particular parcel. Various development patterns could be consistent with the ideals it portrays. The Vision Map, in conjunction with the goals and objectives should guide an interpretation of what type of development is appropriate in any particular area. There is considerable flexibility in the Vision Plan, but the Town should encourage future development to occur within areas where growth is appropriate, and discourage intensive development in areas identified for a more rural character.

The following concepts are illustrated in the Vision Plan:

- The majority of the land area of the Town will remain rural; largely as agricultural or open space uses. Any area not specifically called out for some other designation is presumed to remain rural in character and be protected from incompatible growth that does not promote the Goals and Objectives of the Town.
- New residential development is encouraged primarily within and adjacent to the village and within the sewer district. This area is designated as the "Expanded Village", shown in dark yellow on the Vision Map. The concept is to strengthen the Village as the center of Town and concentrate denser development within the area where there are services to accommodate it. Other small pockets of residential growth indicated on the Plan should also be protected from unacceptable uses.
- For longer-term future growth, a "hamlet" area, depicted in gray, shows how growth should continue to expand from the central Village core (It is in the existing Town sewer district). This area must also be protected from uses that would impact this long term residential growth area.

TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

- The Community/Village Center area represents an area of the Town/Village that all development proposals must be evaluated for their impact on the Village Center.
- Business activities should be concentrated within the Village and an area designated as "Town Center" along Haight and Quaker Roads. Development in the "Town Center" area should be job-creating and non-retail types of businesses, designed to complement, not compete with commercial activities in the Village of Barker.
- A portion of the shoreline of Lake Ontario is designated as a "shoreline protection" area to protect this resource and its recreation potential, while accommodating expanded public access to the lake in appropriate locations (see LWRP).
- Industrial/business development (purple) is shown adjacent to the Village, where services and transportation are available, as an extension of the Village industrial area. The "Barker Chemical" site (site on the western side of the Village) has been further studied, and the Town should continue to work with the County of Niagara and other agencies to determine the appropriate light industrial/business related uses that could be developed on the different portions of this site. Industrial uses are also shown for the lands owned by the power plant north of Lake Road, and the Mayer Brothers site in the northwest corner of the Town. The other areas of the Town are not appropriate for large scale Industrial development.
- The power plant site is currently zoned PUD and under that zoning would only allow the present power plant and related accessory uses on that site. This site is shown as Industrial/Business on the Vision Map to provide greater flexibility for the Town to entertain a rezoning that would allow other industrial and business uses on this site, if rezoning became necessary for this site to remain viable as an economic engine for the Town. It must be noted that under Article 8 of the New York State Public Service Law, the Town does not have jurisdiction over power generation activities on this site. Other, non-power generating related uses can be affected by local laws and ordinances.
- The area directly west of the power plant site has been designated for new business development in support of economic development for the Town. Shown in orange on the Vision Map, the concept is to facilitate business development at this location, possibly through getting the site designated as "Shovel-Ready" under New York State's business development program.
- The eastern portion of the power plant properties is shown as the "Multiple Use Site," depicted in turquoise on the Vision Map. As part of the permitting for the power plant, a study was completed in 1979 aimed at developing recreational uses on these lands. While never implemented, the concepts are retained here for possible future development. The power plant purchased additional lands after the study was completed. These additional lands could be incorporated into the multiple use plan and are represented as "Multiple Use Expansion" on the Vision Map. The full 1979 study for the Somerset Power Plant Multiple Use Plan is included as Appendix B. This "Multiple Use Site" area was a mitigation to the potential long term impacts from the construction of a power plant on the waterfront in the Town. At that time, a plan was developed that included recreational development on this site. This site, 30 years later, still represents an important mitigation for the Town. The needs of the Town and region have changed over this time period and the recreational plan would need to be updated if it is going to be implemented. If the recreational plan cannot be implemented, another beneficial plan/use for this site should be developed and implemented. This new plan should reflect the needs of the community, this valuable waterfront asset, and make

TOWN OF SOMERSET COMPREHENSIVE PLAN UPDATE

economic sense for the Town and its residents. It is imperative that the multiple use plan or a revision to it be implemented as it represents the mitigation for the use of a large area of the Town's waterfront for a power plant.

- The area to the east of the Multiple Use site is "cross-hatched" and referenced as the "Multiple Use Site Expansion Area". This area was not originally owned by the power plant and was acquired after the Multiple Use Plan was completed. These lands abut Hartland Road and have sewers available. This "expansion area" should compliment what will be done on the Multiple Use Site and further strengthen the economic opportunities in this area. Development of this area could be commercial/businesses, light industrial or tourism/recreational related.
- The northwest corner of the Town is designated as mixed use/ agricultural support businesses. The intent is to support the agricultural economy with businesses that provide agricultural support services, similar to the Mayer Brothers' food processing facility already located in this vicinity. Creative agricultural operations would also be considered such as wine related, craft breweries, etc. Agricultural uses would also be appropriate.
- The northeastern portion of the Town is identified as an area to encourage agriculture and agricultural/ tourism activities. Agri-tourism would include farm stands, farm tours, etc. Ties to the Niagara County Wine Trail are encouraged. Attracting people to support the existing Agriculture and Tourism facilities and future Agri-Tourism and recreation is important to the success of this area. This area must be protected from incompatible uses to ensure this vision.
- The southeast portion of the Town has been identified as an area that is environmentally sensitive, due to the number of wetlands and wooded areas in this region. Development occurring in this quadrant of the Town should respect these environmental features, which serve important roles in the Town's environmental sustainability. Any development should be very small scale and not impact the features or character of the area.
- The major stream corridors through the Town should be protected. The intent is to discourage development within the floodplain, and encourage environmental conservation of the areas immediately adjacent to the creeks.
- The Seaway Trail is depicted on the map and connective features from the Seaway Trail to the State Park, along Lower Lake Road and to the Village of Barker. A Rails to Trails area is also show on the Vision Map.
- With respect to the issue of large-scale Industrial grade Wind Turbines, the following areas are not appropriate for these types of uses based on the Vision for these areas; the "Expanded Village" and Hamlet/rural center areas, the Village of Barker and surrounding business and residential areas, the Environmentally Sensitive area, the Agriculture/Agriculture Tourism area, the waterfront protection area (residential), the mixed use –Agriculture/Agriculture support business area. Also, per the US Fish and Wildlife recommendation, large scale wind turbines should not be within three miles of the shoreline (line shown on the Vision Plan). This should involve further investigation.

SECTION VI

ENVIRONMENTAL ANALYSIS

A Comprehensive Plan is categorized as a Type 1 action under the State's Environmental Quality Review (SEQR) Act. As such, the Town, as Lead Agency, is required to examine the potential environmental impacts of the plan. To facilitate this requirement, the comprehensive plan itself can be set up to represent the components of a GEIS (see §272-a.8 of Town Law). This format enables the reviewers, the Lead Agency, all involved and interested agencies, and the public to review one comprehensive document that outlines plans for the future and the potential environmental implications of these plans. The inclusion of this chapter is intended to help in the environmental evaluation.

Potential Significant Adverse Environmental Impacts

The underlying purpose and a major goal of a Comprehensive Plan is to promote appropriate land use and avoid significant adverse environment impacts in the community that it covers. The Part 2 of the EAF does not identify any potentially moderate to large impacts and no significant environmental impacts. However, it is important here to acknowledge and discuss potential adverse impacts.

Short term/long term and cumulative impacts

Based on the environmental setting of the Town of Somerset, the following potentially significant adverse environmental impacts could occur if the community does not plan adequately and provide the proper tools for the management of growth and development. The comprehensive plan is designed to properly guide growth in the Town to lessen the negative impacts of land use and development decisions.

A. **Impacts on Land** (see Map 4: Environmental Features; Map 5: Agricultural Districts and Generalized Soils)

- The Town of Somerset is rural in nature, a characteristic that is valued by area residents. Inappropriate planning and development actions could negatively impact the land resources of the Town.
- The Town of Somerset has areas of hydric soils, and some wetlands and floodplains. There are also some areas in the Town with slopes greater than 15 percent. Improper development of these areas could result in drainage, flooding and/or erosion problems within the Town and in downstream areas.
- There are large areas in Somerset where the soils are categorized as prime farmland, or prime farmland when drained. There are extensive areas covered under agricultural districts and many farms. Development of these areas could displace irreplaceable resources.
- Some locations in the Town of Somerset contain significant areas of mature woodland. Inappropriate development of these areas could have a negative impact on the rural character of the Town and important open space.

Impacts on Water (See Map 4: Environmental Features)

- Fish Creek, Golden Hill Creek, and Marsh Creek and tributaries of these waterways run through the Town of Somerset. Floodplains surround portions of these waterways. Inappropriate development could lead to flooding or drainage problems, and hazards

to public safety. These creeks are also important for environmental protection, open space preservation, drainage, wildlife habitat and aesthetics.

- Much of the Town's development is on municipal water and is not dependent upon groundwater resources for their water supply. Many residences in the Town use groundwater for the discharge of sanitary waste (septic systems). Only a portion of the Town has public sewers.
- There are areas of wetlands and hydric soils. Inappropriate development in these areas could lead to flooding and drainage problems, and adversely impact groundwater resources.
- The waterfront area of the Town has floodplains, wetlands and is an important environmental feature of the community. Inappropriate development in this area could cause many problems.

B. Impacts on Flora and Fauna

- The Town's expansive areas of open meadows, fields and woodlands, waterfront areas as well as the wetlands and creek corridors, support many non-threatened and non-endangered plant, avian and animal species. These areas provide important habitat for many resident and migrating species, and are an important element of the rural character of the Town. Over-development and poor site planning decisions could adversely impact these resources.
- The Town and its waterfront are considered International Bird corridors that by recent studies show areas within 3 miles of the waterfront should be protected from structures that would interfere with these bird populations.
- Some of the streams are considered to be Class A streams.

C. Impacts on Agricultural Land Resources (See Map 5: Agricultural Districts and Generalized Soils)

- Most of the Town is located in a State designated agricultural district. The predominant land use and economic activity in the Town is agricultural, and most of the Town is zoned agricultural.
- Agricultural uses have been slowly declining over the past decade, although agriculture remains important in the town.

D. Impacts on Aesthetic Resources

- The aesthetic resources of the Town of Somerset include significant views (especially in the waterfront region of the town), open spaces, parks, historic buildings, a National scenic Byway and creeks. These resources contribute to the atmosphere and character of the Town, and could be negatively affected by inappropriate development.
- These natural and man-made resources, and the development patterns of the Town contribute to its rural character, which is the primary goal of the Town (protecting the Town's Rural Character).

E. Impact on Open Space, Parks and Recreation

- Parks and recreation resources in the Town of Somerset are identified in Section III.
- The Town also has important open space resources, with large portions of the Town including undeveloped woodlands and meadows.
- Inappropriate development, including increased demands caused by population increases, could have an adverse effect upon these resources. Present population

statistics show a large number of seniors, and children under the age of 18 compared to county averages.

F. Impact on Critical Environmental Area

- There are no designated critical environmental areas in the Town.

G. Impact on Transportation

- The transportation system in the Town of Somerset is heavily based upon roadways and automobiles. Public transportation is very limited, and the rail line is used for very limited commercial and freight uses only. No passenger rail is available.
- The major roadway corridors in the Town are described in Section III.
- Travel for pedestrians and bicyclists can be difficult in the Town.
- Poorly planned development in the Town has the potential to adversely impact the transportation network. Although the roads are mostly level of Service A, localized problems could occur if development is not planned and designed properly. Development within the Town also affects the traffic in the Village. Development in the surrounding communities may also have impacts on the Town's transportation system.
- Additional development may also increase potential conflicts between automotive and non-automotive modes of transportation.
- The Agricultural community depends on the road system to support their fields and operations, and for the transport of their goods. These roadways need to be protected and when necessary maintained, repaired and upgraded to meet these needs.

H. Impact on Growth and Character of Community or Neighborhood

- The population of the Town of Somerset has been relatively stable. While there was population growth between 1990 and 2000, recent Census data indicate population has returned to 1990 levels.
- The rate of new households being generated in Somerset experienced a similar trend, strong growth between 1990 and 2000, partly reversed between 2000 and 2010.
- The growth in number of households has been strongest in the Town outside the village, which saw an 8 percent increase between 1990 and 2010, compared to a 4 percent decline within the Village.
- The Comprehensive Plan supports directing residential growth mainly toward the areas of Town in or adjacent to the Village and north of the Village along Quaker Road.
- The Village of Barker serves as the central business district and service center for the Town of Somerset. The Town recognizes the importance of the Village and wishes to provide support for these businesses.
- The Town supports non-retail commercial and industrial growth in certain designated areas of the Town in order to support tax base and employment opportunities.
- With targeted, well planned growth, the Town's character should not be adversely affected.
- The Town's Vision for the Community has been expressed in this Plan, and actions supporting this vision should be implemented and those that do not support this Vision should be opposed and not entertained.

Adverse Environmental Impacts that Cannot be Avoided

With or without the adoption and implementation of a Comprehensive Plan, the region will

continue to have new development that will impact the environment. The adoption of this plan and implementation of the suggested actions will allow the Town to better manage growth and development, and reduce potential environmental impacts. All development actions taking place after the completion of this study will still be subject to the State Environmental Quality Review (SEQR) process on a site specific basis. This plan can assist with the review of those future development actions.

Growth Inducing Aspects of the Plan

Most of the implementation actions outlined in this study will help to control and moderate growth within the Town, and encourage growth in specific areas where it can be best supported. Specifically, redevelopment in and around the Village of Barker, and within areas with sewers will be encouraged. Certain areas adjacent to the power plant have also been identified for potential economic development, (non-retail commercial and industrial uses are encouraged).

Mitigation Measures

It is the objective of any comprehensive plan to help to reduce the potential impacts that could be caused by the present development trends in the planning community. This can be accomplished by providing techniques for changing the development trends of a community, such as amending zoning or other development regulations, or by providing tools to help mitigate the possible impacts of those development trends, such as providing for improved infrastructure, increased/improved standards for development, etc. A good comprehensive plan will supply techniques for modifying or clarifying the direction of the community, and the tools for reducing the impacts of development that themselves do not create other adverse environmental impacts. The following section discusses the study's recommendations and the logic as to why and how they help mitigate the potential impacts of future growth.

A. Impacts on Land

- The plan recommends a number of measures to protect the land and environmental resources of the community.
- The plan supports the protection of agricultural lands in the Town. Techniques include strengthening the economic viability of farms, encouraging agricultural support services, and maintenance of policies, such as the Town's Right to Farm legislation, that support farmers.

B. Impacts on Water

Surface Water

- The plan supports directing development away from the designated stream corridors, and recommends an overlay zone to protect these resources.
- The plan supports increased drainage standards and avoidance of poor soil areas to further reduce impacts to surface waters from development.
- New requirements, when necessary, will also help to protect these resources.

Groundwater

- Directing growth to areas with public infrastructure will help in the protection of groundwater resources in the Town of Somerset.
- Possible expansion of the sewer system to areas along the waterfront could help to reduce problems.

C. Impacts on Plants and Animals

- As discussed previously, the Somerset community will be taking efforts to protect and preserve the stream corridors and open spaces in the community. By targeting these important habitats for protection, the Town is minimizing impacts to the flora and fauna of the region. Projects that impact these important resources will be discouraged if not restricted.
- The plan also identifies important features like floodplains, wetlands and unique environmental features, so that they can be incorporated into designs and/or preserved.

D. Impacts on Agricultural Land Resources

- As previously discussed, the Town will be coordinating activities to protect and preserve agricultural land and agricultural operations.
- Other programs and ideas will be attempted as needed to try and assist farmers to stay in business. If the economics of farming (related to Agriculture) can be helped, farming may continue which will assist with the agricultural land preservation. These mechanisms will allow for creativity without impacting surrounding non-farm property owners and the environment.

E. Impacts on Aesthetic Resources

- The preservation of community character is one of the major goals of this Plan. Community character includes the aesthetic resources of the community such as significant views, open spaces, farmland, important structures and the Towns' overall rural character. The community has identified these resources and the plan identifies actions to be taken by the community to protect these features. Development guidelines will help to maintain the rural character of this community.

F. Impacts on Open Space, Parks and Recreation

- The plan identifies these resources and provides methodologies to protect and preserve them during development.
- Major features are identified in the Plan and some are incorporated into the vision map and are considered an integral part of the Town's future. The Plan requires that development follow the recommendations in the Plan and the Vision articulated in the Goals and Objectives and illustrated on the Vision Map.

G. Impacts on Critical Environmental Areas

- There are no CEA's in the Somerset community.

H. Impacts on Transportation

- Transportation in the community is heavily based on roadways and automobiles. Generally, traffic counts are low and there is not significant congestion.
- Actions such as access management plans are being suggested to minimize potential impacts from traffic.
- One of the other issues of transportation relates to the region's accommodation of pedestrians and bicycles. The plan recommends continuing to improve pedestrian and bicycle access around the Village.
- Public transportation in the region is minimal and Somerset will continue to work with the County and Niagara Frontier Transportation Authority in trying to improve public transportation.

- The railroad running through Somerset is an important asset to the region. The community has planned around this feature (continuing access to industrial areas and preventing encroachment of incompatible uses), and is strongly interested in the railroad being improved and remaining active.

I. Impact on Growth and Character of Community or Neighborhood

- Population trends suggest that the growth rate in the Town of Somerset will remain modest.
- Economic development and local jobs has become a larger issue, and the plan attempts to proactively support additional targeted locations for job supporting development.
- This economic development will be focused, will not impact the important resources of the Town and preserve the rural character of the community.

Evaluation of Alternatives

Throughout the planning process, alternatives for helping the Town achieve its Goals and Objectives were evaluated. These recommendations and implementation alternatives were evaluated for not only their desired results, but also their impact to the environment, the needs of local residents, private property rights, and the vitality of the community.

It must be noted that long term recommendations were not thoroughly evaluated in this section since these actions are only to be considered in extenuating circumstances where the Town is seeing greater levels of growth pressure or where short term recommendations are not achieving the desired results.

Under the present growth conditions in the Town, the "No Action" alternative was considered. However, to enable the Town to properly plan for its chosen future, to prepare for potential development activity over the next 15 years, and to better direct and manage such growth and development, this alternative was deemed inappropriate. Furthermore, the chosen action plan will provide greater protection to the environment than the present course of action. For example, without adhering to this Plan and implementing it, the proposed Industrial Wind Turbine Project could have a significant impact on not only the environment but many of the Goals and Objectives and Vision of the Town and this Plan.

Town of Somerset Comprehensive Plan

Vision Map

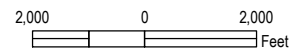


Key to Features

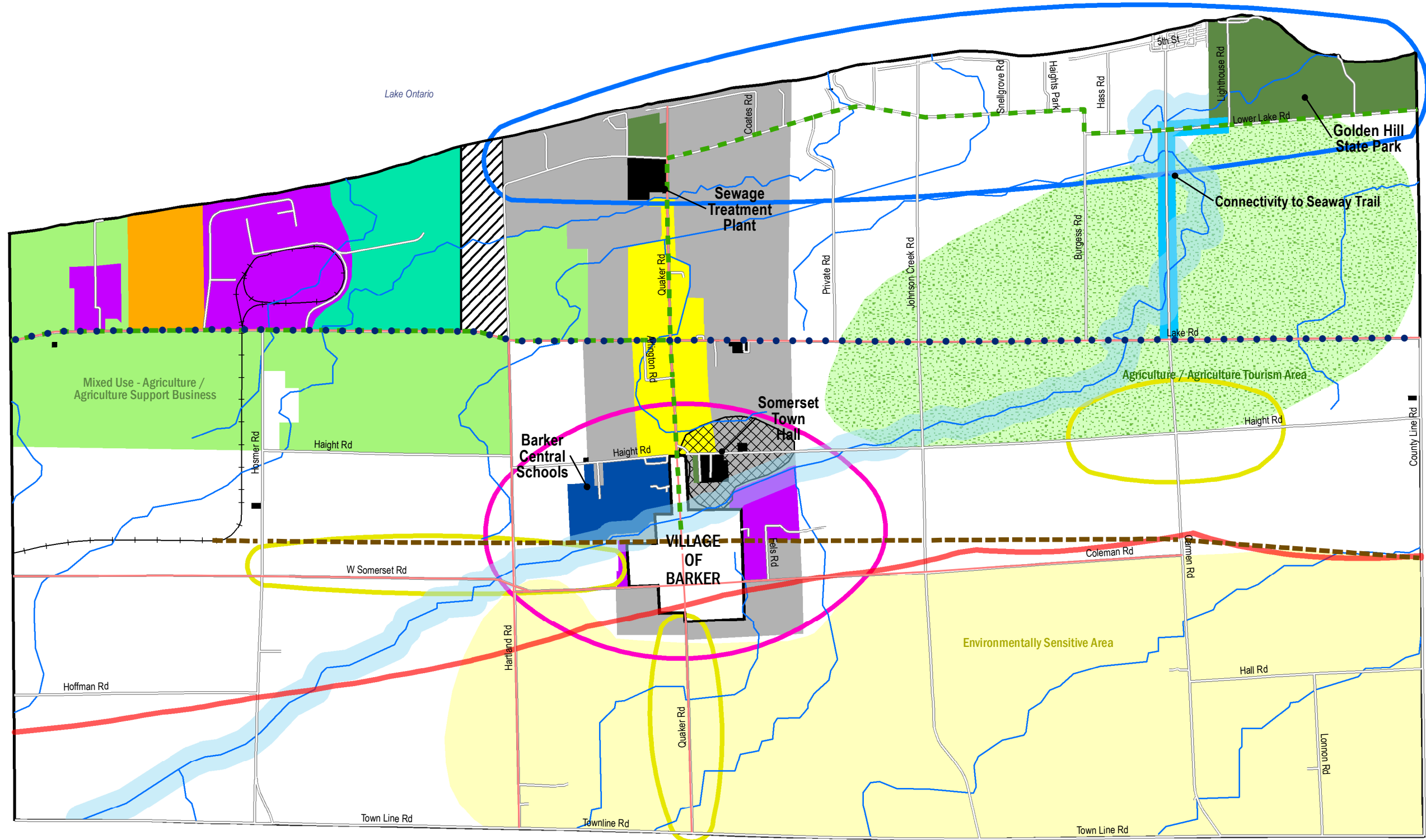
- Municipal Boundary
- Town Owned Properties
- Streams
- Stream Open Space Area
- Major Highway Connections
- Seaway Trail
- Multi Use Path
- Potential Rails to Trails Path
- Lakefront Setback Line

Comprehensive Plan Vision

- Expanded Village
- Residential Area
- Community/Village Center
- Waterfront Protection Area
- Town Center
- Agriculture / Agri-Tourism Area
- Environmentally Sensitive Area
- Mixed Use - Ag / Ag Support Business
- Multiple Use Site
- Multiple Use Site Expansion Area
- "Shovel Ready" Business Area
- Industrial/Business
- Hamlet/Rural Center
- Rural/Agricultural
- Barker Central Schools
- Park
- Connectivity Seaway Trail



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 DATA SOURCES: TOWN OF SOMERSET, NIAGARA COUNTY, NYS DEC, USFWS, FEMA, NYS GIS CLEARINGHOUSE



* This map is not a future land use map and should only be utilized in conjunction with the concepts in the Comprehensive Plan Document.

APPENDIX A

APPLICABLE EXCERPTS FROM 2004 COMPREHENSIVE PLAN

This Appendix presents excerpts from the Implementation section of the Comprehensive Plan for the Town of Somerset prepared in 2004. These actions may not be immediately relevant, and priority recommendations and action items are duplicated in Sections IV and V of the current Plan. However, there are some ideas that may be relevant, or may be of use in the future. They are included here in order to retain these ideas.

This section is presented verbatim from the 2004 plan without edits, except that recommendations that were no longer relevant have been deleted. They have not been adjusted or revised to reflect more current conditions, and additional research or verification of the support for these concepts may be necessary prior to their implementation. These ideas should be considered as a supplement to the priority concepts contained within the body of this Comprehensive Plan. The excerpts include recommendations (Section V) from the 2004 plan, as well as two appendices from that document.

APPENDIX A

(from 2004 Plan)

SECTION V

IMPLEMENTATION PLAN

The following section summarizes and expands upon the Findings and Recommendations section of the plan. It first provides a general methodology for implementing the plan and then provides specific steps for implementing each of the goals and policies established by the community. These steps or actions were generated throughout the process by referring to previous efforts, through committee and public input, and from general planning principles.

It must be clearly understood that this plan is a guidebook for the community, and that the recommendations/actions that are given are suggested methodologies for achieving the Town's goals. Although given priorities, it shall be up to the Town Board to determine the applicability and/or timing of these actions. These actions are to be considered a "toolbox" to be utilized by the Town in achieving vision and responding to changes in the community. Each year, the Town Board (with recommendations from others) will decide on the need for any implementation actions, and address any updates to the plan.

GENERAL IMPLEMENTATION PROCEDURES

1. Comprehensive Plan Adoption: The Town Board, after holding the appropriate public hearing(s) and completing the State Environmental Quality Review (SEQR) process, should adopt the comprehensive plan.
2. Form a Comprehensive Plan Implementation Committee: The Town Board should form a comprehensive plan implementation committee by resolution. This committee could be chaired by Town Board members and have representation of the Planning Board and others as necessary. This committee would meet at scheduled times throughout the year (2-4 times per year in the first couple of years after adoption and possibly reducing to 1-2 times per year thereafter). Their responsibility would be to help ensure that the plan is being implemented, evaluate results of actions, re-prioritize implementation actions as necessary, and suggest modifications to the plan as required.
3. Provide copies of the plan: The Town should provide copies of the plan to the Town's boards, departments and committees. When providing these plans, a meeting should be scheduled to explain the plan, and how it should be utilized.
4. Budget money and seek grants for implementation: The comprehensive plan implementation committee each year will provide an approximate budget needed for the coming year's implementation actions, to the Town Board (at budget time). The committee will also provide assistance to the Town Board in identifying and seeking grants for these actions. The Town Board will then budget for these actions and/or apply for grants.

APPENDIX A

IMPLEMENTATION ACTIONS PER GOALS OF THE TOWN

A. Maintain the rural and agricultural character of the Town.

1. Review town zoning ordinances and modify as necessary to ensure that agriculture and its related activities are not restricted or hindered by the zoning law.

Priority: Low Responsibility: Planning Board could review and recommend revisions to the Town Board. Revisions would be adopted by local law.

Costs: Minimal: reproduction and mailing costs.

2. Removed this item

3. Consider adoption of a local right-to-farm law.

Priority: Low Responsibility: Town Board

Costs: Minimal: samples can be obtained from NYSDOS and others. Costs are for local law adoption.

4. Provide incentives for development in sewerred areas: expedited reviews, density bonuses, and prioritized public services.

Priority: Medium Responsibility: Town Board, Planning Board, Building Inspector

Costs: None

5. Establish and adopt rural development guidelines: these guidelines would be referenced in the zoning and subdivision regulations, and would be required in the agricultural zoning district.

Priority: Medium Responsibility: Town Board

Costs: Minimal: obtain samples, revise and adopt through local procedures.

6. Investigate agricultural preservation programs - the Town should evaluate transfer of development rights (TDR) and purchase of development rights (PDR) programs, and other programs that may be available (such as PACE [purchase of agricultural conservation easements], farm assistance programs, etc.).

Priority: Low Responsibility: Town Board through a committee

APPENDIX A

Costs: Minimal: this is an investigation not implementation. (Implementation would be expensive.)

7. Maintain State agricultural districts.

Priority: High Responsibility: Town Board

Costs: None

8. Removed

9. Limit retail growth outside the Village to assist in the viability of the Barker Central Business District.

Consideration of zoning changes around the Village should consider the limitation of competing retail uses to the Barker Central Business District.

Priority: Medium Responsibility: Town Board

Costs: Minimal

- B. Achieve a pattern of development which minimizes travel time to meet daily needs and which meets a high standard of design and construction.

1. Modify the Town's zoning map to match the recommendations in this plan.

Priority: High Responsibility: Town Board through the Planning Board or committee

Costs: \$1,000 - \$2,000. Costs for amending map and adoption process.

2. Create an Access Management ordinance and assign to identified roads within the Town.

Priority: Medium Responsibility: Town Board through a committee (assistance from NYDOT)

Costs: Minimal - \$3,000. The NYSDOT has a sample Access management ordinance. It may need to be modified and then taken through an adoption process.

3. Create a rural development cluster development ordinance: this ordinance would apply to sewered areas and to non-sewered areas.

Priority: High Responsibility: Town Board

APPENDIX A

Costs: \$1,000 - \$2,000. Obtain samples and work with a consultant to modify.

4. Removed

C. Meet the housing needs of the community by providing a variety of choices in new housing and by encouraging the improvement of existing housing.

1. Investigate a housing and property maintenance code: form a committee to research examples of these codes and how they are applied, and where and if they should be applied.

Priority: Low Responsibility: Town Board through a committee

Costs: Minimal

2. Publicize programs for Federal and State housing assistance programs, and programs for façade improvements and tax assessment issues.

Priority: Low Responsibility: Town Board

Costs: Minimal - \$1,000

3. Amend the zoning of the Town to match the vision of the plan in locating denser housing in the sewerred areas.

Priority: High Responsibility: Town Board through the Planning Board or committee

Costs: \$1,000 - \$2,000. Costs for amending map and adoption process.

D. Protect important environmental resources from adverse effects.

1. Expand upon the work done in the Comprehensive Plan by identifying, quantifying and prioritizing important environmental resources in the Town: (the comprehensive plan and this resource would be referenced in the Town's codes).

Priority: Medium Responsibility: Town Board through a committee

Costs: \$1,000 - \$3,000. With volunteer and consultant assistance.

2. Create a lakeshore overlay district to provide additional requirements to developing in the lakeshore area. Requirements could include limitations on pole barns, height and location of structures, setbacks, etc. One of the important objectives would be to preserve views. This effort should be coordinated with the LWRP.

APPENDIX A

Priority: Medium Responsibility: Town Board
Costs: Associated with the LWRP creation.

3. Create and adopt updated stormwater and erosion control standards.

Priority: Medium Responsibility: Town Board
Costs: Minimal - \$1,000. Acquire NYSDEC sample stormwater regulations.

4. Working with applicable adjoining communities, study the watersheds within the community for ways of protecting and improving water quality. Look into working with the Soil and Conservation service and their CEM (Community Environmental Management) program.

Priority: Medium Responsibility: Town Board
Costs: Minimal - \$5,000. If acquire CEM assistance, costs could be minimal.

5. Removed wetlands ordinance recommendation.

6. Update/revise the zoning and subdivision regulations to require preservation/incorporation of important natural resources to any development proposal.

Priority: High Responsibility: Town Board through the Planning Board
Costs: \$1,000

7. Addition of stream protection overlay areas: for identified streams (especially Golden Hill Creek), a stream protection overlay should be created. This zoning overlay would require development within its boundaries to meet structure regulations for setbacks from the creek, drainage and erosion control, and other issues such as viewshed protection.

Priority: Medium Responsibility: Town Board
Costs: \$1,000 - \$2,000 for overlay creation

- E. Provide high quality community facilities and services at an acceptable cost to the local taxpayer.

1. Complete a Capital Improvements Plan: each Town department, board and committee should create a listing of improvements, needs, etc. for now and for the future (reasonable time period established).

APPENDIX A

Priority: Medium Responsibility: All departments, boards and committees

Costs: Minimal

2. Create a grants plan for the prioritized capital improvements list.

Priority: Medium Responsibility: Town Board

Costs: \$3,000 - \$5,000. If consultant is necessary.

3. Monitor recreation needs in the Town: based on continued monitoring of these needs, the Town will determine when additional facilities/plans such as the multiple use plan should be implemented.

Priority: Low Responsibility: Town Board and Recreation Committee

Costs: Minimal

4. Based on watershed studies and possible assistance under a CEM program, determine those areas of the Town that need detailed drainage studies. A drainage committee could keep track of drainage problems and recommend studies/improvements to the Town Board. Assistance could also be sought through SEMO (State Energy Management Office) and FEMA (Federal Emergency Management Agency).

Priority: Low Responsibility: Town Board and Drainage Committee

Costs: Minimal through thousands of dollars.

5. Meet yearly with State Park officials to discuss Golden Hill State Park; their plans and the needs of the community.

Priority: Medium Responsibility: Town Board

Costs: None

- F. Provide for the future movement of traffic through the Town in a safe and efficient manner.

1. Focus should be on improving the existing highway system and not on constructing any new roads. Working with the NYSDOT and the County, the Town should identify areas for improvement.

Priority: Medium Responsibility: Town Board and Highway Superintendent

Costs: Minimal

APPENDIX A

APPENDIX FROM 2004 Plan:

RESIDENTIAL DEVELOPMENT CONCEPTS

CLUSTER RESIDENTIAL DEVELOPMENT

The comprehensive plan recommends that the Town of Somerset consider the adoption of a policy whereby cluster residential or density control development would be permitted in the town's low and medium density residential areas. This alternative concept can offer several exciting advantages when compared with the typical lotting pattern in most conventional subdivision layouts. The clustering of homes in a compact service area permits the retention of large contiguous areas in their natural state. In addition, the developer has more flexibility in locating individual homesites, landscaping and vistas.

Under a cluster or development control concept the developer would be permitted to reduce the size of the building lot below the minimum zoning requirements provided that the number of homes in the subdivision is not increased and the overall density is maintained. Cluster residential development could have the following advantages for the Town of Somerset:

1. Cluster development emphasizes the preservation of open space and the development of park and recreation facilities. In this way, much of the natural vegetation and tree growth can be preserved and the town will be in a position to develop a complete park system which is functional to the town's population, and at little cost to the municipality.
2. Cluster development encourages new development schemes, which are exciting and aesthetically pleasing. It helps provide visual relief to the monotony of rows of dwellings lined up along residential streets. This could be an extremely important consideration in view of the fact that the majority of the land area within the town is level with very little relief.
3. Well designed cluster subdivisions can reduce the costs of construction and annual maintenance expenses by minimizing the lengths of streets, curbing, sewerage lines, storm drains, waterlines and other utilities. Thus the developer, the homeowner and the entire community should benefit from cluster development.
4. The clustering of homes permits significant latitude in preserving natural drainageways and special open spaces. This should serve to reduce the amount of surface runoff, to a level considerably below that which might be generated from typical subdivision developments; as well as encourage preservation of natural features.
5. Cluster development offers the long-range advantage of maintaining property values, which is a fundamental purpose of planning and zoning.

Attached examples (in Appendix D) indicate how a typical site can be developed under both conventional and density control systems. The more obvious advantages of cluster development include open space, easements and parklands, quiet residential streets and the provision of buffer areas between the cluster development and other adjacent uses of land. Though the required lot size is reduced under cluster requirements, the overall density of the entire tract would remain the same as the density prescribed under

APPENDIX A

normal zoning requirements for the district in which the cluster is developed.

PLANNED UNIT DEVELOPMENT

The concept of planned unit development is perhaps the most modern, forward-looking land development technique to be implemented in recent years. Instead of planning for the individual lot, planned unit development is a means of establishing a complete self-contained neighborhood or community unit. The planned unit development concept includes the provision of various uses within the same site, including various forms of housing (ranging from single-family dwellings to garden apartments) shopping areas and in some cases, industrial parks and community facilities.

Planned unit developments, differing from the typical subdivision plan, fixes land use relationships between buildings, allocation of open space, provisions for off-street parking and many other details which may or may not include such typical zoning regulations as setback, frontage and minimum lot size. Under the planned unit concept the yardstick for residential development is generally a density of dwelling units per acre rather than lot size specifications. It is a technique which gives the developer considerable flexibility in the design of the total site.

The institution of a planned unit development ordinance could require the developer to provide the following capital needs:

1. Water and sanitary sewerage systems which would connect into the public systems serving the area. If this is not feasible, the developer would be required to provide an individual system adequate to serve the planned unit development, which would be totally acceptable and approved by the County and State Health Department.
2. A certain percentage of the total land area to be retained for permanent open space. This could be dedicated to the town or maintained by a homeowner's association.
3. Land for elementary school sites at standards to be set by the school district in cooperation with the Town of Somerset. (this is very unlikely—school is adequate to absorb likely development)
4. Fire prevention sites to serve the projected planned unit development at standards to be set by the town. (ditto—more likely to require payment to existing fire department)
5. A street system which is adequate to serve the needs of the development, including the improvement of any existing highways which may serve the development.
6. A storm drainage system of sufficient size and design to carry off and dispose of all predictable surface water runoff within the development.

Each of the improvements listed above as well as the site design of the proposed development would be subject to approval by the Planning Board, the town engineer and the Town Board. A proposal for a planned unit development should also have the benefit of review of the County as well as that of a professional planner retained by the Planning Board, at the expense of the petitioner to review and analyze the proposal in relation to the town's development regulations.

APPENDIX A

APPENDIX A

APPENDIX FROM 2004 Plan:

LAND USE CONFLICTS

The plan recommends that large areas of Somerset should remain as rural or in agricultural use during the planning program. Farmland and agricultural land uses contribute significantly to the economic well being of the town as well as the county and the region. These areas serve to maintain economic stability, are a desirable scenic element in the local environment and help maintain an ecological balance. It is important that farming in Somerset be supported, so as to enhance the prime agricultural soils in the community and the micro-climatic conditions in this area of the state. It is also important that these soils which have been determined to be highly valuable for agricultural production be protected for such use. Once farmland has been taken out of production for residential or other types of development, the potential for reversion of the soil for agricultural purposes is generally lost forever.

Nationwide, a major cause for the decline in farming has been residential development "leapfrogging" throughout the rural farmland areas of every community. Although residential development has actually displaced relatively little farmland in Somerset, it has established a pattern of frontage development that could have potential conflicts with farming operations in the future. The most common types of conflicts with residents that tend to curb farming operations include aerial spraying of crops, nighttime harvesting operations and increased vandalism to field crops.

Strong support of local farming and agri-business activities cannot be over emphasized. This is due to the importance of agriculture as an income generator and employer and to its role in maintaining the rural character of Somerset. Pressures on viable farmland resulting from residential sprawl should be relieved and prevented through the establishment of development regulations that support farming. Similarly, public services and other capital improvements which would induce major non-farm development in productive farm areas should not be implemented. As part of the overall program to improve the maintenance and expansion of agricultural activities, favorable taxation and assessment policies should be continued through renewal of the state's Agricultural District program.

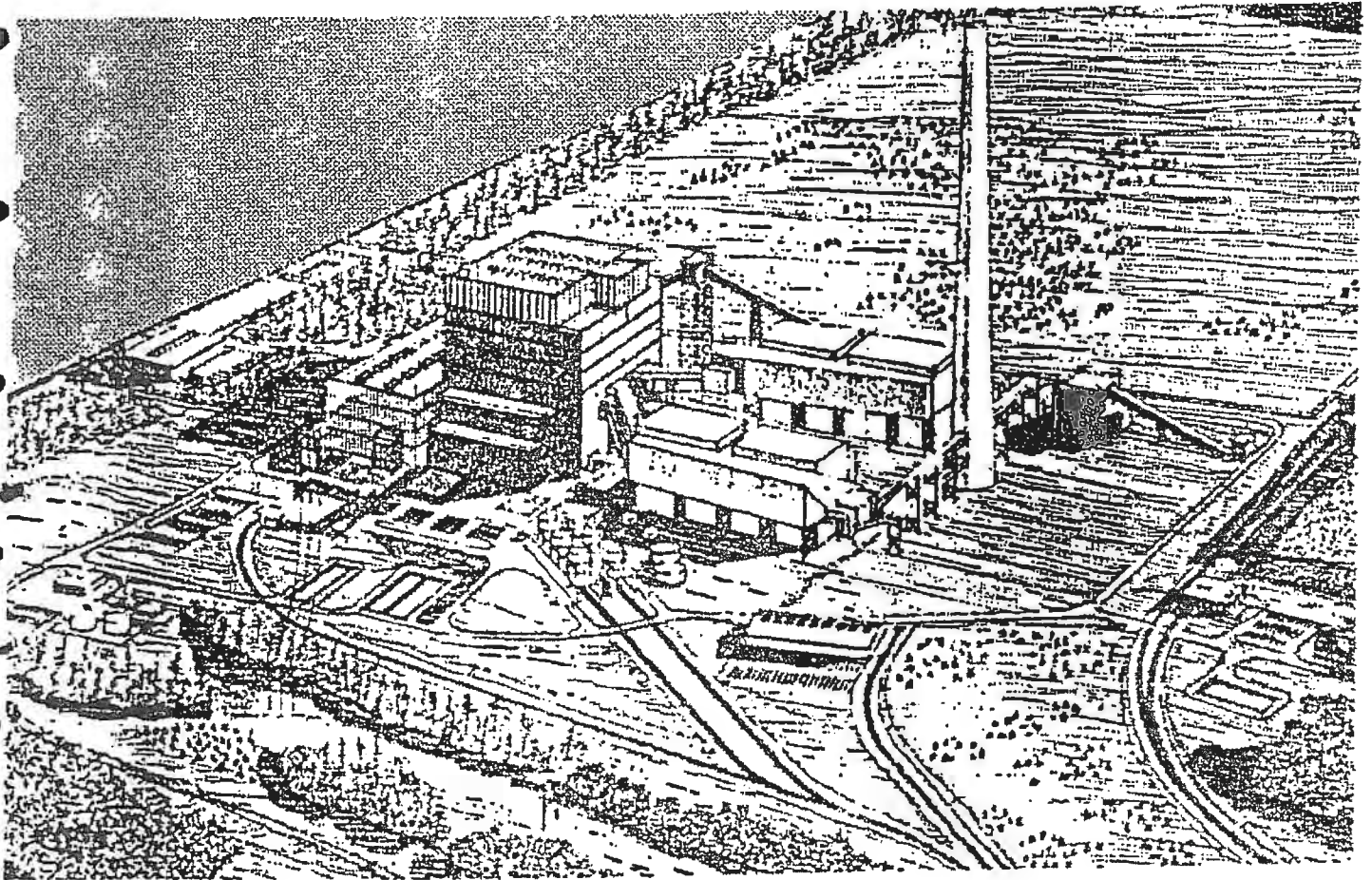
Permitted uses in designated agricultural areas should be limited to agricultural and related uses. Non-farm residential uses should be allowed in farming areas but maintained at low densities as recommended in the comprehensive plan. Further, permits to build in such areas should be carefully reviewed to plan the locations of dwellings to minimize the disruption of agricultural operations. Developers and homebuilders within areas designated for agricultural use should be made aware that farming will have priority consideration in such areas and that non-farm residents will be expected to make adjustments to live in harmony with adjacent farm users.

APPENDIX B

Somerset Power Plant Multiple Use Plan

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SOMERSET POWER PLANT MULTIPLE USE PLAN



**NATURAL
RESOURCES
COMMITTEE**

NOVEMBER 1979

ERIE AND NIAGARA COUNTIES REGIONAL PLANNING BOARD

FINAL REPORT

SOMERSET POWER PLANT
MULTIPLE USE PLAN

Prepared by the
Erie and Niagara Counties Regional Planning Board

With the Assistance of the
Somerset Power Plant Committee
and
Somerset Power Plant Multiple Use Subcommittee

The preparation of this report was financially aided through a Federal grant from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This report was prepared for the New York State Department of State and Erie and Niagara Counties Regional Planning Board and the Town of Somerset.

November, 1979
Contract No. D142753
Activity #4

BIBLIOGRAPHIC DATA SHEET		1. Report No. CEIP-04-8-MOI-88	2.	3. Recipient's Accession No.
4. Title and Subtitle Somerset Power Plant Multiple Use Plan				5. Report Date November, 1979
7. Author(s) Erie and Niagara Counties Regional Planning Board				8. Performing Organization Rept. No.
9. Performing Organization Name and Address Erie and Niagara Counties Regional Planning Board 3103 Sheridan Drive Amherst, New York 14226				10. Project/Task/Work Unit No. CEIP-1
				11. Contract/Grant No. D142753
12. Sponsoring Organization Name and Address United States Department of Commerce National Oceanic and Atmospheric Administration Office of Coastal Zone Management Washington, D. C. 20235				13. Type of Report & Period Covered Oct. 1978-Nov. 1979
				14.
15. Supplementary Notes Developed in cooperation with the U. S. Dept. of Commerce and the New York State Department of State.				
16. Abstracts The Regional Planning Board in cooperation with the Somerset Power Plant Committee and Somerset Multiple Use Subcommittee has put together a plan aimed at developing a municipal park on the New York State Electric and Gas Corporation power plant site in Somerset, Niagara County, New York. The Plan sets forth a phased development approach with strong emphasis toward shoreline access and winter recreation activities (e. g. sledding, cross country skiing). The Plan will be used as the basis for further discussion between the utility company and the Town of Somerset officials.				
17. Key Words and Document Analysis. 17a. Descriptors				
17b. Identifiers/Open-Ended Terms				
17c. COSATI Field/Group				
18. Availability Statement Limited number available for public distribution.		19. Security Class (This Report) UNCLASSIFIED		21. No. of Pages 55
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November, 1979

Dear Municipal Officials and Interested Citizens:

The Erie and Niagara Counties Regional Planning Board is pleased to present the Somerset Power Plant Multiple Use Plan. The report is the product of many months work by the Regional Planning Board and the numerous public and private organizations consulted during the study period. Due to the dedication and cooperation of these groups, a realistic plan is being put forward. This will form the basis for using a portion of the Somerset Power Plant site for recreational purposes.

Special thanks should go to the New York State Department of State, Office of Coastal Management for their initial foresight in funding the Board's First Year Coastal Energy Impact Program. This allowed the Multiple Use Plan to be developed and also allowed the Board to work with the New York State Department of State in identifying possible funding sources for future development of the multiple use facility.

The New York Department of Public Service also provided valuable technical assistance during plan development. Their knowledge of other multiple use facilities in New York State and their general technical skills provided a useful reference point for the Board during the study period.

The Niagara Frontier State Parks and Recreation Commission, Niagara County Department of Economic Development and Planning, and the Niagara County Environmental Management Council are also to be thanked for their valuable assistance and cooperation.

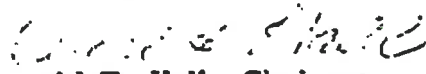
At the local level, the Somerset Town Board and Planning Board provided the Regional Planning Board with valuable knowledge, cooperation and encouragement. Without their help, the Multiple Use Plan could not have been developed.

In addition to the public agencies, special thanks should also go to Stuart I. Brown Associates and Krehbiel Associates, Inc. for their cooperation and assistance during the planning period. The New York State Electric and Gas Corporation also warrants our sincere thanks. The information provided by the NYSE&G regarding site characteristics and fly ash disposal areas proved invaluable.

Finally, members of the Somerset Power Plant Committee and the Regional Planning Board's Natural Resources Committee are to be congratulated for the excellent guidance and encouragement they provided to the staff. Their assistance provided ongoing direction to staff which insured a realistic plan capable of forming the basis for a valuable recreational resource in Niagara County.

The Erie and Niagara Counties Regional Planning Board sincerely hopes that the Somerset Power Plant Multiple Use Plan will provide a sound basis for an attractive and useful recreational area along the Lake Ontario shore. We sincerely thank all those who participated in the study for their time and assistance during the study process.

Very truly yours,


Gerald F. Hall, Chairman
Erie and Niagara Counties
Regional Planning Board

GFH:ch

SOMERSET POWER PLANT COMMITTEE
MEMBERSHIP LIST

<u>Name</u>	<u>Organization</u>
Louis Caggiano	Erie and Niagara Counties Regional Planning Board, Niagara County Legislature (2nd District)
Robert Carbaugh, Assistant Superintendent	Consolidated Rail Corporation
*Martin Cummings, Principal Generating Facilities Analyst	New York State Department of Public Service
*Brian Doyle, Sea Grant Extension Specialist	New York State Sea Grant
Daniel Duwe, Village Trustee	Village of Barker
Edmund Ferington, Village Trustee	Village of Middleport
Gordon Foster, Assistant Staff Director	Niagara Frontier Transportation Committee
*Gerald Hall	Niagara County Legislature (31st District)
*James Hoffman, Chairman	Niagara County Environmental Management Council
*Charles Jeffrey, Chairman	Town of Somerset Planning Board
James Kramer, Supervisor	Town of Newfane
Ralph Manna, Regional Permit Administrator	New York State Department of Environmental Conservation
*Glenn Mathiasen, Director	Niagara County Economic Development and Planning Department
*Lon McAdam	Somerset Planning Board Member Representing Somerset Town Board
*Member, Multiple Use Subcommittee	

**Somerset Power Plant Committee
Membership List (Continued)**

<u>Name</u>	<u>Organization</u>
Dick Meyers	New York State Department of Transportation
Gary Nichols, Councilman	Town of Hartland
*Richard Robinson	Niagara County Fisheries Advisory Board
*Donald Sawyer, District Manager	New York State Electric and Gas Corporation
E. Kenneth Welker, Mayor	Village of Wilson
Dorson Wilson, Deputy Commissioner	Niagara County Department of Public Works

*Member, Multiple Use Subcommittee

TABLE OF CONTENTS

<u>TITLE</u>	<u>PAGE</u>
LIST OF FIGURES	vii
FOREWORD	x
SECTION I - PLAN RECOMMENDATIONS	1
SECTION II - BACKGROUND	6
SECTION III - METHODOLOGY	9
SECTION IV - CITIZEN INVOLVEMENT	10
SECTION V - DATA COLLECTION	11
SECTION VI - IDENTIFICATION OF POTENTIAL RECREATIONAL USES AND PROJECT SPONSOR	12
SECTION VII - GENERAL SITE ANALYSIS	14
SECTION VIII - MULTIPLE USE ALTERNATIVES	22
SECTION IX - RECOMMENDED MULTIPLE USE ALTERNATIVE	31
SECTION X - POTENTIAL FUNDING SOURCES	38
APPENDIX - ESTIMATED COST DETERMINATIONS	40
BIBLIOGRAPHY	43

LIST OF FIGURES

<u>NUMBER</u>	<u>TITLE</u>	<u>PAGE</u>
1	Regional Setting Map	viii
2	Somerset Power Plant - Regional Location	ix
3	Somerset Power Plant Site	15
4	Somerset Power Plant Sub-Areas	17
5	Multiple Use Alternative A	23
6	Multiple Use Alternative B	24
7	Multiple Use Alternative C	26
8	Evaluation of Multiple Use Alternatives	30
9	Recommended Multiple Use Plan - Phase I	34
10	Recommended Multiple Use Plan - Phase II	35
11	Recommended Multiple Use Plan - Phase III	36

THE REGIONAL SETTING

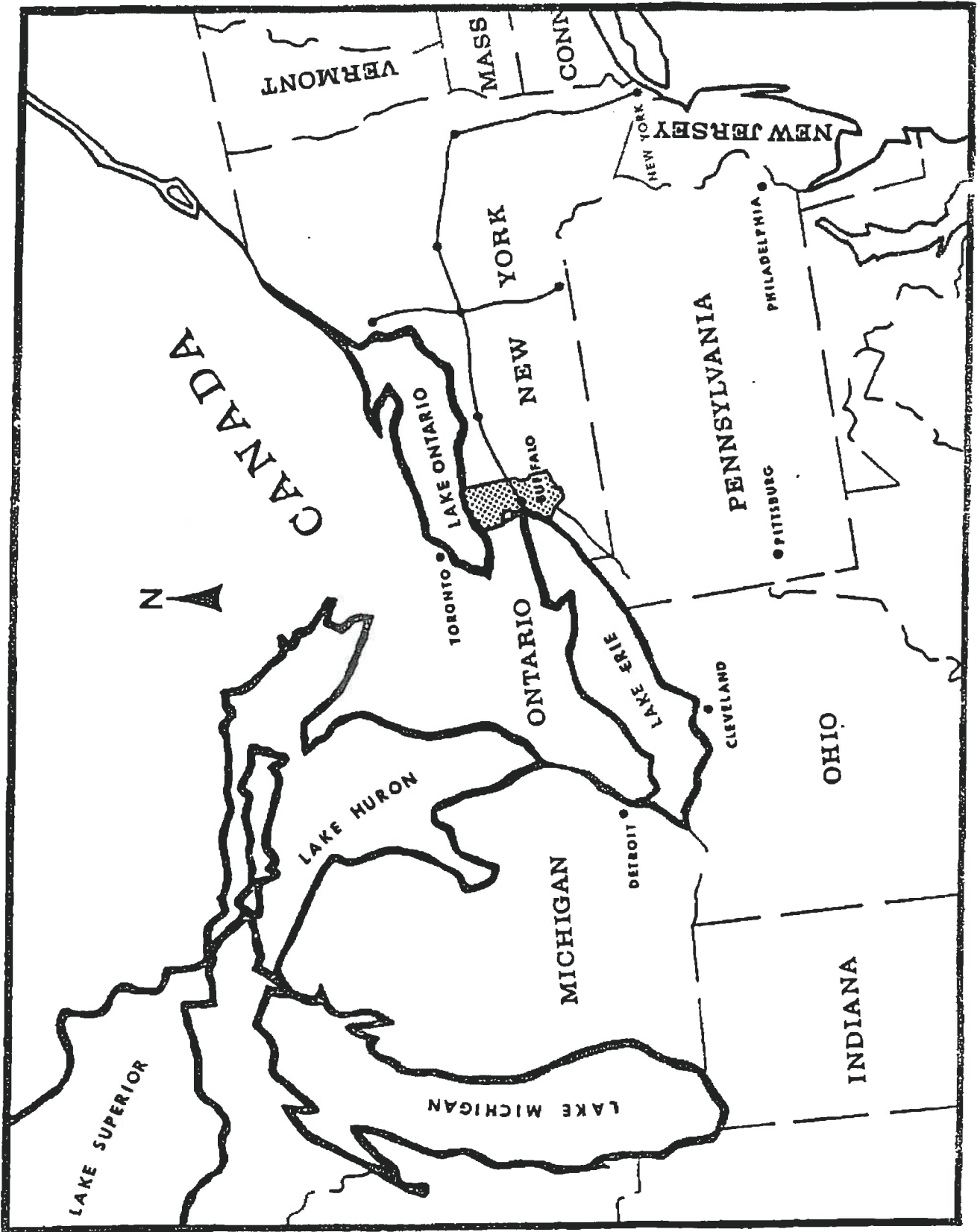


Figure 1. The Regional Setting
-viii-

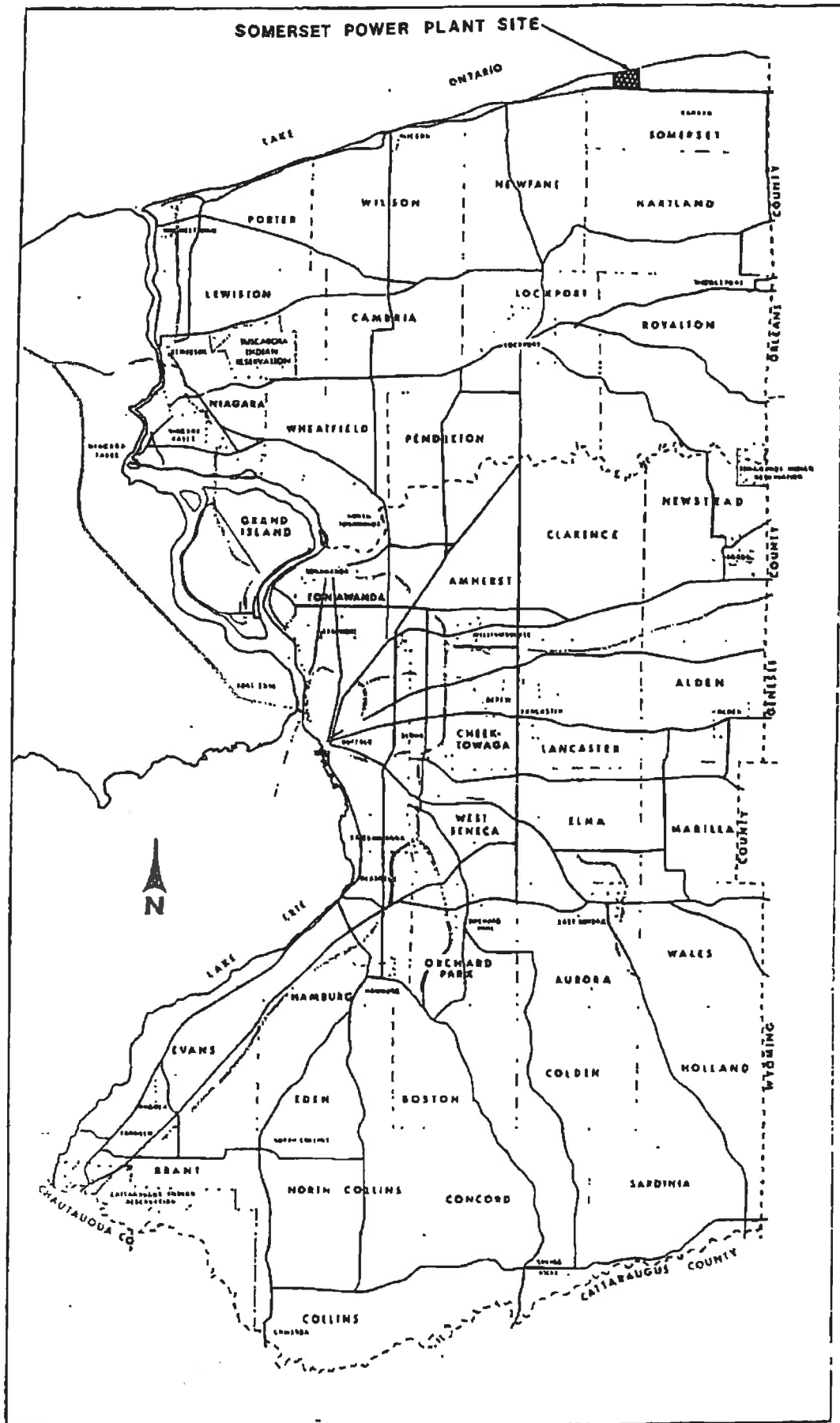


Figure 2. Somerset Power Plant - Regional Location
Erie and Niagara Counties, New York

FOREWORD

In October, 1978 the Erie and Niagara Counties Regional Planning Board received a grant from the New York State Department of State to carry out the Somerset Coastal Energy Impact Program. Funds were authorized for the program under Section 308 of the federal Coastal Zone Management Act of 1972, as amended. The program provided for numerous planning activities relating to the future construction by the New York State Electric and Gas Corporation (NYSE&G) of a 850 megawatt coal fired generating plant in the Town of Somerset, Niagara County (estimated \$1 billion (1980); 960 acre site). This included formation of a Somerset Power Plant Committee, an analysis of community impacts due to plant construction, an extensive review of the Somerset rail service issue, and the development of a multiple use plan for the power plant site. The latter activity is the focus of this report.

The power plant site is situated along the shore of Lake Ontario and has vegetative as well as terrain characteristics which offer good potential for various forms of recreational use. This fact was consistently brought forward during the numerous public hearings and reviews conducted by the New York State Board on Electric Generation and the Environment relative to the Somerset Plant prior to their granting certification to NYSE&G for construction of the plant under provision of Article VIII of the New York State Public Service Law. Therefore, as a condition of Article VIII certification, NYSE&G has been required by the Siting Board to investigate the recreational potential of the power plant site.

In addition to the positive physical features of the property and the Siting Board requirements, the Erie and Niagara Counties Regional Planning Board has an inherent interest in pursuing the site's recreational potential. The Board's adopted Regional Recreation and Open Space Plan and Program, as amended (1977) identifies the area as a future location of a municipal park. The Plan notes that recreational demand for the park would occur around 1980 and that proper measures should be employed to develop a park in the immediate area of the power plant site. With the above mentioned incentives, the Regional Planning Board included the multiple use activity as a key element of the Somerset Coastal Energy Impact Program. A positive action relative to the Board's multiple use activity occurred when NYSE&G cited the Board's multiple use activities as a key vehicle in their satisfying the State Siting Board's requirements relative to investigating the recreational potential of the site. This citation was reflected in NYSE&G's Initial Compliance Filing and Licensing Packages for Somerset Station (April, 1979), as presented to the New York State Board on Electric Generation and the Environment.

This report outlines the approach used in arriving at the recommended multiple use concept and also defines the various elements of the plan. The Multiple Use Concept has been reviewed by the Somerset Multiple Use Subcommittee, Somerset Power Plant Committee, Somerset Planning Board, Somerset Town Board and the Regional Planning Board's Natural Resources Committee and the full membership of the Regional Planning Board prior to submittal to the New York State

Electric and Gas Corporation and the New York State Public Service Commission for their approval.

It must be stressed that the following plan is only a conceptual presentation of the multiple use potential of the Somerset Power Plant site. The major purpose of the plan is to initiate discussion between the New York State Electric and Gas Corporation, the New York State Public Service Commission and the Town of Somerset or any other organization capable of sponsoring the development of a recreational facility on the Somerset property. The plan must not be used as an end in itself, but should serve as a catalyst toward further discussion and a refinement of the concepts as outlined on the following pages.

It should be stressed that should the Town of Somerset decide not to pursue sponsorship of the park, Niagara County or the Niagara Frontier State Parks and Recreation Commission should investigate the possibility of developing a County or State recreation facility on the site.

SECTION I
PLAN RECOMMENDATIONS

This Plan proposes a series of actions to develop a municipal park on the New York State Electric and Gas Corporation's Somerset Power Plant site. Successful implementation of the Regional Planning Board's recommendations outlined in this Plan will provide a valuable recreational resource to the Town of Somerset and other Niagara Frontier residents. The following Plan recommendations are directed toward the Town of Somerset, New York State Electric and Gas Corporation, the Erie and Niagara Counties Regional Planning Board, Niagara County and the Niagara Frontier State Parks and Recreation Commission.

A. RECOMMENDED ACTION BY THE TOWN OF SOMERSET

1. SPONSOR - It is recommended that the Town of Somerset sponsor the implementation of the Recommended Multiple Use Alternative and consequent Municipal Park. By doing so, the Town would assume responsibility for the cost and liability resulting from the development and maintenance of the park.

2. ACQUISITION OF FULL OR PARTIAL INTEREST IN LAND NECESSARY FOR MULTIPLE USE ACTIVITIES - The Town of Somerset should acquire from New York State Electric and Gas Corporation a full or partial interest in land noted as Sub-Areas A, B, C, D, F and G in Figure 4, on Page 17 of this report. Such areas are necessary for recreation activities and should be purchased in phases over the life of the plant.

The following outlines various mechanisms available to the Town for purchasing a full or partial interest in the abovementioned property. The Town is authorized to undertake each mechanism pursuant to Section 247 of the New York State General Municipal Law.

a. Long-Term Lease (e.g. 25 years) - This would occur between NYSE&G and the Town of Somerset regarding the property needed for multiple use activities. Such leasing would occur in phases depending on the availability of the particular land in question.

b. Affirmative Easement - This would give the Town of Somerset use of the land for recreation activities.

c. Fee Simple - This approach would involve the direct sale of NYSE&G property to the Town of Somerset. Such sale would occur in phases depending on the availability of the particular parcels of land.

3. CONFORMANCE TO NEW YORK STATE PUBLIC SERVICE COMMISSION GUIDELINES - Development and maintenance of the proposed Municipal Park by the Town of Somerset must conform to all guidelines established by the New York State Department of Public Service relative

to multiple use of electric generating facilities. This includes assurance that no park facilities or activities would interfere with the safe and efficient operation of the power plant.

The Town of Somerset must further insure that no park facilities or activities would damage, destroy, degrade or in any way lessen the performance of the environmental protection measures undertaken by New York State Electric and Gas on the power plant site. An example of such a measure is the drainage ditches to be constructed around the three fly ash disposal sites. This would insure conformance with the conditions placed on NYSE&G by the New York State Board on Electric Generation Siting and the Environment in their Opinion and Order #80002 (Cayuga Station).

4. RIGHT-OF-WAY ACQUISITION - The Town of Somerset should pursue the acquisition of a road right-of-way of sufficient size to accommodate park related vehicular traffic. Such a road would run due west from the junction of Hartland Road and Lower Lake Road into the New York State Electric and Gas property. The approximate location is shown in Figure 9 on Page 34 (i. e. Multiple Use Plan-Phase I).

New York State Electric and Gas Corporation is currently in the process of negotiating the purchase of Potter Road and Hosmer Road (i. e. as they extend north of Route 18) from the Town of Somerset. During the course of these negotiations, the possibility of New York State Electric and Gas assuming some or all of the costs of acquiring and developing the above-mentioned right-of-way has been discussed. Such a provision of lakefront access would be in exchange for the loss of Hosmer and Potter Roads to the utility company. It is recommended that the Town of Somerset continue to pursue its negotiations with New York State Electric and Gas for the provision of access (via the abovementioned right-of-way) in exchange for the loss of Hosmer and Potter Roads.

5. REFINEMENT OF RECOMMENDED MULTIPLE USE ALTERNATIVE - The level of detail contained in the Multiple Use Plan and as reflected in Figures 9, 10, and 11 on Pages 34, 35, 36, respectively (i. e. Multiple Use Plan-Phase I, II, and III) is schematic. It is intended to serve as a general guide or framework for a more detailed landscape and engineering design. It is proposed that the Somerset Town Engineer (in the past Wendel Engineers has performed this function on a consulting basis) be employed to further develop the concepts outlined above. It is also recommended that the New York State Electric and Gas Corporation assist the Town in developing a more detailed landscape and engineering design for the area.

It should be noted that the Multiple Use Plan is very flexible. Various changes in the location of trails, access road and picnic areas could occur without changing the overall concept of multiple use. Thus, any organization

involved in refining the concepts outlined in this report would be encouraged to explore the possibility of altering the physical arrangements of the park area. The Regional Planning Board assumes that the more refined engineering analysis may actually necessitate such alterations.

6. ADOPTION OF LOCAL COASTAL ZONE MANAGEMENT PROGRAM -

In order to be given high priority by the New York State Department of State for federal funding assistance authorized through the federal Coastal Zone Management Act, as amended 1976, the Town of Somerset should adopt a local coastal zone management program. The latter must be consistent with the New York State Coastal Zone Management Program upon its approval by the federal government in November, 1980. The key components of a local coastal zone management program involves the development of a local process for carrying out the State coastal zone policies through municipal authorities (e. g. zoning). More detailed guidelines for municipalities seeking to develop local coastal zone programs will be prepared in 1980 by the New York State Department of State. It should be noted that the above mentioned funding assistance can provide funds for partial acquisition and development of the proposed Municipal Park. The specific federal programs available through the federal Coastal Zone Management Act, as amended 1976, are outlined in Section X (i. e. Potential Funding Sources) of this report. In the event the Town of Somerset does not adopt a local coastal zone management program, it will not be eliminated from funding consideration, however, it is not likely that the application would be given a high priority by New York State Department of State.

7. AMENDMENTS TO TOWN OF SOMERSET COMPREHENSIVE PLAN -

It is recommended that the Town of Somerset Comprehensive Plan (approved, 1972) be amended to include the phased development of a Municipal Park on the Power Plant site. Although such a facility is presently noted on the Town's Comprehensive Plan, it is referred to in general terms. A more refined description of the facility would be appropriate. This would serve as a concrete guide to the Town of Somerset regarding their commitment to the phase development of the recommended Municipal Park.

B. RECOMMENDED ACTION BY NEW YORK STATE ELECTRIC AND GAS CORPORATION

1. ASH DISPOSAL DESIGN ALTERATIONS - It is recommended that the New York State Electric and Gas Corporation alter their design plans regarding ash disposal. These are reflected in NYSF&G's Final Report on Cayuga Station Ash Disposal Application to the New York State Board on Electric Generation Siting and the Environment, Cayuga Station (1979). Such alterations would require the following:

a. The elimination of the proposed landscaping east of Potter Road and north of Solid Waste Disposal Area #1. This would be in accordance with the proposed landscaping depicted in Figure 9 (i. e. Multiple Use Plan-Phase I) of this report. By deleting the above mentioned vegetation, various recreation opportunities would be possible.

b. The elimination of the landscaping proposed for the perimeters of the Solid Waste Disposal Area #1 and #III in the areas where the Multiple Use Plan proposed sledding. Such sledding areas are depicted in Figures 10 and 11 of this report.

c. The buffer landscaping outlined by NYSE&G between the eastern most perimeters of solid waste disposal sites #I and #III and NYSE&G's eastern property line should be altered so as to accommodate the trails proposed for those areas by the Multiple Use Plan (see Figure 11, Multiple Use Plan-Phase III).

d. The projected slopes of the solid waste disposal sites #1 and #III should be modified by NYSE&G in order to permit sledding and cross country skiing.

2. PURCHASE AND CONSTRUCTION OF MULTIPLE USE ACCESS ROAD -

It is recommended that the New York State Electric and Gas Corporation assume the cost of purchasing and constructing an access road into the northeast section of the power plant site. This would basically extend from the junction of Hartland Road with Lower Lake Road and proceed west approximately 1,200 feet. The access road is depicted in Figure 9 of this report. Upon completion of the access road, the right-of-way would be deeded to the Town of Somerset. This would assist the Town in alleviating the loss of two Town roads (i. e. Hosmer and Potter) to the power company which previously provided access to Lake Ontario.

3. PROVIDE ASSISTANCE TO THE TOWN OF SOMERSET - It is recommended that the New York State Electric and Gas Corporation assist the Town of Somerset in finalizing the detailed design plans regarding the Multiple Use Plan. Such assistance should be provided through meetings between the Town of Somerset Engineer and NYSE&G staff familiar with the power plant site characteristics. This would provide a direct vehicle for an information exchange and also aid the Town in refining the conceptual design outlined in this report.

4. PROVIDE LANDS NECESSARY FOR MUNICIPAL PARK TO TOWN OF SOMERSET - It is recommended that NYSE&G make land in Sub-Areas A, B, C, D, F and G as depicted in Figure 4 of this report available to the Town of Somerset at a very low cost (e. g. lease agreement of one dollar/year). The areas in question reflect the land necessary for a successful Municipal Park.

C. RECOMMENDED ACTION BY THE ERIE AND NIAGARA COUNTIES
REGIONAL PLANNING BOARD

1. AMENDMENT TO ENCRPB ADOPTED REGIONAL RECREATION AND OPEN SPACE PLAN AND PROGRAM (as amended, 1977) - The Regional Planning Board has included the proposed Municipal Park on the adopted Regional Recreation and Open Space Plan and Program, as amended, 1977. It is noted as MP108 on the Regional Recreation and Open Space Plan Map and referred to as Potter Road Park. However, the document notes that the land should be acquired by the Town of Somerset between 1973 and 1980. It is recommended that this be amended to note partial acquisition between 1981-1990 and remaining acquisition in future years. It is further recommended that the adopted Regional Recreation and Open Space Plan and Program be amended to include bicycling, picnicking, sledding, fishing, and nature study as proposed recreation opportunities in Potter Road Park.

D. NIAGARA COUNTY

1. ALTERNATE SPONSOR - In the event the Town of Somerset cannot pursue sponsorship of the multiple use facility, it is recommended that Niagara County pursue negotiations with the utility company regarding the development of a County Park on the power plant site.

E. NIAGARA FRONTIER STATE PARKS AND RECREATION COMMISSION

1. ALTERNATE SPONSOR - In the event neither the Town of Somerset or Niagara County do not wish to pursue sponsorship of the multiple use facility, it is recommended that the Niagara Frontier State Parks and Recreation Commission pursue negotiations with the utility company regarding the development of a State recreation area on the power plant site.

2. BOAT LAUNCH RAMP - Due to the steep shoreline and high cost, a boat launch ramp at the power plant site is not feasible. However, the power plant's warm water discharge pipe will increase the desire of local fishermen and boaters to fish offshore of the NYSE&G facility. Such areas have become fishing hotspots in other power plant locations. An example is Cayuga Lake adjacent to NYSE&G's Milliken Station in Tompkins County, New York. Such an increase in boating activity will further exacerbate the need for public boat launch ramps along the Niagara County-Lake Ontario shoreline. Such a need has been noted in the New York State Comprehensive Recreation Plan (1978) prepared by the New York State Office of Parks and Recreation, as well as in the report entitled Sport Fishing prepared by the Niagara County Economic Development and Planning Department in January, 1976 for the Niagara County Fisheries Advisory Board. Therefore, it is recommended that the Niagara Frontier State Parks and Recreation Commission give high priority to constructing the boat launch ramp at Golden Hill State Park in the Town of Somerset, New York. This would be consistent with the development of a proposed harbor of refuge at Golden Hill State Park as outlined in the New York State Comprehensive Recreation Plan (1978).

SECTION II BACKGROUND

A. NEW YORK STATE ELECTRIC AND GAS CORPORATION SOMERSET GENERATING STATION

In July, 1974, the New York State Electric and Gas Corporation (NYSE&G) submitted an application to the New York State Board on Electric Generation Siting and Environment for the construction of an 850 megawatt coal-fired electric generating plant. The Cayuga Station, Town of Lansing, Tompkins County, New York was identified as the prime site in this application, with the Somerset location identified as the alternate site.

In December, 1978, the Siting Board issued their Opinion and Order Granting Certificate of Environmental Capability and Public Need (Case #80002) to New York State Electric and Gas Corporation, and chose Somerset as the recommended site. The recommendations contained in the above document were based upon the New York State Hearing Examiners' recommended decision (May, 1978) to the Siting Board and followed extensive review and assessment of written and oral testimony presented during 25 days of public hearings held in Albany, Ithaca, Lockport, and New York City.

B. THE MULTIPLE USE CONCEPT

During the public hearing process for State required permits under Article VII and Article VIII of the New York State Public Service Law, statements submitted by the Town of Somerset and the Erie and Niagara Counties Regional Planning Board identified a portion of the NYSE&G Somerset property as a future municipal park. The Town of Somerset Master Plan (1972) and the ENCRPB adopted Regional Recreation and Open Space Plan and Program as amended, 1977, both proposed the development of a 30 acre (approximate) municipal park adjacent to Lake Ontario at the foot of Potter Road. This park was projected to meet the recreational needs of the Town of Somerset for the period from 1980 to 1990.

In November, 1977, the New York State Department of Public Service submitted written testimony to the Siting Board at a public hearing held in Lockport, New York. The testimony pertained to the environmental impact of the proposed Somerset station and included a discussion of the multiple use potential of the site. The testimony also included a recommendation that the Siting Board endorse the multiple use concept for part of the proposed power plant site and require the applicant to explore the concept with the appropriate Town officials. As part of the testimony presented by the Department of Public Service, the following guidelines were presented and endorsed by the Hearing Examiner and Siting Board:

"Multiple recreational usage involves the adoption of an appropriate plan by the owners of property and appropriate community leaders. It is the recommendation of the PSC staff that an acceptable multiple use plan, in this particular case, have the following general features:

"1. The Applicant should make land available for multiple use (by lease, sale or easement) at nominal cost, so long as:

- a) that land is suitable for that purpose,
- b) it is not needed for activities related to generation, and
- c) recreational activities on that land will not interfere with activities related to generation;

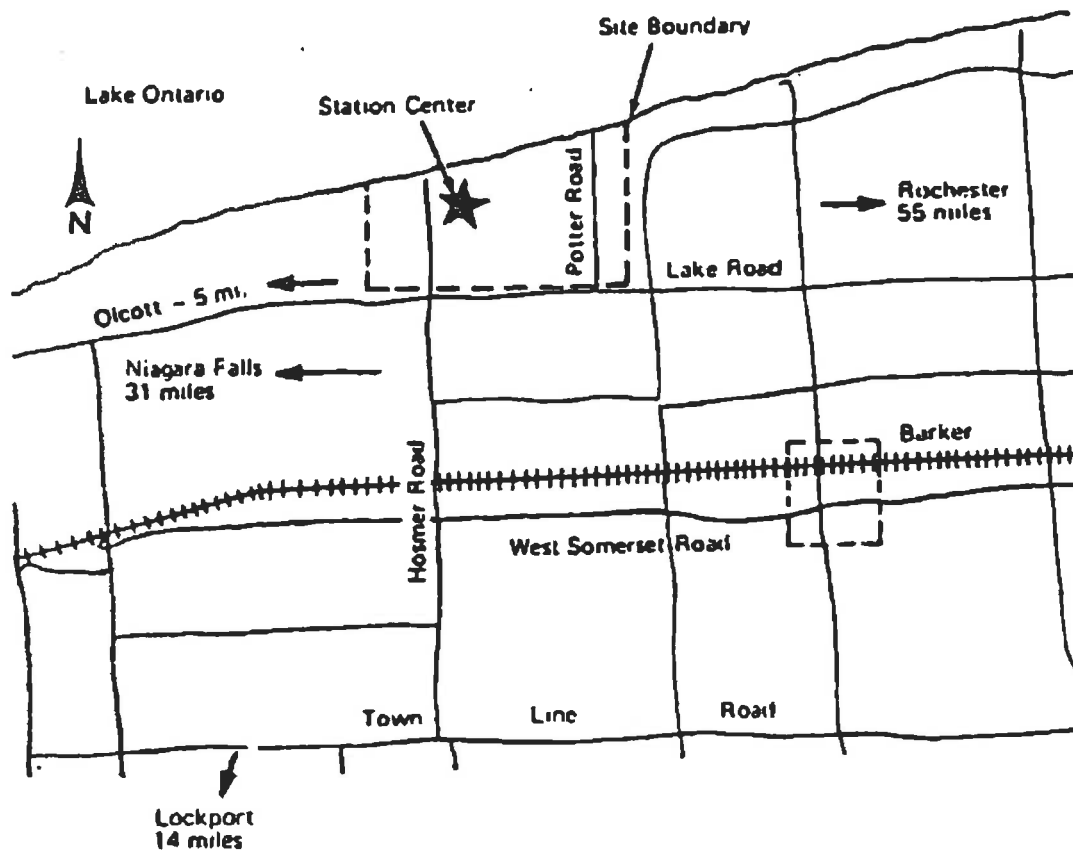
"2. The sponsor of the park shall assume all costs, responsibilities and liabilities related to constructing, maintaining and operating recreational facilities in the multi-use area."

In October, 1978, the Erie and Niagara Counties Regional Planning Board (ENCRPB) was awarded a grant from the New York State Department of State under the Coastal Energy Impact Program (CEIP) to conduct planning studies related to the proposed development of the NYSE&G Somerset generating station. One of the major activities outlined in the Board's program was Multiple Use Analysis. This activity was intended to further refine the analysis outlined in the NYS Department of Public Service testimony relative to the power plant's multiple use potential. In addition, the ENCRPB would assist the Town of Somerset and NYSE&G in exploring the concept and utilize the Somerset Power Plant Committee (which would be formed as part of the Board's first major activity under the Somerset CEIP) as an implementation mechanism.

C. REGIONAL SETTING

The New York State Electric and Gas Corporation's Somerset station property is located in the Town of Somerset which is situated in northern Niagara County. Figure 2 illustrates the power plant location in relation to Erie and Niagara Counties. The 963-acre site is located along a two mile (approximate) stretch of Lake Ontario shoreline which forms the northern boundary, while New York State Route 18 forms the southern border. There are no distinguishable landmarks to indicate the east and west property lines, however, the site's western border begins approximately 1.5 miles eastward of the municipal boundary between Somerset and the Town of Newfane.

The Town of Somerset is predominately a rural community with a 1975 estimated population of 2,677 (Report 5. Population/Socio-Economic Analysis Present and Future, ENCRPB 208 Water Quality Management Program, October, 1978). The NYSE&G property is located approximately three miles north-west of the Village of Barker, and approximately 18 miles north-east of the City of Lockport. The following illustration was contained in a New York State Electric and Gas Corporation Brochure entitled "A Modern Coal-Fired Generating Station for Somerset (date unknown)". It shows the location of the power plant in relation to roads and other physical features in northern Niagara County.



SECTION III METHODOLOGY

In order to complete the Multiple Use Plan, a study methodology was identified at the outset of the planning process. This consisted of eleven major elements which guided the Board's efforts in developing a feasible plan for recreational multiple use at the Somerset Power Plant site. Although the specific direction of certain elements was altered during the planning effort, the basic approach was maintained throughout the program.

More in-depth discussion of each element will be presented in the succeeding sections of the report. However, the following list notes the eleven steps in the multiple use planning process in the order in which they were developed.

1. Development of a Citizen Participation Structure
2. Data Collection
3. Identification of Recreational Preference and Projected Sponsor
4. Site Analysis
5. Selection of Alternative Multiple Use Concepts
6. Evaluation of Alternatives
7. Selection of Recommended Alternative
8. Cost Estimation for Recommended Alternative
9. Identification of Potential Funding Sources
10. Plan Presentation to Appropriate Organizations
11. Delivery of Recommended Multiple Use Plan to NYSE&G

SECTION IV CITIZEN INVOLVEMENT

At the outset of the Regional Planning Board's Coastal Energy Impact Program, a Somerset Power Plant Committee was formed. The Somerset Power Plant Committee is composed of agencies and groups directly involved with the proposed power plant project, including officials from the Town of Somerset and other affected local municipalities, representative from the Niagara County Legislature, Niagara County Economic Development and Planning Department, Niagara County Environmental Management Council, New York State Department of Environmental Conservation, New York State Department of Public Service, the Utility-New York State Electric and Gas Corporation, and others. A complete membership list is included at the beginning of this report.

At the February 1, 1979 meeting of the Somerset Power Plant Committee it was decided that a Multiple Use Subcommittee should be formed to undertake the development of a Multiple Use Plan. The Subcommittee's major purpose was to: (1) assist the Regional Planning Board in developing a Multiple Use Plan; (2) exchange information regarding the opportunities and constraints of the Somerset site for recreational use; (3) determine the type of recreation activities for the area; and (4) aid in the eventual implementation of the study proposals. The majority of the Subcommittee members reside in the Town of Somerset and were therefore able to provide valuable insight and local perspective to the study. Also on the Subcommittee was a representative from the New York State Electric and Gas Corporation. This insured constant communication between the utility company and the Multiple Use Subcommittee during the plan development.

Subcommittee meetings were conducted bi-monthly at the Somerset Town Hall and were held at key phases in the planning process. The meeting dates were April 3, 1979; May 28, 1979; July 11, 1979; July 31, 1979; and September 17, 1979. The meetings were conducted as work shop sessions with the Regional Planning Board staff and Subcommittee members exchanging information regarding the status of various work items. A Multiple Use Subcommittee membership list is included at the beginning of this report. It is envisioned that the Subcommittee will continue to meet through the final review of the Multiple Use Plan by New York State Electric and Gas Corporation and the New York State Public Service Commission.

SECTION V DATA COLLECTION

Data collection for the multiple use analysis was gathered in two phases. The first phase involved collecting general background information regarding other multiple use facilities developed in conjunction with power plant sites. During the second phase, data was gathered relative to the Somerset power plant site and applied to the specific Somerset multiple use analysis. The abovementioned data collection phases are explained more fully in the following paragraphs.

A. BACKGROUND PHASE

The purpose of the background phase was to obtain general information regarding the issues and implications of the concept of multiple use. In particular, efforts were directed towards obtaining case studies of multiple use development at utility facilities similar to the proposed Somerset station. A major consideration was the legal implications of developing recreational opportunities on utility owned property, especially within the climate created by New York State Public Service Commission multiple use guidelines as noted in Section II of this report. Information was requested from utility companies, government agencies, and private consulting firms.

B. APPLIED PHASE

Following completion of the background phase, data was collected regarding site characteristics of the NYSE&G property.

Sources for the applied phase included conversations with local officials, technical reports prepared by NYSE&G regarding the Somerset site and other government planning documents.

The ENCRPB staff conducted numerous site visits to the NYSE&G Somerset property for the purpose of obtaining first-hand knowledge of the site's physical characteristics and recreation potential. A site visit conducted on July 11, 1979 was also attended by members of the Multiple Use Subcommittee. The ENCRPB staff also visited NYSE&G's Milliken Station coal-fired generating plant on Cayuga Lake in Tompkins County, New York. NYSE&G officials conducted a tour of the facilities there, with particular attention given to ash disposal operations at a revegetated ash disposal mound. Information gathered during the Somerset and Milliken site visits was transmitted to Subcommittee members via slides, photographs, and verbal presentations.

SECTION VI
IDENTIFICATION OF POTENTIAL RECREATIONAL
USES AND PROJECT SPONSOR

Two key elements of the multiple use planning process were the identification of recreational uses for the site and the selection of a park sponsor. The latter element was very important because the park sponsor would become responsible for developing and maintaining the park facilities as well as applying for the necessary funding assistance through the federal government.

A. POTENTIAL RECREATION USES

Potential recreational uses for the site were determined at an early stage in the planning process. This was accomplished by reviewing relevant planning documents as well as discussing alternative uses with members of the Multiple Use Subcommittee.

It should be noted that the early identification of recreational uses for the power plant site was only intended to provide Regional Planning Board staff with a guideline to use during further site analysis. The future examination of the various land features present on the site would be the determining factor in deciding which recreation activities to recommend in the Multiple Use Plan. The following paragraphs identify pertinent documents and other appropriate sources which suggest possible recreation uses for the power plant site.

1. TESTIMONY PROVIDED BY THE NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE BEFORE THE NEW YORK STATE BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT IN THE MATTER OF CASE 80002, NOVEMBER, 1977 - The New York State Department of Public Service staff submitted testimony to the State Siting Board regarding the recreational potential of the Somerset Power Plant site. The testimony concluded that the northeastern section of the site would be suitable for field games as well as hiking, touring trails.

2. ERIE AND NIAGARA COUNTIES REGIONAL PLANNING BOARD ADOPTED REGIONAL RECREATION AND OPEN SPACE PLAN AND PROGRAM, AS AMENDED 1977 - The Regional Recreation and Open Space Plan amended by the ENCRPB in 1977 identifies the site as a future municipal park. The Plan recommends development between 1973 and 1980 and suggests boating, fishing, athletic sports, picnicking, and a beach area as possible recreational activities.

3. TOWN OF SOMERSET MASTER PLAN (Approved, 1972) - The Somerset Master Plan identifies an area on the northeastern section of the power plant site as a future municipal park. Specific recreation activities were not identified for the area, however, the Master Plan does stress the need

to provide recreation areas along Lake Ontario. This points out the desire of the Town to provide water-oriented recreation activities.

4. MULTIPLE USE SUBCOMMITTEE - In order to supplement the data obtained from the abovementioned sources, the Regional Planning Board staff solicited information from the Multiple Use Subcommittee. Feedback gained from the Subcommittee members pointed out a desire to develop facilities for fishing, boating, camping, nature studies, scenic vistas and a beach area.

The recreational uses identified in the preceding paragraphs were accepted by the Regional Planning Board staff as major activities which should be given strong consideration during the multiple use planning process. Thus, the power plant site was reviewed with the idea of incorporating the abovementioned activities into the Multiple Use Plan wherever feasible.

B. PROJECT SPONSOR

The identification of a park sponsor was not a difficult task. As noted earlier, in this report, both the Erie and Niagara Counties Regional Planning Board's adopted Regional Recreation and Open Space Plan and Program, as amended (1977) and the Town of Somerset Master Plan (1972) recommended a municipal park for the power plant site. This suggested that the Town of Somerset would be the appropriate sponsor for developing the facility. Such a conclusion was reinforced by the approval of the Multiple Use Subcommittee regarding this approach at their July 31, 1979 meeting.

It should be stressed that should the Town of Somerset be unable to pursue project sponsorship, the various elements of the Multiple Use Plan should remain active. The Town of Somerset or other appropriate group should then seek an agreement with Niagara County or the Niagara Frontier State Parks and Recreation Commission regarding their involvement in sponsoring the Multiple Use facility.

SECTION VII GENERAL SITE ANALYSIS

A. GENERAL SITE CHARACTERISTICS

The New York State Electric and Gas Corporation's Somerset station property is on a 963-acre site bounded on the north by Lake Ontario, and on the south by New York State Route 18. There are no distinct east and west boundary characteristics. The west boundary is approximately 1.5 miles eastward of Newfane-Somerset Town Line, and the eastern boundary is approximately .25 miles west of Hartland Road. Two town roads-Potter and Hosmer-bisect the property in a north-south direction from Lake Road to the Lake Ontario shoreline. Both roads, which presently provide access to Lake Ontario, will be removed during the construction of the power plant facility. Figure 3 on page 15 (Somerset Power Plant Site), shows the location of these roads in relation to the eventual power plant facilities.

The site terrain is generally level (i. e. 0-2% slope) with a slight slope towards the lake in the northern half. The shoreline is characterized by high, sharp bluffs. Preliminary coastal erosion data gathered by Thomas Drexhage and State University of New York at Buffalo (SUNYAB) Faculty Advisor Parker Calkins for Mr. Drexhage's Master Thesis (unpublished) at SUNYAB indicate that long term (1875-1974) erosion rates for this section of Lake Ontario shoreline can be estimated at 0.5 feet/year.

Fish Creek and an unnamed stream traverse the property in a northeast direction from Lake Ontario. Fish Creek has been recognized as a major salmonid spawning stream by the New York State Department of Environmental Conservation in their Final Report on Significant Coastal Related Fish and Wildlife Habitats of New York State (June, 1977). The unnamed stream flows through a large wooded area in the north-central section of the site where it forms a small pond. Substantial tree and brush growth occurs along the banks of both streams in several places. The wooded area and abovementioned streams will be preserved throughout the lifetime of the power plant. It should be noted that, presently, a large portion of the site is being leased to local farmers for agricultural use.

The power plant facilities will occupy the western portion of the site with the actual generating facilities located at the foot of what is now Hosmer Road. Coal storage and a rail loop will be located to the south of the generating station. As depicted in Figure 3 (i. e. Somerset Power Plant Site) a majority of the site's eastern portion will eventually be occupied by three distinct Solid Waste Disposal Areas. It is anticipated that these will eventually rise 65-70 feet above grade, with expected slopes of approximately 25% around the landfill perimeters.

SOMERSET POWER PLANT SITE

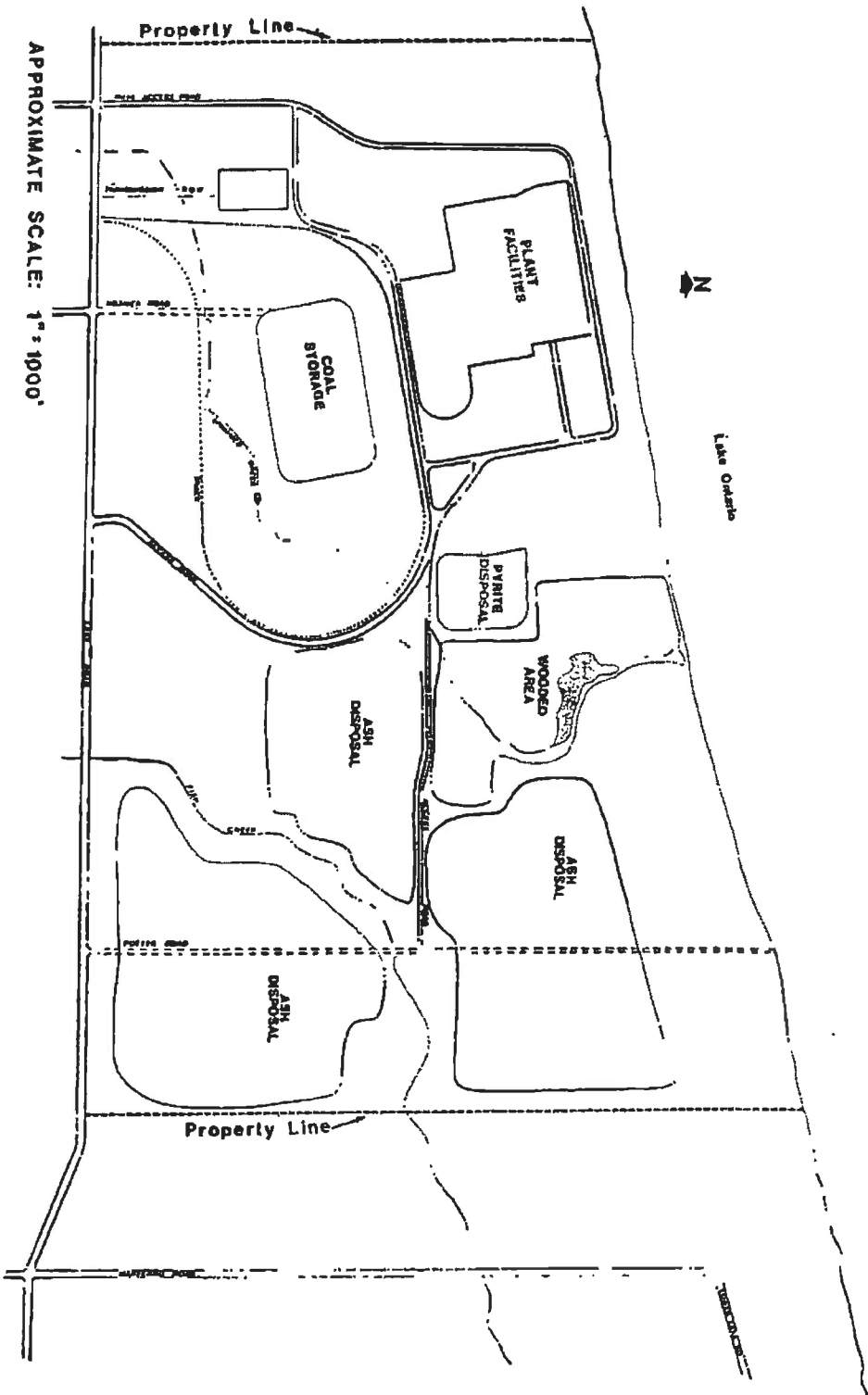


Figure 3. Somerset Power Plant Site

B. SUB-AREAS

In order to analyze the site and thus identify conceptual multiple use alternatives, the New York State Electric and Gas Corporation property was divided by the ENCRPB staff into ten (10) sub-areas. The locations of these sub-areas are shown in Figure 4 (i. e. Somerset Power Plant Site Sub-Areas). The sub-areas were then analyzed against five criteria which are outlined below:

- Recreational Potential
- Distinct Natural Features
- Availability for Multiple Use Activities
- Availability of Public Access
- Major Constraints (e. g. Land area necessary for power generation facilities)

The following paragraphs summarize the results of the analysis conducted by the Regional Planning Board regarding each sub-area in relation to the above mentioned criteria.

1. SUB-AREA A

a. Recreational Potential - Opportunities exist for sledding, cross-country skiing, a wildlife refuge, a campground, toilets, a scenic vista and a playground.

b. Distinct Natural Features - Sub-Area A is presently generally level and is bordered by Fish Creek on the north and west. In the future, Solid Waste Disposal Area III will create an artificial flat-topped hill with steep slope and a height of approximately 60-70 feet above grade.

c. Availability for Multiple Use Activities - Sub-Area A will be available on an interim basis from the present until commencement of solid waste disposal operations, which are projected to occur in the year 2003. The sub-area would be available on a permanent basis upon completion of disposal operations-projected to occur around the year 2015.

d. Availability of Public Access - Sub-Area A has good access available via New York State Route 18 and the southern remnant of Potter Road.

e. Major Constraints - Sub-Area A may experience adverse environmental impacts from disposal operations if used on an interim basis.

2. SUB-AREA B

a. Recreational Potential - Opportunities exist for cross-country skiing, a wildlife refuge, a campground, and toilets.

b. Distinct Natural Features - Sub-Area B is generally level and is bisected by Fish Creek. The Sub-Area is presently in active agricultural use.

SOMERSET POWER PLANT SITE SUB - AREAS

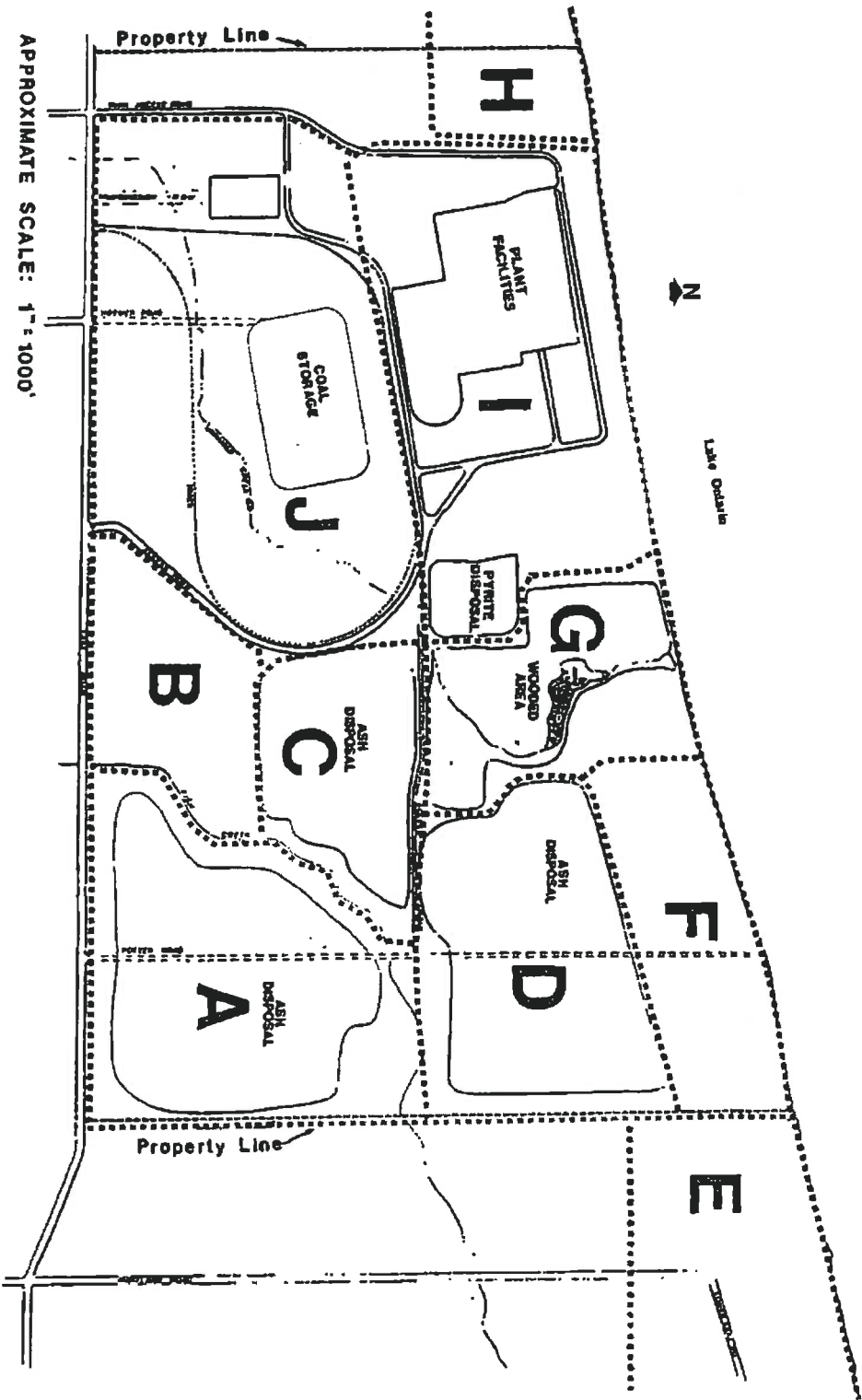


Figure 4. Somerset Power Plant Site - Sub Areas

c. Availability for Multiple Use Activities - Sub-Area B is available from the present throughout the life of the plant.

d. Availability of Public Access - Sub-Area B provides good access via New York State Route 18 and existing unimproved farm roads. Additional access could be provided via the power plant construction access road.

e. Major Constraints - Sub-Area B will be impacted from the north and east from solid waste disposal operations and may experience adverse environmental and safety impacts as a result of coal delivery and storage.

3. SUB-AREA C

a. Recreational Potential - Opportunities exist for sledding, cross-country skiing, a campground, toilets and a playground.

b. Distinct Natural Features - Sub-Area C is presently generally level and is bordered by Fish Creek to the east and by a large wooded area to the north. In the future, solid waste disposal will create a flat-topped hill with steep slopes and a height of approximately 60-70 feet above grade.

c. Availability for Multiple Use Activities - Sub-Area C will be briefly available on an interim basis from the present until the commencement of disposal operations around the year 1997. It will be available on a permanent basis upon completion of disposal operations around the year 2003.

d. Availability of Public Access - Sub-Area C's availability for public access is fair. Access could be provided via a portion of Potter Road until solid waste disposal operations commence in Sub-Area A. Public access via the power plant construction access road may be possible after commencement of plant operations.

e. Major Constraints - Sub-Area C will be adversely affected by coal delivery and storage operations throughout the life of the plant.

4. SUB-AREA D

a. Recreational Potential - Opportunities exist for hiking, cross-country skiing, sledding, and a scenic vista.

b. Distinct Natural Features - Sub-Area D is presently generally level and is bordered by Fish Creek on the south. Disposal operation will eventually create a hill similar to those in Sub-Areas A and C.

c. Availability for Multiple Use Activities - Sub-Area D will be available on a permanent basis upon completion of disposal operations which is presently projected to occur around the year 1997.

d. Availability of Public Access - Existing access via Potter Road will be removed.

e. Major Constraints - Sub-Area D will be impacted by solid waste disposal operations.

5. SUB-AREA E

a. Recreational Potential - Sub-Area E provides good opportunities for fishing, a boat launch ramp, swimming, cross-country skiing, a wildlife refuge, a campground, a scenic vista, a playground and motor boating.

b. Distinct Natural Features - Sub-Area E is generally level with a slight slope towards the lake.

c. Availability for Multiple Use Activities - Sub-Area F is not part of the New York State Electric and Gas Corporation's property. If acquired, it would be immediately available on a permanent basis.

d. Availability of Public Access - Access is available via Hartland Road.

e. Major Constraints - Acquisition would have to be negotiated with a separate party.

6. SUB-AREA F

a. Recreational Potential - Opportunities exist for fishing, a boat launch ramp, swimming, cross-country skiing, a wildlife refuge, picnicking, a campground, a scenic vista, a playground and motor boating.

b. Distinct Natural Features - Sub-Area F is generally level with a slight slope towards the lake. Solid Waste Disposal Area I will provide a good buffer when completed.

c. Availability for Multiple Use Activities - Sub-Area F is immediately available on a permanent basis.

d. Availability of Public Access - Availability of access is poor due to scheduled removal of Potter Road. Access would have to be acquired via Sub-Area E.

e. Major Constraints - Availability of access is the major constraint. Some impacts may be experienced as a result of disposal operations in Sub-Area D.

7. SUB-AREA G

- a. Recreational Potential - Opportunities exist for fishing, a boat launch ramp, swimming, cross-country skiing, a wildlife refuge, picnicking, a campground and toilets.
- b. Distinct Natural Features - Sub-Area G is generally level, entirely wooded and is bisected by an unnamed creek which forms a pond.
- c. Availability for Multiple Use Activities - Sub-Area G is immediately available on a permanent basis.
- d. Availability of Public Access - Public access is not presently available.
- e. Major Constraints - The lack of access and impacts from disposal operations represent major constraints.

8. SUB-AREA H

- a. Recreational Potential - Opportunities exist for fishing, a boat launch ramp, swimming, a campground, a scenic vista, a playground, and motor boating.
- b. Distinct Natural Features - Area H is generally level with a slight slope towards the lake.
- c. Availability for Multiple Use Activities - Availability is questionable due to a reserved area and power plant legal and safety considerations.
- d. Availability of Public Access - No access presently exists although future access may be possible via the power plant's main access road.
- e. Major Constraints - Questionable availability, poor existing access and direct safety and health impacts from the power plant represent major constraints.

9. SUB-AREAS I AND J - Minimal analysis was performed on these sub-areas due to the very questionable availability of the land during the operating lifetime of the plant. It was determined that extensive development of the sub-area for power plant purposes would change the natural features of the land.

A major constraint to identifying the best sub-area for multiple use was the coincidental needs of the New York State Electric and Gas for various sub-areas relative to power generation and/or plant construction activities. Due to safety reasons, such uses precluded any serious consideration of

the sub-areas labeled I and J for immediate multiple use development. It was the desire of the Multiple Use Subcommittee, however, to examine all areas, including I and J for possible future development in the event that New York State Electric and Gas would cease operation of its Somerset facilities. This is scheduled to occur in approximately the year 2015.

Based on the results of the preliminary site analysis, Regional Planning Board staff selected three multiple use conceptual alternatives. These are summarized in the succeeding section of this report.

It should be noted that a more comprehensive site analysis was conducted by Regional Planning Board staff relative to the recommended multiple use alternative. This is summarized in Section IX (i. e. Recommended Multiple Use Alternative).

SECTION VIII MULTIPLE USE ALTERNATIVES

A. BACKGROUND

Following completion of the preliminary site analysis, three conceptual multiple use alternatives were developed. Results of the analysis indicated that there existed a wide range of potential alternatives and variations for multiple use at the Somerset site. The potential for numerous alternatives was due to three factors. The first related to the many sub-areas (See Figure 4) which could accommodate some form of multiple use while the second factor pertained to the variety of recreational activities which could occur on the power plant site. The final factor was the various time periods when each sub-area would be available for multiple use. The need by the utility company for various sections of the property during varying time periods tended to foster a wide range of multiple use alternatives based solely on alternative times for their development.

While it was expected that some alternatives would be more feasible than others, it was the intent of the Regional Planning Board staff to depict the widest range of possibilities. Discussions of the alternatives with the Multiple Use Subcommittee were expected to reveal the strengths and weaknesses of each alternative and thereby yield a feasible and recommended alternative.

The following paragraphs outline three multiple use alternatives which were identified following the general site analysis discussed in Section VI of this report.

B. MULTIPLE USE ALTERNATIVES

1. ALTERNATIVE A - Alternative A is illustrated on Figure 5 of this report. The alternative identifies a concentration of recreation uses for the southeastern portion of the power plant site with cross country skiing and a wildlife refuge for the shoreline along the eastern edge of the NYSE&G property. The primary activities are non-water dependent and take advantage of the terrain formed by the solid waste disposal mounds. Such activities include picnicking, camping, sledding, nature trails and a scenic vista. An advantage of Alternative A is the location of Fish Creek and two standing ponds in the area where most of the recreation activities would occur. These would provide useful natural resources adjacent to the proposed trails and picnic areas. The majority of development would occur upon completion of the Solid Waste Area III in the year 2015 which would also represent the approximate year that the plant would become non-operational.

2. ALTERNATIVE B - Alternative B is illustrated on Figure 6 of this report and identifies various recreation uses for the northeastern section

SOMERSET POWER PLANT SITE

CONCEPTUAL MULTI-USE ALTERNATIVE

A

LEGEND:

- I POST CONSTRUCTION
- II COMPLETION OF SOLID WASTE DISPOSAL AREA (SWDA) #1
- III COMPLETION OF SWDA # II
- IV COMPLETION OF SWDA # III
- V CLOSING OF PLANT

TRAIL

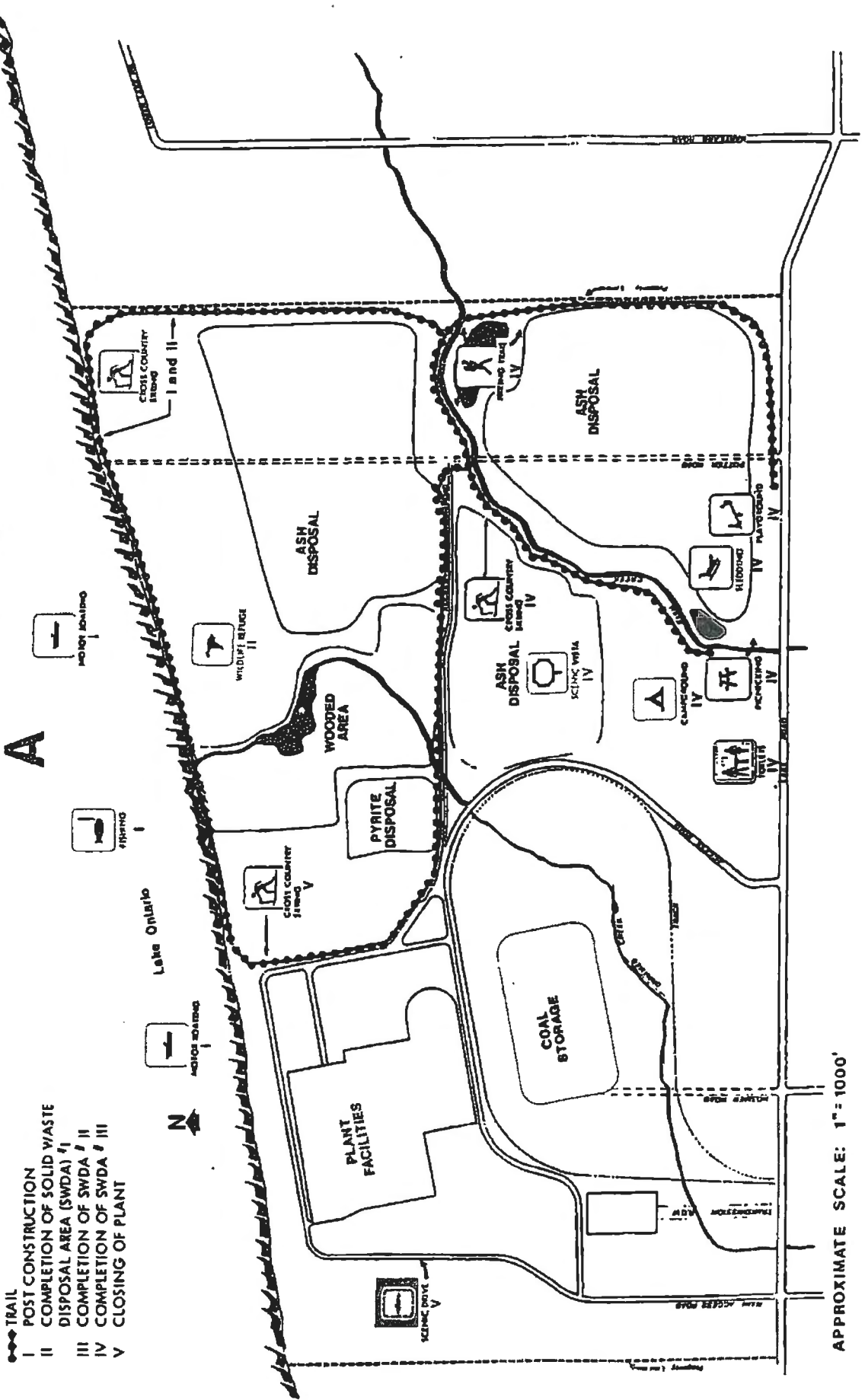
POST CONSTRUCTION

COMPLETION OF SOLID WASTE DISPOSAL AREA (SWDA) #1

COMPLETION OF SWDA # II

COMPLETION OF SWDA # III

CLOSING OF PLANT



APPROXIMATE SCALE: 1" = 1000'

Figure 5. Multiple Use Alternative "A"

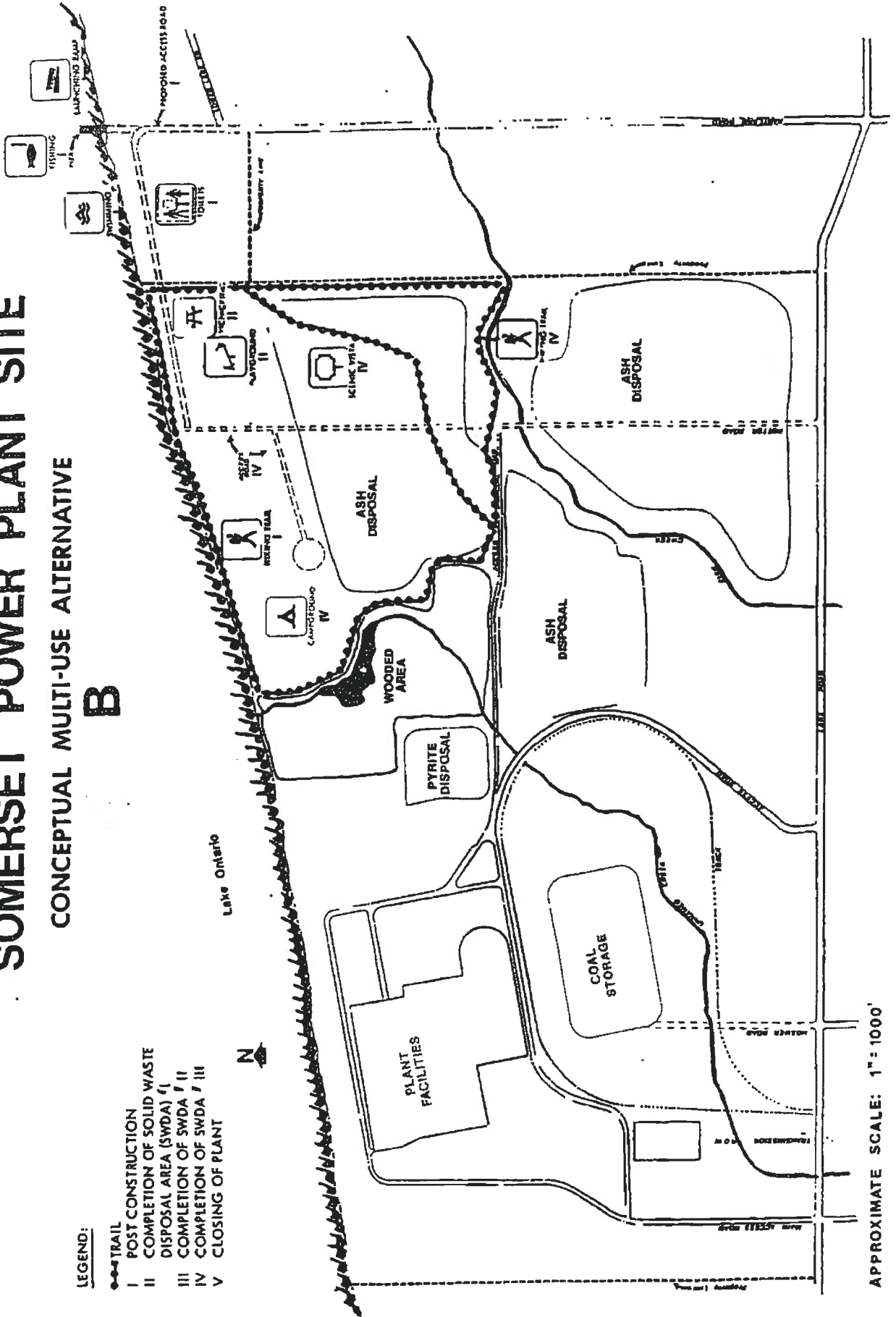
SOMERSET POWER PLANT SITE

CONCEPTUAL MULTI-USE ALTERNATIVE

B

LEGEND:

- I POST CONSTRUCTION
- II COMPLETION OF SOLID WASTE DISPOSAL AREA (SWDA) #1
- III COMPLETION OF SWDA #2
- IV COMPLETION OF SWDA #3
- V CLOSING OF PLANT



APPROXIMATE SCALE: 1" = 1000'

of the New York State Electric and Gas Corporation's property. In addition, Alternative B includes a 40-acre land parcel outside the power plant property and situated immediately adjacent to the extreme north-east corner of the utility company. The latter area is currently in private ownership and would necessitate fee or less than fee purchase by the Town of Somerset prior to its use as a recreation area. The reason for including the abovementioned land parcel in Alternative B is the access off of Hartland Road which the parcel would provide to the remaining land to be used for multiple use development.

The recreation activities identified under Alternative B are mainly water dependent and include a boat launch ramp, fishing pier, beach area, picnicking, camping, a nature trail and scenic vista. Development of the multiple use facilities would occur during or immediately after power plant construction (i. e. approximately 1985) and upon completion and revegetation of Solid Waste Disposal Area I (i. e. approximately 1997).

3. ALTERNATIVE C - Alternative C is illustrated on Figure 7 of this report and identifies a concentration of recreation uses in the northwest section of the site. These include a fishing pier, boat launch ramp, picnicking, power plant information center and a nature trail. Other non-intensive activities would occur in the areas east of the power generating structures and include trails for cross-country skiing and hiking as well as a wildlife refuge. The development of multiple use activities would occur upon the closing and dismantling of the plant facilities (i. e. approximately 2015). This is due to the closeness of the recreation activities to the power generating area.

C. REVIEW OF MULTIPLE USE ALTERNATIVES

1. REVIEW CRITERIA - After identifying three multiple use alternatives, the Regional Planning Board staff reviewed each approach against four criteria which are noted below.

a. Opportunities For Vehicle Access - A key factor which must be available for a successful multiple use facility is adequate access for automobiles. This is especially true for areas which will be developed for public use. Thus, opportunities for vehicle access was a major criterion used during the review of each conceptual Somerset multiple use alternative.

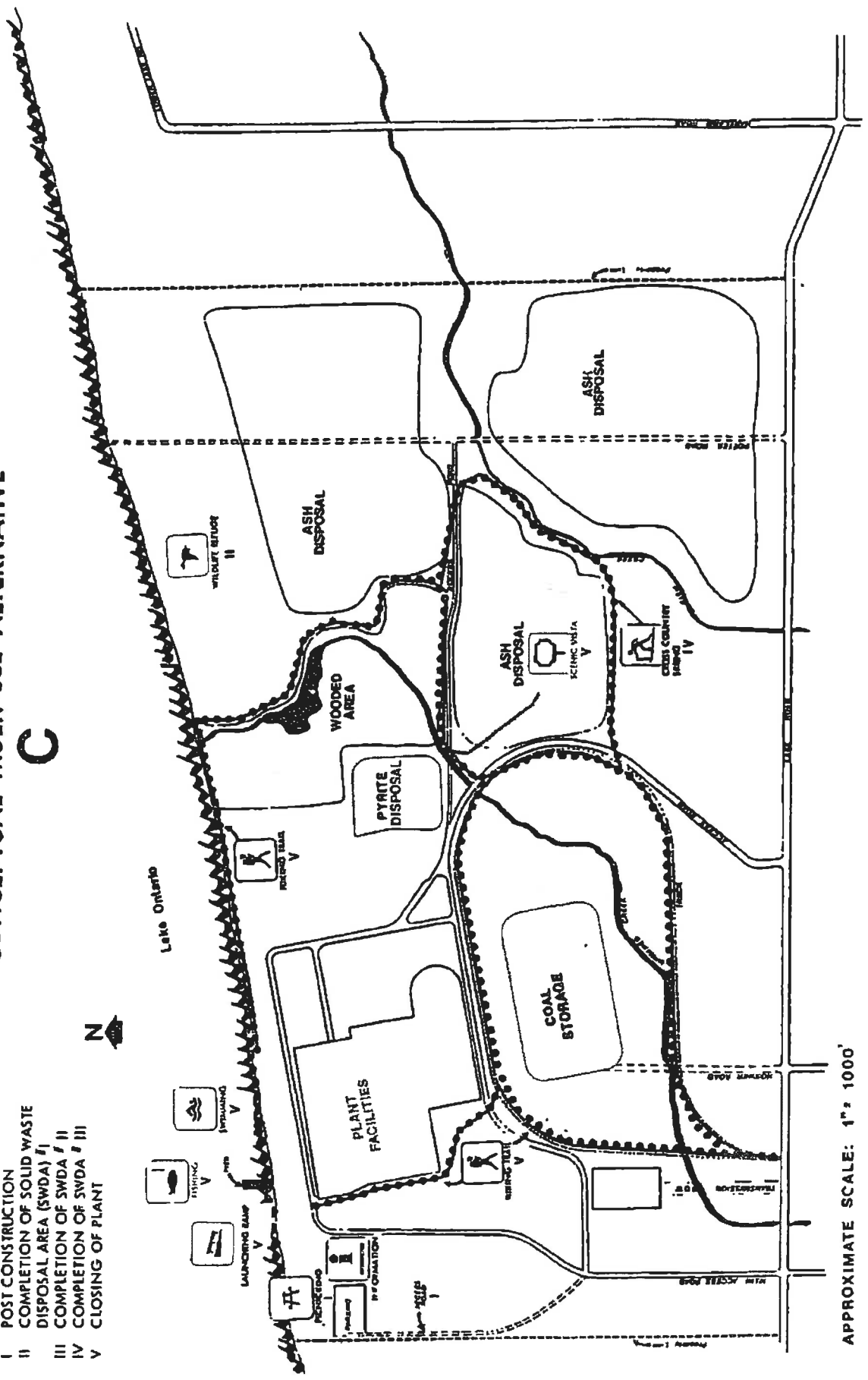
b. Availability of Land For Recreational Development - This relates to the actual year in which the alternative could be developed given the power plant construction and operation constraints.

SOMERSET POWER PLANT SITE

CONCEPTUAL MULTI-USE ALTERNATIVE C

LEGEND:

- TRAIL
- I POST CONSTRUCTION
- II COMPLETION OF SOLID WASTE DISPOSAL AREA (SWDA) #1
- III COMPLETION OF SWDA #2
- IV COMPLETION OF SWDA #3
- V CLOSING OF PLANT



APPROXIMATE SCALE: 1" = 1000'

Figure 7 Multi-Use Alternative "C"

c. Cost - The cost of developing the multiple use facility was also a key criterion used during the review of each conceptual multiple use alternative. It should be noted, however, that detailed cost figures were not defined for each alternative. However, approximate costs of various recreation facilities were determined, thus allowing ENCRPB staff to identify the facilities which would tend to increase the overall cost of an alternative to a great extent. This basically pertained only to a boat launch ramp which was estimated at \$2,000,000. This approximate figure was obtained from the Niagara Frontier State Parks and Recreation Commission, and New York State Sea Grant. Thus, by determining the recreation activities proposed for each alternative and identifying those with boat launch ramps, a sound judgment could be made regarding cost.

d. Ability to Fulfill Recreational Preferences - As noted in Section VI (i. e. Identification of Potential Recreational Uses and Project Sponsor) of this report, a determination of recreational preferences for the area was made by referring to the ENCRPB adopted Regional Recreation and Open Space Plan and Program as amended (1977), as well as the Town of Somerset Comprehensive Plan (approved 1972). In addition, feedback regarding the desired recreational activities for the area was obtained from the Multiple Use Subcommittee. The abovementioned sources noted a strong desire for water oriented activities. Thus, each alternative was reviewed regarding its ability to provide activities such as fishing, boating, swimming, and other water oriented opportunities.

2. EVALUATION - The following paragraphs summarize the Regional Planning Board staff review of the multiple use alternatives relative to the abovementioned criteria. It should be stressed that the Somerset Multiple Use Subcommittee assisted the ENCRPB staff in evaluating the three alternatives.

a. Alternative A

(1) Opportunities for Vehicle Access - As noted earlier in this report, Alternative A reflects a concentration of recreation activity in the southeast section of the site. Thus, opportunities for vehicle access and parking facilities are easily available off New York State Route 18.

(2) Availability of Land for Recreational Development - Since the majority of recreation uses would be located in close proximity to Solid Waste Disposal Area III, the complete development of the alternative could not occur until the disposal area is filled due to safety reasons. This would mean multiple use development in the year 2015. However, it should be noted that the hiking trail and wildlife refuge area in the north-east section of the site could be developed immediately.

(3) Cost - Although a detailed cost analysis was not conducted for each approach, it can be assumed that Alternative A would not be as expensive to develop as the other two alternatives. This is due to the lack of a boat launch ramp which is proposed under Alternatives B and C. The abovementioned facility is very expensive in comparison to the other recreational activities recommended for the multiple use alternatives.

(4) Ability to Fulfill Recreation Preferences - As previously noted in Section V of this report, various planning documents and discussions with Multiple Use Subcommittee members reflected a preference for water oriented recreation activities on the site. Although Alternative A proposes off shore fishing and boating as part of the multiple use approach, the majority of recreational activity would occur away from the shoreline. Thus, Alternative A does not adequately reflect the recreational preference previously noted for the area.

b. Alternative B

(1) Opportunities for Vehicle Access - Alternative B reflects a concentration of activity in the northeast section of the site with proposed public acquisition of an additional 40-acre area along the Lake Ontario shoreline immediately east of the power plant property. In order to provide vehicle access to the interior of the multiple use area, a roadway would have to be constructed by the Town of Somerset. This would extend Hartland Road approximately 400 feet north and then curve westward approximately three fourths of a mile into the multiple use area. A possible alternative to this approach is to provide parking facilities at the end of the existing Hartland Road. This would limit the remaining multiple use area to pedestrian access only.

(2) Availability of Land for Recreational Development - The full development of the alternative hinges on acquisition of the 40 acre parcel of land as well as construction of the access road. The actual time required for this undertaking is difficult to determine since much depends on the speed of the land acquisition proceedings. The multiple use activities proposed for the northeast section of the NYSE&G property could be developed during or immediately after power plant construction (i. e. approximately 1985) and upon completion and revegetation of Solid Waste Disposal Area I (i. e. approximately 1997).

(3) Cost - Alternative B would be very costly to the Town of Somerset due to construction of a boat launch ramp.

(4) Ability to Fulfill Recreational Preferences - Alternative B provides numerous water oriented activities and thus adequately fulfills the recreation preferences previously noted for the area.

c. Alternative C

(1) Opportunities for Vehicle Access - As noted earlier in this report, Alternative C reflects a concentration of recreation activity in the northwest section of the site. Thus, vehicle access would combine use of the Main Power Plant Access Road as well as a new access road to the multiple use area. The latter would be constructed and maintained by the Town of Somerset and extend approximately 2,000 feet in a north-south direction connecting the Main Access Road to the multiple use area.

(2) Availability of Land for Recreational Development - Since Alternative C includes the land area adjacent to the power generating facilities, the complete development of the alternative approach could not occur until the plant was no longer being used for power generation.

(3) Cost - The alternative would be very costly to the Town of Somerset due to construction of a boat launch ramp.

(4) Ability to Fulfill Recreational Preferences - Alternative C provides numerous water oriented activities and thus adequately fulfills the recreation preferences previously noted for the area.

Figure 8 provides a matrix illustrating the evaluation of each Multiple Use Alternative relative to the four criteria. It should be noted that the evaluation of the three alternative approaches resulted in the elimination of Alternative C from further consideration. This was due to the high development cost, access problems and the long waiting period prior to multiple use development.

The evaluation confirmed the difficulty in selecting one multiple use plan given the numerous possible variations involved regarding recreation uses, timing of development, public access needs, and cost considerations. The succeeding section outlines a recommended alternative which attempts to define the most feasible characteristics of Alternatives A and B. Such an approach was based on ENCRPB staff review of the three alternatives as well as discussions with the Somerset Multiple Use Subcommittee.

EVALUATION OF MULTIPLE USE ALTERNATIVES

<u>CRITERIA</u>	<u>MULTIPLE USE ALTERNATIVES</u>		
	<u>Alternative</u> A	<u>Alternative</u> B	<u>Alternative</u> C
1. Opportunities for Vehicle Access	Good	Poor	Fair
2. Availability of Land for Recreational Development	Fair	Good	Poor
3. Cost	Good	Poor	Poor
4. Ability to Fulfill Recreational Preferences	Fair	Good	Good

Figure 8.
Evaluation of Multiple Use Alternatives

SECTION IX
RECOMMENDED MULTIPLE USE ALTERNATIVE

A. BACKGROUND

As mentioned in the preceding section (i. e. Section VIII, Multiple Use Alternatives), the Multiple Use Subcommittee directed the Regional Planning Board staff to develop a Recommended Multiple Use Alternative which would combine the most desirable elements of Alternatives A and B. While the Subcommittee's recommendation provided some degree of flexibility in the development of a Recommended Multiple Use Alternative, the Subcommittee wanted three elements incorporated into the final Plan. These included the following factors:

- (1) Utilization of the northeast section of the power plant site for recreation activities and concurrent recommendations regarding access to that area.
- (2) The development of the shoreline in the northeast section of the power plant site for immediate passive recreational use.
- (3) Development of long-range plans for public access and use of those portions of the NYSE&G property which will become available throughout the life of the plant (e. g. Solid Waste Disposal Sites).

As stated previously in Section VII (i. e. General Site Analysis), a refined site analysis was performed for those sub-areas where multiple use development was determined to be most feasible. This included an examination of the soil characteristics for the eastern half of the NYSE&G property which incorporated sub-areas A through G. Locations of the sub-areas are shown in Figure 4 (i. e. Somerset Power Plant Site-Sub-Areas) on page 17. The data contained in the Soil Survey of Niagara County, New York (October, 1972), U. S. Department of Agriculture Soil Conservation Service, was used as the major reference source. The soil analysis concentrated on those areas which would not be disturbed by solid waste disposal operations, in particular sub-areas B, E, and F.

Soil characteristics were examined to determine the feasibility of each sub-area to accommodate various recreation opportunities and support activities such as camping, access roads, storage building, and picnicking. The results of the soil analysis showed that only the portion of sub-area F east of Potter Road and sub-area E would accommodate intensive development which includes low buildings, parking areas, and roads. However, most of the other sub-areas examined would accommodate trails, picnicking, wildlife refuge, and athletic sports.

In addition to a soil analysis, the Regional Planning Board staff examined the appropriate sub-areas in light of their relationship with the New York State Electric and Gas Corporation plans for landscaping/revegetation, power plant operations and solid waste disposal. Such plans were included as part of the utility company's application to the New York State Board on Electric Generation Siting and Environment for a permit to construct a power generating facility. Examination of the New York State Electric and Gas Corporation's plans indicates that existing and proposed vegetation would provide excellent wildlife habitats as well as adequate buffers from power plant operations.

The abovementioned analysis was supplemented with numerous site visits and discussions with technical personnel from government agencies. These included Mr. Brian Doyle, New York State Sea Grant Specialist; Mr. Martin Cummings, New York State Department of Public Service; and Mr. Robert Kesil, Niagara Frontier State Parks and Recreation Commission. Through information supplied by the New York State Sea Grant and the Niagara Frontier State Parks and Recreation Commission, it was determined that a boat launch ramp in the power plant site would cost approximately \$2,000,000. The high cost was mainly due to the steep slope present at the site which would necessitate extensive engineering work prior to construction. In addition, the present existence of public boat launch ramps at the Wilson-Tuscarora State Park in the Town of Wilson, New York and Olcott Harbor in the Town of Newfane, New York, as well as recently allocated state funds for a boat launch ramp at Golden Hill State Park in the Town of Somerset indicate that an additional ramp at the Somerset Power Plant would not likely receive funding assistance from New York State or the federal government. This information was relayed to the ENCRPB staff from discussions with the Niagara Frontier State Parks and Recreation Commission.

Given the elements requested for inclusion in the plan by the Multiple Use Subcommittee and the findings of the refined site analysis, a Recommended Multiple Use Alternative was developed.

B. GENERAL DESCRIPTION OF RECOMMENDED MULTIPLE USE ALTERNATIVE

The Recommended Multiple Use Alternative is a long-range plan which calls for the development of a Municipal Park by the Town of Somerset over three distinct time periods or phases. Except for an access road to the multiple use area, development would be confined to New York State Electric and Gas property with the more intensive recreational development concentrated in a 30-acre area in the northeast corner of the site. The Park would be oriented toward passive recreation activities such as picnicking, hiking, and nature study, although accommodations for slightly more active activities such as swimming and sledding are included. The Recommended Multiple Use Alternative utilizes the two most distinctive site characteristics of the New York State Electric and Gas property. These include: (1) the Lake Ontario shoreline; and (2) the artificial hills which will eventually be

created by solid waste disposal operations of the power plant.

The projected use of the land fill sites necessitates development of the park over three distinct phases which correspond to the projected life spans and fill sequences of those sites.

C. PHASE I - 1981-1997

Phase I, shown in Figure 9 on page 34, proposes development along the Lake Ontario shoreline east of Potter Road. This area would be available around 1981 and could be developed over a 16 year period.

An important aspect of Phase I is the provision of shoreline access as well as visual access to Lake Ontario. This would replace access lost by the removal of Potter and Hosmer Roads north of Route 18. Development in this area is contingent upon the Town of Somerset acquiring an access road right-of-way from the junction of Hartland Road and Lower Lake Road to the NYSE&G property.

D. PHASE II - 1997-2015

Phase II, shown in Figure 10 on page 35, proposes expansion of the facilities developed in Phase I to include the area encompassed by Solid Waste Disposal Area I. The development of this area would not begin until the completion of scheduled solid waste disposal operations and subsequent revegetation of the land fill by NYSE&G. Based on Utility Company projections, this would occur around 1997. Activities proposed for this phase would utilize the topography of the artificial hill created by the solid waste disposal operations, and include sledding, cross-country skiing and a scenic viewpoint.

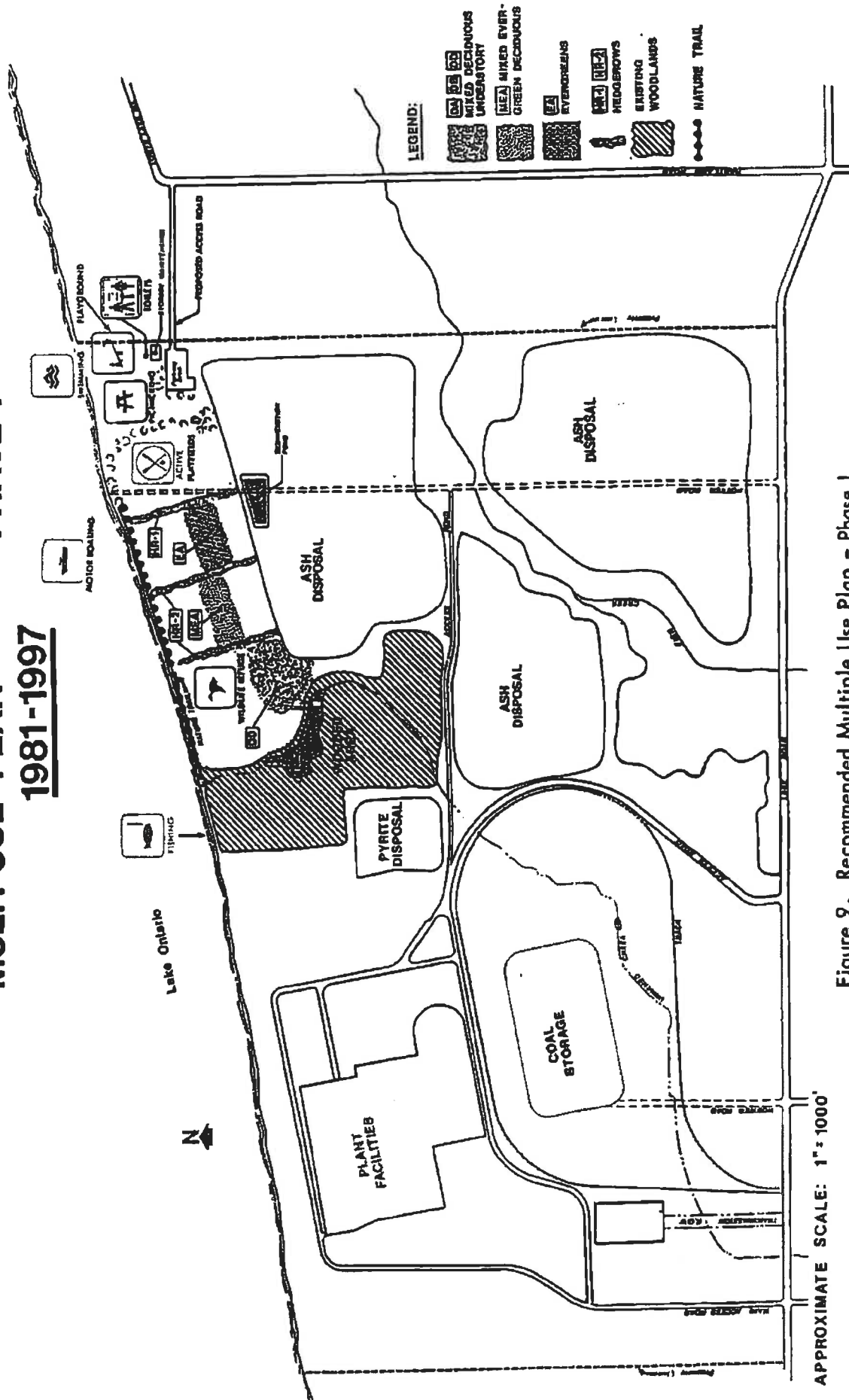
E. PHASE III - 2015-2020

Phase III, shown in Figure 11 on page 36, proposes expansion of the trail system throughout the eastern portion of the NYSE&G property, as well as the development of an additional sledding hill and a wildlife management area. Proposed development would occur following completion of all solid waste disposal operations in the eastern portion of the property and subsequent revegetation of Solid Waste Disposal Areas II and III. This would approximately occur in the year 2015.

F. ACCESS

Access to the Phase I and Phase II areas will be accomplished via a new road running due west from Hartland Road (near Lower Lake Road). The Multiple Use Plan recommends that the utility company purchase and construct the abovementioned road with subsequent transfer of ownership to the Town of Somerset. This recommendation was identified in Section I of this report. Access to the Phase III Area will be accomplished via Lake Road/NYS Route 18.

SOMERSET POWER PLANT SITE MULTI-USE PLAN - PHASE I 1981-1997



LEGEND:

- MIXED DECIDUOUS UPLAND
- MIXED EVER-GREEN DECIDUOUS
- EVERGREENS
- HEDGEROWS
- EXISTING WOODLANDS
- NATURE TRAIL

APPROXIMATE SCALE: 1" = 1000'

Figure 9. Recommended Multiple Use Plan - Phase I

NOTE: VEGETATION SHOWN IS ALTERED VERSION OF PROPOSED PLANTINGS CONTAINED IN NEW YORK STATE ELECTRIC AND GAS CORPORATIONS "FINAL REPORT ON CAYUGA STATION ASH DISPOSAL" (MARCH 1979)

SOMERSET POWER PLANT SITE MULTI-USE PLAN - PHASE II 1997-2015

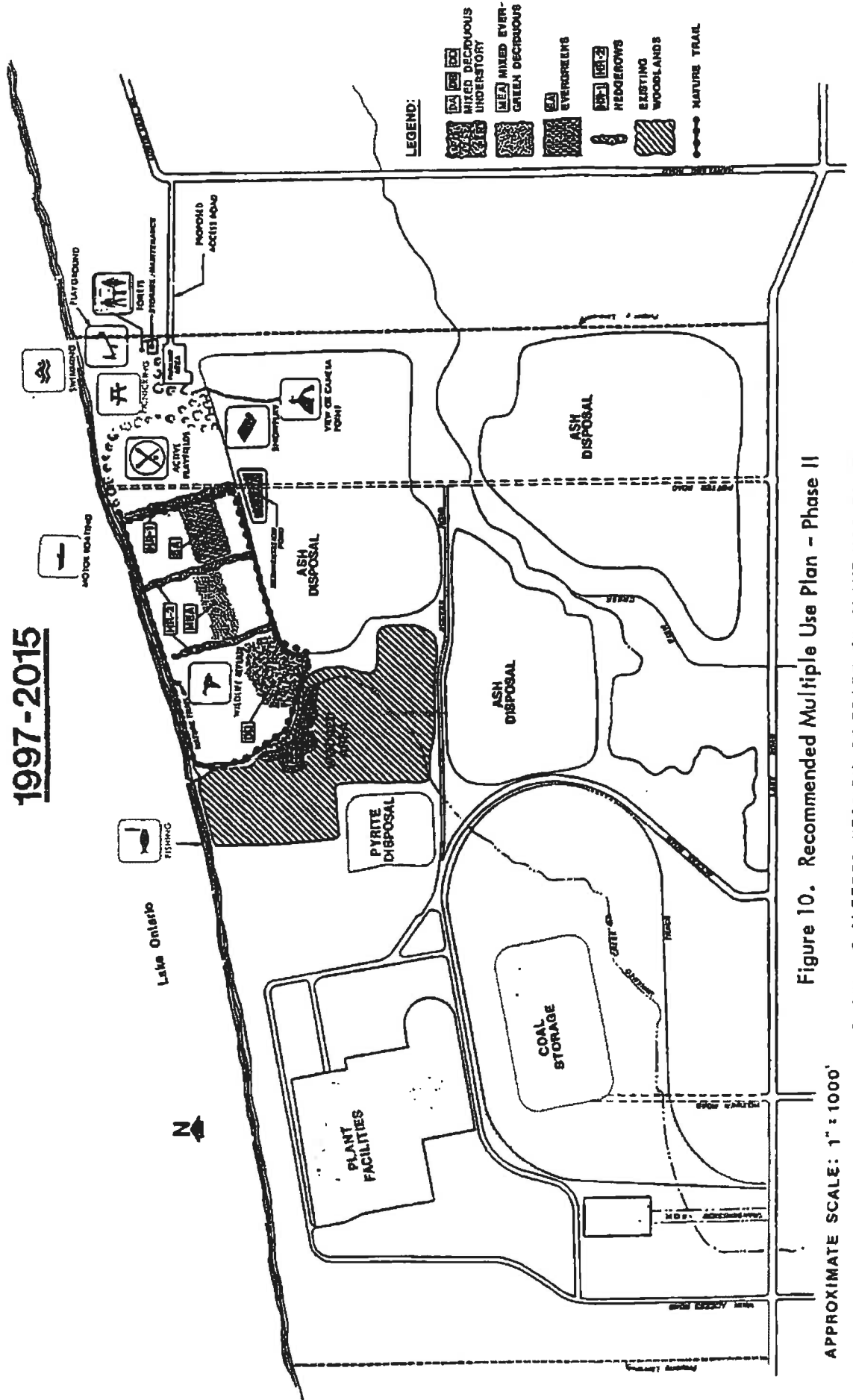


Figure 10. Recommended Multiple Use Plan - Phase II

APPROXIMATE SCALE: 1" = 1000'

NOTE. VEGETATION SHOWN IS ALTERED VERSION OF PROPOSED PLANTINGS CONTAINED IN NEW YORK STATE ELECTRIC AND GAS CORPORATIONS "FINAL REPORT ON CAYUGA STATION ASH DISPOSAL" (MARCH 1979)

SOMERSET POWER PLANT SITE MULTI-USE PLAN -- PHASE III 2015-2020

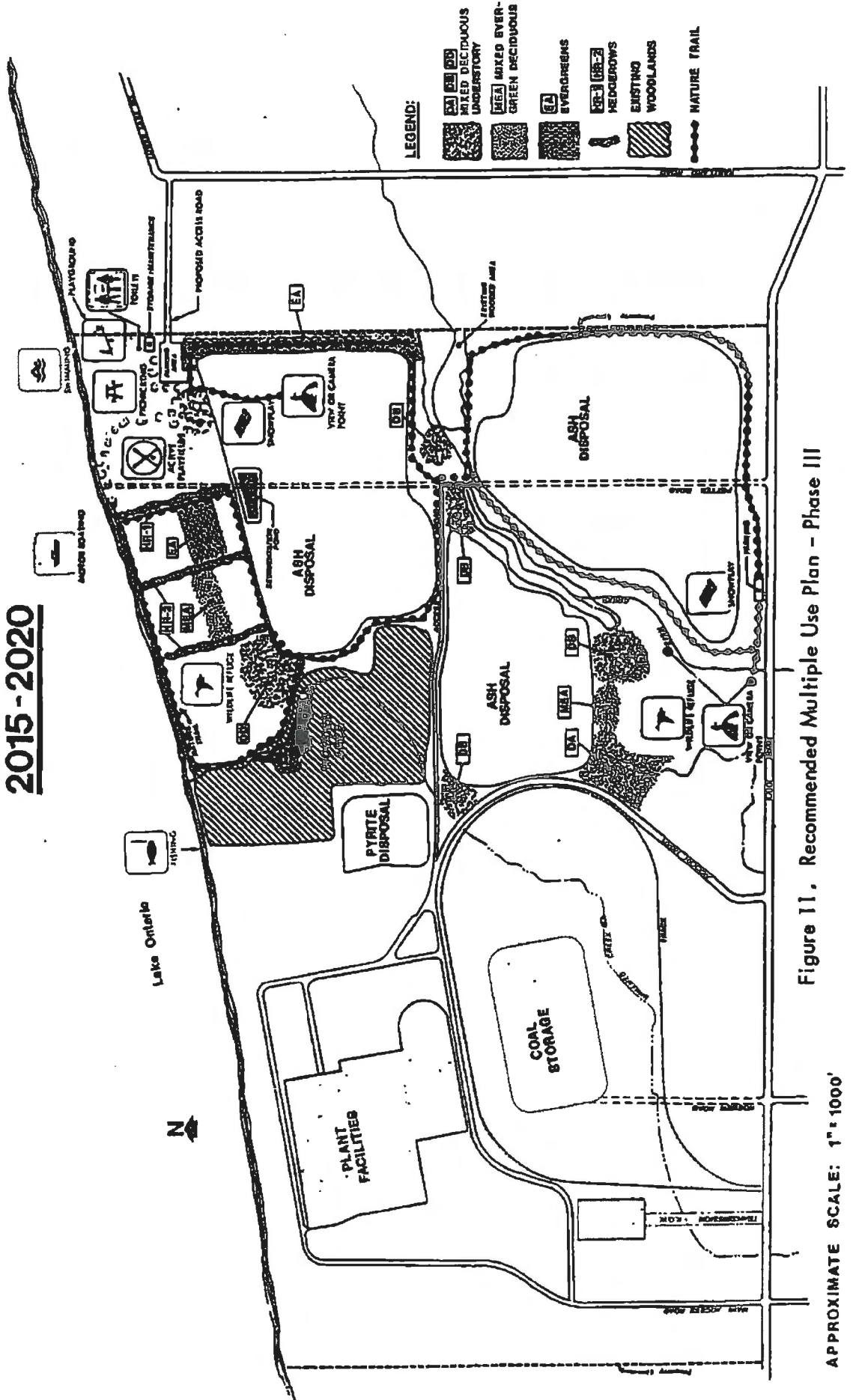


Figure 11. Recommended Multiple Use Plan - Phase III

APPROXIMATE SCALE: 1" = 1000'

NOTE: VEGETATION SHOWN IS ALTERED VERSION OF PROPOSED PLANTINGS CONTAINED IN NEW YORK STATE PERMIT AND IS NOT NEARLY AS DETAILED AS ORIGINAL PERMIT DOCUMENTATION.

G. ESTIMATED COST OF RECOMMENDED MULTIPLE USE ALTRFNATIVE

Estimated cost figures (in 1979 dollars) were developed for the Recommended Multiple Use Alternative. These estimates are provided in a high-low range format and are intended to serve as a general guide. The Appendix to this report includes data regarding the determination of estimated costs for the recommended alternative. More precise figures would have to be based on detailed design and engineerng data which is not presently available. The following summarizes the cost information developed for the recommended alternative.

	<u>HIGH</u>	<u>LOW</u>
Phase I (1981-1997)	\$ 942,000	\$299,200*
Phase II (1997-2015)	12,100	7,700
Phase III (2015-2020)	<u>77,000*</u>	<u>26,400*</u>
Total	\$1,031,800*	\$333,300*

The estimated cost figures were developed with the assistance of several sources. These included estimates produced by technical staff from the Niagara Frontier State Parks and Recreation Commission, Krehbiel Associates, Inc. and material available in the Regional Planning Board's files.

H. PUBLIC REVIEW

The major elements developed for the recommended Multiple Use Alternative were reviewed by the Multiple Use Subcommittee and Somerset Power Plant Committee at their July 31, 1979 meeting. The organization approved the multiple use approach developed by the Regional Planning Board staff and as reflected in Figures 9, 10, and 11 of this report. The multiple use approach was also forwarded to several state and local agencies for their review and comment. Included among these were the New York State Department of Public Service, the New York State Department of State, the Niagara Frontier State Parks and Recreation Commission, the Niagara County Economic Development and Planning Department, and the Regional Planning Board's Natural Resources Committee. In general, the comments received from these agencies were favorable and supportive of the efforts to provide multiple use development at the Somerset Station site.

*A major portion of the costs are for access, parking, and maintenance facilities, and the difference in the high and low estimates are largely due to reductions in those facilities. Reference should be made to Attachment 1 for more detail regarding cost determination.

SECTION X POTENTIAL FUNDING SOURCES

As noted in Section IX (i. e. Recommended Multiple Use Alternative) of this Plan, the total estimated cost of the Somerset Multiple Use Plan ranges between \$333,300 and \$1,031,800 (these figures represent estimated total cost figures for all three phases). This is a large sum of money especially when the Town of Somerset is recognized as the sponsor of the proposed facility. The Town is a rural community and thus does not have the local revenues available to pursue a project of this magnitude. It is therefore recommended that the Town apply for funding assistance through appropriate federal grant programs.

The following outlines three major federal grant programs through which the development of a multiple use facility on a power plant site would certainly be an eligible activity. It should be stressed that the following is not an exhaustive list, but merely represents the major funding programs. It is recommended that the Town of Somerset pursue all potential funding sources during the implementation phase of the multiple use plan.

A. LAND AND WATER CONSERVATION FUND

1. DESCRIPTION - The federal program provides funds to eligible New York State applicants through the New York State Office of Parks and Recreation for the acquisition of land for conservation and recreation purposes and for the development of parks and outdoor recreation facilities. The program can finance up to 50% of approved project costs.

2. CONTACT AGENCY - Niagara Frontier State Parks and Recreation Commission, Prospect Park, Niagara Falls, New York 14303.

B. COASTAL ZONE MANAGEMENT-IMPLEMENTATION ACTIVITIES

1. DESCRIPTION - The federal program provides funds through the New York State Department of State for local projects which are geared toward implementation of the New York State Coastal Zone Management Program. In this case, the Town of Somerset Multiple Use Facility would be an eligible activity. The implementation program is authorized under Section 306 of the federal Coastal Zone Management Act of 1972, as amended. It must be stressed that New York State will not be eligible for implementation monies until the federal government has approved the New York State Coastal Management Program around November 1, 1980. Funds will be available on an 80% federal and 20% local matching basis.

2. CONTACT AGENCY - New York State Department of State, Office of Coastal Management, 162 Washington Avenue, Albany, New York 12231.

C. COASTAL ENERGY IMPACT PROGRAM

1. DESCRIPTION - The program provides funds through the New York State Department of State to local communities experiencing impacts due to new or proposed coastal energy facilities. Funds can be used for public improvements including parkland acquisition and development. Physical development of the municipal park as outlined in the Multiple Use Plan is certainly an eligible activity under this program which is authorized under Section 308B of the federal Coastal Zone Management Act of 1972, as amended. There are no local matching requirements, thus federal funds are available for communities for one hundred percent of project cost.

2. CONTACT AGENCY - New York State Department of State, Office of Coastal Management, 162 Washington Avenue, Albany, New York 12231.

APPENDIX
ESTIMATED COST DETERMINATIONS

For the purpose of determining estimated costs, each phase of the Recommended Multiple Use Alternative was broken down into component activities. These component activities correspond to the major elements of the Recommended Multiple Use Alternative as depicted in the Multiple Use Plan maps, Phases I, II, and III.

The estimated costs were derived by averaging the costs obtained from several sources. They are based upon gross assumptions as to the final content and design of the component activities. The sources used for the cost estimates were:

- (1) technical personnel from the Niagara Frontier State Parks and Recreation Commission;
- (2) Mr. Timothy Frank, Director of Development Planning, Krehbiel Associates, Inc.;
- (3) Open space preservation provisions on file at the Regional Planning Board;
- (4) Mr. Stanley Ralph, Supervisor, Town of Somerset.

The costs were broken down by phases and by component activities, as shown in the chart on the succeeding pages. A high and low range is shown for each component. This was done to demonstrate the degree of flexibility possible within the Recommended Multiple Use Alternative.

The Multiple Use Plan recommends that NYSE&G make the land available to the Town of Somerset at a low cost. Final determination of the land cost is subject to negotiations between New York State Electric and Gas Corporation, and the Town of Somerset or whomever else assumes park sponsorship. For this reason, and rather than trying to estimate land cost, such figures were omitted from the estimated cost of the park development.

ESTIMATED COSTS

<u>PHASE I (1981-1997)</u>	<u>HIGH</u>	<u>LOW</u>
1. Access Road	\$ 36,000	\$ 9,000 ^{1/}
2. Parking Area	130,000	25,000 ^{1/}
3. Swimming Area	4,000	4,000
4. Picnic Area	40,000	40,000
5. Active Play Fields	42,000	14,000 ^{2/}
6. Childrens Play Area	3,000	3,000
7. Trails (.5 mile)	2,000	2,000
8. Support Facilities Maintenance/Storage, Toilets Bathhouse, Utilities	600,000	175,000 ^{3/}
Sub-total	\$857,000	\$272,000
(Standard Engineering fee-10%)	\$ 85,700	\$ 27,200
PHASE I TOTAL	\$942,700	\$299,200

^{1/} Cost differences between high and low figures for access road and parking reflect difference between paved (high) and unpaved (low) road and parking.

^{2/} Cost difference between high and low figures for active playfield reflect inclusion of baseball diamond for high figure.

^{3/} Cost difference between high and low figures for support facilities reflect difference between substantial structure with locker room, work shop and offices (high) and moderate structure for storage, toilets and utilities only (low).

<u>PHASE II (1997-2015)</u>	<u>HIGH</u>	<u>LOW</u>
1. Snow Play Area	\$ 6,000	\$2,000 ^{4/}
2. Scenic Vista	2,000	2,000
3. Trails (.75 mile)	<u>3,000</u>	<u>3,000</u>
Sub-total	\$11,000	\$7,000
(Standard Engineering fee-10%)	\$ 1,100	\$ 700
PHASE II TOTAL	\$12,100	\$7,700
<u>PHASE III (2015-2020)</u>	<u>HIGH</u>	<u>LOW</u>
1. Snow Play Area	6,000	2,000 ^{4/}
2. Parking	52,000	10,000 ^{5/}
3. Trails (3 miles)	<u>12,000</u>	<u>12,000</u>
Sub-total	\$70,000	\$24,000
(Standard Engineering fee-10%)	\$ 7,000	\$ 2,400
PHASE III TOTAL	\$77,000	\$26,400
TOTAL THREE PHASES	\$1,031,800	\$333,300

^{4/} Cost difference between high and low figures for snow play areas reflect substantial fill and grading (high) as opposed to equipment (i. e. snow fence) only (low). The low figure assumes that New York State Electric and Gas will construct disposal mound to accommodate snow play.

^{5/} Cost difference between high and low figures for parking reflect difference between paving and preparation (high) and unpaved gravel (low).

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ERIE AND NIAGARA COUNTIES REGIONAL PLANNING BOARD

Leo J. Nowak, Jr., Director

David L. Stein, Assistant Director, Planning Division

This report was prepared by the following individuals with the assistance of other staff members:

**Thomas J. Dearing, Associate Planner
Rick W. Kennedy, Junior Planner (former employee)
David A. Stebbins, Assistant Planner**

APPENDIX C

Meetings Summaries

Meetings held throughout the process of updating the Town of Somerset Comprehensive Plan in 2012 and 2016 are as follows:

- Steering Committee Meeting: February 8, 2012
- Steering Committee Meeting: March 14, 2012
- Steering Committee Meeting: April 11, 2012
- Public Meeting: April 30, 2012
- Steering Committee Meeting: May 7, 2012
- Steering Committee Meeting: August 8, 2012
- Kick-off Meeting with the Town: October 26, 2016
- Meeting with the Town: September 3, 2016
- Public Meeting: November 30, 2016
- Public Hearing: December 21, 2016

Notes from these meetings can be obtained from the Town.

APPENDIX E

Barker Chemical Report (without attachments)

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Phase II Environmental Site Assessment

Location:

Barker Chemical
8473 West Somerset Road
Barker (Town of Somerset), New York

Prepared for:

Ms. Amy Fisk
Niagara County Department of Economic Development
6311 Inducon Corporate Drive
Sanborn, New York 14132

LaBella Project No. 221436

August 10, 2012

Phase II Environmental Site Assessment

Location:

Barker Chemical
8473 West Somerset Road
Barker (Town of Somerset), New York

Prepared for:

Ms. Amy Fisk
Niagara County Department of Economic Development
6311 Inducon Corporate Drive
Sanborn, New York 14132

LaBella Project No. 212436

August 10, 2012

LaBella Associates, P.C.
300 Pearl Street, Suite 325
Buffalo, New York 14202

Table of Contents

	Page
1.0	Introduction and Background 1
1.1	Introduction..... 1
1.2	Areas of Concern 1
1.3	NYSDEC Investigation and Conclusions 5
1.4	Phase II ESA Objectives 5
2.0	Field Investigation Summary 6
2.1	Surface Soil..... 6
2.2	Subsurface Soil 7
2.3	Surface Water..... 8
2.4	Groundwater 8
2.5	Regulated Building Materials 9
3.0	Results..... 9
3.1	Site Geology and Hydrogeology..... 9
3.2	Surface Soil..... 9
3.3	Subsurface Soil 11
3.4	Surface Water..... 11
3.5	Groundwater 12
3.6	Regulated Building Materials 12
4.0	Discussion of Findings..... 12
5.0	Conclusions..... 13

Figures

Tables

Appendix 1	Field Logs
Appendix 2	Laboratory Analytical Reports
Appendix 3	Pre-Demolition Regulated Building Materials Assessment Report

1.0 Introduction and Background

1.1 Introduction

LaBella Associates, P.C. (“LaBella”) was retained to conduct a Phase II Environmental Site Assessment (ESA) at the property located at 8473 West Somerset Road, Barker (Town of Somerset), Niagara County, New York, which is hereinafter referred to as the “Site.” Figure 1 shows the location of the Site while Figure 2 identifies the historic Site characteristics.

The 10.9-acre Barker Chemical Site was used from the 1930 through the 1970s for the manufacture and distribution of fungicides and herbicides, and has since lain dormant for an extended period. This property has been the subject of significant investigation and remediation efforts by the New York State Department of Environmental Conservation (NYSDEC) and the United States Environmental Protection Agency (USEPA).

In December 1999, the NYSDEC completed a preliminary investigation of the Former Barker Chemical Site. This investigation documented the presence of metals at elevated concentrations and low pH surface water (1.71 to 3.62 standard pH units) throughout the Site. In late January 2000, based upon the presence of low pH surface water, the Niagara County Health Department (NCHD) issued a public health advisory to nearby residents cautioning against entry onto the Site. In response to this advisory the NYSDEC implemented an emergency Site security action by placing warning signs across the front of the property and installing high visibility fencing around the direct contact areas of concern.

In May 2000 the NYSDEC made a request to the USEPA to evaluate the Site and perform removal actions, as appropriate, to address the public health threats from low pH surface waters, and to identify, contain, control and/or remediate any other hazardous wastes or hazardous substances found at the Site. Due to the public health threat that existed, USEPA agreed to this request.

Following a Removal Site Evaluation (RSE) of the Site in June 2000 to determine the nature and extent of contamination requiring remediation, the USEPA removal action was authorized on September 29, 2000. The NYSDEC has subsequently completed additional investigations of the Site.

1.2 Areas of Concern

The USEPA’s and NYSDEC’s work focused on a number of areas of the Site, and these included the production area (which had contained five abandoned buildings), an above ground storage tank, two lagoons (the North and South Lagoons), one filled lagoon (the Filled Lagoon) and two large areas void of vegetation (the Barren Strip and Lime Waste area). The areas are shown in Figure 2 and are discussed individually in the following sections.

A number of areas of the site contained high concentrations of sulfur, which had been used in the pesticide manufacturing process. The presence of sulfur at the Site has resulted in high acidity in surface water.

1.2.1 Production Area

The Production Area is located between West Somerset Road and the Central Drainage Ditch, and once included five buildings. Four of the buildings were removed during USEPA removal activities to facilitate an assessment of soil conditions while one of the storage buildings remains standing.

As part of the 2000 removal action, USEPA demolished the buildings and conducted a soil sampling program to identify the extent of contamination, if any. Based upon the results of this assessment, the USEPA identified arsenic as the primary contaminant in soil underlying the former Production Building. As a result, the soil from the former Production Building area was excavated to a depth of approximately two feet and sent to Modern Landfill for disposal. Two confirmatory samples were collected from native clay. The excavation was backfilled with clay and covered with stone from a local quarry.

For reasons discussed later in this report, this area of the Site is the most likely location for any future development at the Site. Because of this, additional investigation was determined to be necessary to evaluate the location's suitability for development.

1.2.2 Low pH Trough

North of the Production Area, the Low pH Trough was the primary drainage channel for the Former Barker Chemical Site, and was approximately 30 feet by 100 feet in size. USEPA excavated approximately 250 tons of arsenic contaminated sediment from this channel to a depth of 1 to 2 feet. Excavated soils were sent off-site for disposal. The excavation was backfilled with limestone rip rap from a local quarry to reduce erosion during rainfall or snow melt events, and to buffer any low pH runoff that might occur during the completion of remedial activities.

1.2.3 Lime Waste Area and Central Drainage Ditch

The Lime Waste Area contained a whitish-gray, lime-like waste material with large quantities of sulfur and was a contributing factor to the low pH runoff from the Site. While remediating this area, a natural spring was encountered that discharged water with a pH less than 2 at a continuous rate. USEPA also believed that precipitation and snow melt leaching through the lime waste was producing acidic runoff. As a result, USEPA excavated approximately 825 tons of waste from this area and sent off-site for disposal. The excavation was backfilled with one foot of clay and one foot of topsoil, and graded to promote surface water runoff. The area was hydroseeded to provide a vegetative cover.

Once excavation activities were complete, USEPA created an east-west drainage trough (Central Drainage Ditch) immediately south of the Lime Waste area to promote better site drainage. This ditch was excavated into native clay to a depth of approximately 1½ feet, and connects to the natural spring encountered during excavation of this area. The Central Drainage Ditch flows into the remediated Low pH Trough through a culvert under the gravel roadway.

1.2.4 Poned Water Area

The Poned Water area was located on the eastern portion of the property to the north of the

Central Drainage Ditch. This area appeared to be an overflow area and/or historic discharge area from the South Lagoon, and contained low pH surface water. During USEPA's removal action, approximately 100 cubic yards of sludge from this trough were excavated and placed into the South Lagoon. The sludge had a distinct black-green color and was visually removed from this area. The Poned Water area was restored with wetland sediment from Buckhorn Marsh.

1.2.5 Aboveground Storage Tank

The above ground storage tank was one of two or three small tanks historically located in this area of the Former Barker Chemical Site. During the USEPA removal action, the contents of the tank were removed, with the tank cleaned and subsequently scrapped. USEPA then excavated approximately 400 tons of contaminated soil from this area for off-site disposal. The Storage Tank Area was excavated to a depth of two feet, reaching native clay soil at the base of the excavation. Confirmatory samples were not collected from this excavation. The excavation was backfilled with stone from a local quarry to promote better drainage, and was connected to the Central Drainage Ditch. Sediments from Buckhorn Marsh were placed on the quarry stone for restoration purposes.

1.2.6 Barren Strip

The Barren Strip contained a brownish-gray, fine-grained waste material and was very wet, devoid of vegetation, and appeared to be impacted by low pH runoff and Site contaminants. This area was remediated during roadway construction to gain access to the North Lagoon and Chip Area via the excavation of impacted soil for off-site disposal. The Barren Strip was excavated to a depth of 1.5 feet, reaching native clay soil at the base of the excavation. The excavation was backfilled with approximately three feet of stone to create a roadway.

1.2.7 Filled Lagoon

The analytical results from the USEPA's investigation indicated that the waste material (black sludge with blue-green mottling underlies the lime-like waste) in the Filled Lagoon contained significant concentrations of sulfur. However, the USEPA did not identify any impacts to the environment by this material. As a result, USEPA did not complete any remedial actions in this area, but did place topsoil within the lagoon area to enrich the existing soil.

1.2.8 South Lagoon

In 2000, USEPA documented two problems with the South Lagoon that needed to be addressed by the removal action: (1) the acidic water within the lagoon and (2) the acidic lagoon sludge. The sludge itself did not exhibit the characteristics of a hazardous waste, but did contain high concentrations of sulfur that USEPA believed was the source of the low pH water in the lagoon. Samples of this sludge were sent to a testing lab to assist USEPA with a recipe for sludge stabilization. Along with the sludge sample, USEPA sent the lab a sample of weathered lime that was available from a previous USEPA Superfund project in Buffalo, New York. The testing lab recommended that a mixture of 5% Portland cement, 20% weathered lime and 75% sludge from the South Lagoon would produce a stabilized mass with a strength sufficient to support heavy equipment during stabilization operations.

At the start of the stabilization process, water from the South Lagoon was pumped into the North Lagoon. A long reach excavator was then utilized to mix the sludge, lime and Portland cement according to the recipe. Due to excessive water within the sludge, clay was added to the mixture to help dry the sludge.

The end result was a monolith of stabilized sludge resembling concrete, which was capped with at least one foot of clay and one foot of topsoil within the original confines of the South Lagoon. The cap was graded to promote surface water runoff into the remediated Low pH Trough. The final cap was hydroseeded to provide a vegetative cover.

While this work was generally effective in stabilizing the sludge in the South Lagoon, one boring completed by the NYSDEC in this area encountered crystallized sulfur and lime and layers of what was believed to be Portland Cement, suggesting that mixing was not complete.

1.2.10 North Lagoon

Like the South Lagoon, the North Lagoon contained low pH water and acidic sludge. Initially, USEPA neutralized the water in the lagoon with weathered lime, bringing the pH into the 4 to 9 range for off-site disposal. Approximately 366,000 gallons of neutralized water were shipped to this facility for treatment. Once the North Lagoon was dewatered, weathered lime and clay were added to help solidify the sludge. Because the quantity of sludge in this lagoon was substantially lower than in the South Lagoon, USEPA determined that it was less expensive to excavate and dispose of the material than to stabilize it in place. As a result, approximately 3,200 tons of sludge were excavated from the lagoon and disposed off-site. The North Lagoon was restored with a minimum of one foot of wetland sediment from Buckhorn Marsh and flooded with 500,000 gallons of water.

1.2.11 Eastern Boundary Ditch

An open drainage ditch parallels the eastern boundary of the Site from West Somerset Road to the north end of the South Lagoon, where it makes a sharp eastward turn. This ditch ultimately feeds Golden Hill Creek, a tributary to Lake Ontario. In 2000, The NYSDEC measured the pH of surface water in the Eastern Boundary Ditch was only slightly acidic (pH of 6.74), which was consistent with the December 17, 1999 measurement. However, the NYSDEC recommended periodic monitoring of pH in the surface water at the Site.

1.2.12 Chip Area

The Chip Area contained arsenic contamination of unknown origin, although it was suspected that arsenic-containing waste was dumped in this area by Barker Chemical. This is the area where the green-blue chips were observed by NCHD personnel in 1999. USEPA removed trees and brush from the Chip Area before excavating approximately 600 tons of arsenic contaminated soil for off-site disposal. The excavation area was restored with topsoil and hydro seeded to provide a vegetative cover.

1.2.13 Northern Portion of the Site

Based on a review of existing files, no investigatory work has been completed in the area of the Site north of the Chip Area. Prior to the transfer of property ownership, investigation including soil and groundwater characterization is recommended.

1.3 NYSDEC Investigation and Conclusions

In 2003, the NYSDEC conducted a Site Investigation to evaluate areas of the Site not remediated by USEPA to determine the degree to which waste and sludge had contaminated Site soil, groundwater, surface water and sediment. The Site Investigation Report was completed in March 2007 and augmented in the January 2009 Supplemental Site Investigation Report (SSIR). The SSIR concluded that, while waste materials were present in the Filled and South Lagoons and impacts to groundwater and surface water remain, no hazardous waste is present on the Site.

Due to the absence of hazardous waste, this Site did not qualify for inclusion in the NYSDEC Registry of Inactive Hazardous Waste Disposal Sites in New York State. However, due to the presence of contamination and waste at this Site in the center portion of the Site (the area extending from the Central Drainage Ditch to the Chip Area), the NYSDEC recommended the restriction of redevelopment activities to the southern portion of the Site that was deemed to be remediated fully by USEPA. It was further recommended that no subsurface activities take place in the Filled and South lagoons as waste is still present at these locations. If excavation in these lagoons is necessary, excavated materials must be transported off-site for proper disposal as discussed in the Soils Management Plan contained in Appendix C of the SSIR. The NYSDEC also recommended that methods should also be put in place to avoid direct contact with low pH and contaminated surface water at the Site. Lastly, the NYSDEC concluded that groundwater underlying the Site should not be utilized as a source of potable or process water, without necessary water quality treatment as determined by the Niagara County Health Department.

Based on the SSIR, the NYSDEC classified the Site as Class C. This classification used for sites where the Department has determined that remediation has been satisfactorily completed under a remedial program (i.e., State Superfund, Brownfield Cleanup Program, Environmental Restoration Program, Voluntary Cleanup Program). These sites are issued Certificate of Completions (COCs) but may still require ongoing maintenance and periodic certification of institutional/engineering controls (IC/ECs).

1.4 Phase II ESA Objectives

Despite extensive efforts by the NYSDEC and USEPA, redevelopment of the Site has not occurred because ownership remains a question, contaminants are known to remain at the Site, and portions of the Site had yet to be investigated. These contaminants include volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), pesticides, metals, sulfide, and sulfate, in the Site soil, sediment, surface water, and groundwater.

The unknown nature of current conditions at the Site and of the redevelopment costs associated with addressing the contamination issues at the property has prevented Niagara County from foreclosing on the tax-delinquent property. To address these concerns, the County obtained a grant from National Grid to confirm the efficacy of the previous remedial efforts at the Site; characterize areas not previously assessed; estimate costs for additional remedial activities, if any; and identify an appropriate end use for the property.

To assist the County in determining if property tax foreclosure is appropriate at this site, the Phase II ESA was implemented to identify the level of environmental impairment at the site which in turn could attempt to determine feasible redevelopment options and corresponding site remediation/preparation costs. As such, this investigation was conducted in order to address those environmental concerns identified in prior environmental reports that were not previously addressed, including:

- Additional characterization in the portion of the Site targeted for redevelopment (the southern portion of the Site).
- Soil characterization in the area of the Site not previously investigated, north of the Chip Area.
- Measurement of surface water pH.
- Collection of surface water samples to characterize current conditions.
- Additional characterization of groundwater conditions in the southern and northern portions of the Site.

2.0 Field Investigation Summary

This investigation was devised based upon a review of a Request for Proposal (RFP), relevant reports provided by Niagara County, and our experience with Phase II ESAs of similar brownfield sites.

This section provides a summary of the fieldwork completed as part of this Phase II ESA, which included the following:

- Surface soil screening and analysis to characterize the chemistry of surface soils in:
 - The southern portion of the site (between West Somerset Road and the Central Drainage Ditch)
 - Areas to the north of the Chip Area not previously characterized
- Subsurface soil sampling in:
 - The southern portion of the site
 - Accessible areas to the north of the Chip Area
- Surface water characterization:
 - Collection of two surface water samples
 - Measurement of pH in surface waters to provide updated information
- Groundwater characterization:
 - In the southern portion of the Site to characterize groundwater conditions in the area most likely to be redeveloped
 - To the immediate north and south of the lagoons to characterize impacts, if any, from the materials stored in the lagoons
 - In the existing wells down-gradient direction of the lagoons to determine if contaminant concentrations have significantly changed over time
- Performance of an asbestos survey in the remaining structure

2.1 Surface Soil

A subsurface utility stakeout was arranged with the Underground Facilities Protection Organization (UFPO) to locate any underground public subsurface utilities servicing the Site.

On June 13, 2012, a sample grid system was established across the targeted areas with more concentrated nodes in the areas of the Site that appeared to have received fill. At each location, LaBella utilized an X-Ray Fluorescence (XRF) meter to screen the soils for lead, arsenic and other metals. Based upon the screening results and visual observations, samples were collected for laboratory analysis to characterize areas of elevated metals concentrations and to assess site-wide conditions.

A total of 28 surface soil samples were collected from the southern portion of the Site. The samples were collected in seven rows of four with each sample being approximately 25 feet apart. In addition, a total of 18 surface soil samples were collected from the portion of the Site north of the chip area. Such were collected in nine rows of two with each sample being approximately 100 feet apart. The sampling locations are shown on Figures 3 and 4.

To confirm the field screening measurements and further characterize the surface soils, eight surface soil samples were submitted under standard chain-of-custody procedures for laboratory analyses using United States Environmental Protection Agency (USEPA) methods. Five were submitted from the southern portion of the site (SS3, SS6, SS13, SS24 and SS28), while three were submitted from the northern portion of the site (SS29, SS40 and SS45).

The samples were analyzed for TCL SVOCs and pesticides, Target Analyte List (TAL) metals, leachable pH, and sulfur. This analytical program was selected based on the findings of previous investigatory activities performed by the NYSDEC and the USEPA.

2.2 Subsurface Soil

A subsurface utility stakeout was arranged with the Underground Facilities Protection Organization (UFPO) to locate any underground public subsurface utilities servicing the Site.

A total of nine soil borings (designated B-1 through B-9) were completed on June 14 and 15, 2012, by Natures's Way Environmental of Alden, New York, under LaBella observation. The borings were advanced to depths ranging from approximately 7.4 to 11 feet below ground surface using a truck-mounted Geoprobe® direct-push sampling system. Three soil borings were advanced immediately north of the north lagoon while six soil borings were advanced on the southern portion of the Site. The locations of the soil borings are shown on Figure 5.

The Geoprobe® unit utilizes a four-foot-long macro-core sampler with disposable polyethylene sleeves. Soil cores are retrieved in four-foot sections that can be cut from the polyethylene sleeves for observation, field screening, and sampling. The macro-core sampler was decontaminated between samples and borings using an Alconox and water solution.

The soil from the borings was screened using a photoionization detector (PID), which measures concentrations of total organic compounds. The soil from the borings was also evaluated for visual and olfactory evidence of contamination and these observations as well as lithologic and other pertinent information were recorded on boring logs. Soil boring logs prepared by LaBella are included in Appendix 1.

LaBella collected one soil sample from each of the 9 boring locations for laboratory analysis. The samples were placed on ice and transported to a New York State Department of Health Environmental

Laboratory Approval Program (ELAP) certified laboratory under proper chain-of-custody protocols for analysis of TCL SVOCs and pesticides, TAL metals, leachable pH, and sulfur.

Upon completion of direct-push drilling activities, all soil borings not completed as wells were backfilled with cuttings.

2.3 Surface Water

During the June 2012 field program, many of the surface water location previously sampled by USEPA and the NYSDEC were dry. The only locations in which water was present were the Eastern Drainage Ditch and the North Lagoon. LaBella measured pH at the bend in the Eastern Drainage Ditch where the flow direction changes from north to east and in three areas of the North Lagoon. Surface water samples were also collected from the Eastern Boundary Ditch and the North Lagoon.

The sample were collected by carefully dipping a pre-clean jar supplied by the laboratory into the surface water body and pouring the water into each of the required sample bottles. The sample were analyzed for TCL VOCs, SVOCs, and pesticides, TAL metals, sulfate, and sulfide.

2.4 Groundwater

On June 14 and 15, 2012, LaBella installed five shallow overburden, one-inch diameter, temporary groundwater monitoring wells in selected soil borings. The well locations were based on observed evidence of impairment and local hydrogeological conditions encountered during the soil characterization activities. Three of the wells were installed on the southern portion of the Site, and two of the wells were installed on the northern portion of the Site. The locations of the wells are shown on Figure 4.

Each well was completed with five to ten feet of one-inch, Schedule 40 0.010-slot well screen connected to the appropriate length of schedule 40 PVC well riser. The borehole annulus surrounding the well screen was filled with quartz sand to one to two feet above the screen section. The remaining annulus was bentonite-sealed to approximately one to two feet below ground surface, and then grouted to ground surface. Each well was completed with a protective casing. New wells TPMW3 and TPMW5 were developed through the removal of three to five well volumes from each well using dedicated bailers.

In addition, LaBella redeveloped two of the existing permanent wells within the central portion of the Site (MW3 and MW5) in order to confirm previous sampling results, evaluate whether trends in contaminant concentrations were evident, and evaluate the potential for off-site migration of contamination. The locations of the wells are shown on Figure 5.

Two groundwater samples were obtained from the new wells on the southern portion of the Site for analysis of TCL VOCs, TCL SVOCs, TCL pesticides, TAL metals, sulfate and sulfide. In addition, one groundwater sample was obtained from a permanent well (MW5) for analysis of TCL pesticides, TAL metals, sulfate and sulfide. As mentioned above, the groundwater sample collected from MW3 was only submitted for analysis of TCL pesticides. Lastly, one trip blank was submitted for analysis of VOCs for Quality Assurance/Quality Control (QA/QC) purposes.

Consistent with previous investigatory activities at the Site, groundwater recharge rates were very slow, resulting in the lack of samples from TPMW1, TPMW2, MW1 and MW12 were not sampled for analysis.

Furthermore, the volume of water in MW3 was very limited so that only TCL Pesticides were sampled from this well.

2.5 Regulated Building Materials

LaBella completed a pre-demolition inspection that included the following tasks:

- A. Visual inspection of the building.
- B. Bulk sampling of suspect asbestos-containing materials (ACM) from the interior and exterior of the building, including the roof. Suspect ACM were collected in the field and submitted for laboratory analysis
- C. Submitted ACM samples were analyzed using Polarized Light Microscopy (PLM) analysis to determine the presence of asbestos.
- D. Lead testing was completed with Lead Chek swabs.
- E. Inspection of the building for the presence of fluorescent light fixtures.
- F. Inspect for the presence of mercury-containing thermostats and light bulbs.
- G. Collect and record site data sufficient to report approximate locations, condition and quantities of confirmed ACM. General locations of lead-based paint will be recorded.
- H. A final report was prepared for the Pre-Demolition Regulated Building Materials Assessment and is included in Appendix C.
- I. Prepare an asbestos abatement cost estimate.

3.0 Results

LaBella submitted eight surface soil samples, nine subsurface soil samples, two surface water samples and four groundwater samples for laboratory analysis to evaluate the surface and subsurface conditions in the areas previously identified. A copy of the laboratory analytical report is included in Appendix 2. The soil results were compared to the NYSDEC Part 375-6.8 Unrestricted, Commercial and Industrial Soil Cleanup Objectives (SCOs), while the water results were compared to the NYSDEC Ambient Water Quality Standards and Guidance Values (TOGS 1.1.1 Table 1). The different media are discussed individually below.

3.1 Site Geology and Hydrogeology

The borings were advanced to 7.4 to 11 feet below grade before encountering direct-push equipment "refusal." Soils at the Site consisted primarily of sand and silt with some gravel identified in the borings.

Apparent saturated conditions were encountered at depths ranging from 8 to 11 feet below grade, although the fine-grained nature of the overburden makes estimating the elevation of the water table difficult.

3.2 Surface Soil

The 46 surface soil sample locations were screened using an XRF. The results are shown in Table 1. These screening results demonstrate relatively good correlation with the analytical laboratory results for the eight submitted samples. The samples with high to very high concentrations of metals in the screening results also have high to very high concentrations in the laboratory results. However, when the

concentrations are lower, the screening results tend to overestimate the laboratory results. This may be a result of the variability present within the soil matrix.

The screening results show:

- Arsenic
 - Screening results were above the SCOs in many instances. However, the laboratory results did not corroborate these findings in most cases.
 - The two samples (SS-24 and SS-28) with the highest screening results contained laboratory concentrations significantly above the Industrial Use SCOs.
- Copper
 - With the exception of SS-28, screening results for copper were below the Commercial Use SCOs for all samples and Residential Use SCOs for most samples.
 - The screening results for SS-28 were very high (123,600 ppm or 12.36 %) which was generally corroborated by a very high laboratory result of 51,800 ppm.
- Lead
 - With the exception of three samples, screening results for lead were below the Commercial Use SCOs for all samples and Residential Use SCOs for more than half the samples.
 - While the screening result for SS-24 was slightly above (less than two times) the Commercial Use SCO, the laboratory result was slightly less than the SCO.
 - The screening results for SS-28 were high (2,919 ppm) which was generally corroborated by a laboratory result of 1,780 ppm.
 - The screening and laboratory results for SS-40 were above the Commercial Use SCO.
- Zinc
 - The zinc results were relatively inconsistent, as demonstrated by the screening and laboratory results from SS-3, SS-6, SS-13, SS-29, SS-40, and SS-45. In each case, the screening result was above the Residential SCO but the laboratory result was below the SCO.
 - The screening results for SS-28 were very high (66,100 ppm or 6.61 %) which was generally corroborated by a very high laboratory result of 62,800 ppm.

The surface soil analytical results are summarized in Table 2 and showed:

- One TCL SVOC was detected in SS24 and two TCL SVOCs were detected in SS28 above Unrestricted SCOs. However, the concentrations were below the Commercial Use SCOs.
- Three TCL pesticides were detected in SS13, two TCL pesticides were detected in SS24, and one TCL pesticide was detected in SS45 above Unrestricted SCOs but below the Commercial Use SCOs.
- One TAL Metal was detected in SS24 and two TAL Metals were detected in SS28 above Unrestricted, Commercial and Industrial SCOs. The material in SS28 was gray in color and was present in a slightly mounded area that paralleled the eastern property boundary.
- Leachable pH levels appear to be in the normal range for all of the surface soil samples.
- Sulfur levels appear to be elevated in the surface soil samples collected from the southern portion of the Site.

APPENDIX D

Regional Plan Information: Regional Framework For Growth Maps



Figure 14. Planning Policy Areas.

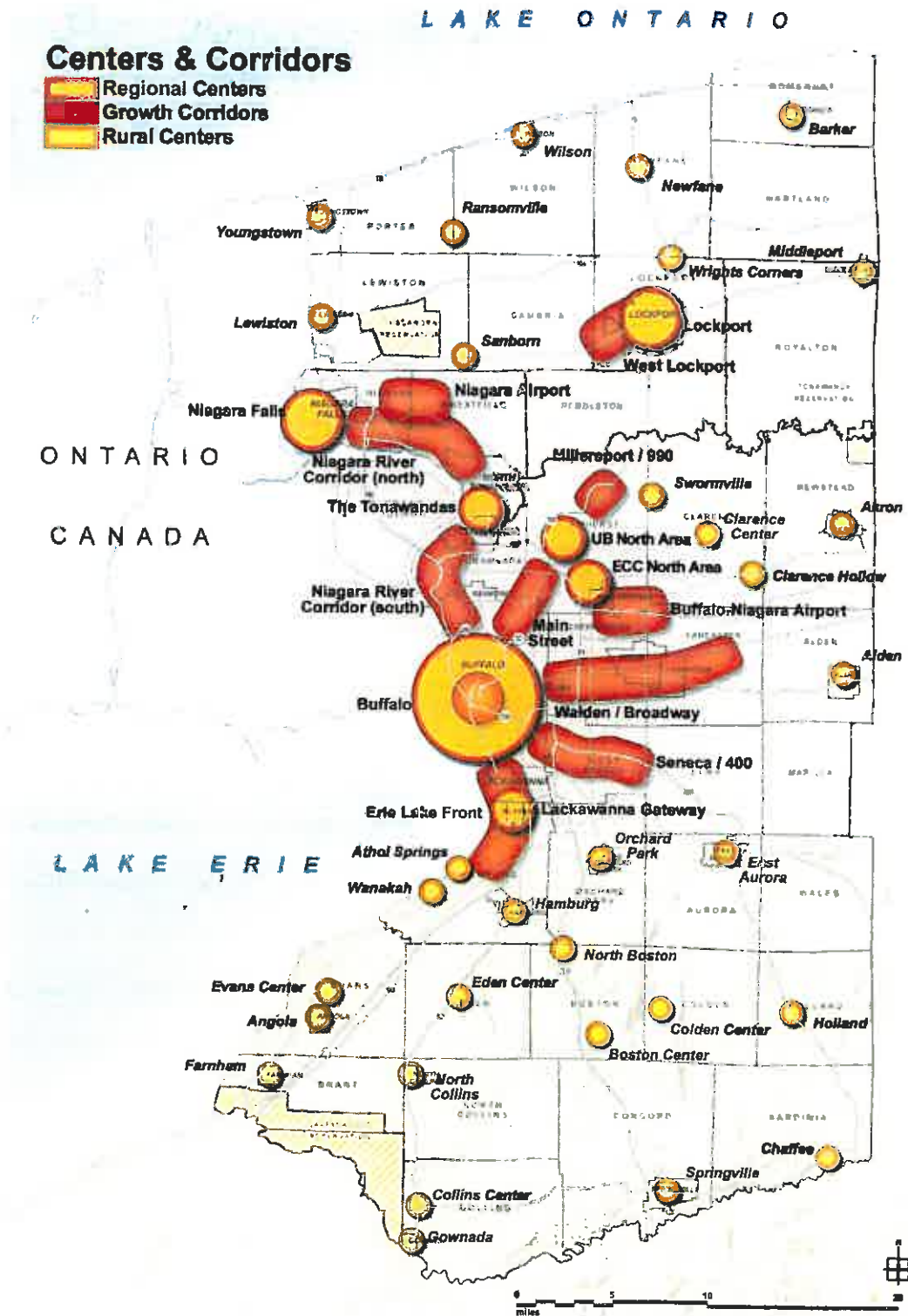


Figure 15. Centers & Corridors.



Figure 16. Conservation Overlay: Natural Systems



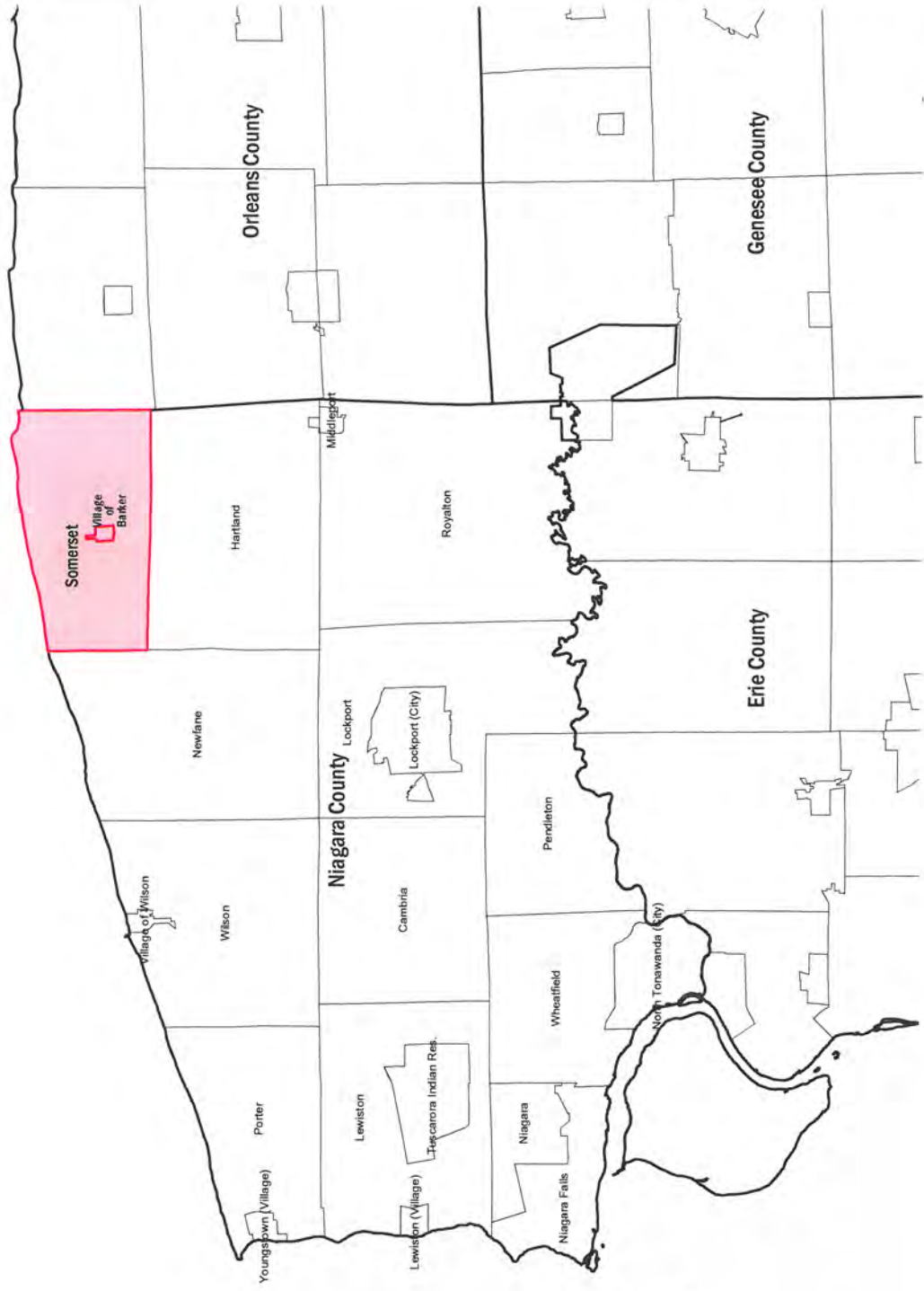
Figure 17. Conservation Overlay: Heritage Assets

Comprehensive Plan Mapping

Town of Somerset Comprehensive Plan

Regional Setting

Map 1



Key to Features

- Town of Somerset (Pink shaded area)
- County Boundary (Thick black line)
- Municipal Boundary (Thin black line)

Scale: 0 to 2 Miles

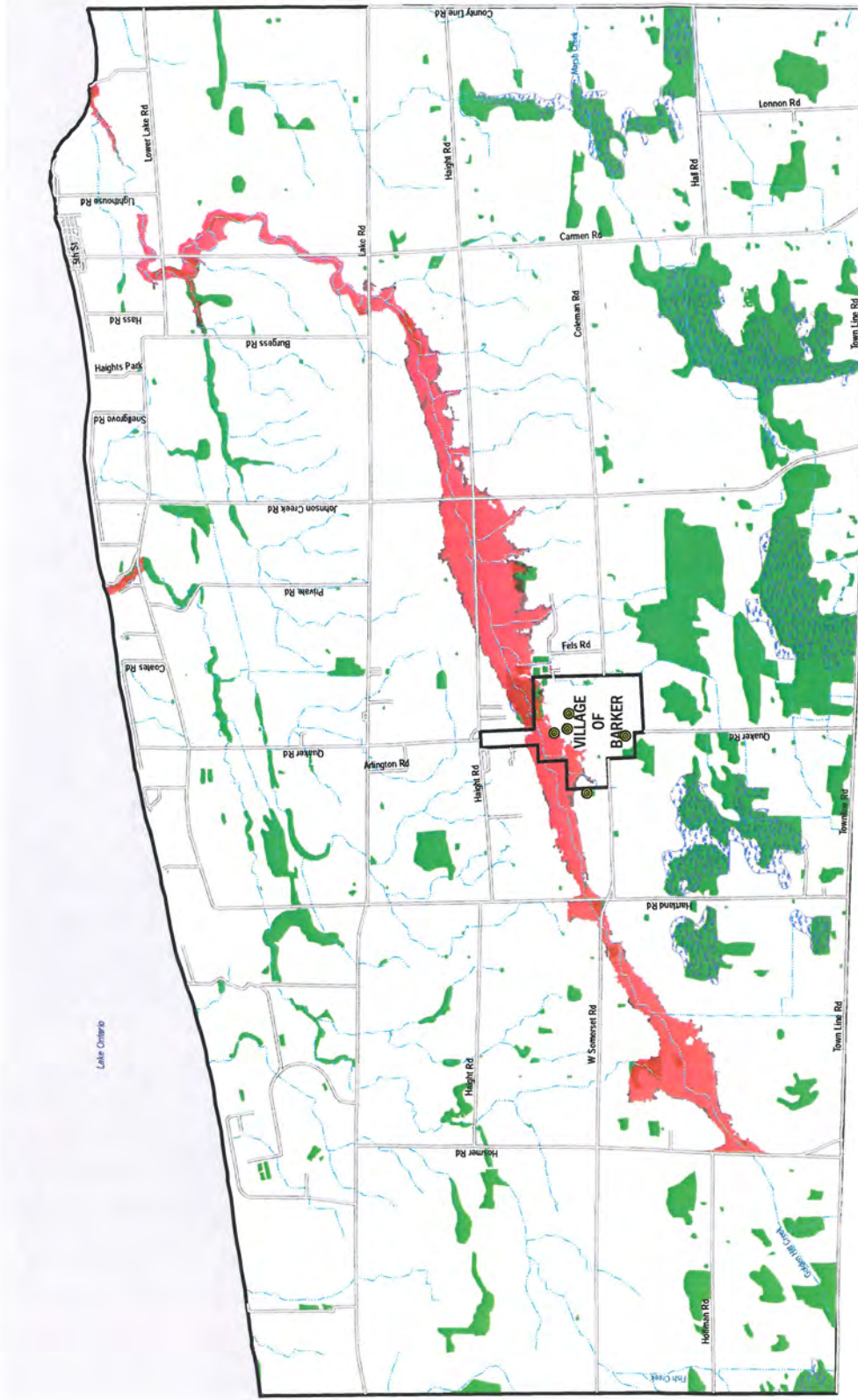
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Town of Somerset Comprehensive Plan

Environmental Features

Map 2



Key to Features	
	Municipal Boundary
	Streams
	Brownfields
	NYSDEC Wetlands
	Federal Wetlands
	FEMA 100 Year Floodplain
	500 Year Floodplain

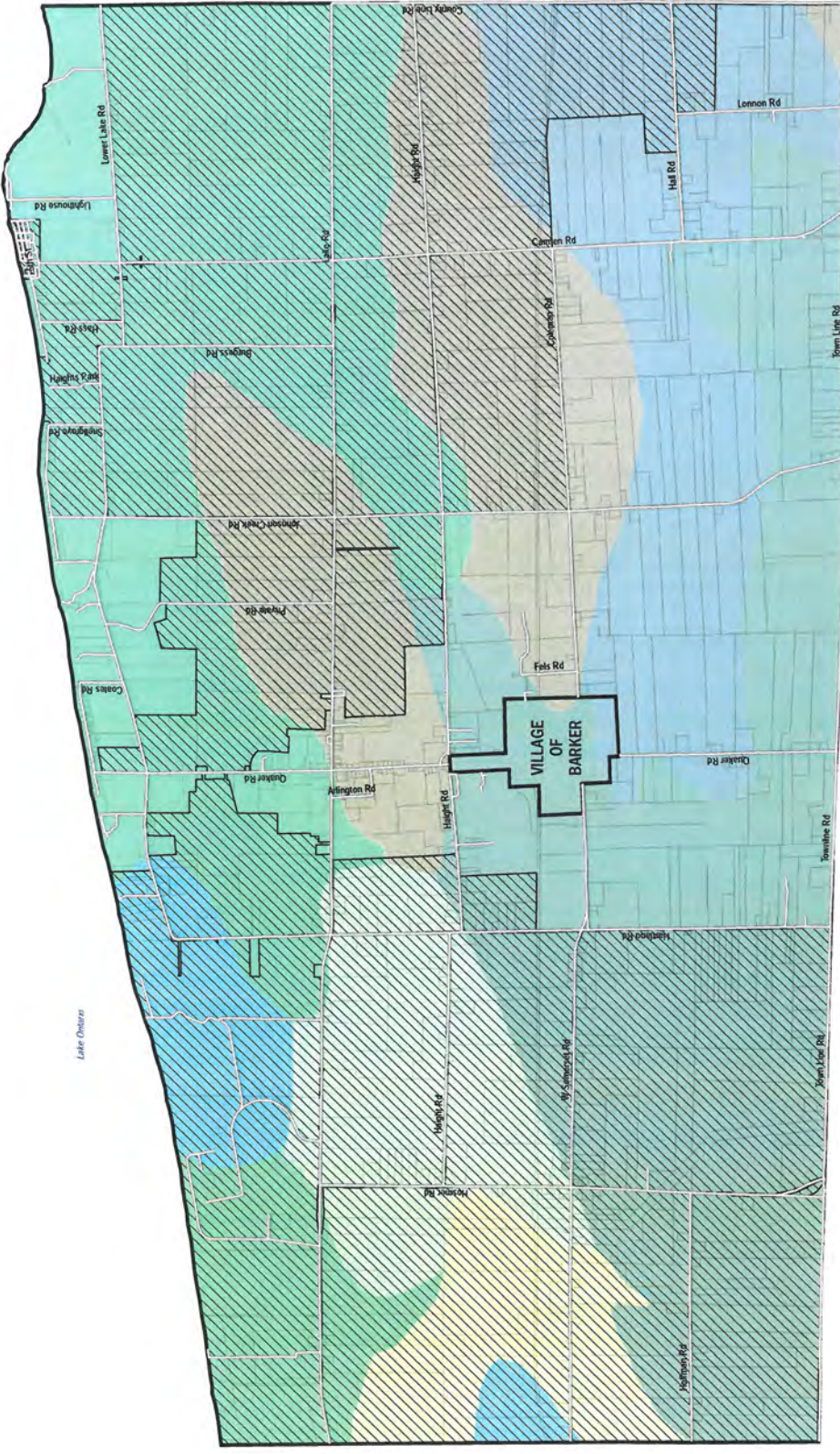


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Town of Somerset Comprehensive Plan

Agriculture District & General Soils

Map 3



Key to Features

- Municipal Boundary
- Parcels (2011)
- Agriculture District #2
- General Soils**
- Appleton-Kendal-Heron
- Palmyra-Allen-Howard
- Honeye-Ontario-Lima
- Dairies-Cazenove-Nunda
- Hudson-Rhinbeck-Collamer
- Minou-Arport-Lamson
- Wessalc-Fannington-Landsville



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Town of Somerset Comprehensive Plan

2011 Aerial Imagery

Map 4



Key to Features
 Municipal Boundary
 Parcels (2011)

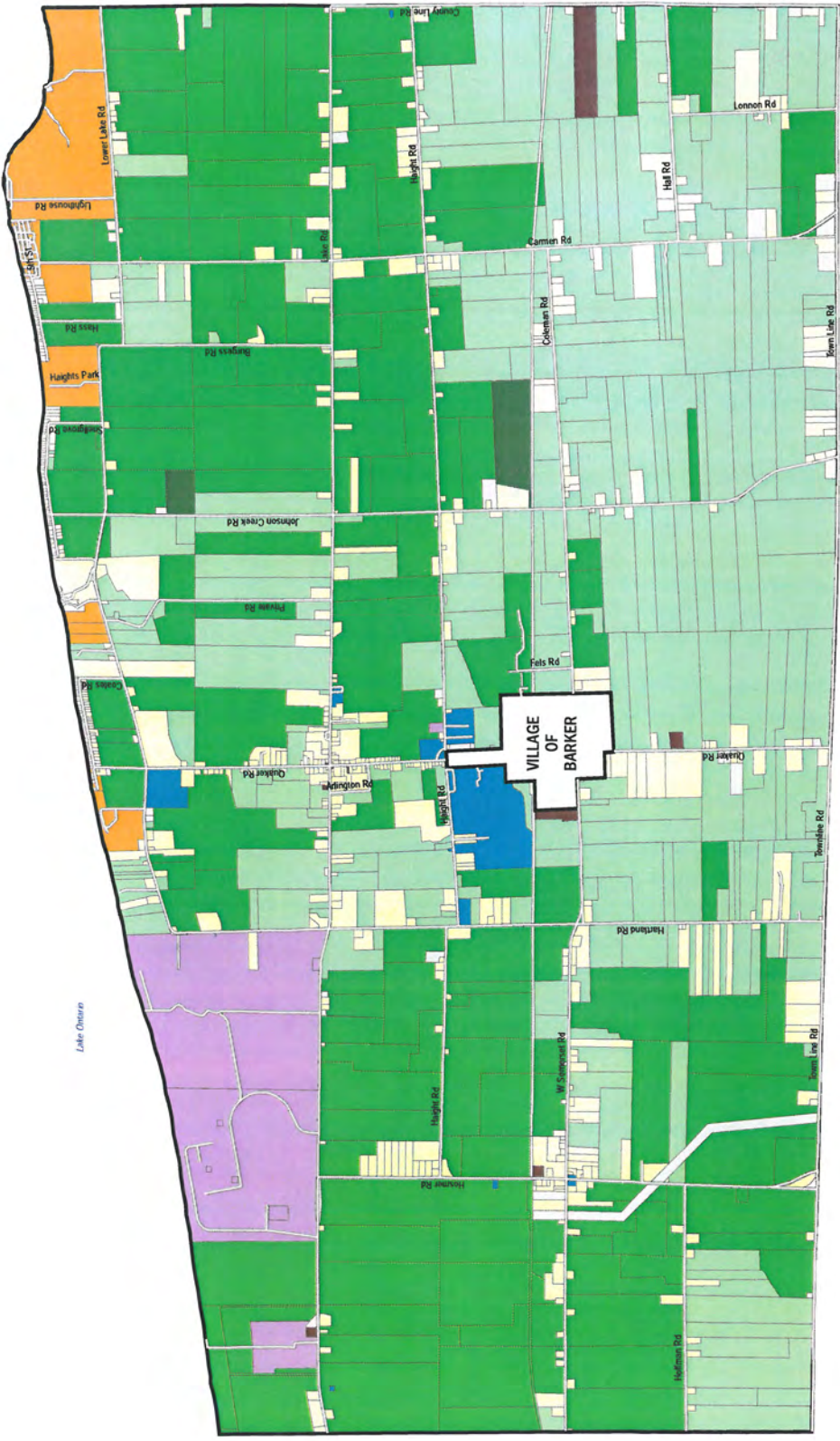


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Town of Somerset Comprehensive Plan

Existing Land Use

Map 5



Key to Features

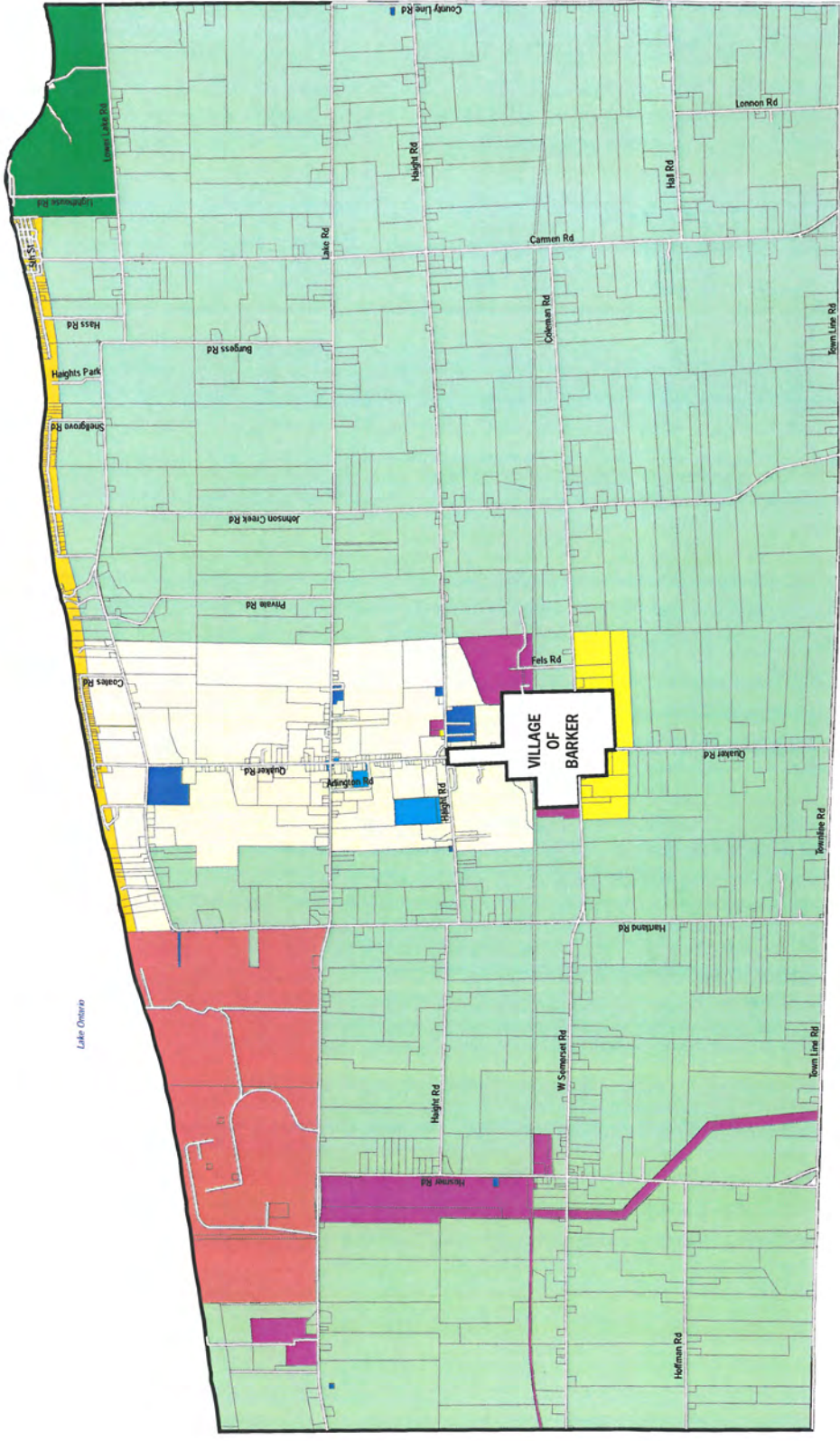
	Municipal Boundary
	Existing Land Use
	Agriculture
	Residential
	Rural
	Commercial
	Vacant
	Recreation
	Government
	Industrial
	Conservation



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 DATE: 04/11/2012 BY: WENDEN/ALP

Town of Somerset Comprehensive Plan Existing Zoning

Map 6



Key to Features

- Municipal Boundary
- Parcels (2011)
- Existing Zoning
- Agricultural
- Business
- Industrial
- PUD
- R-1
- R-2
- RLS - Residential Lake Shore
- State Park
- Town Owned / Recreational

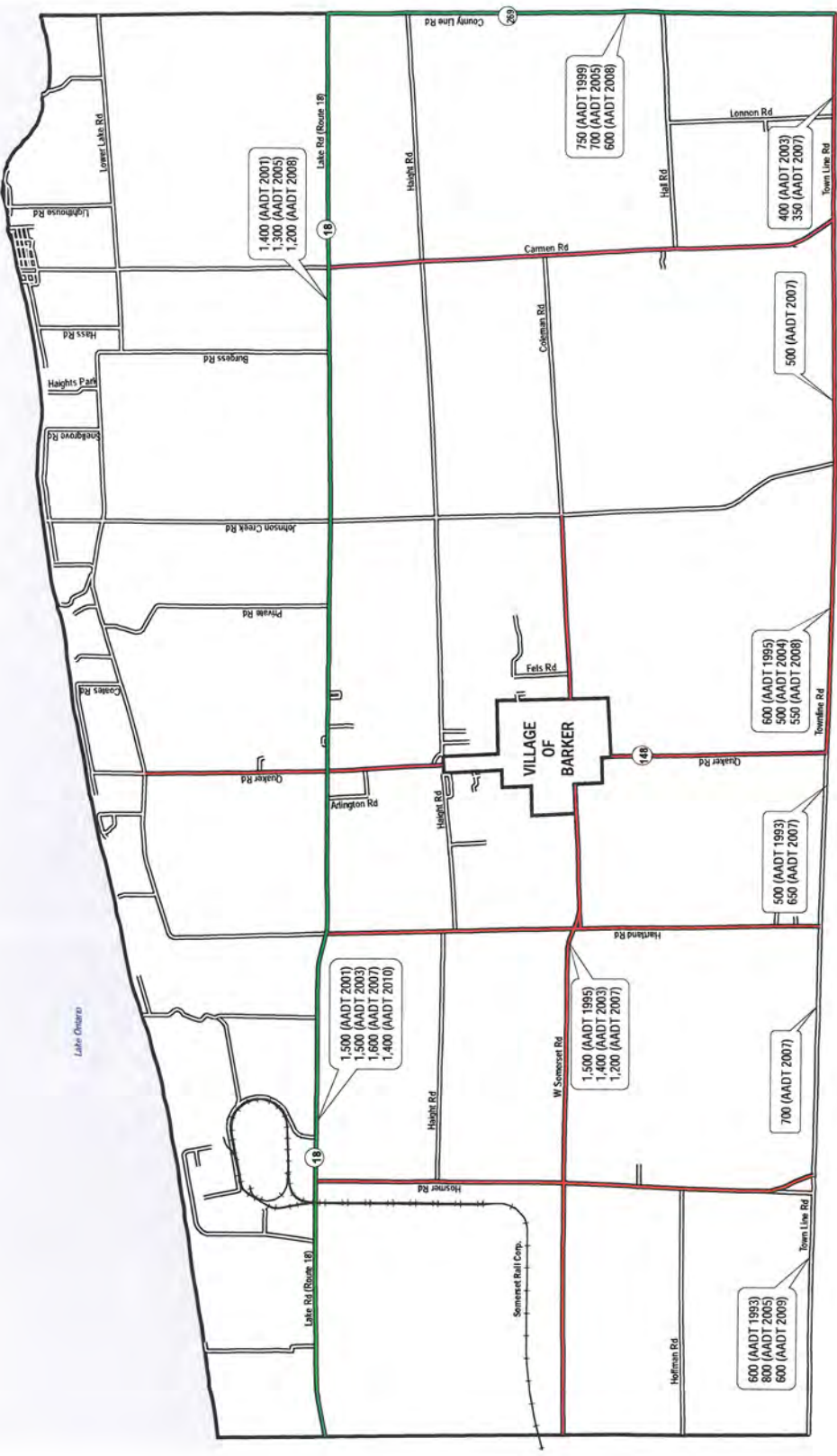
2000 0 2000 Feet



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Town of Somerset Comprehensive Plan Transportation

Map 7



Key to Features

- Municipal Boundary
- Active, Freight Only Railroad
- Road Categories
- NYS Route
- County Road
- Local Road

Scale: 0 to 2,000 Feet

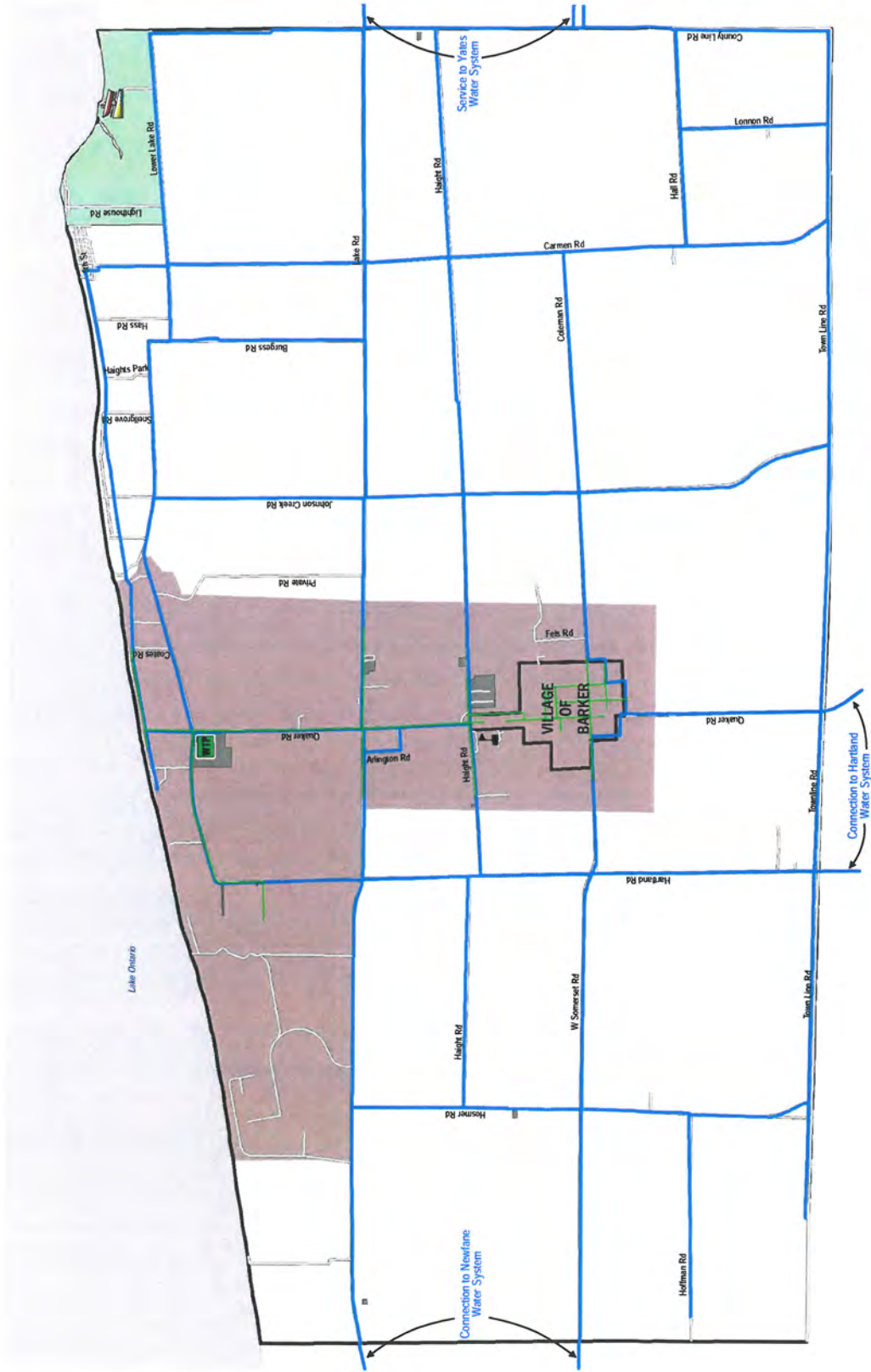
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Town of Somerset Comprehensive Plan

Utilities/Infrastructure

Map 8



Key to Features	
	Municipal Boundary
	Town Owned Land
	State Park
	Boat Launch
	Barker Central Schools
	Sewage Treatment Plant
	Waterlines
	Sewer District



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