

TOWN OF DELAWARE

SULLIVAN COUNTY, NEW YORK



COMPREHENSIVE PLAN 2007 UPDATE/ AGRICULTURE AND FARMLAND PROTECTION PLAN 2010

**Town of Delaware Planning Board
Town of Delaware Town Board**



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THE UPPER DELAWARE COUNCIL

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AGRICULTURE AND FARMLAND PROTECTION PLAN

INTRODUCTION

This update of the Town of Delaware Comprehensive Plan (previously known as the “Master Plan”) was undertaken by the Town Planning Board and the Town Board for the following purposes:

- A. *Identifying and analyzing changes that have taken place in the Town since 1996, when the last update of the original 1983 Plan was adopted;*
- B. *Re-establishing the framework for the conservation of the Town's character and natural environment while concurrently providing for economic growth and development; and,*
- C. *Continuing to provide for the most efficient administration of Town government and delivery of community facilities and services.*
- D. *Providing Town of Delaware residents with the recent demographic and other information available on their community.*
- E. *Establishing guiding Town policies with respect to land use, community facilities, transportation, economic development, recreation and housing.*

The 1983 Plan addressed the typical range of planning issues and provided detailed information on the physical and social characteristics of the Town, many of which remain valid. Further detail and analysis was provided at the time of the 1996 update. This 2007 Update builds on those documents, refining the goals and recommendations set out in them, while providing new information.

A comprehensive plan is never more than a starting point - a blueprint to guide the future development of the Town. It must be revised and updated periodically, as this one has been, to reflect the changing conditions, trends and goals of the community. The effectuation of the Plan is the ongoing responsibility of the Town Planning Board, and Town Board. It is an information source, policy guide and reference point for municipal action, although it carries no legal weight in its own right insofar as land use or other regulations. Every action recommended by this plan requires separate action by the Town Board or Planning Board to be effectuated.

GOALS AND OBJECTIVES

Any community planning process, by its very nature, must include goals for managing growth. Objectives are specific actions designed to achieve goals and address more specific community needs. The goals and objectives set out here are intended to outline the Town's vision for itself and provide a foundation to build upon. Additional, more specific goals and objectives are included in the various plan elements of this *Update*, along with specific implementation strategies.

The goals of residents will never be the same. Some residents favor increased economic development, while other residents demand environmental protection. Some desire more community services, while others prefer lower taxes. Some strive for land use diversity, while others are content to live in a "bedroom community." The major function of plan is to strike a balance between these varied expectations.

The goals and objectives for this *Comprehensive Plan Update* were developed by the Town Planning Board and Town Board based on the goals and objectives from the *1983 Master Plan*, the *1996 Plan Update*, community input and the background studies conducted as part of the planning process.

Goal 1: Maintain the Town's Existing Rural/Agricultural Community Character

The Town's physical environment, regional location and past development practices have shaped its character. The Town is perceived as an attractive rural/agricultural community offering a high quality of life and has long been known as a tourism-recreation area. Future development should be managed to sustain the Town's rural community character, maintain agriculture as an important part of the economy, and preserve and strengthen the tourism-recreation element.

Objectives:

- A. *Preserve and respect the rights to use of private property by limiting land use regulations to those essential to the health, safety and welfare of the community and for addressing land use conflicts.*

- B. *Develop local land use controls including flexible zoning performance*

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standards to control density and minimize conflicts between existing and future development, and update the controls periodically to address changing conditions.

- C. Carefully control the location and scale of commercial and industrial establishments while recognizing the importance of such development to the tax base.*
- D. Encourage the use of soil based methods for sewage disposal; that is, on-site subsurface disposal and land application, instead of collection and treatment facilities with a surface water discharge.*
- E. Provide for conservation subdivision as an optional form of development that will cluster residential development so as to preserve important farmland, open space and natural, scenic and cultural features.*
- F. Cooperate with local historic preservation groups to identify and preserve the remaining historic structures and sites in the Town.*
- G. Continue to cooperate with Upper Delaware Council efforts to conserve the unique character of the Upper Delaware Scenic and Recreational River and implement the Upper Delaware River Management Plan.*
- H. Avoid zoning regulations that unduly restrict agriculture.*
- I. Control common law nuisances and threats to public health and safety resulting from, among others, noise, lack of property maintenance, poor building practices, junk accumulation, odors and uncontrolled burning.*
- J. Incorporate as much flexibility as possible into land use standards to fit individual development circumstances and offer bonuses for developers who provide additional open spaces, protect important environmental features or otherwise contribute to quality forms of development.*
- K. Continue to provide in the Town Zoning Law for tourism and recreation related businesses in all areas where conflicts with residential uses will not occur.*

Goal 2: Conserve Open Land and Natural Resources as Economic Assets

Open land was the cornerstone of the foundation of the Town when its earliest settlers arrived, and has played a key role in the growth and development of the Town. Without this open land and the natural resources it offered, followed by the recreation opportunities it now offers, the character of the Town would be dramatically different. From the time of the tourism development associated with the railroad, through the time of tremendous increase in the number of second homes, tourism and recreation have remained an important part of the local economy.

Objectives:

- A. *Continue to provide in the Town Zoning Law for tourism and recreation related businesses in all areas where conflicts with residential uses will not occur.*
- B. *Plan and promote the development of organized public and private recreational activities and facilities.*
- C. *Offer incentives to encourage conservation subdivision as an optional form of development, considering also related options such as purchases and transfers of development rights, density averaging, large-lot zoning and similar measures.*
- D. *Cooperate with local organizations such as the Upper Delaware Council, Chamber of Commerce and Callicoon Business Association to promote tourism that will not destroy qualities of the Town that make it so attractive.*
- E. *Avoid the construction of growth inducing community facilities such as central sewage collection and treatment facilities where they would encourage the development of important open spaces; except as needed to correct existing sewage disposal problems and where they would promote development of existing or proposed new centers and adjoining areas transitioning to extensions of centers.*
- F. *Cooperate with the Upper Delaware Council in their efforts to conserve the unique character of the Upper Delaware Scenic and Recreational River.*

- G. *Identify sensitive natural areas such as wetlands, groundwater recharge areas, woodlands, steep slopes, poor soils and flood plains, and adopt regulations to protect such areas.*
- H. *Evaluate Town land use controls in terms of effects on open space and modify to maintain open space to the greatest extent possible.*
- I. *Maintain up-to-date standards in Town laws for stormwater management, soil erosion and sedimentation control, sewage disposal, solid waste disposal and other environmental issues.*
- J. *Promote use of natural infiltration and related techniques for stormwater management and sewage disposal to replenish groundwater, avoid stream discharges and minimize risks from poor facility maintenance.*

Goal 3: Protect Agriculture and Farmland as Community and Economic Assets

Agriculture was an early cornerstone in the development of the Town of Delaware and remains vital to its future, providing for both attractive landscapes and important economic opportunities.

Objectives:

- A. *Provide in the Zoning Law for a wide range of agricultural/forestry uses throughout the Town, including ancillary uses.*
- B. *Offer options such as conservation subdivision, transfer of development rights and density averaging to permit development of less desirable farmland while preserving cropland and other prime farmland.*
- C. *Avoid the construction of growth inducing community facilities such as central sewage collection and treatment facilities where they would encourage the development of agricultural areas; except as needed to correct existing sewage disposal problems and where they would promote development of existing or proposed new centers.*
- D. *Direct higher density housing away from agricultural areas.*

Goal 4: Encourage Compatible Commercial and Industrial Development

A healthy economy fosters a healthy community by providing business development and employment opportunities. Local government may choose not to take a direct role in economic development, but can institute land use control and development policies that have a positive effect on the local economy and tax base, while addressing community conservation concerns. While recognizing the importance of the tourism-recreation sector of the local economy, Town Officials also acknowledge the need for economic diversification.

Objectives:

- A. *Use the Town Zoning Law to direct new, large scale commercial development to areas of existing commercial development and where community facilities are adequate.*
- B. *Encourage commercial cluster development to avoid commercial strip development.*
- C. *Promote local economic viability by allowing home occupations consistent with residential zoning districts and the overall community character.*
- D. *Recognize the importance of the regional economy and monitor and participate in County and regional business development activities.*
- E. *Adopt, monitor and update commercial and industrial development standards to protect the public health, welfare and safety, preserve community character and minimize conflicts with the tourism industry.*
- F. *Provide within certain zones a broad range of allowable commercial and industrial uses, relying on performance standards to mitigate any environmental impacts and protect the community.*
- G. *Rely on the designation of special uses that require Planning board approval and allow imposition of conditions, thereby modifying projects as may be necessary to mitigate impacts while permitting the development.*

- H. *Periodically reassess the Zoning Law and map to better reflect actual development patterns and future needs.*
- I. *Provide incentives for energy-efficient forms of development, allowing the use of alternative energy sources and allowing the sizing and siting of facilities so as to minimize energy use.*
- J. *Establish standards of design with respect to lighting and other physical aspects of building development that minimize off-site impacts through shielding, buffering and similar measures.*

Goal 5: Provide for Housing Opportunities for All Segments of the Community

Families and individuals of all income levels reside in the Town of Delaware and need continued access to decent and affordable housing with proper community facilities. The special needs of young families looking for their first home and senior citizens on fixed incomes must be addressed.

Objectives:

- A. *Allow residential development within designated areas at a density of approximately one dwelling unit per acre so as to accommodate moderately priced housing for existing residents and workers.*
- B. *Encourage the rehabilitation and adaptive reuse of existing older homes which typically are larger and more difficult to maintain, especially for individuals on fixed incomes.*
- C. *Investigate and encourage participation in all county, state and federal housing rehabilitation and assistance programs to assure Town residents have the opportunity to receive full benefit from such programs.*
- D. *Require in the subdivision law the formation of Homeowners Associations, where applicable, to assure the continued private ownership and proper maintenance of all improvements and facilities associated with new residential development (roads, recreational amenities, sewer and water utilities and the like).*

Goal 6: Provide Community Facilities and Services to Meet Future Needs

Town residents rely on community and public facilities and services to meet their transportation, educational, water supply, sewage disposal, police protection, emergency response, recreation and other daily living needs. A small rural town does not, and cannot, provide all the facilities and services demanded by its residents. Many such services are provided by other levels of government or volunteer organizations. Nevertheless, the Town is responsible for certain community facilities and services, and recognizes the need to provide the same cost effectively.

Objectives:

- A. *Systematically identify local community facilities and services needs and develop a capital improvements budget to meet the needs.*
- B. *Encourage and support volunteer fire, ambulance and other public service organizations.*
- C. *Implement a program of sewerage for those densely populated portions of the Town with serious health threats stemming from inadequate sewage disposal (e.g., Hortonville).*
- D. *Assure that adequate and safe water supply and sewage disposal, well designed and constructed roads, and other facilities are provided by developers as part of any residential development.*
- E. *Cooperate with other area local governments in regard to community facilities planning, sharing of equipment and taking advantage of economies of scale in joint purchasing and providing for recreation and other services.*

Goal 7: Safely and Efficiently Move People and Goods Through the Town

Safe and well maintained roads are vital to all communities, serving not only as the means of travel within the community, but as the direct link to the region and beyond. The Town has direct jurisdiction over many of the roads in the community, being responsible for improvements and maintenance, with the more heavily traveled routes

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generally owned and maintained by the county and state. The Town has responsibility to maintain its roads in a condition adequate to meet the volume of traffic carried.

Objectives:

- A. *Inventory and classify according to function all public roads in the Town and assess maintenance and improvements needed.*
- B. *Develop a road and intersection maintenance and capital improvements program to upgrade roads to the expected classification and coordinate implementation with the county and state.*
- C. *Maintain an up-to-date Town road ordinance setting standards for construction of public roads and establishing procedures for dedication to the Town.*
- D. *Maintain the adequacy of roads by requiring adequate off-street parking and loading, limited curb cuts, and well defined access points.*
- E. *Require, when approving new or expanded uses, the issuance of highway occupancy permits by the Town, County or State, as applicable.*
- F. *Maintain an up-to-date Town road occupancy ordinance setting standards for driveway access to Town roads and stormwater and utility improvements within the road right-of-way.*
- G. *Mitigate higher traffic impact development by limiting it to areas with adequate highway capacity to accommodate such development, applying reasonable impact fees negotiating off-site highway improvements in conjunction with development approvals.*
- H. *Actively participate in all county and state highway planning programs to assure the Town's needs are addressed.*
- I. *Require, wherever possible, the use of joint highway accesses onto Town, County and State roads and the use of marginal access roads to minimize the potential traffic conflicts.*

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- J. Reduce speeds on those roads possessing specific hazards and avoid new hazards by adopting speed restrictions and using traffic calming measures in conjunction with new development.*
- K. When reviewing site plans, require new roads to be designed to preserve natural topography and tree cover, minimize cuts and fills and preserve important views and features such as stone walls.*
- L. Require developers to provide for walking as well as vehicular connections to adjacent land uses and open spaces wherever practical.*
- M. Where practical, scale street widths and alignments to neighborhood size (typically 18 feet width) while meeting minimum standards for safety and maintenance.*
- N. Require land developers to mitigate existing traffic safety issues, wherever possible, with offsite improvements.*

PLANS

The individual plans contained in this update are intended to build on the foregoing Goals and Objectives by setting out specific recommendations for implementation.

LAND USE PLAN

Existing Land Use Controls

The Town amended its Zoning Law and adopted a number of land use control provisions based on recommendations of the 1983 *Master Plan* including subdivision regulations, a mobile home law, a recreational vehicle park law and a junkyard law. Both the Zoning Law and the zoning map were extensively revised and updated in 1993 to strengthen density, environmental, development performance, and community facility requirements and controls and to address the recommendations of the *Upper Delaware River Management Plan*. Additional revisions were made in 2006, concurrently with this update to extend the provisions of the Town Subdivision Law to smaller subdivisions, expand Callicoon commercial zoning and simplify sign regulations. These regulations, along with several other special purpose laws adopted by the Town, now include standards for road construction, wetland protection, floodplain management, storm water control, setbacks from waterbodies and wetlands, development on steep slopes, soil erosion and sedimentation, earth disturbance and forest clear cutting.

The Subdivision Law provides standards for the development of residential and non-residential projects, assuring the provision of adequate community facilities such as roads, water supply and sewage disposal, utilities, proper highway access and storm water control. The Zoning Law, in addition to the typical regulations governing lot size, setbacks and building height, includes specific standards for a broad range of land uses including for example: signs, junkyards, solid waste facilities, home occupations and multi-family dwellings.

Also included in the Zoning Law are general performance standards on facility operation and storage, fire and explosion hazards, radioactivity and electrical disturbance, vibration, lighting and glare, smoke, odors, air pollution, surface and groundwater protection, and waste material disposal; and, special standards for development in the Upper Delaware Corridor. The Zoning Law also designates certain uses as special

uses requiring site plan review which enables the Planning Board to review each project and attach conditions of approval necessary to protect the public interest. The requirement for compliance with the State Environmental Quality Review Act is also incorporated in both the Zoning and Subdivision Laws. Summarizing, the Town has adopted a wide range of land use control measures which can be effectively used to assure rational community development.

Future Land Use

The Town's proximity to metropolitan areas, coupled with its attractive rural character, is expected to continue to stimulate new residential development. At the same time, increased demand for retail and service establishments will be generated by the residential development. The need to provide improved employment opportunities in the community is recognized, as is the importance of preserving agriculture as part of the fabric of the Town and maintaining existing and encouraging new recreation based businesses. It is the intent of the Town to conserve the community's rural/agricultural character, while concurrently encouraging economic development and job opportunities consistent with the rural character.

Based on this philosophy and *Comprehensive Plan Update*, the Town of Delaware reaffirms its current zoning map, and the densities established by the Zoning Law, as its future land use plan in terms of the location and separation of residential, commercial, industrial and public land uses. The plan will be implemented by the continued enforcement of the Town Subdivision Law, Zoning Law and other special purpose regulations.

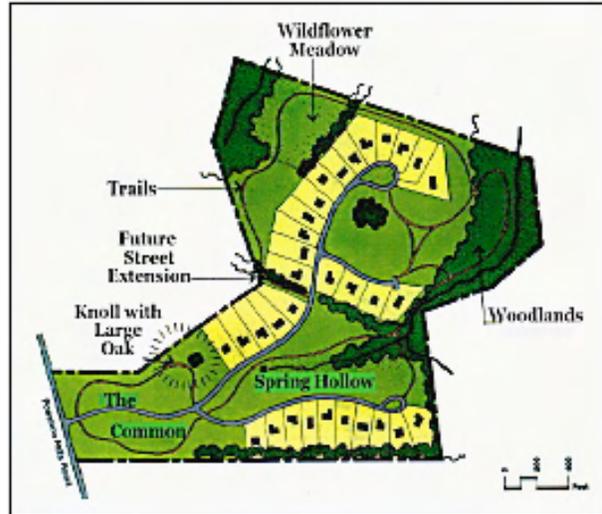
Open Land Preservation

Open land is a key ingredient of the Town of Delaware's attractive rural character, and the Town should encourage the conservation of open land with incentives. The Town Zoning Law has always provided for cluster development where reductions in minimum lot sizes are allowed so as to set aside land as permanent open space. This technique also reduces development costs given shortened road, water and sewer line length, minimizes long term maintenance costs of such improvements and limits the negative environmental affects from soil disturbance and storm water runoff. The Natural Lands Trust, a nationally known land conservation organization suggests the cluster concept be taken to a higher level by providing incentives (or disincentives) to encourage the

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conservation of open land and establishing specific techniques for the design of open space subdivisions.

The Natural Lands Trust suggests in its *Designing Open Space Subdivisions, A Practical Step-by-Step Approach* how cluster developments can be turned into “conservation subdivisions.” Incentives typically include allowing higher density for open space design. Alternatively, a disincentive could be applied to traditional land subdivision but this is impractical in the Town of Delaware where a market has yet to be created for these types of lots and smaller lots have not sold well, discouraging



landowners and developers from pursuing the concept. Some communities have mandated the use of open space design for all development but, once again, the Town’s limited experience with this form of development suggests it does not yet sell well and, therefore, has to be first introduced successfully with positive incentives.

Assuming some positive incentives for conservation subdivision can be created (this is recommended), the design process involves the following six steps:

1. Yield Plan

The number of units that can be developed on the site using the traditional subdivision approach is first determined through a process of negotiation between the landowner/developer and the Town Planning Board. This basic number establishes threshold density for purposes of applying any incentives that may be given.

2. Conservation Areas

All potential open space areas including primary conservation areas such as soils suitable for on site sewage systems, waterbodies, floodplains, wetlands and very steep slopes are identified and mapped. These are areas generally to be avoided. Secondary conservation areas such as mature woodlands, prime

farmlands, significant wildlife habitats, historic, and cultural features and views into and out from the site are also identified and mapped. These are areas that should be worked into the plan to maximize value to both the community and the developer.

3. Potential Development Areas

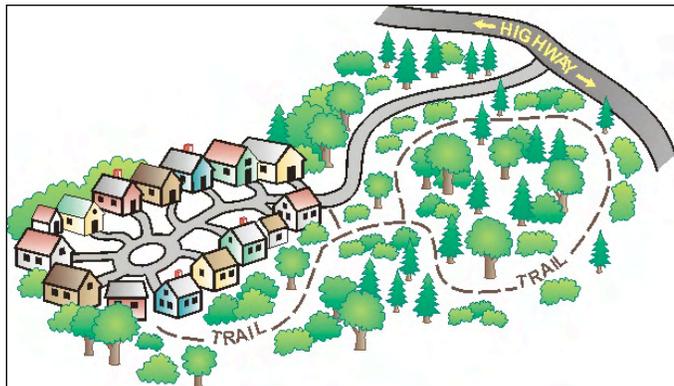
Using the map of primary and secondary conservation areas, potential development areas that are free of major development constraints and offer the opportunity to best take advantage of other site features are identified in general terms. This process is designed to assess where groups of houses can be logically located on the site.

4. Potential Home Sites

Once potential development areas are identified, the design process moves to pinpointing where individual units should be located, focusing on how to take advantage of views, soils suitable for community septic systems and similar features.

5. Design of Roads and Trails

Once the best house sites are identified, road alignments and trails are designed to provide efficient access with the least impact on conservation areas, taking advantage of the tract's natural assets.



6. Lot Lines

The final step in designing a conservation subdivision is the drawing of lot lines at the reduced lot sizes permitted. This permits conservation of the valuable open land designated at the outset. Placing the drawing of lot lines at the end of the process, rather than the beginning, as is normal with traditional land subdivision, maximizes both conservation and development value.

Specific Recommendations

The following specific measures are recommended to implement the Land Use Plan:

- A. *Monitor the effectiveness of Town land use laws and update as necessary.*
- B. *Encourage with incentives (but not mandate) the use of "conservation subdivision" to conserve sensitive natural areas and preserve agricultural land and open space; designating conservation areas for protection of wetlands, floodplain, very steep slopes and scenic views; and putting houses on the most developable areas of the tract.*
- C. *Support and encourage efforts of County and State agencies to maintain agriculture as an important part of the local economy.*
- D. *Evaluate all land use control actions (zoning amendments, subdivision regulations, etc.) to ensure agriculture is not negatively affected.*
- E. *Provide for the development of needed retail and service establishments to meet the needs of new Town residents, and allow for small scale manufacturing and industrial development to provide local job opportunities; but continue to rely on the region as a whole, where community facilities are more adequate, to absorb major commercial and industrial development.*
- F. *Cooperate with area economic development organizations to diversify the local economy by creating zoning that will help facilitate pursuit of agricultural and other tourism opportunities and encourage small businesses (e.g. metal fabrication) that are not infrastructure dependent as well as similar enterprises, including home occupations and telecommuting.*
- G. *Discourage the use of non-soil based sewage disposal methods to match development to the carrying capacity of the land.*
- H. *Update stormwater management procedures and standards to comply with New York State law and encourage natural methods of control.*

COMMUNITY FACILITIES PLAN

Community facilities and services are provided by all levels of government, and in certain cases, by non-profit organizations. This element of the Comprehensive Plan update focuses on those facilities and services that are under the direct jurisdiction of the Town. This is not to imply the Town Board should ignore the quality and adequacy of the community facilities and services provided by other entities. Instead, the Town should monitor those facilities and services to assure the needs of Town residents are being addressed.

Town Buildings

The Town Hall houses all necessary Town functions, but is only marginally adequate. Renovations of the first floor improved the efficiency of use of the available space, but it is being used to its maximum with little room for storage and meetings. The *1983 Master Plan* identified the same need suggesting *the* “Town consider an expansion to the existing Town Hall facility to provide space for the storage of records and to provide slightly more room for attendance of the public at Town meetings.” The Town has since purchased the existing facility and intends to renovate and expand the office space. Increased demands on local government over the past two decades have added to the need for additional administrative space but the capital cost of building new is high and one of the appealing features of the Town are its relatively low taxes in a high tax state. Therefore, the Town has been wise to rent space in other public buildings as needed. This continues to be an option in the short-term, while the Town pursues long-term solutions. The Town should consider creating rentable space in any new building for use by other entities who can help pay the associated debt. This has been done in a number of other towns where space has been rented to the Postal Service, for example.

The Town highway maintenance facility is a poor location along the stream and needs to be replaced by a larger facility with an accompanying salt shed and more garage space. The Town Board and Highway Superintendent need to initiate planning for a new barn.

Emergency Services

Four volunteer fire companies and two ambulance corps provide emergency service throughout the Town. The various locations of the fire companies, combined with

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mutual aid agreements, appears to provide adequate coverage for the Town. The companies are very active in terms of maintaining and improving service and provide an invaluable service to the Town of Delaware community in these times when many communities are unable to muster an adequate number of volunteers to provide emergency services. The Hortonville Fire Department is in the process of creating new space for its operations to replace an aging building. Other fire departments have adequate facilities.

Police Protection

The Town Board has determined that continued reliance on the County Sheriff Department and the New York State Police is the most reasonable at present given the quality of the service and the financial resources available versus the cost of providing local police protection.

Utilities

Utilities in the Town of Delaware will continue to be provided by private, state regulated utility companies. The Town Subdivision Law requires adequate community facilities, including utilities, for all new development, and will be enforced accordingly.

Water Supply

Drinking water in the Town is taken primarily from individual and community private wells, and this means is proposed as the principal method for the future. In cases where new, higher density subdivisions are proposed, privately owned community water supply meeting NYS Department of Environmental Conservation and Department of Health requirements can be provided in accord with the Town Subdivision Regulations. The Town anticipates no extension of public water lines from outside the Town nor the creation of any local municipal water company.

Sewage Disposal

On-site sewage disposal systems installed in accord with state standards are the best means of sewage disposal for most new development in the Town, although careful monitoring of existing on-lot systems is also demanded. This is consistent with the plan to rely on the carrying capacity of the soil to determine density of development, rather

than to encourage higher density by the construction of sewage treatment plants discharging to streams. At the same time, the Town recognizes the need to provide for the proper operation and maintenance of the Town-owned Callicoon sewage treatment system and cooperation with the Village of Jeffersonville to provide continued service to the Kohlertown area. The Town will also monitor the current operation of the Villa Roma treatment system and evaluate its use for any future development.

Solid Waste Disposal

The Town plans no direct municipal participation in the collection and disposal of solid waste, which is currently conducted by private haulers. The Town, under the authority of state statute, has the authority to adopt an ordinance to regulate the collection and disposal of solid waste. The Town will monitor the adequacy of private hauler solid waste collection and disposal system, and should any deficiencies be identified, take corrective measures via municipal ordinance. A local ordinance can address such concerns as collection frequency, types of containers, method of transport, destination of disposal and fees charged.

Recreation

Recreation facilities are available to Town residents at the Delaware Youth Center, the school districts and neighboring municipalities. Town residents have not voiced any particular demand for direct Town provision of additional recreation facilities, and given the many other service and facility demands currently facing the Town, this *Plan* does not propose any new Town recreation facilities. Nevertheless, the Town will monitor the need for recreation facilities and cooperate with the Youth Center and other entities providing facilities. Also, a new park has been created along the Callicoon Creek, behind Callicoon's Main Street, which is used for the framers' market.

Stormwater Control

The Town has no existing stormwater management facilities under its direct control, but new development is demanding more and more stormwater facilities. While such facilities are likely to remain private, subject to the management of homeowner associations, they do raise the issue of oversight to prevent exacerbation of flooding problems. The Town needs to develop a policy to ensure the ongoing maintenance of such facilities is financially guaranteed and regularly inspected.

HIGHWAY PLAN

Road Improvements

Given the current economic condition of the Town and limited availability of state and federal funds for the construction and reconstruction of locally important roads, this update takes a practical position with regard to road improvements. With the exception of new roads constructed by developers as part of residential subdivisions, no new road construction in the Town is anticipated in the near future. The Town will focus on the maintenance and improvement of existing Town roads, and monitor the need and ability to correct specific width and alignment problems which would require reconstruction as traffic volumes dictate and available funds allow. Improvements will be evaluated by the Town Board and prioritized to address road functional classifications set forth herein.

The principal concern with Town roads are those routes that serve the Villa Roma Resort and associated residential development. Increasing amounts of traffic, including buses and heavy service and construction vehicles, coupled with the less than adequate width and severe curves, suggests improvements are needed. Short term improvements could include an evaluation of traffic control signs, and long term improvements will likely involve significant capital expenditures. In any case, the Villa Roma Road should continue to be a priority.

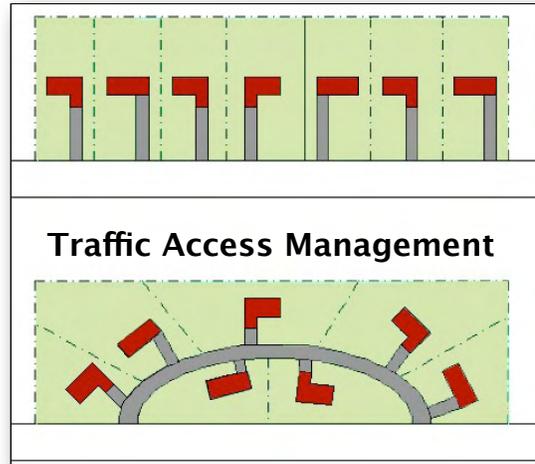
Town officials have no direct control over the improvement of County and State roads. Nevertheless, the Town will work with the County Department of Highways and the New York State Department of Transportation to identify needed road improvements.

Subdivision Roads

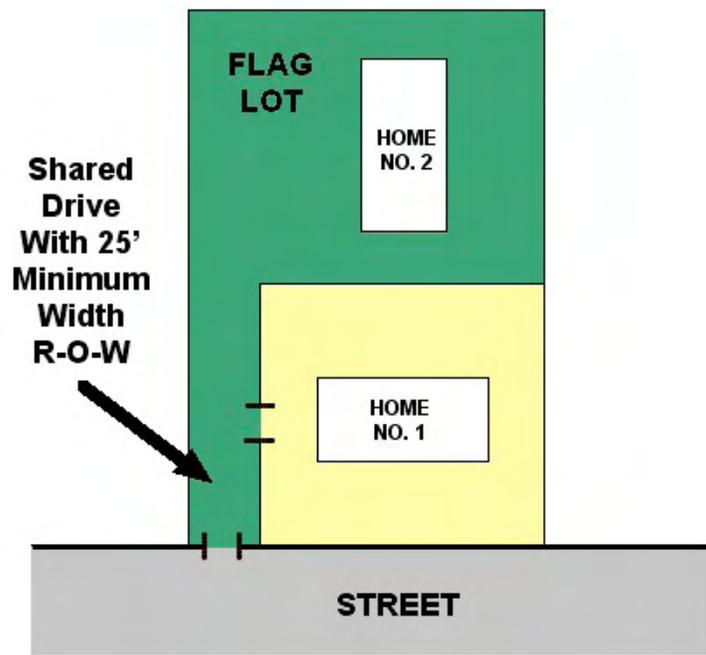
New road construction in the Town of Delaware is associated with residential development. The Town Subdivision and Road Laws set standards for road layout, design, and construction. The Town Road Law is designed to assure any dedicated roads meet current engineering design and construction standards. This Law has been applied as a guide for all new road construction in subdivisions, even where roads are to remain private, although some exceptions on paving requirements have been granted to encourage retention as private roads.

Traffic Access Management

Detailed traffic access management criteria should be incorporated in zoning standards and regularly applied in development reviews. While State and local regulations need to be compatible, municipal standards should apply in addition to State and County standards, particularly in regard to traffic study requirements. All major commercial and residential projects should include traffic studies to ensure safe and convenient highway and intersection levels of service are maintained.



The Town also needs a clear policy with regard to flag lots and use of private drives. This policy should encourage limited use of these techniques to produce more infill development in and around Callicoon, Hortonville, Kohlertown and other hamlets, particularly where support infrastructure exists. Traffic access management standards should also encourage joint driveways, connected parking lots and other mechanisms that will reduce traffic conflicts and the need for excessive driveway entrances onto highways.



HOUSING PLAN

The Town of Delaware's approach to regulating housing types and densities is typical of small, rural municipalities. However, Town officials must continually evaluate their local regulations to ensure they allow and encourage the development of affordable housing. Barriers to affordable housing and means of reducing housing costs are directly linked to land costs per unit which are largely determined by the number of units permitted per acre. Local municipalities must also recognize that housing needs cannot be addressed entirely at the local level. The Town must look to public agencies and housing programs, and their contacts with private affordable housing organizations, for assistance and to assure residents' access to federally funded housing development, rent assistance and housing rehabilitation programs.

Specific Recommendations

The following are recommended housing policies for the Town of Delaware:

- A. *Work with Sullivan County to maximize housing rehabilitation program funding for eligible Town residents.*
- B. *Assess Town land use control barriers to affordable housing and make necessary adjustments based on the need.*
- C. *Consider use of cluster development, planned residential development, and other incentives for providing more affordable housing.*
- D. *Consider increasing densities for single-family, two-family and multi-family dwellings in areas served by public sewer and water.*
- E. *Review and reconsider Town land use standards not directly linked to public health and safety that serve to unnecessarily increase housing costs without commensurate gains in preserving Town character and open spaces.*
- F. *Consider the employment of measures that would ensure a minimum percentage of housing units in large residential developments are targeted toward work force housing.*

IMPLEMENTATION STRATEGIES

This *Comprehensive Plan* provides a framework for the future growth and development of the Town of Delaware. Although it is comprised of four separate elements, each element is inextricably interrelated with the others. Housing goals, for example, cannot be accomplished without taking into account land use regulation and economic development trends. Community facilities and services planning requires an assessment of future development, transportation needs and housing affordability. Many of these relationships are discussed in the individual *Plan* elements. Other relationships are addressed in this section.

A key theme of this and previous *Comprehensive Plan* updates has been the conservation of the Town's rural-agricultural character, while allowing for change and economic development. Major actions taken by the Town should be initially assessed in terms of their impacts on the area's character. For example, the success in providing additional central sewage disposal capacity will in all probability result in the development of more land at higher population densities. Increases in population will, in turn, trigger the need for improved or new community facilities and services such as schools and police protection. Likewise, attempts to slow growth by simply increasing lot sizes can make land unaffordable for existing residents and increase the pace at which open space is consumed. Public actions, like the private activities they are intended to control or serve, often have unintended impacts, every action generating a reaction.

The foregoing *Comprehensive Plan* elements include the following overall recommendations:

- A. *Identify areas for growth both within and adjacent to existing developed areas.*
- B. *Direct development away from environmentally sensitive areas and conserve large blocks of open land.*
- C. *Implement mechanisms to better relate the timing of growth to the capabilities of the area's community facilities.*

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- D. *Recognize agriculture as a critical component of the Town's character and economy and take all necessary actions to preserve agricultural land and activities.*
- E. *Encourage a mix of business and commercial development in appropriate locations in the Town.*
- F. *Encourage a variety of housing types and provide for affordable housing.*

Many of the resources, programs and techniques available for implementing these *Comprehensive Plan* recommendations are not within the direct control of local government. Although land use regulation, for example, is the responsibility of local government, the funding, construction and maintenance of major roads and improvements have historically been the responsibility of the state and federal governments. Likewise, most of the demand for goods and services generated by population growth are met by private enterprise. Therefore, the implementation of this *Comprehensive Plan* requires broad-based community involvement and coordination among various public and private sector organizations. The key implementation strategies include:

- A. *Development of short-term and long-term capital improvements program to prioritize needed improvements and allocate funds to these projects; with annual progress evaluations and adjustments in capital project timing and capital equipment purchases (see discussion on next page).*
- B. *Continuing education for local officials via seminars and workshops;*
- C. *Enforcement of existing land use regulations, and on-going updating of these, to effect the land use plan, preserve agricultural land and activities and achieve community facilities and services and housing objectives;*
- D. *Focusing of limited Town resources on those community facilities and services that are most critical to meet resident needs;*
- E. *Monitoring of community facilities and services provided by the county, state, and federal government to assure such services are efficiently and effectively delivered;*

- F. *Participating in county, state and federal grant funding programs, where appropriate, if such programs can be used to achieve valid community development objectives without excessive cost or delay.*

Capital Improvements Program

The capital improvements program (CPI) is one the most important of tools for the implementation of a comprehensive plan. Although not legally binding, the capital improvements program includes and establishes a time frame for the long-term capital expenditures planned by a municipality. A capital expenditure may be defined as an outlay of municipal funds to purchase, improve or construct a piece of equipment or a facility that is expected to provide service over a long period of time. Typically, a capital expenditure is relatively large when compared to normal operating expenditures included in the budget. Examples include, the construction of major improvements to the Town Hall, land acquisition for a new Town Highway Barn, recreation facilities, highway improvements, and vehicle purchases.

The Town must prioritize its capital needs. One method is to divide needs into four categories: essential, desirable, acceptable, and deferrable. The Town must also consider the revenue side of the equation. The CPI is by necessity an on-going process which must be reevaluated annually, with a planning period of five years being typical. A variety of CPI techniques are available and the Town should develop one which best suits its needs.

BACKGROUND STUDIES

A - DEMOGRAPHICS

The demographic composition of a community is affected by its geographic, physical and economic character. The current demographic makeup of both the Town and the regions from its new residents come has a great impact on how it will develop and how demands for community facilities and services can be expected to evolve. The Town of Delaware and, indeed, all of Sullivan County are very much affected by New York City metropolitan area growth, for example, as well as that of all the areas between here and there. Gaining an understanding of these changes, therefore, is critical to planning.

Historic Population and Recent Trends

The Town of Delaware lies along the Delaware river in western Sullivan County. Similar to the other southeastern counties in New York, Sullivan County remains largely rural but lies at the very edge of the metro area. Beginning in the mid-1960's, residents from nearby metropolitan and suburban areas of New Jersey and New York "discovered" Sullivan County as a place within an easy commute that offered an affordable haven from the rigors of urban life. Thousands of lots were platted around the County in response to the demand for recreation/second homes,. Most of these homes were used as vacation homes, and in many cases, became retirement homes as the owners completed employment obligations in the metro areas. Although the Town of Delaware has not seen the second-home impact or recent population growth of some of its neighbors, the impacts of metro area on growth are obvious and also stimulate much tourism.

The demographic composition and community character of the Town of Delaware and Sullivan County have changed significantly over recent decades, moving from a very rural, agricultural community to a more second-home, recreation oriented community linked to nearby metropolitan and suburban employment centers. Given the geographic location of the Town, with easy access to the interstate highway system and appealing rural character, the continued long term, moderate growth of the Town is relatively certain. The rate of growth will depend on economic and job opportunities as well as the continued appeal of the area as a vacation and retirement area.

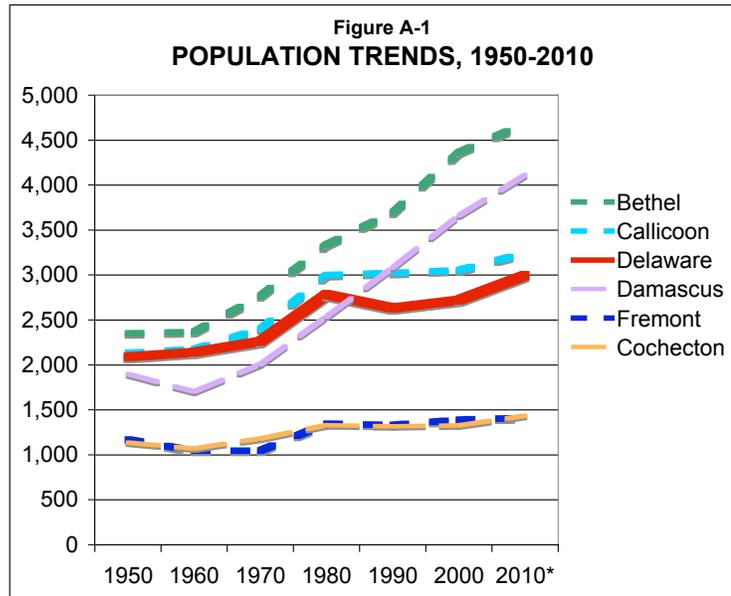
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The historical population growth of the Town of Delaware, along with that of neighboring municipalities, is presented in Table A-1 and Figure A-1 following.

Table A-1 POPULATION TRENDS - TOWN OF DELAWARE AND NEIGHBORS, 1950-2000							
Town	1950	1960	1970	1980	1990	2000	2010*
Bethel	2,351	2,366	2,763	3,335	3,693	4,362	4,682
Callicoon	2,134	2,176	2,398	2,998	3,024	3,052	3,240
Delaware	2,089	2,141	2,260	2,783	2,633	2,719	2,995
Damascus	1,898	1,703	2,006	2,536	3,081	3,662	4,114
Fremont	1,170	1,047	1,047	1,346	1,332	1,391	1,411
Cochecton	1,136	1,070	1,181	1,330	1,318	1,328	1,434
Total	10,778	10,503	11,655	14,328	15,081	16,514	17,876
% Change	N/A	-3%	11%	23%	5%	10%	8%
Sullivan	40,731	45,272	52,580	65,155	69,277	73,966	79,112
% Change	N/A	11%	16%	24%	6%	7%	7%

* 2010 projections based on straight-line extrapolation of Census Bureau estimates of 2000-2005 gains.

The Town's population grew steadily between 1950 and 1980, increasing by almost 700 persons. Most of this occurred between 1970 and 1980 when the Town grew by 523 persons or 23%. This coincided with a gain of 160 housing units and opening of the Delaware Valley Jobs Corp Center. If 430 persons in group quarters are deducted to isolate impacts of the latter, the 1980 population was 2,353 persons, a gain of only 4.1% over 1970.



The Job Corp Center also had an impact on the population of the Town during the 1980's, but has had few effects since then. The 1990 Census reported a loss of 150 persons compared to the 1980 population of the Town. However, the group quarters population declined by 69 persons to 361, accounting for almost half the loss. It then increased slightly to 384 individuals in 2000 (and was 398 in 2007). Therefore, the group quarters population had very little impact on the growth of the Town in the 1990's.

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The Town's recent rate of growth, based on the Bureau of the Census population estimates for 2000-2005, exceeds those of all of its New York State neighbors. Its estimated 2005 population was 2,857 persons, suggesting it is growing at a rate of 10.2% per decade, compared to 8.0% for Cochection, as an example. Only Damascus Township in Pennsylvania is growing faster. There is no indication the Job Corps Center has affected the recent numbers.

Table A-2 POPULATION TRENDS - TOWN OF DELAWARE AND NEIGHBORS, 1950-2000							
Town	1980	1990	% Chg.	2000	% Chg.	2010*	% Chg.
Bethel	3,335	3,693	10.7%	4,362	18.1%	4,682	7.3%
Callicoon	2,998	3,024	0.9%	3,052	0.9%	3,240	6.2%
Delaware	2,783	2,633	-5.4%	2,719	3.3%	2,995	10.2%
Damascus	2,536	3,081	21.5%	3,662	18.9%	4,114	12.3%
Fremont	1,346	1,332	-1.0%	1,391	4.4%	1,411	1.4%
Cochection	1,330	1,318	-0.9%	1,328	0.8%	1,434	8.0%

* 2010 projections based on straight-line extrapolation of Census Bureau estimates of 2000-2005 gains.

Population Projections

The 1983 *Master Plan* projected the Town's permanent population would reach 3,060 persons by 1990 and 3,340 persons by 2010. The actual Census counts and population estimates analyzed above indicate this was too optimistic. The Town population decline by 150 persons between 1980 and 1990 demonstrates projections beyond a few years are meaningless given the small population base, the effect of the institutional population, and the volatile nature of growth in areas so affected by the metro area market forces. It can be said, however, the Town is unlikely to experience large population increases, compared to national trends (13% gain for the 1990's), over the next 10 to 15 years. A Town of Delaware population of 3,300-3,500 is not out of the question by 2020, if growth continues, but this is probably the upper end of any projection that can be made based on current trends.

Age of Population

The age of a community's population is an important factor in determining the community facilities and services that must be provided currently or in the future. Many of those services are age dependent and provided by public entities other than the

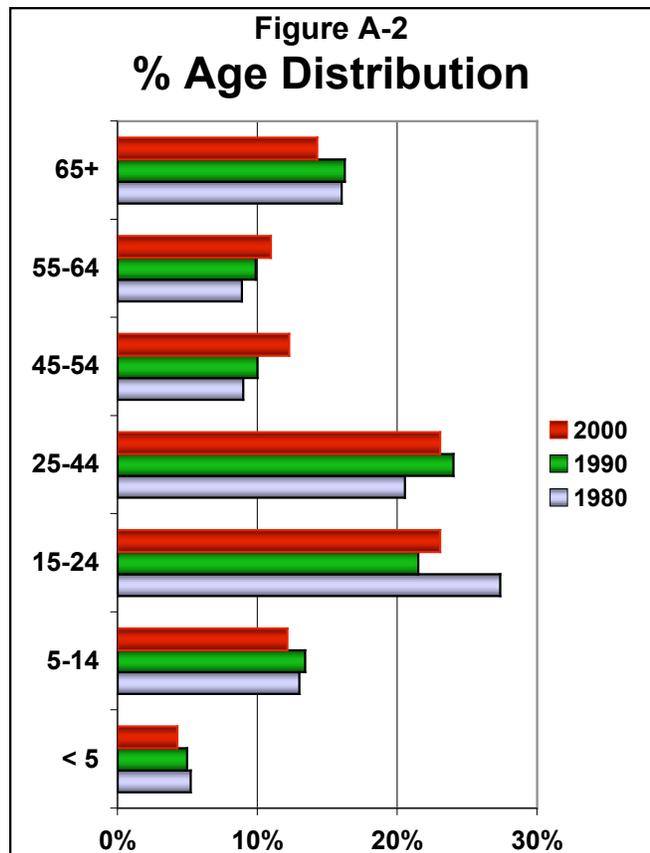
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Town. The number of children determines the size and type of educational facilities and services provided by the school district, while an aging population will require more social services from county and state agencies. Table A-3 Population Age Distribution, includes age data for the Town for 1980 and 1990. (See also Figure I-2.)

Table A-3 POPULATION AGE DISTRIBUTION, 1980-2000						
Age Category	Persons	%	Persons	%	Persons	%
	1980	1980	1990	1990	2000	2000
< 5	145	5.2%	131	5.0%	116	4.3%
5-14	362	13.0%	353	13.4%	330	12.1%
15-24	761	27.3%	566	21.5%	627	23.1%
25-44	572	20.6%	632	24.0%	627	23.1%
45-54	250	9.0%	263	10.0%	333	12.2%
55-64	247	8.9%	260	9.9%	298	11.0%
65+	446	16.0%	428	16.3%	388	14.3%
Total	2,783	100.0%	2,633	100.0%	2,719	100.0%

Source: U.S. Census, 1980-2000

The principal change in the age of the Town's population occurred in the under 5 years and 45-64 year old groups, while the other age groups have varied in pattern. The under 5 years has steadily declined while the 45-64 year old groups have increased over the two decades. The decrease in Job Corps Center participants the drop in 15-24 year olds in the 1980's. Generally, the pre-school and elementary school age population had been dropping on a relative basis while the working age population has been growing. Interestingly, the proportion of the population aged 65+ years declined in the 1990's, suggesting some changes in the pattern of in-migration toward younger pre-retirement households.



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Housing Stock

The 2000 Census reported a total of 1,337 housing units in the Town of Delaware (see Table A-4). This represented a 7.5% increase, up slightly from the 6.2% housing growth rate between 1980 and 1990, but far below the 1970's when housing units jumped by 16.1%. The Town of Delaware housing stock expanded faster than Sullivan County as a whole but the latter's numbers (and Bethel's) are distorted by the removal of old bungalow colonies. Interestingly, the Delaware rate of housing growth was about half that of adjoining Damascus Township in Pennsylvania, reflecting the different housing values, taxes and discount relationships that prevail in the two states.

Table A-4 HOUSING UNITS, 1980-2000					
Municipality	Housing Units 1980	Housing Units 1990	% Change	Housing Units 2000	% Change
Bethel	4,425	3,693	-16.5%	3,641	-1.4%
Callicoon	1,562	1,648	5.5%	1,797	9.0%
Cochecton	817	889	8.8%	955	7.4%
Damascus	1,535	1,956	27.4%	2,248	14.9%
Delaware	1,171	1,244	6.2%	1,337	7.5%
Fremont	843	1,084	28.6%	1,182	9.0%
Total	10,353	10,514	1.6%	11,160	6.1%
Sullivan County	45,863	41,814	-8.8%	44,730	7.0%

Source: U.S. Census, 1980-2000

Owner-occupied units account for an increasing share of the housing stock (54.4%), compared to renter-occupied units (17.1%). Table A-5 explains. Nevertheless, the owner units represent a relatively large share of the Town's housing stock. This is probably attributable to upper story apartments and other multi-family units in the hamlet of Callicoon, although the Villa Roma resort may also be a factor.

Table A-5 also indicates seasonal housing growth, after slowing significantly between 1980 and 1990 as compared to the 1970's, expanded again by 18.0%. This confirms a resurgence in second-home activity that has been evident from new development patterns within the Town over the past several years. Units used seasonally or occasionally for recreation use accounted for 22.0% of the housing stock in 2000, a rapidly growing share.

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**Table A-5
HOUSING TENURE AND VACANCY STATUS, 1980-2000**

Unit Type	Housing Units 1980	Housing Units 1990	Change	Housing Units 2000	Change	% Change
Owner Occupied	670	670	0	727	57	7.8%
Vacant Units for Sale	14	41	27	25	(16)	-64.0%
Renter Occupied	209	218	9	229	11	4.8%
Vacant Units for Rent	23	29	6	14	(15)	-107.1%
Seasonal/Occasional	231	241	10	294	53	18.0%
Other Vacant	24	45	21	48	3	6.3%
Total Housing Units	1,171	1,244	73	1,337	93	7.0%

Source: U.S. Census, 1980-2000

The number of manufactured (mobile) homes has recently declined after increasing between 1980 and 1990 (see Table A-6). Growth during the 1980's reflected the need for affordable housing. That need remains, but land values have also risen, making it difficult to justify use of it for manufactured homes. This trend is apparent throughout many parts of the region, with many towns experiencing losses of manufactured housing. Nonetheless, manufactured homes still represent 9.7% of the housing stock.

**Table A-6
HOUSING STOCK BY STRUCTURE TYPE, 1990-2000**

Structure Type	Housing Units 1990	Housing Units 2000	Change	% Change
Single-Family Detached	925	996	71	7.1%
Single-Family Attached	8	61	53	86.9%
Two-Family	73	78	5	6.4%
3-4 Unit Structures	34	48	14	29.2%
5+Unit Structures	26	22	(4)	-18.2%
Manufactured Homes	147	130	(17)	-13.1%
Other	31	2	(29)	-1450.0%
Total Housing Units	1,244	1,337	93	7.0%

Source: U.S. Census, 1990-2000

The predominate type of housing unit in the Town of Delaware is the single-family detached dwelling, which comprised 74.5% of the total stock in 2000, about the same as it did in 1990. Single-family attached units have increased dramatically as a result of

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Villa Roma time-shared unit construction, but most of these units are more properly classified as multi-family and should have been included in other Census categories, there being very little real single-family attached housing in the Town. Multi-family units comprise a growing part of the housing stock, primarily due to the various condominium projects associated with the Villa Roma Resort.

The Census data for 1990 and 2000 includes a number of other demographic characteristics highlighted in Table A-7 below. These are self-explanatory in nature.

Table A-7 GENERAL DEMOGRAPHIC CHARACTERISTICS, 1990-2000				
Demographic Characteristics	1990*	2000	Change	% Change
Housing				
Median housing value	\$110,526	\$92,000	(\$18,526)	-20.1%
Median contract rent	\$442	\$494	\$52	10.5%
Family households with children	283	271	(12)	-4.4%
Place of residence 5 years earlier (persons)				
Same State - Different County	427	402	(25)	-6.2%
Different State or Country	358	258	(100)	-38.8%
Employment and Income				
Median household income	\$39,383	\$40,145	\$762	1.9%
Median family income	\$47,287	\$45,875	(\$1,412)	-3.1%
Per capita income	\$13,316	\$17,884	\$4,568	25.5%
Persons below poverty level	621	539	(82)	-15.2%

B - LAND USE

A community's growth and development are affected by a broad range of interrelating factors including such things as regional location, the transportation system, extent of agriculture, natural resources, land suitability for development, community facilities, condition of the general economy, local land values and real estate taxes. A change in one factor will in all likelihood result in a change in another factor, and the overall character of the community. In short, how a community's character has developed and how it will change into the future, are the result of a complex interaction of sometimes opposing forces ranging from no growth, exclusionary land use controls to unbridled commercial and residential development. Land use patterns in a community are the result of this complex interaction played out over the community's history.

The challenge in developing a land use plan for the Town of Delaware is to strike a balance; that is to provide for the essential economic growth and development of the Town while, at the same time, protecting its scenic and natural environment and rural/agricultural character that has largely been the impetus for the Town's past development.

Importance of Regional Location

The importance of the effect of the Town's regional location on local land use patterns cannot be overemphasized. The Town is within easy access of all sections of the greater New Jersey and New York City metropolitan area. This access has historically provided a market for local agricultural products, and more recently resulted in much of the second-home and tourism development in the Town. Many commuters are also now locating in the Town of Delaware.



Development Pattern

The development pattern that has taken shape in the Town of Delaware in the recent past can best be characterized as recreation/tourism related. Most new development within the Town in recent years has been the residential in nature. Commercial development is concentrated in the Callicoon, Hortonville and Kohlertown areas, with a number of small businesses scattered throughout the Town. Most of the Town remains undeveloped and agriculture continues to be an important part of the community's character. Given this land use composition, economic activity in the Town provides relatively limited employment opportunities and, according to the 2000 Census, the average travel time to work for Town residents was nearly 27 minutes, up from 24 minutes in 1990.

The Town of Delaware's economy and resultant land use and development pattern has depended on its natural resources, for agriculture and tourism, and is inextricably linked to nearby metropolitan areas and environs. During much of its early history the Town of Delaware served as a source of natural resources and food supplies. Agriculture remains an important part of the local economy as cheese-making and other niche enterprises have developed. Service and retail sectors now stand out as the largest employers documenting Town reliance on the regional economy for employment.

However, this is not to say commercial development will never be a key ingredient of the Town of Delaware character. Indeed, Callicoon has been economically revived by the access road and park along the Callicoon Creek. These have made possible the opening up of the rear area of Main Street, a new convenience store and restaurant and a farmers' market. There are now several excellent restaurants in the hamlet. Over the long term, more retail and service establishments can be expected as the residential population increases and the demand for such businesses grows. Home occupations, although difficult to assess in terms of numbers and types, also appear to be becoming an important part of the Town's economy, fitting unobtrusively into the rural/residential character.

Development Balance

As noted earlier, achieving a balance between growth and development and maintaining the Town's character and natural environment will be the continuing land use challenge over the next several decades. As more and more people are attracted to the Town, the

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pressure for the development of vacant land will intensify. Associated with this development will be the pressure on agricultural and open land, the need for adequate water supply and sewage disposal and problems of soil erosion and sedimentation and stormwater as the construction of new roads and other impervious areas disturbs the soil and increases run-off. As development increases, the demand for services also increases. The need for road maintenance and up-grading and other community facilities is heightened, additional retail and service establishments are developed, school enrollment increases, more social services are demanded, and the criminal justice system must respond to a higher crime rate. Local, county, and school taxes increase to meet the need.

The Town's future land use, environmental quality and community character will evolve in response to the actions of community leaders and active citizens combined with the forces of the local and regional economy, and the demand for land and community facilities and services. The Town's growth and development must be tempered by the land's physical limitations and must be guided by the application of traditional and innovative land use controls that preserve its character for future generations and as an economic resource. Likewise, the Town's attempts at growth management must be tempered by the realities of the marketplace, the need for affordable housing and the desirability of economic development that will produce better jobs and a higher quality of life for residents. Balance, in a word, is the most important thing.

Land Use Overview

The Town of Delaware covers a total land area of 35 square miles. Geographically, the Town is the smallest municipality in Sullivan County. Much of this land area is held in relatively large parcels used for agriculture, forestry and hunting.

Residential Land Use

Residential use remains the principle type of developed land and is expected to continue as such. The most dense development is found in the Hamlets of Callicoon, Hortonville, Kenoza Lake and Kohlertown. Many single-family residences are also located on individual lots subdivided from large parcels over the years. A number of more recently developed single-family, residential subdivisions are scattered throughout the Town, including Delaware Ridge Estates and Kenoza Lake Estates. More recent development also includes the condominiums and timeshares at the Villa Roma Resort.

Commercial and Industrial Land Use

The greatest concentration of commercial establishments is found in the Hamlet of Callicoon, due in large part to the historical effect of the railroad; and, Hortonville, Kenoza lake and Kohlertown each include only a small number of commercial establishments. A few additional commercial establishment are scattered throughout the Town. These establishments are comprised primarily of small retail and service businesses serving the daily needs of residents and visitors, along with a number of small scale tourist lodging facilities. Town residents travel to nearby commercial areas in Honesdale, Monticello and Liberty for other retail and service needs, and often look to more distant metro areas for access to a wider variety of goods and services.

Public and Semi-Public Land Use

Publicly owned lands comprise only a very small part, less than 1%, of the Town's land area. Public land owners include the Town, the County, the State and the federal government. The Town-owned land includes the Road Maintenance Barn, and the Callicoon Creek Park and sewage treatment plant. The nine-acre Stone Arch Bridge Park is owned by Sullivan County and the Delaware Youth Center owns the Callicoon Delaware River Access, which is leased to New York State DEC. Finally, the Job Corps Center parcel is owned by the federal government.

Open Land

The Town of Delaware remains largely undeveloped, with forest and agricultural land comprising about 90% of the total land area. Some of the large open land parcels are owned by long established hunting clubs which are likely to maintain the land as open space as long as tax rates permit. Most of the larger parcels, especially agricultural land, are owned by individuals and the eventual fate of the land will depend upon the long-term economics of real estate taxes versus the economic return of the land. Given this high proportion of undeveloped land coupled with the current viability of agriculture and forestry, and the large parcel ownership pattern, the Town of Delaware can be expected to remain rural for many years. Nevertheless, it must be noted that much of this land is prime for residential development should the demand for housing or increases in real estate taxes (or a combination of both) push land owners into developing their land.

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According to the Cornell Cooperative Extension of Sullivan County, the Town of Delaware has one of the most productive agricultural communities in the County. Most of the Town is included in a New York State Agricultural District which affords certain advantages to farmers such as more difficult eminent domain procedures, nuisance protections and limits on local regulations that restrict agricultural practices. It also enables landowners to participate in the ag-value assessment program which bases tax assessed value on soil type and requires a five-year farming commitment by the property owner.

Assessed Land Use

The New York State Office of Real Property Services maintains data on assessed land by Town. This information is summarized in Table B-1 following:

Table B-1 ASSESSED LAND USE, 2006				
Land Use Category	Parcels	%	Assessed Value	%
Residential Land	1,122	58.7%	\$108,104,032	58.2%
Commercial Properties	163	8.5%	\$24,788,244	13.3%
Community Services	35	1.8%	\$15,047,450	8.1%
Public Services	21	1.1%	\$9,865,755	5.3%
Agriculture	103	5.4%	\$9,720,397	5.2%
Vacant Land	443	23.2%	\$9,317,315	5.0%
Recreation and Entertainment	9	0.5%	\$7,899,700	4.3%
Industrial Land	4	0.2%	\$541,300	0.3%
Public Parks, Forested and Conservation Land	11	0.6%	\$466,300	0.3%
Totals	1,911	100.0%	\$185,750,493	100.0%

Source: New York State Office of Real Property Services

The data indicates much of the Town's open space and forested land is connected with what are primarily residential uses for taxing purposes. Residential land accounts for 58.2% of the land value in the Town, although agricultural land is valued by its farm use and not the value it would have for development. Residential land use also represents the bulk of the parcels in the Town, with vacant land being the next largest category. This data portends much more growth for the Town of Delaware over the long term.

C - COMMUNITY FACILITIES AND SERVICES

Overview

Community facilities and services, as provided by local, county and state government and by quasi-public institutions such as volunteer fire departments, hospitals and libraries, represent a governmental or institutional response to service demands of the Town's residents. As the Town and regional population continues to increase, the demand for facilities and services will also increase -- more classroom space, police protection, social services, recreation facilities, etc. will be needed. Public community facilities and services in the Town of Delaware are provided on several levels, and the provision of these facilities and services is dependent on tax dollars, whether in the form of state aid, county supported programs or locally funded facilities and services. Both public and private funds support institutional facilities and services.

Community facilities and services can also serve as a tool, or as an unexpected trigger, to guide or stimulate community growth and development. Provision of a public water supply or sewage disposal system can be used to attract industry, but unexpected (and often undesired) associated commercial and residential development can result in the area where such facilities are provided. The construction or improvement of roads can have similar effect resulting in a change in community character.

In short, the planning and provision of community facilities and services must be undertaken in the overall context of the *Comprehensive Plan* and the community's long-term growth and development goals and objectives. More importantly, the Town of Delaware cannot simply be an island when considering facilities or services, but should cooperate with other local municipal jurisdictions, the school district and county to provide and improve facilities and services that are best provided on a regional basis.

This *Plan* focuses on those facilities and services provided by the Town of Delaware, the school districts and the quasi-public institutions serving the Town. Certainly, the facilities and services provided by the State of New York and Sullivan County are vital to Town residents, but they are beyond the scope of this *Plan*. Should Town residents find that state or county facilities or services are inadequate, Town of Delaware public officials can serve as a conduit for communication with responsible state and county officials to effect facility and service improvements.

Schools

The Town of Delaware is served by the Sullivan West School District formed out of the merger of the Delaware Valley, Jeffersonville/Youngsville and Narrowsburg Central School Districts. There are facilities in Jeffersonville as well as a new school in Lake Huntington. The merger, however, resulted in empty buildings at the Hankins (Delaware Valley) and Narrowsburg campuses. Vocational special education and technical training are provided by BOCES, located in the Town of Liberty.

Town Facilities and Services

Towns in the State of New York are responsible for a variety of public facilities and services. One of the primary functions is the construction, improvement and maintenance of roads. Towns, via the elected Town Board, are also responsible for, in some cases by mandate of the state and federal government, a variety of other facilities, services and programs. These include, among others, land use controls; environmental protection; police protection; water, sewer and storm water facilities; parks and recreation, and solid waste disposal. The level of service is typically dictated by the density and demographic character of the a town's population.

The principal facility maintained by the Town of Delaware, aside from roads, is the municipal building owned by the Town of Delaware. Located in Hortonville, the Town Hall houses the Town administrative offices including the Town Supervisor, Clerk, Assessors, and Building Inspector; the local Court; and a County Sheriff's substation. The Town Hall also serves as the meeting site for the Town Board, Planning Board and Zoning Board of Appeals. The Town also owns and maintains the Town Road Maintenance Barn located on Route 17B in Hortonville, the Callicoon Sewer Plant and several parcels in the Hamlet of Callicoon that comprise the municipal parking area behind the commercial establishments on Main Street.

The Town employs several individuals in connection with its administrative programs. The Town Supervisor serves as the chief elected official. The Town Clerk, also an elected position, is employed full-time and maintains regular office hours at the Town Building. The Town also employs a part-time Court Clerk. The elected Town Superintendent of Highways is responsible for the Town's roads and supervises 9 full-time road maintenance employees.

Fire Protection and Emergency Response

The Town of Delaware residents are served by four volunteer fire companies. The Kenoza Lake Fire Company, Callicoon Fire Company, and Hortonville Fire Company are located in the Town, and the Jeffersonville Fire Company is located in the nearby Village. Each company comprises a formal Fire District and is supported by real estate tax revenue designated for each particular Fire District.

All four companies are well equipped and manned by active volunteer organizations committed to training and provide excellent coverage of the Town as compared to many other rural areas. Mutual aid arrangements with adjoining companies strengthens the overall fire protection service.

Ambulance service is provided by the Jeffersonville First Aid Corps which is also a formal Ambulance District supported by the real estate tax; and the Upper Delaware Ambulance Corp. Town residents are fortunate to be served by these fire protection and ambulance companies in a time when many communities are facing the loss of volunteer emergency response services.

Police Protection

The County Sheriff's Department provides police service to the Town of Delaware. The closest New York State Police barracks are located in Liberty with a sub-station in Narrowsburg. There has been little demand by Town residents for the creation of a local police force, a step which would involve major funding and long term commitment by the Town.

Utilities

As is the case in most rural areas, electricity and telephone in the Town of Delaware are supplied by public utility companies. Telephone and electric service are available throughout the Town and are supplied to new development in accord with New York State regulations. Basic telephone service is provided throughout the Town by Verizon. Electricity is provided by the New York State Electric and Gas Company. Cable television service is not available throughout the entire Town, but is supplied by Time Warner Cable, to the more populated areas of the Town including Callicoon, Hortonville Kohlertown, Kenoza Lake and some areas of the Beechwoods.

Water and Sewer

The Town of Delaware operates no municipal water supply system; however, the Hamlet of Callicoon area is supplied by a private community water system owned and operated by the Callicoon Water Company. The Villa Roma Resort supplies water, via a private community system, to its resort facilities and condominiums associated with the Villa Roma. Individual, on-site water wells serve most other residences and commercial establishments in the Town.

Two sewer districts operate in the Town and all other areas rely on-site subsurface sewage disposal. The Callicoon Sewer District serves the hamlet area. The facilities are owned and operated by the Town of Delaware. Although the treatment plant is physically located in the Town of Delaware, the Jeffersonville Sewer District is operated by the Village of Jeffersonville and serves only the Kohlertown area of the Town.

The *1983 Master Plan* was adopted at the time each system was in the development process and the *Plan* noted that *neither plant is designed to service new development as much as (to) correct the problems with the existing densely populated developed areas suffering severe sewage problems*. The intent to serve only problem areas appears to have been realized, given that little new development has been stimulated by the treatment plants. The privately operated sewage treatment plant serving the Villa Roma resort and associated residential development is the only other central sewage treatment system in the Town.

Solid Waste Disposal

Sullivan County has undertaken solid waste disposal planning along with a number of local municipalities. The Town of Delaware did not participate and continues to rely on private haulers who dispose of the waste at the landfill near Monticello and other facilities in the region.

This arrangement of regional landfills and private collection should be adequate to meet the long-term needs of Town of Delaware residents. If illegal dumping or improper disposal of waste is identified as a problem in the future, the Town can, as authorized by state law, adopt ordinances to require Town residents to dispose of waste properly and use Town designated haulers.

Recreation

The *1983 Master Plan* reports extensively on the recreational and cultural resources of the Town noting that active recreation facilities are provided primarily by the Delaware Youth Center in Callicoon and the Delaware Valley Job Corps Center, and at public schools and other municipal facilities in adjoining municipalities, with some additional facilities provided by area resorts. The *Plan* goes on to state that *public facilities are already available in adequate numbers to serve the Town residents and with the additional facilities available in adjoining municipalities (particularly Jeffersonville) there is no apparent need for additional recreational.*

Given the lack of any major population increases since the last *Plan* update in 1996, the need for additional recreation facilities is minimal. A new park has been created between the Callicoon Creek and Main Street in Callicoon, where the farmers' market now takes place. This park is maintained by the Town of Delaware.

D - HIGHWAYS

Access - Mobility

Each highway, road or street in a community plays a specific role for the movement of traffic and it is useful for planning purposes to classify roads according to the particular function each serves. In general terms, the functional classification of a road is based largely on two factors -- access and mobility -- and typically, as access declines mobility increases.

For example, Interstate Route 17 (future I-86) connecting Sullivan County with points north and south clearly serves a different function than does a private street in a residential subdivision. Although the Route 17/private street example compares streets at the opposite ends of the road classification hierarchy, it clearly depicts the relationship between access and mobility. Traffic on Route 17, a limited access highway, travels over long distances at high rates of speed. On the other hand, traffic using a private residential street with unlimited access from individual properties moves at minimum speeds to reach roads that connect the residential community with other areas of the region.

The system used for the classification of roads, known as the "Highway Functional Classification", may vary in the level of detail depending on the complexity of the study community, but in general, the system is a hierarchy of roads, each road classified according to its particular function with mobility increasing and access decreasing as the classifications move higher in the hierarchy.

Other Classification Factors

As previously noted, access, that is, how traffic enters the traffic stream; and mobility, that is, the physical capability of the road to carry traffic, are the key determinants of a road's functional classification. However, several other road and network characteristics also affect the functional classification of a road.

Traffic volume in relationship to the physical design of the road, including lane and shoulder width, right-of-way alignment and surface treatment, is important to its classification. Generally, as a community develops, roads are improved to meet the

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increased traffic demands, with specific routes moving higher in the functional classification as they are improved. However, in areas of rapid growth and associated traffic increases, the amount of traffic carried by specific roads may increase to the point of exceeding the road's capacity. The road, in terms of traffic, may be serving as a principal collector, but may not have been physically upgraded from a minor collector or local road.

A road's location and relationship to other roads in the intra-community and inter-regional highway network may also help define the road's classification. Those roads which provide direct and convenient connection to arterial routes and expressways typically develop into roads which carry increasing amounts of traffic. Conversely, interchanges for expressways are normally located to provide connection with those roads in a community which historically have developed into arterials and collectors.

Traffic flow problems and declines in level-of-service on routes connecting areas of the Town and routes providing access to the region are directly related to the capacity of collector and arterial roads. As traffic increases on the collectors and arterials, where access to abutting properties has historically not been limited to any significant degree, increasing traffic congestion can be expected. Also resulting from such access by adjoining residential and commercial properties and intersecting streets are the safety problems associated with increased congestion.

Highway Functional Classification

The nomenclature used for a "Highway Functional Classification" also differs from jurisdiction to jurisdiction throughout the State of New York and the United States. Road classification in metropolitan and suburban areas is often very complex, with the various categories of roads being divided into several subcategories based on land use type served, the seasonality of traffic patterns and the designation of specific traffic volumes.

Given the rural nature of the Town of Delaware and its relatively uniform residential/recreation development pattern, without concentrated, large scale commercial development (as compared to metropolitan areas) a more simplified classification is appropriate and follows on the next page:

Arterial Highways

- Provide connections between regional commercial and population centers
- Provide connections between Town and adjoining communities and regions
- Carry larger volumes of traffic at relatively high speeds (45-55 mph)
- Serve a mix of local and through traffic
- Carry low volumes of through truck traffic
- Provide moderate to high levels of mobility
- Access limited only by state road work permits

State Routes 17B, 52, 52A and 97 and County Road 117 (*Minor Arterial*) serve as arterials based on their functions in carrying traffic through the Town and providing connections to the region.

Collector Roads

- Collect traffic from local streets and deliver it to centers and arterials
- Serve moderate levels of traffic at reduced speeds (35-45 mph)
- Serve more locally oriented traffic with few through trips
- Carry primarily only "local delivery" truck traffic
- Access limited only by town/county road work permits
- Provide reduced levels of mobility

The roads classified as collectors in the Town are primarily County Roads, with a Town Road serving as a *Minor Collector*, and include the following:

- CR 121 connecting Route 17B to North Branch and beyond
- CR 128 connecting Route 52 to North Branch and beyond
- CR 131 carrying traffic to the Town of Fremont
- CR 164 connecting Callicoon/Hortonville area to Jeffersonville
- Beechwoods Road serving as *Minor Collector* connecting Hortonville to CR 164

Local Roads

- Connects residential properties and communities to collectors
- Serves lowest levels of traffic at slowest speeds (less than 35 mph)
- Carries local trips only with no through trips
- Carries minimal truck traffic making local deliveries

All other public roads in the Town of Delaware are considered local roads.

Roads in the Town of Delaware

The Town Highway Superintendent reports a total of 59.07 miles of Town Road, with 1.57 miles of that length with a gravel surface. This Town owned and maintained mileage, in combination with 13.07 miles of County Roads and 18.86 miles of State Roads, amounts to a total of 92.57 miles of public roads in the Town of Delaware.

Given the Town's regional location there has been little historic need for the construction of any high volume roads through the Town, the road network having developed to serve the early settlers and agricultural economy, and later residential/tourism development. As more and more residential and associated light commercial development occurred in the Town and beyond, roads have been extended and improved to carry the additional traffic. Development in Delaware Ridge Estates resulted in two miles of additional highway that, having been built to Town highway specifications, was dedicated to the Town in 2006.

Currently, the Town's roads serve primarily to connect the Town with surrounding communities and to provide circulation within the Town. It is expected that this will continue to be the function of the Town's roads and that no major through-traffic routes will be built.

Traffic Volume and Road Network Level of Service

Traffic on the roads in the Town of Delaware has been increasing steadily over the years. However, traffic volumes on the roads in the Town have not reached the point where the "Level of Service" has been significantly affected. Level of service is a measure of a road's ability to carry traffic and is dependent on a variety of physical factors such as road width and alignment, and traffic volume. Travelers on roads in the Town of Delaware typically do not experience any significant delays. Such delays would indicate that a road is approaching its capacity and reaching an unacceptable level of service. In general, traffic on the roads in the Town is moving at acceptable levels of service with no significant change expected in the near term. This does not mean, however, that all roads in the Town are in optimum condition, and that particular problem areas and safety concerns need not be addressed.

The traffic carrying capacity of a community's road network, and the intersections associated with the network, to handle the existing and future traffic volumes generated

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by development is the key element for providing safe and efficient traffic flow. Those land uses which generate larger volumes of traffic should logically be located in the areas of a community served by roads with greater carrying capacity. For example, commercial establishments generate more traffic than a single family residence and should be located on routes which have sufficient capacity to serve the use.

Road Conditions Overview

The *1983 Master Plan* addressed the overall adequacy of the County and State roads in the Town and stated:

Altogether the State and County system appears to be in relatively good condition although the nature of the highways themselves (i.e., Routes 17B and 52A with their many turns as they follow the course of the Callicoon Creek) creates certain inherent safety and maintenance problems. The Town should continue to take an active role in working with the County and State highway departments to both identify and correct the deficiencies.

The *1983 Master Plan* identified two specific issues concerning state roads which have been addressed in recent years. The Callicoon viaduct on Route 97, reported in poor condition by the *Master Plan*, has been replaced by the State. The *Plan* also noted the severe seasonal parking problems in the hamlet of Callicoon along Main Street, which is actually County Road 133, and suggested improvements. The Town, with the assistance of property owners, has developed a public parking area between the rear of the buildings on Main Street and the riverbank. The NY-PA interstate bridge is scheduled for replacement in 2009.

The Town annually conducts an inventory and evaluation of its roads and submits a report to the County. The Town Highway Superintendent reports that the Town's roads are largely in good condition and necessary improvements are made as funding becomes available. A key to maintaining good roads is adequate drainage, which is an ongoing priority for the Town. Recent flooding has created a number of issues that will demand the attention of the Town for some time. It also reinforces the need to incorporate rigorous stormwater management standards in land use regulations.

The principal areas of concern with respect to Town Roads have been those which serve the Villa Roma Resort and associated development. Improvements have been

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made but as the Villa Roma rebuild its current operation following a fire and expands, the Town must anticipate and plan further improvement of these roads.

E - UPPER DELAWARE SCENIC AND RECREATIONAL RIVER

Background

One of the major influences on the growth and development of the Town of Delaware over the last several decades was the federal study and eventual designation of the Upper Delaware as part of the National Scenic and Recreational River Program. A reflection of the area's rural character and the long-term conservation of that character, the 1978 designation recognized the importance of the River Corridor to the heritage of the entire nation.

As part of the cooperative, planning process undertaken by the participating local municipalities, the five affected counties, the two states, the Delaware River Basin Commission and the National Park Service, *Land and Water Use Guidelines* were developed to advise local municipalities in their land use control efforts to continue to protect the character of the River Corridor. This approach was undertaken in response to local demand for continued basic local authority over land use control and community development decisions as an alternative to widespread land acquisition by the National Park Service. The *River Management Plan* provides a detailed history of the federal designation of the River, the management planning process, local participation in the process, and the development of the *Land and Water Use Guidelines*.

The *Land and Water Use Guidelines* provide a range of goals and objectives for conserving the character of the Upper Delaware Corridor while at the same time sustaining its continued economic viability. Rather than prescribing specific actions required of local municipalities, the *Guidelines* allow a range of alternatives and performance standards to meet a specific River Corridor conservation goal. Alternatives include such performance standards as minimum lot size and width, building setbacks, and ridge line development limitations, and regulations for parking, signs and the types of uses permitted in the River Corridor.

The Town's *1983 Master Plan* included a detailed discussion about the Upper Delaware and recommended that the Town zoning map be amended to address the Upper Delaware Corridor *and the Ordinance be updated to incorporate those aspects of the Land and Water Use Guidelines which are not adequately addressed in the Ordinance at present*. The Town went on to amend the Zoning Law in 1988 and included many of

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the provisions of the *Guidelines*. The Zoning Law was again amended in 1993 as was the zoning map, and the Town was found by the Upper Delaware Council and the National Park Service to be in substantial conformance with the *Guidelines*, thereby recognizing the Town's long-term commitment to protecting the character of the River Corridor along with that of the entire community.

Given the "substantial conformance," determination, Town landowners in the Corridor are afforded protection from federal land acquisition actions provided any development complies with the Town zoning ordinance. The Zoning Law's Delaware River District (DR) largely mirrors the Upper Delaware Corridor boundary, with those small areas outside the boundary afforded adequate protection by the zoning standards applicable to other districts. The Callicoon Hamlet area, as recognized by the *Upper Delaware River Management Plan*, is encompassed by the Callicoon Business District (CAL-B-1) and the Callicoon Residential District (CAL-R-1), with each zoning district reflecting the standards recommended for Hamlet areas by the *Guidelines*.

Upper Delaware Scenic Byway Designation

One of the indirect consequences of the Upper Delaware River designation was increased attention to the scenic value of Route 97. Following an extensive study and planning process in which the Town of Delaware actively participated, Route 97 was officially recognized as a New York State Scenic Byway and is now known as the "Upper Delaware Scenic Byway." This program provides an additional basis for tourism promotion along the Upper Delaware corridor and has led to the development of signage along Route 97 promoting it as a scenic byway as well as several brochures. The Town of Delaware continues to support this program.

Effect on Town of Delaware Zoning

How has the Upper Delaware River designation affected zoning in the Town of Delaware? Adopted in 1974, the Town's Zoning Law was initiated in response to the overall rapid growth and development of the Town and region, part of which can be attributed to the attraction of the Upper Delaware River. Much of the same impetus that resulted in the study and designation of the Upper Delaware was key in the adoption of the Zoning Law. In other words, both the River designation and the adoption of the Zoning Law were part of the overall process of local response to increasing

development and the need to control that development to preserve community character.

The designation of the DR District in the 1988 ordinance was clearly linked to the River designation process. The 1993 amendment was undertaken specifically to address the *Land and Water Use Guidelines* and the DR District as designated in 1993 was based largely on the corridor as defined by the *River Management Plan*. Nevertheless, a careful reading of the uses permitted in the DR District and the associated performance standards reveals that while the Town has largely complied with the intent of the *Land and Water Use Guidelines*, the Zoning Law continues to reflect the specific zoning goals of the Town aimed at meeting the needs of the entire community.

Community Impacts

The Town's *1983 Master Plan* discussed the effects of the River designation on the demand for community services such as police protection, fire protection and ambulance service, solid waste disposal and traffic and parking. The *Plan* concluded that the financial assistance provided by the National Park Service for police protection and solid waste disposal in the Corridor was adequate provided River use did not increase dramatically, and noted that trespassing problems were the greatest problem. River users place little extra demand on fire protection and ambulance services, but the *Plan* again cautioned that the level of service would be dependent on the number of visitors to the area. The most critical problem identified was the congestion and lack of parking in Callicoon, *largely due to a lack of off-street parking and the difficulty of parking on Main Street*.

In terms of current demands on these services and facilities, there appears to have been not significant increase in demand. River use has not increased dramatically since 1983, the Town continues to participate in the NPS police and solid waste funding program, and the Town has developed a parking area to the rear of the Callicoon business district.

River Use, Land Development and Land Values

Another key question is - What effect has the designation of the River had on River use and land development in the Corridor? Certainly, more tourists were drawn to the area by the national designation; however, given the proximity to metropolitan areas and

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promotion by local business, the increase in the number of tourists would surely have occurred despite the designation. Federal participation provided an opportunity for overall management of River use, especially safety promotion and law enforcement, which would have been difficult to accomplish at the local level. The formation of the Upper Delaware Council, as an evolution of several earlier, local, and less formal consortiums such as the Upper Delaware Clearinghouse and COUP, has provided a forum for discussion and action on issues affecting the Upper Delaware region which transcend sensible solution by individual municipalities.

As noted earlier, Town of Delaware's zoning was in place at the time of designation and included many of the standards eventually promoted by the *Guidelines*, therefore suggesting that the formal designation itself had little effect. Nevertheless, the initial adoption of the Town Zoning Law obviously anticipated the designation by including certain standards, although most of the standards were not too dissimilar from standards adopted in other zoning districts in the Town. The long-term, local anticipation of the designation of the River Corridor in the Town served as a harbinger of the zoning standards which the Town Board may likely have adopted as a matter of course in their effort to protect the Town's rural character.

In short, the effects of the formal designation of the River cannot be separated from the overall context of the lengthy designation and planning process. Additionally, the Town's interest in community planning and eventual adoption of a subdivision law and a Zoning Law stemmed as much from the growth and development occurring throughout the region as along the Delaware; all of which owed most of its impetus to the demand for a rural lifestyle by residents of nearby metropolitan areas.

Town of Delaware

Agriculture and Farmland Protection Plan

August 2010



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List of Acronyms and Abbreviations Used in Plan

Ag – Agriculture
AFPB – Agriculture and Farmland Protection Board
AG LDC – Agricultural Local Development Corporation
AML – Agriculture and Markets Law
BOCES – Board of Cooperative Education Services
CAFO – Concentrated Animal Feeding Operation
CCE – Cornell Cooperative Extension
CSA – Community Supported Agriculture
DHC – Delaware Highlands Conservancy
FFA – Future Farmers of America
IDA – Industrial Development Agency
LDR – Lease of Development Rights
LEED – Leaders in Energy and Environmental Design
NYS DAM – New York State Department of Agriculture and Markets
NYS DEC – New York State Department of Environmental Conservation
NYSERDA – New York State Energy Research and Development Agency
OSI – Open Space Institute
PDR – Purchase of Development Rights
SC – Sullivan County
TDR – Transfer of Development Rights
USDA – United States Department of Agriculture

Executive Summary

The Town of Delaware sought and received a grant from the New York State Department of Agriculture and Markets to develop a town-level plan to protect and enhance agriculture. The grant tasked the Town to locate farm areas that should be protected, look at the value of farmland open space and the agricultural economy to the municipality, evaluate consequences of possible conversion, and describe activities, programs and strategies to promote continued agricultural use. A local committee was established in cooperation with the Town of Callicoon to develop this Plan.

This plan is designed to offer the Town a toolbox of ideas and actions that can be implemented over time to improve agricultural opportunities in Delaware, preserve important farmlands, and maintain open lands as part of the landscape. Overall, the Agriculture and Farmland Protection Plan will give the Town:

- Additional leverage and success in receiving future State aid;
- Assistance to local landowners who wish to participate in State or Federal purchase of development rights programs;
- A framework for the Town and interested landowners to promote farming and agri-tourism in Town;
- Tools the Town and Planning Board can use during project review to protect farms to the maximum extent practical;
- A timetable for the Town to implement recommendations;
- Policies to establish agriculture as a critical land use in Town;
- Opportunities to identify new farm operations;
- Aid to help the Town maintain agriculture to promote healthy and local food.

“Ag” or “ag operation” as used in this plan refers to agricultural operations, farms, and farming activities. “Agri-business” refers to those businesses such as machinery dealers, seed dealers and veterinarians that support agricultural operations.

What is included in the Plan?

1. Current status of farming: The Plan documents changes in farming over time and offers information about the economic and development pressures facing area farmers. The Plan presents a map showing priority farmlands so the Town can target future programs to critical areas. A buildout analysis was done to illustrate the potential non-farm development

capacity and building levels were analyzed to determine the conversion pressures on farmland. The Plan outlines issues facing farms including the milk price crisis, low profitability, and high production costs. A lack of understanding by the general public about agriculture, lack of a next generation of farmers, and new housing development pressures are other serious issues facing farmers. A summary of trends and challenges facing agriculture is also included.

2. Role of Agriculture in Town: The Plan discusses the important roles that agriculture plays in the Town of Delaware, especially related to the economy, open space, rural character, and overall quality of life. The general public highly regards farms and how they contribute to the small town and rural character of the area. Farmers in particular also recognize the important economic value of farms.

3. Vision and Goals: The Plan establishes a long-range vision for agriculture in the Town that aspires for more profitable farms, more locally grown and supported foods, more involvement and understanding by the general public in agriculture, new land use patterns that support farming and prevent sprawl, and new, diversified farms and agri-businesses.

4. Farmland Prioritization: Criteria are established in the Plan to help prioritize agricultural lands based on farmland soils, agricultural activities, and development pressures. The priority map included in the Plan identifies critical areas where farmland protection and enhancement programs should be targeted.

5. Strategies: The heart of the Plan is its comprehensive toolbox of potential actions that can be put to work to address the many issues facing agriculture. Over 70 different ideas are presented in the Plan. A set of foundation actions are recommended to be implemented immediately after adoption of the Plan. These strategies, including formation of an inter-municipal Agricultural Implementation Committee (Callicoon and Delaware), are necessary to lay the foundation for success of future actions. The remaining strategies include economic development ideas, policy and regulation improvements, education and communication actions, and farmland preservation strategies suggested at the Town level. Because the success of this effort is in part based on regional efforts, County and State level strategies are also offered to support local initiatives. The Plan analyzes current land use regulations and makes specific recommendations aimed to help make zoning and subdivision laws more farm-friendly and supportive of ag businesses. In addition, new techniques such as transfer of development rights, conservation subdivisions, and purchase or lease of development rights are suggested. Helping match farmers to landowners

who have farmland, promoting agricultural entrepreneurs, and helping new farms and farm expansions are central concepts included in the economic development strategies.

6. Implementing the Plan: All recommendations are included in a table to help the Town Board implement their plan. Each strategy has a priority, and agency or committee assigned to help with implementation.

Introduction

History of Agricultural Planning In New York

New York State has had a long history of promoting and planning for agriculture. In 1971, the State introduced agricultural districts through Agriculture and Markets Law 25-aa. This program allows farmers to voluntarily commit land in special areas called agricultural districts that encourage and protect commercial farming. In return, agricultural districts provide farmers with protections and safeguards from outside intrusions (such as the right-to-farm law). Landowners may also be eligible for agricultural assessments to reduce the tax burden on farmlands (both inside and outside of agricultural districts).

In 1992, the State adopted the Agricultural Protection Act which strengthened farmers' right to farm, placed greater scrutiny on state projects that could negatively impact agriculture, and authorized development of county farmland protection plans. Article 25-aaa of this act helps to sustain the farm economy and promotes local initiatives to protect agriculture and farmland in New York State. This section authorized the creation of county Agriculture and Farmland Protection Boards (AFPB). These boards advise their county legislatures on actions that impact farms located in county agricultural districts. Sullivan County established its AFPB by legislative resolution in November of 1992.

County Agriculture and Farmland Protection Boards are authorized to:

- ✓ Advise their county legislature about agricultural districts
- ✓ Review notice of intent filings
- ✓ Make recommendations about proposed actions involving government acquisition of farmland in agricultural districts
- ✓ Request review of state agency regulations that affect farm operations within an agricultural district
- ✓ Review and endorse applications for New York Purchase of Development Rights (PDR) funding.

In 1994, New York State initiated funding for counties to develop agricultural strategic plans with a focus on education, agricultural development, and land protection. Sullivan County's plan was adopted in 1999.

State legislation adopted in 1996 provides funding for the purchase of development rights of farmland by counties with approved plans.

Agriculture and Farmland Plans identify important county farmland, analyze the agricultural and environmental value of these farmlands, and highlight threats to their agricultural use. They also describe activities, programs, and strategies to keep land in agriculture.

State legislation modified Article 25-aaa in 2006 to specifically authorize municipalities to develop agriculture and farmland protection plans (Section 324-a). The law requires that local plans include identification of land areas proposed to be protected, analysis of those lands related to their value to the agricultural economy and open space value, consequences of possible conversion, level of conversion pressure, and a description of actions intended to be used by the municipality to promote continued agricultural use.

Overview of the Planning Process



The planning process in the Town of Delaware was initiated in November 2007 when the Sullivan County Department of Grants Administration, on behalf of the Town, submitted a grant proposal to the New York State Department of Agriculture and Markets for funding to develop this plan. This funding was awarded in 2008 as a collaborative and joint planning process between the Town of Delaware and the Town of Callicoon. Throughout the process, the Town of Delaware has worked in partnership with the Town of Callicoon, sharing a Steering Committee and a completely integrated planning process. This process was conducted with the understanding that the process would result in

separate documents individualized to each town. In 2008, the Town hired a planning consultant to assist in development of the plan. Work began in August, 2008.

Planning activities included the following steps:

1. Documented the current conditions of farms and farmland in Town. This included inventorying farms and farmland, developing a comprehensive set of maps of farms, farmland and environmental conditions related to agriculture, and analysis of this data.
2. Identified public as well as farmer/farmland owner attitudes towards agriculture. This was done through a farmer/farmland owner survey, an

agri-business survey, interviews of local organizations, and interviews of local agri-businesses and restaurants. Also, during Fall of 2008, a public workshop and a farm focus group were held to identify issues, roles, and vision for the future of agriculture in Delaware. These meetings were jointly held with a similar planning effort in the Town of Callicoon.

3. Identified trends and issues facing agriculture. A buildout analysis was done to help Delaware understand the potential development capacity established by the current Town Zoning Law.
4. Identified needs and opportunities and wrote a vision statement and a set of goals for agriculture.
5. Developed specific strategies to help the Town reach its agricultural vision and goals.
6. Developed a priority ranking system to identify locations that are critical to continuing agriculture in Delaware.
7. Developed a full plan document that meets the statutory requirements of Section 324-a of Article 25 aaa of the New York State Agriculture and Markets Law.

The following public input activities took place as part of the planning process:

1. Met with the agricultural stakeholders to explore strengths, weaknesses, and opportunities related to agriculture
2. Conducted two Farm Focus Group meetings
3. Conducted two workshops/meetings with the general public
4. Conducted a survey of agri-businesses (See Appendix 7)
5. Conducted a survey of farmers and farmland owners (See Appendix 7)



6. Conducted personal in-depth interviews with representatives of the following groups, businesses, and agencies:

1906 Restaurant	Candy Cone
Catskill Mountainkeeper	SC Chamber of Commerce
Cornell Cooperative Extension	Farm Service Agency
SC Farmers Market Association	Friends Pub
Harvest Festival at Bethel Woods	Hudson Valley Regional Council
Lander's River Café	Matthew's On Main
Michelangelo's Restaurant	Murphy's Luncheonette
Panther Rock	Pizza Hut
Rolling River Café	Second to None
The Cutting Garden	The Inn in Callicoon
The Old North Branch Inn	Town of Liberty Chinatown, Inc.
Vita's Farm and Garden Market	Watershed Agricultural Council
Wingstreet	
Sullivan County Partnership for Economic Development	
Sullivan County Agriculture and Farmland Protection Board	
Sullivan County Farm Bureau	
Sullivan County Industrial Development Agency	
Sullivan County Soil and Water Conservation District	
Sullivan County Visitor's Association	

7. Conducted a public meeting to present the plan and hear comments from the public and farmers.

Definition of Agriculture

Agriculture is defined and interpreted in different ways for different purposes. Defining agriculture to determine what operations or locations may be eligible for funding, or incentive programs is an important function of this plan. Town land use laws may define agriculture one way for determining what, where, and how agriculture is regulated through zoning while New York State defines agriculture from the perspective of the Agriculture and Markets Law related to the State Ag Districts and Ag Exemption programs. The following definition is established for the purpose of this local plan:

Agriculture is an activity that produces food, fiber, animal products, timber, and other goods and services from the land including but not limited to maple syrup, bee products, and Christmas trees. A farm is the location where agriculture takes place. The Town of Delaware recognizes

that there are different kinds of farms: hobby or small farms that produce agricultural goods but whose intent may not be as a business and production or commercial farms that operate with the intent to make a profit as a business. On-farm buildings, equipment, processing facilities and practices that contribute to the production, preparation, or selling of crops, livestock, and wood products are all part of a farm operation. Agriculture is a working landscape that helps maintain the rural character of the Town.



Status of Farming in Delaware

Appendix 1 and 2 offer many details about farms and the farm economy in Delaware. A summary of this data points out several significant characteristics of farming in Town:

- There are about 9,600 acres of farmland in Delaware on 240 parcels of land. Delaware farms are still dominated by dairy and livestock operations. However there are a wide variety of other farms in Town, but at a smaller scale (land and numbers) than dairy and livestock. The most farmland acres are (in order) hay fields, dairy, field crops, livestock, cattle, poultry, and nursery crops.
- There are 1,544 acres of prime farmland soils in Delaware of which 637 acres are farmed. There are also 9,895 acres of farmland soils of statewide importance, of which 5,199 acres are farmed.
- The NYS Ag District in the Town of Delaware has 16,168 acres within it, of which 9,036 are farmed.

- Many farms now have secondary operations to provide additional income.
- According to the survey, only a few farms sell direct at farmers markets.
- About half of the farmland used to support farm operations in Delaware is rented from non-owners (5,359 acres on about 190 parcels). This has been identified as an issue of concern for the long-term prospects of farming in the area.
- About 92% of the farmed parcels classified as agriculture by the Town get an ag assessment.
- Farms participating in this planning process reported about 60 employees in Delaware. These farms, along with a large multiplier effect, are significant economic factors in Delaware.
- Sullivan County agri-businesses supply farms with only a portion of materials and services needed for Delaware operations.
- A majority of farms are smaller income earners (less than \$50,000 gross sales).
- The farm population is aging and this is cause for concern about the availability of another generation to farm.

Role of Agriculture in Delaware

Farmers, farmland owners, and the general public feel that agriculture plays a very important role in Delaware. The 2007 adopted Comprehensive Plan establishes a goal to maintain the existing rural and agricultural community character of the Town and recommends a variety of objectives and strategies designed to help maintain agriculture as an important part of the economy.

The public feels that farming is essential to the Town and that it is an activity that benefits everyone, not just the farmers. Participants in this plan's public input sessions identified the importance farming has in their lives and in the community. Farming is a highly valued part of the community and has fundamental economic, food and nutrition, environmental, recreation, and community character roles.

Why Agriculture is Important to the Town of Delaware

1. Farms contribute to the local economy through sales of agricultural products, job creation, and tourism. Since farms pay more in local taxes than they demand in public services, agriculture helps maintain the fiscal health of the Town. Farmers and residents feel that the open spaces provided by farms have a direct link to tourism and economic improvements.
2. Farms are working open spaces that enhance the diversity of the landscape, and contribute to the rural character in Delaware. Farms provide for open space, scenic views, and add to the beauty of the area. Not only do farms form the basis for our community's character, but they add to the physical and emotional health and quality of life of residents, and provide wildlife habitats and water protection.
3. There is a growing recognition of the value of having locally produced food available. Local, healthy food products are becoming more desirable as people become more aware of where and how food is grown, and how much it costs to transport from distant locations. Participants in the planning process said that the quality of our food supply is a critical role for agriculture locally.



Trends and Challenges Facing Agriculture

1. Summary of Development Trends and Buildout Analysis

Appendix 1 and 2 offer many details about population and development trends in Delaware. One of the major concerns facing agriculture in Delaware is long-term development pressure. Significant trends that will influence the ability to maintain farms in the future are:

- Between 1990 and 2000, Town population rose about 3.3%. In the past 8 years, Delaware's population is estimated by the US Census to have increased another 2.9%. The total population increase since 1990 is about 6%, or 166 people. However, the Census also reports that while population growth in Delaware, was relatively modest in the 1990's the number of new households increased by 16.2%. The number of new households far exceeds the actual population growth.
- At the same time, the number of housing units increased by 288, or about 21.5%. Thus, the level of new home construction outpaced the population growth and the number of households by a large margin. This rate is likely attributed to both second home development and the "spreading" out of the existing population. It is an indicator of "rural sprawl". This growth was not concentrated in one place, but was located throughout Town.
- Between 1990 and 2008, 202 new residential building lots were created by subdivision.
- A buildout analysis was done to show what the development capacity of the Town is under current zoning regulations. The results show that the Town zoning creates a development capacity for up to 9,700 additional homes in Delaware without adjusting the density for environmental constraints. A conservative estimate that takes into consideration environmental constraints shows that the capacity of development in Delaware is about 4,600 new single family homes. Of that potential, about 3,850 to 4,100 could be on lands currently farmed. See Appendix 2 for more information.
- Together, these trends indicate that growth is taking place in Delaware, that there is a large capacity for future residential growth and that priority farmlands are vulnerable for conversion to non-farm uses.



2. Strengths, Weaknesses, Opportunities, and Threats

The following list of strengths, weaknesses, opportunities, and threats was developed from public, farmer, stakeholder meetings; committee member input; and analysis of trends, maps, and data. Strengths and weaknesses that were priority features identified through the public and farm focus group meetings are identified below with a “*” symbol.

Agricultural Strengths: resources or capabilities that help agriculture be successful.

- Farms provide natural beauty and open space, which also helps to fuel the tourism industry. *
- Farms contribute to the economy and quality of life in the area.*
- They add significantly to the rural character of the area.*
- Farms provide healthy food for our residents and there is a growing demand for local, healthy food products, especially in restaurants.*
- Farms promote stability in the County.*
- Farmers are good stewards of the land.*
- Proximity to New York City provides additional markets for farm products.
- Educational programs for farmers, and about farming are available through organizations such as the Sullivan County Chamber of Commerce and the Sullivan County Partnership for Economic Development, Cornell Cooperative Extension’s, and the Farm Service Agency.
- Farmers’ markets, especially the Harvest Market at Bethel Woods attracts people to the area, which also benefits other local businesses.
- Farms offer fiscal benefits to the Town by not costing as much as residences need in services.
- Farms protect water quality.
- Farms provide wildlife habitats.
- Innovative farming efforts are taking place.
- More value-added processes are being used.

- Various grants and programs exist to support farmers.
- There is a good market for niche farming.
- The area provides fertile soil and moderate weather that are supportive of agriculture.
- There is a diversity of farming opportunities available.
- There is a large multiplier effect on spending on food/products.
- The regional buy local campaign "Pure Catskills".

Agricultural Weaknesses: Internal deficiencies in resources or capabilities that hinder agriculture from being successful.

- Farming is not recognized as the economic force that it should be within the Town and County.*
- Development pressures are high and there is competition for land for non-farm development.*
- Lack of education and understanding about agriculture on the part of non-farmers.*
- Costs are increasing for fuel, fertilizer, taxes, and feed; and farm profitability is low.*
- There is no local processing (milk, community kitchen, slaughterhouse). The meat processing plant in Liberty is not constructed.*
- There is a lack of support for farmers who innovate and lack of technical assistance with grants and paperwork.*
- There is a loss of small farms and diversity.*
- Farmers markets need better advertising.
- About half of the farmers experience nuisance complaints about farm practices.
- There is disconnect between home, schools and farms.
- Farmers do not take full advantage of educational programs offered within the County.
- Farmers lack skills and time to establish and market value-added products.
- Farmers often don't use formal rental agreements with landowners and this can cause problems in the future.
- Farmers can have difficulty getting their products to market.
- There are high expenses in starting a new farm.
- IDA and county agencies do not pay enough attention to agriculture and don't promote these businesses like they do other kinds of businesses.
- Lack of farmer control on dairy milk prices.
- Lack of skilled farm labor.
- People are not often aware that they can purchase certain products directly from farmers.
- Realtors are not using the Ag Disclosure Notice.

- Restaurants and ag specialty businesses have issues obtaining local products due to time and travel constraints.
- There is a lack of visibility of farmers with the general public.
- There is lack of high speed internet.
- There is poor communication, in all directions, between farmers, consumers, and support organizations.
- There is traffic and difficulty parking at the farmers markets.
- Zoning can impede farm business expansion and retail sales or direct sale of products.

Agricultural Opportunities: External or outside factors that can affect agriculture in a positive way. (Not in any priority order)



- Build successful infrastructure to support the agricultural industry, including the creation of a slaughterhouse in the Town of Liberty. Develop local processing facilities, especially a community kitchen and dairy processing.
- Consider starting a delivery co-op among local businesses to share responsibilities of traveling to pick up products.
- Create more opportunities for underutilized dairy farms.
- Create uniform signs throughout the County advertising that the Town is a farm community.
- Develop a central depository of land rentals to help farmers and landowners connect more easily.
- Develop a comprehensive guide that lists who is producing what, where, and when (possibly in the form of a monthly newsletter). Let local consumers know where they can go to buy products other than traditional produce.
- Develop a kosher market.
- Develop a workshop to inform farmers about all of the programs available to them.
- Develop large-scale community farms where new farmers can try out farming on an acre of land.
- Develop programs for alternative energy (ex. converting cow waste to energy, which would also create another potential source of income for farmers).

- Educate farmers about Town zoning and regulations.
- Promote use of formal rental agreements.
- Help provide liability insurance for those doing agri-tourism businesses.
- Provide for educational seminars on TDR and PDR, and implement these programs.
- Offer a subsidy for niche farmers and develop programs to help them market more effectively and cost efficiently.
- Reach out to landowners with large lots to encourage them to allow their land to be used for agriculture and promote farm/non-farm relations.
- Promote agriculture as the County's best economic opportunity.
- Promote public awareness of and interest in local food.
- Promote the multiplier effect of agriculture and how it contributes to the viability of the area's economy.
- Start aquaculture for fresh fish.
- Start more FFA programs and BOCES Animal Science programs in the County high schools in order to get kids interested in production agriculture.
- Take advantage of more direct marketing of products.
- Tax incentives could be developed for young farmers who are entering the agricultural business.
- Use existing programs like FFA and the Workforce Development Program to find interns and workers to deal with the labor issue.

Agricultural Threats: External or outside factors that can affect agriculture in a negative way. (Not in any priority order)

- Farmers are holding back to wait and see what happens with gas drilling before they pursue conservation easements for their properties.
- There is financial instability for dairy farming.
- Gas leasing can cause conversion of land to non-farm owners. Speculators are buying up a lot of land to lease to gas companies.
- Some feel gas drilling is a threat.
- There is a lack of next generation of farmers.
- There is a lack of zoning compatibility for mixed use and non-traditional farms.
- Rental land is supporting agricultural operations but is controlled mostly by non-farmers.
- Second home creep and the enticement of high land sale prices for non-farm uses can lead to sale of farmland.
- The combination of land price, the price of equipment, and access to a market are often too much for young farmers or transition farmers to deal with when starting up.

Vision and Goals

Year 2020 Vision for Agriculture in Delaware:

Based on public input, the committee developed the following future vision for agriculture.

Our entire community is optimistic about, involved with, and unwavering in its support for agriculture in the Town. Dairy farming is economically sustainable and remains the predominant agricultural activity. A diversity of all other kinds of farms such as specialty crops, organics, specialty livestock, hay, and agri-tourism prosper and take advantage of local, regional, and distant markets. Value-added operations and processing facilities support all kinds of agricultural enterprises. Agricultural-related employment continues to contribute to our area's economy and provides living wage jobs. A strong agricultural economy weakens development pressures on farmland. Agriculture is an important and cost effective element of our Town's tax base. Our area attracts and retains younger farmers and those who want to take advantage of the diverse markets in the region.

Producers are entrepreneurial and have the necessary business and interpersonal skills to manage their operation, and successfully market their products. Up-to-date communication and information technologies are widespread on farms throughout Town.

Residents and elected officials recognize agriculture as a critical part of the Town's economy and environment, and are knowledgeable about the agricultural industry and its practices. This education promotes peaceful co-existence between non-farm rural residents and farm families. Strong partnerships exist between farmers, policy makers, and government agencies resulting in new initiatives and aggressive promotion of agriculture in government plans, policies, programs, and funding.

Farmland remains in production, especially in those locations identified in this plan as priority farmlands. Farm operators demonstrate their high regard for the environment by utilizing practices that protect water quality and preserve the earth and its resources for future generations. Farmers take advantage of

alternative energy opportunities. Agricultural, environmental and public policy groups work together to achieve common goals.



Goals

Goals describe future expected outcomes. They provide programmatic direction and focus on ends rather than means. Each goal statement is followed by objectives. Objectives are measurable, specific, and time-framed statements of action which when completed, will move towards goal achievement.

Goal 1. Local and county policies, plans, and regulations support agriculture and are farm friendly.

Objectives

- Enact land use regulations that support a business environment for farming and integrate agriculture into local planning efforts.
- Limit negative impacts on agriculture by adopting Town policies on growth and development.
- Preserve agriculture as working open spaces.
- Farms contribute to the rural character and economic health of the Town
- Agriculture is a critical component of county economic development policy and programs, and receives the same government attention as other commercial and industrial businesses do now.
- Maintain roads to support farm equipment.

Goal 2. Farms are profitable and sustainable, and agriculture remains a critical part of the Town's economy and character.

Objectives

- Diversify farm operations by producing value-added goods and niche products, by promoting agri-tourism and by increasing market opportunities for local produce.
- Market and attract our Town to young farmers and farm entrepreneurs.
- Increase variety, accessibility and availability of farm products to local residents.
- Develop strategically located processing facilities that will sustain a variety of farm operations and agri-businesses.
- Improve farmer's and agri-businesses accessibility to affordable state-of-the-art communication and technology systems.
- Market and brand local farm products.
- Identify and attract related businesses that support our farms.
- Work regionally to promote localization of food and fiber products.
- Enhance training for farmers in business, marketing, and technical skills so that they successfully produce and market their products.

Goal 3. Strong partnerships exist to advocate for agriculture and enhance education and communication between farmers, officials and the general public.

Objectives

- Promote agriculture with local decision makers.
- Promote agriculture with the general public and area businesses.
- Increase public participation in promoting and protecting agriculture.
- Improve communication between farmers.
- Increase farmer participation in government activities.
- Develop Farm to School programs.

Goal 4. Farmlands are preserved in active agriculture.

Objectives

- Return idle farmlands to active production.
- Provide incentives to maintain land in farming.
- Promote purchase of development rights (PDR), lease of development rights (LDR), or transfer of development rights (TDR) programs.
- Encourage non-farm landowners to rent their land to farmers for active agricultural use.

Goal 5. Our water, air, wildlife and other environmental resources are protected.

Objectives

- Promote farm practices that protect the environment.
- Establish farmers as leaders in the use of alternative energies.

Prioritizing Farmland for Protection

Land Evaluation and Site Assessment, also referred to as LESA, is a tool to help citizens and local officials to prioritize those lands that should be protected from conversion to nonagricultural uses. LESA was developed by the United States Natural Resources Conservation Service, and is based on a technique developed in Orange County, NY in 1971 (the first place it was used in the United States.) LESA has a long history of use in New York, and throughout the United States. It is basically a rating system designed with local conditions and needs in mind. It is a tool that can help local officials identify farmlands needing protection by taking into account soil quality and other factors that affect agricultural practices.

LESA is an analytical tool. It is not a regulatory program. LESA's role in Delaware is to provide a systematic and objective procedure to rate and rank sites in order to help people make decisions on where to target farmland protection programs. A LESA system can be useful to answer questions such as what lands are most appropriate to designate for long-term continuation in agricultural uses, and which farms should be given the highest priority for purchase of development rights monies.

How LESA Works

LESA is a rating system. The LESA system combines soil quality factors with other factors that affect the importance of the site for continued agriculture. It ranks a variety of features and characteristics that are known to influence the ability of farmland to remain in that land use. The following table was adapted from the official Sullivan County program in order to incorporate it into the GIS system assembled for this plan. See Farmland Prioritization Map in Appendix 6 that illustrates results.

In order to provide an unbiased method of selecting properties for the future farmland protection programs, the Town of Delaware modified a ranking system developed for the county Sullivan Farms for the Future Program. This ranking system evaluates all farmlands in Delaware and gives points to each farmland parcel based on the agricultural characteristics present. The Town of Delaware used the following criteria and ranks to prioritize farmlands in Town.

Category	Criteria	Points	Town Modifications to the County LESA
NYS Agricultural District			
	Is the property within a NYS certified agricultural district	Must be in a NYS certified Agriculture District	Same Criteria
Whole farm or conservation plan			
	Does the property owner have a whole farm plan or a conservation plan in place?	Must have one of these plans in place	Same Criteria
Prime Soils			
	>80% of the farm	20	Same Criteria
	60 - 79% of the farm	15	
	40 - 59% of the farm	10	
	20 – 39% of the farm	5	
Soils of statewide importance			
	>80% of the farm	10	Same Criteria
	60 - 79% of the farm	7.5	
	40 - 59% of the farm	5	
	20 – 39% of the farm	2.5	
Crop Yields			
	20 – 50% above average	20	Same Criteria
	20% above average	10	
	10% above average	5	
Soils highly suitable for development			
	>=50%	10	Same Criteria
	25 – 50%	5	
State Road Frontage			
			Switched State and Town points to rank Town roads higher than State
	>5,000 feet	20	5
	4,000 – 4,999 feet	15	3.25
	3,000 – 3,999 feet	10	2.5
	2,000 – 2,999 feet	5	1.25
County Road Frontage			
			Adjusted the road frontage footage to more accurately represent what is found in the Town
	>5,000 feet	10	10
	4,000 – 4,999 feet	7.5	7.5
	3,000 – 3,999 feet	5	5
	2,000 – 2,999 feet	2.5	2.5
Town Road Frontage			
			Switched State and

Category	Criteria	Points	Town Modifications to the County LESA
			Town points to rank Town roads higher than State
	>5,000 feet	5	20
	4,000 – 4,999 feet	3.25	15
	3,000 – 3,999 feet	2.5	10
	2,000 – 2,999 feet	1.25	5
Distance from hamlet or village (road)			
	< 1 mile	10	Removed as there was no need to rank by hamlet
	1 – 3 miles	5	
Proximity to water and sewer			
	On site	20	Same Criteria
	> ¼ mile	15	
	> ½ mile	10	
	> 1 mile	5	
Significant natural resources			Added proximity to Delaware River, Callicoon Creek, Flood plain, Scenic byway
	Within a major watershed	20	Same Criteria
	Within or bordering Catskill Park or Bashakill Preserve	20	Considered the Beechwoods area
	Multiple Ag enterprises	15	Same Criteria
	Historically significant	5	(Century Farms)
Formal estate or business plan			
	Yes	25	Same Criteria
Proximity to protected land			
	Adjacent to permanently protected land	20	Same Criteria
	Within 2 miles of protected land	10	
	Within 2 to 5 miles of protected land	5	
Proximity to viable agricultural lands			Measured contiguous farms instead of distance from other farms
	> 10 farms within 3 miles	10	Shrink the radius, or consider only contiguous farms
	5 – 10 farms within 3 miles	5	
Simultaneous applications			
	1 contiguous neighbor	10	Not used

Category	Criteria	Points	Town Modifications to the County LESA
	2 or more contiguous neighbors	20	
Percent of property to be protected			
	100%	10	Not used
	75 – 100%	5	
Acreage to be protected			
	>500 acres	25	Eliminate the 500 acre criteria
	100 – 500 acres	20	Same Criteria
	50 – 99 acres	10	
	< 50 acres	5	



Strategies

This section details a variety of actions that should be taken to implement this Plan. The actions are organized as local, county or state initiatives.

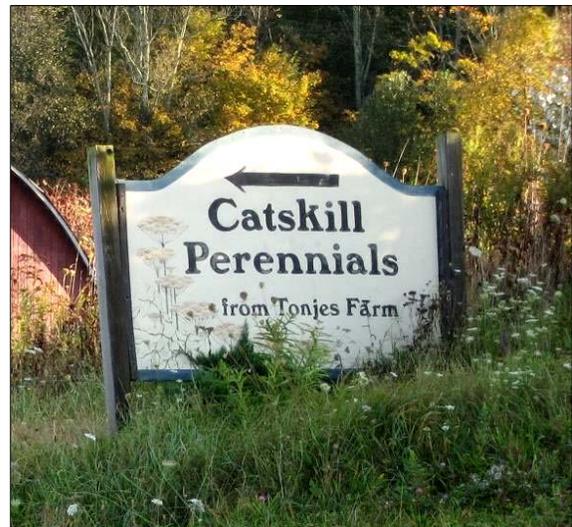
Local initiatives are those that will be carried out by the Town. These are organized into two types – Foundation Actions and Strategic Actions. In order to be successful, the Town should concentrate its initial efforts to implement the foundation actions.

Foundation actions are those that “set the stage” and establish a solid foundation to enable other, more detailed actions to take place. The Foundation Actions, when implemented, establish the leadership and structure needed to effectively carry out the other more topic-oriented actions. Strategic Actions are topic-oriented and are specific to meet one or more of the goals established in this plan.

Town Initiatives

1. Foundation Actions

- A. Formally adopt this Plan as a part of the Town Comprehensive Plan. This could be as an appendix or addendum to the existing plan.
- B. Continue the inter-municipal cooperation and regional planning efforts initiated with the creation of this Plan. Create a formal inter-municipal agreement between at least the towns of Delaware and Callicoon and explore cooperation with adjacent towns to establish the leadership, scope of work, and procedures to implementing this plan.
- C. Establish an agricultural implementation committee and appoint members to represent farmer, open space, agri-business, and local government interests. This advisory committee should be an appointed, standing committee of the Town that is responsible for representing the farm community, encouraging and promoting agricultural-based economic opportunities, finding grant opportunities, and preserving, revitalizing, and sustaining the Town’s agricultural businesses and land. The Town Board should assign terms of service,



establish a time table and benchmarks for different actions as per this plan, establish a mission statement for the committee, and outline expectations for reporting and communicating between the Committee and Town Board. This committee should be this Plan's implementing body, and should report regularly to the Town Board. Ideally, this committee should be shared between at least the Town of Callicoon and Delaware to assist both in implementing their plans. A multi-town committee could have sub-committees oriented to specific actions that may be needed for each town. This Committee should coordinate and work closely with the County agricultural economic development staff. Of prime importance should be to promote small farms and dairy farms.

- D. Consider hiring a part time person to serve as staff to the agriculture implementation committee. Funding this staff person will be most feasible if the costs are shared by multiple towns. A multi-town Agriculture Implementation Committee facilitated by one staff person could be very effective.
- E. Aggressively advocate to Sullivan County (County Manager, legislators and staff and the Agricultural and Farmland Protection Board) the critical need to fully implement the County Agriculture and Farmland Protection Plan. Work to elevate the importance of that Plan with Sullivan County officials.
- F. Aggressively advocate to New York State (Department of Agriculture and Markets, legislators, Governor) the critical need to implement the state-level actions identified in this Plan.
- G. Seek funding for implementing this Plan. Funding sources, especially grants and public-private opportunities to be explored include, but are not limited to:

USDA: Has a variety of loans and grant programs including the Value-Added Producer Grant and the Rural Business Enterprise Program.

NYS DAM: Has a variety of loans and grant programs including the Agri-Tourism Project, Specialty Crop Block Grant, Farmers Market Grants, SARE Farmers/Grower Grant Program, Grow NY including Ag Research and Development Grants, Farmland Viability Grants, Enterprise Program, and Non-point Source Abatement and Control Grants.

NYS DEC: Offers the Environmental Farm Assistance and Resource Management Program.

NYS Office of Small Cities: Offers Community Development Block Grants.

Sullivan County IDA – Has agriculturally oriented revolving loan funds, and the Agriculture Local Development Corporation that currently exists to provide incentives and tax benefits for new and expanding agricultural businesses.

NYSERDA Innovation in Ag Grants (NYSERDA), solar electric grants.

Other sources of funding to explore include but are not limited to the Sullivan County Chamber of Commerce, Sullivan County Partnership for Economic Development, Watershed Agricultural Council, Sullivan Alliance for Sustainable Development, and Pure Catskills.

- H. Implement farm and farmland related strategies recommended in the Town Comprehensive Plan. Keep both the Town Comprehensive Plan and this Agricultural Plan updated by reviewing and updating as needed every five years.
- I. Support programs, organizations, and agencies that assist farmers and farmland owners. These include but are not limited to Cornell Cooperative Extension of Sullivan County, SC Soil and Water Conservation District, USDA Natural Resource Conservation Service, Sullivan County Agriculture Economic Development, Sullivan County IDA, Delaware Highlands Conservancy, Sullivan Alliance for Sustainable Development, and Pure Catskills.
- J. Successful implementation will depend on a team approach. Coordinate implementation efforts with partners including, but not limited to Cornell Cooperative Extension of Sullivan County, the SC Soil and Water Conservation District, USDA Natural Resource Service, SC Agricultural and Farmland Protection Board, Open Space Institute, Rural Economic Area Partnership, Delaware Highland Conservancy, Sullivan Alliance for Sustainable Development, and the Catskill Mountain Keepers.
- K. Stress the importance of agriculture in all Town functions. Use every opportunity to convey the importance of agriculture to the Town including implementing this plan and using Town websites, newsletters, offices, press releases, etc. Post this information on Town web page.

2. Strategic Actions

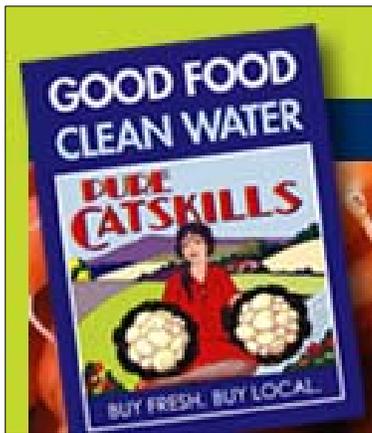
A. Topic: Economic Development

- (1) Provide information to farmers and farmland owners regarding tax relief programs that are available. Maintain copies of brochures and other information in Town Hall on these programs as well as land trusts, new farm marketing and start-up information, etc.
- (2) Ensure that the Town Assessor, farmers and farmland owners have up-to-date information on the tax relief programs and make this available to farmers.
- (3) Work with Sullivan County Agriculture Economic Development staff to promote economic development programs including, but not limited to:
 - a. establishing agricultural cooperatives,
 - b. grant writing,
 - c. ag economic development zones,
 - d. utilize existing empire zones as they are available, to maximize effectiveness and promote agricultural cooperatives and other ag businesses. (As of 2004, agricultural cooperatives are eligible to be granted Empire Zone status, allowing them to receive current tax incentives for the creation and retention of new jobs. Agricultural cooperatives are comprised of farmers located in a specific region of the State who organize to market a bulk agricultural commodity. A number of dairy cooperatives exist in New York State.) Businesses operating inside a zone are eligible for a range of tax benefits that are applied against new capital investments. Benefits include tax reduction credits, real property tax credits, sales tax exemptions, wage tax credits, and utility rate reductions, among others.



- (4) Consider establishing a Town or a Callicoon/Delaware Local Development Corporation (LDC) oriented to promoting farm and agri-business retention and expansion. This should work cooperatively with the Sullivan County Agriculture LDC.
- (5) Promote agricultural entrepreneurship within the Sullivan County Partnership for Economic Development. Work with staff and their Board of Directors to build awareness of agricultural businesses and the role they play in the economic health of Sullivan County. This already-developed and successful private/public economic development effort could support agriculturally related businesses and farm operations as part of their stated mission because they already have programmatic structures such as revolving loan funds in place. There is an opportunity to improve the status of agri-business in the region through this program.
- (6) Work with Sullivan County and expand the Sullivan County Agri-Business Revolving Loan Fund. This targets entrepreneurial, emerging and expanding agri-businesses and is available to agri-businesses for establishment or expansion in Sullivan County. Review their definition of eligible agri-businesses and ensure that production agriculture, not just processing facilities are included so that it could be used to promote additional farming operations. The loan may be used to purchase capital goods, such as:
 - o Inventory (including livestock)
 - o Machinery and Equipment
 - o Furniture
 - o Fixtures and Signage
 - o To make leasehold improvements directly related to needs of business and working capital.
- (7) Work with Cornell Cooperative Extension to create a clearing house of information including websites, and educational materials that can be used to help new farming and ag business start-ups. Tie this into existing extension efforts such as the new farm start-up program.
 - a. Many materials have already been developed by a variety of agencies and organizations. These materials should be consolidated into a single "one-stop-shopping" small farm marketing and business development tool kit.

- (8) Promote local branding and the “Pure Catskills” brand. The “Pure Catskills: Buy Fresh, Buy Local” and the “Made in the Sullivan County Catskills” are existing brands that could be promoted and more effectively utilized. However, evaluate if there are advantages to having an additional brand specific to agriculture. The Town should evaluate the effectiveness of these brands and consider developing an agricultural-based one if needed.



- (9) Inventory and develop a method to advertise all farms in Town. Consider the following ideas:
- a. Use the Town Website as marketing for area farms with text and pictures that capture the agricultural character of the Town.
 - b. Create a local regional farm inventory website that includes location, products, availability, prices, etc.
 - c. Encourage farmers to become members of Pure Catskills and increase the number of farms in Town that are listed in the Sullivan County Catskills and Pure Catskills brochures.
 - d. Work with local farms and encourage them to be listed in the New York MarketMaker website. This is an interactive mapping system that locates businesses and markets of agricultural products in New York, and provides a link between producers and consumers.
(<http://ny.marketmaker.uiuc.edu>)
 - e. Create a map and guide showing farms and farm markets in the county.
 - f. Organize farm tours, especially for local and county elected officials.
- (10) Use the Grow NY and Pride of NY materials to promote fresh foods and agriculture. Provide restaurants and businesses that buy or sell local food products with promotion materials that advertise Sullivan County fresh, local foods. (See NYS Department of Agriculture and Markets website).



- (11) Work with Sullivan County and the Sullivan County IDA to finish development of the Southern Catskills Red Meat Processing Facility in Liberty.
- (12) Establish a program to encourage entry of young and new entrepreneurial farmers into agricultural businesses. Consider the feasibility of using a Lease of Development Rights program (LDR, see below) for this purpose. An LDR could provide tax incentives for 10 years if farmers voluntarily agree to a term conservation easement and active farm operations for that time period.
- (13) Work with the Sullivan County IDA to enhance funding opportunities in the forms of loans, grants, and tax incentives directly for new farm, farm expansion, and ag-business development. Work to expand the Ag Local Development Corporation that currently exists to provide incentives and tax benefits for new and expanding agricultural businesses. Promote agricultural business development in this agency so that the same incentives are given to farms and ag businesses as other businesses.
- (14) Explore the feasibility of alternative agricultural opportunities such as aquaculture, and a Kosher market in the region.
- (15) Partner with The Center for Workforce Development program, FFA, and establish a local intern program to help provide and train a skilled agricultural workforce.
- (16) Promote value-added farming, CSA's, niche farming, and agri-tourism opportunities with landowners and farmers. Use existing resources such as the Agricultural Marketing Resource Center (www.agmrc.org) and the Small Scale Food Entrepreneurship program (www.nysaes.cornell.edu) to help.
- (17) Work with Sullivan County to enable provision of cable and high-speed internet access to all locations in the Town.
- (18) Facilitate formation of buying cooperatives so farmers can pool resources together for lower costs of products and machinery.
- (19) Help local value-added food producers explore for-rent community kitchens such as the Hudson Valley Food Works (<http://hudsonvalleyfoodworks.org>) or other similar operations. The Hudson Valley Food Works is a facility that offers six separate

but contiguous production spaces for rent, including well-equipped commercial kitchens, bakery and bottling lines and cooled packaging areas. They accommodate special production needs, including USDA and Kosher and have areas for shipping and receiving and secured spaces for dry storage, refrigeration and freezers. As the local need increases, consider developing, supporting, and marketing a similar multi-town or county-wide community kitchen.



B. Topic: Policies and Regulations

- (1) Develop a “farm-friendly” regulatory environment in Town. (See also Farmland Preservation Strategies below, and Appendix 3 for a detailed list of recommendations).
- (2) Use NYS Town Law 271.11 and appoint a farmer to serve as a member of the Planning Board to ensure that the agricultural perspective is included in the planning process.

- (3) Educate local realtors about the ag disclosure notice and the critical role they play in informing new land buyers about agricultural practices.
- (4) Develop a brochure that summarizes zoning and other land use requirements as they relate to farms and agricultural businesses and distribute to farmers and farmland owners.
- (5) Develop and adopt a Right-to-Farm Law using the model contained in the Sullivan County Agriculture and Farmland Protection Plan.

C. Topic: Education and Communication

- (1) Establish an education campaign to publicize the value of farming to the total community and improve public understanding of farm practices. Concepts to concentrate on include the role of agriculture in the community (aesthetic, environmental, recreational, and economic), and the role agriculture plays in the broader open space of the community. Education needs to be three-pronged: for the general public, for local and county elected officials, and for farmers. Some ideas to consider include, but are not limited to:
 - a. Work with the County and other organizations to continue establishment of an Agricultural Visitors Center with a working farm as a learning center;
 - b. Facilitate farm tours for the general public and elected officials;
 - c. Work with school districts that serve Town residents and establish Farm-to-School, school-based gardens, and farm-based school trips;
 - d. Support local farmers markets and events to promote farms;
 - e. Include links on the Town website to local farms and farm events;
 - f. Create welcome packets for new residents with maps, coupons, and other farm-related promotional materials, including information about farm practices, the agricultural district, the ag disclosure statement, local regulations and plans, and right to farm laws.
 - g. Work with Cornell Cooperative Extension and other agencies and organizations to help farmers learn ways to promote positive farmer/non-farm neighbor relationships.
 - h. Cooperate with WJFF to expand news coverage on agriculture.
 - i. Promote and support 4-H and FFA youth agricultural education efforts.

- (2) Work with Cornell Cooperative Extension and other agencies and organizations to coordinate a regularly held but informal farm focus group for Town farmers. Two or three times a year, invite farmers to the Town Hall for a lunch-time meeting to discuss farm-related issues and to provide information or training. If this is done at a Town or bi-town scale, farmers might be more apt to take an hour to participate.



- (3) The agricultural community should have an increased voice as local businesses in the area chambers of commerce. Encourage the Sullivan County Chamber of Commerce to reach out and recruit farms as members. Farmers should be educated about the benefits of Chamber membership.
- (4) Address gas drilling via educational programs and materials designed to help people learn about the various options and issues as they relate to agriculture.

D. Topic: Farmland Preservation

- (1) Initiate a conservation easement program.
- (2) Establish a Purchase of Development Rights program. Target PDR monies to those priority farmlands identified in this Plan (see Priority Farmland map). See Box 1 below for more information.

Box 1: Establishing a PDR Program. Under a PDR program, a landowner voluntarily sells his or her rights to develop a parcel of land to a public agency or a qualified conservation organization. The landowner retains all other ownership rights attached to the land, and a conservation easement is placed on the land and recorded on the title. The buyer of the development rights essentially purchases the right to develop the land and then extinguishes that right permanently, thereby assuring that development will not occur on that particular property. A PDR program should be based on the following principles:

1. The Farmland Priority map should be used to identify critical parcels so that the PDR program can be targeted.
2. A PDR program will succeed only if implemented in tandem with other farmland protection strategies and is not the sole answer.
3. All PDR programs are voluntary in terms of landowner participation.
4. A PDR program results in the permanent protection of lands.
5. In order to make a PDR program a reality, the Town should establish a Board or Committee to oversee the implementation of the program and to ensure that program dollars are spent wisely to acquire properties that meet the goals and objectives of the program. Committees consisting of local governments, land trusts, and members of the public work best.
6. Identify Sources of Funding. Funding sources include federal and state grants, foundations, land trusts, and public money donations such as through local tax levies. Frequently used funding sources include local appropriations from general or discretionary Town funds, general obligation bonds (voted on as a referendum by the general public), establishment of development review fees where the funds are dedicated to the program, Town real estate transfer taxes (must be approved of by the State legislature), Federal funding (USDA Farmland Protection Grants, Farmland Protection Programs of the Farm Bill), or State funding (NYS Farmland Protection Grants). Some communities have initiated a no-net-loss program (a mitigation law) that requires developers to permanently protect one acre of priority open space land for every acre of land they convert to other uses. Developers can place a conservation easement on land in another part of Town or pay a fee to satisfy mitigation.

(3) Establish a Transfer of Developments Right Program. This is a program that allows the development rights from one parcel to be transferred and built on another parcel. Sending areas should be priority farmlands in the CD and RU districts. Receiving areas should be in the SD districts near the Village of Jeffersonville. Consider also expanding the SD areas around the village. A density bonus could be given when a TDR takes place. It works best when:

- o A demand for density bonuses that could be obtained through a TDR program is created. If developers are satisfied with the density they get through zoning without buying TDR's there is less chance for the program to be used.



- Receiving areas should have adequate infrastructure, be politically acceptable, compatible with existing development, be clearly designated and in a location where developers perceive a market for higher density.

- Sending areas must have strict regulations

and densities. Too high a density in the sending area will make the TDR option not favorable.

- Voluntary TDR programs have not been found to be successful. Successful programs do not allow developments to circumvent TDR requirements.
 - Develop a TDR program that is as simple as possible and give developers certainty in the planning and review process.
 - Consider a TDR bank. This is an entity officially authorized by the community to buy, hold and resell TDRs. The bank can acquire TDRs from sending area landowners who cannot find private buyers. It can establish and stabilize TDR prices, facilitate transactions, and market the program. Further, a TDR bank can create a revolving fund by buying TDRs, selling them, and using the proceeds to buy more TDRs.
- (4) Establish a Lease of Development Rights Program. This is similar to a Purchase of Development Right program but the easement placed on a parcel is for a set term (usually 15 years) instead of permanent. The process, criteria, and funding for a LDR program is similar to the PDR (See Box 1). While the PDR program pays a landowner for his or her development rights, the LDR program “leases” those rights and payment is often in the form of a significant real property tax savings.
- (5) Use development density incentives to encourage preservation of important farmlands. This is usually in the form of a density bonus that offers additional housing units in exchange for the use of the

technique and permanent preservation of the land.

- (6) Connect land sellers and buyers to promote available farmlands for sale or rent to other farmers. Develop a program modeled on the Jefferson County "Come Farm with Us" program (www.comefarmwithus.com). Promote farmlands as potential niche farms to urban residents seeking a rural business opportunity.
- (7) Promote use of formal farmland rental agreements between farmers and farmland owners to stabilize availability of rental lands. Rental agreements are mostly verbal and informal agreements but farmers indicated a great deal of concern about continued availability of rented land. (See Appendix C for model lease agreement.)
- (8) Use this plan's farmland prioritization system for purposes of targeting PDR, TDR, LDR, incentive programs (mentioned above) and other farm-related programs to the critical mass of farmland in the Town. (See Farmland Prioritization criteria and map).
- (9) Develop non-consumptive model leases (for example recreational leases and hunting leases) to promote maintenance of open lands.

E. Topic: Environmental Protection

- (1) Promote solar panels and small wind and other renewable energy options to take advantage of alternative energy opportunities that will reduce energy costs of farms.
- (2) Ensure that zoning allows for the review and permitting of gas drilling to the full extent feasible under state laws and requirements.
- (3) Promote use of Best Management Practices.
- (4) Ensure that gas drilling projects have minimal impact on roads.
- (5) Control nonpoint source pollution, runoff and flooding.



County Initiatives

- (1) Promote and expand the County IDA's program to retain existing farms and expand new farming and agri-business opportunities. (See also Key Strategy 2 (A) and Topic C on Education and Communication Strategies, above).
- (2) Update the County Agriculture and Farmland Protection Plan and commit to full implementation of it. Add more detail, time frames, and to-do-checklists to aid in implementation.
- (3) Facilitate more interaction between County legislators and the farming community.
- (4) Continue to fund the County agricultural economic development efforts.
- (5) Support with staff, funding, and leadership the various Town initiatives outlined in this Plan. Provide assistance to the Agricultural Implementation Committee (recommended under Foundation Actions, above) and farmers with finding and writing grants.

- (6) Direct IDA policies to target more than agricultural infrastructure and processing, but farm retention and expansion. Emphasizing dairy and livestock farm initiatives is critical.



- (7) Reach out and ensure that the farmers and farmland owners are familiar with county-level programs and opportunities. Provide additional information and training of local officials about the NYS Ag District Program, its purposes, and its requirements.
- (8) Evaluate the feasibility of developing a farmer-supported, but county-facilitated farm produce distribution network that would aid moving farm products to restaurants, farm markets and other retail opportunities. Interviews for this Plan indicated that some potential markets do not have easy access to local products.
- (9) Provide up-to-date county-based information on the cost/benefits of conservation easements that protect farmland.
- (10) Enhance agriculture and locally grown products on the Sullivan County Visitors Association website. Agriculture should have a more prominent role in tourism. The website currently has opportunities for people to request brochures on county antiques, pottery, gay-friendly businesses, and historic sites, but nothing about agriculture. Some agricultural events and businesses are included on the site, but not as many as included in the Made in the Sullivan County Catskills brochure.

- (11) Promote and support ag-educational programs for both youth and adults.
- (12) Create a farm inventory listing all farms and farm products in Sullivan County.

State Initiatives

- (1) Provide additional incentives to landowners who rent their land for farmland to maintain the rented land farm base.
- (2) Create additional funding streams to assist towns and counties to implement the Ag and Farmland Protection Plans the State has already sponsored.
- (3) Lower the gross sales limits a farmer needs in order to be eligible to receive ag assessments (currently \$10,000 or more if 7 acres are farmed or \$50,000 if less than 7 acres are farmed).
- (4) Increase the Farm to School initiatives.
- (5) Expand local options for raising funds for PDR and LDR programs including allowing for use of real estate transfer taxes.
- (6) Provide funding to reduce farm production costs such as on-farm methane digesters and use solar or small wind facilities to reduce energy costs for farms.
- (7) Allow local governments to use the penalties that are collected when land that has received ag assessments is taken out of production to be used for local PDR funding and other new farm incentives.
- (8) Create county by county information on cost of services, cost/benefit analyses, economic multipliers, and fiscal impacts of land conversion. This information is important to help local governments understand the implications of farms and farmland loss to their communities.
- (9) Develop mechanisms to help local communities bring their local planning to be more consistent with the Ag Districts program.
- (10) Provide additional information and training of local officials about

the NYS Ag District Program, its purposes, and its requirements.

- (11) Provide a mechanism, possibly through Cornell Cooperative Extension, to provide specific business plan development and marketing support for direct sale, niche farming, and value added operations.
- (12) Change state level policies that require creation of new jobs as part of the ranking criteria for economic development project proposals.
- (13) Provide more training for local officials using up-to-date technology such as webinars on a variety of topics including:
 - a. Valuation of farm properties (assessors)
 - b. Provisions of NYS Ag District Law
 - c. Operational details of farmland protection
 - d. Farmland protection techniques for towns and their attorneys.
 - e. More tools and models for local leaders to help them effectively incorporate agriculture into their plans, codes and ordinances. Create a real toolbox that the average volunteer local official can easily and readily adapt to their situation.
- (14) Initiate state level programs to plan for local “foodsheds” to ensure that New York can “feed itself” in the future.
- (15) Establish a “farm viewshed protection program” by providing for tax incentives to farmers who maintain open farmland within public viewsheds (from State highways).



Recommended Strategies for Land Use: Town of Delaware

A. Town of Delaware Zoning Law (See Review in Appendix 3¹)

1. Update §202 (Definitions) to include a broader definition of agriculture and agricultural terms. Add in definitions for other types of agriculture such as nurseries, aviaries, aquaculture and other types of farming. Add definition of "farm". Consider removing "active recreational activities" from the open space definition and redefine open space to include natural areas, undeveloped lands, and agricultural lands.
2. Update §401 (Uses) to permit other types of farm operations. Below is a partial listing of a number of potential agri-tourism, farm-support and farm-compatible businesses that the Town could consider allowing in the RU districts. Most should be allowed as permitted or accessory uses, although a more intensive operation should be considered for permitting through special use or site plan review processes. When site plan is needed for certain agricultural uses, consider use of a modified review process similar to that advocated in the NYSDAM guidelines for agricultural operations.

Agri-tourism: u-picks, CSAs, expanded road stands, corn mazes, hay rides, pumpkin patches, seasonal events, school programs, weddings and parties, farm markets, dairy barns, bakeries, farm stores and restaurants, bed and breakfasts, farm stays;

Farm support businesses: slaughterhouse, community kitchen;

Farm-compatible businesses: child or adult care center, riding academy, outdoor recreation.

3. Review the list of special uses allowed in the RU district and consider removing those that would be incompatible with the agricultural goals established in the Comprehensive Plan such as hotels, motels, manufacturing, industry, airports, and amusement parks.
4. Update §605.11 (Surface and Ground Water Protection) to exempt agricultural activities from these requirements.
5. Update §613.5 (Clearcutting for Timber) to clarify the relationship between clustering, density bonuses, and clearcutting for timber (See explanations in Appendix).

¹ The review provides the rationale as to why the changes were recommended.

6. Update §701 (Clustering) to clarify under what circumstances the Planning Board may require clustering of a subdivision. If the Town wants to give the Planning Board the authority to require a clustered development, those circumstances should be clearly outlined in the law as to when this can occur, and coordinated with the subdivision law process. This section should also be updated to be more specific about what kind of open space is desired, and how the development will be planned to protect those resources. Other issues related to clustering that should be addressed in an update include:
 - a. Increase the amount of open space on a parcel required to be preserved from 25% to 50%.
 - b. Offer incentives (in the form of density bonus) for clustering as called for in the Comprehensive Plan.
 - c. Allow agriculture as a permitted use on the preserved open spaces within the parcel.
 - d. Allow for dedication of the preserved open space to either a home owners association or remain in private ownership (or through a land trust) with deed restrictions or easements for future development.
 - e. Consider making the minimum lot size in a clustered/conservation subdivision to be whatever the NYS Health Department would permit for a septic system and not too large. If the soils were adequate, this could be smaller than 1 acre lots. Other bulk requirements should be determined at the time of subdivision. This gives maximum flexibility for good design and maximum preservation of open space for natural resources and agriculture.
7. Update §703 (Planned Unit Development) to allow for and encourage agriculture on any preserved open space lands within a new PUD.
8. Update §805.3 (Adverse Effects) to ensure that the Planning Board also evaluates the adverse effect a proposed special use may have on adjacent agricultural uses.



9. Update §805.5 (Special Use and Site Plan Conditions and Additional Standards) add to this list that special attention be paid to the impact a proposal may have on continuing agricultural uses.
10. Update § 806.8 (hearing notice) and all other locations where the ag data statement is mentioned, to require a public hearing notice be sent to all those people listed on that ag data statement.
11. Update §1002.3 (Activities Not Requiring Permits) to clarify that agricultural uses not requiring a special use permit as per Section 401 are exempt.
12. Consider changes to the zoning map, district boundaries, and density regulations to reduce development pressures on agricultural lands:
 - a. Use Average Lot Density: Do not require a minimum lot size, but instead rely on an average density to be attained over the entire parcel being developed. Minimum lot sizes can be as small as allowed by the Department of Health for septic systems or even smaller if sewers were provided for.
 - b. Reduce Density Using a Sliding Scale: This technique sets a density of development based on the size of the parcel to be divided.
 - c. Reduce Density by Using Net Acreage: This removes lands on a parcel having certain characteristics such as wetlands, open water, very

steep slopes, or prime farmlands from being included in the calculation for how many new residential units the parcel is eligible for.

- d. Reduce Density but give it back with Incentives: For conventional subdivision development with no open space protections, reduce the allowable density of development compared to existing regulations. Offer a density bonus if the applicant proposes a clustered subdivision, participates in a Transfer of Development Rights program, or otherwise protects agricultural lands in Town. A density bonus process that offers incentives for development could be added to zoning. Incentives could be offered for use of conservation easements, purchase and preservation of farmland off-site, use of conservation subdivisions, use of clustered subdivisions, or participation in a transfer of development rights program, for example.
- e. Initiate a Transfer of Development Rights Program. The program should include the following concepts:
 1. A density bonus could be given when a TDR takes place. The TDR program should create a demand for density bonuses.
 2. Receiving areas should have adequate infrastructure, either existing or provided by the developer, and be politically acceptable, compatible with existing development, be clearly designated and in a location where developers perceive a market for higher density. Receiving areas should be in the SD districts near the Village of Jeffersonville. Consider also expanding the SD areas around the village.
 3. Sending areas must have strict regulations and densities. Too high a density in the sending area will make the TDR option not favorable. Sending areas should be priority farmlands in the CD and RU districts.
 4. The TDR program should be as simple as possible and set up to give developers certainty in the planning and review process.
 5. Consider use of a TDR bank. This is an entity officially authorized by the community to buy, hold and resell TDRs. The bank can acquire TDRs from sending area landowners who cannot find private buyers. It can establish and stabilize TDR prices, facilitate transactions, and market the program. Further, a TDR bank can create a revolving fund by buying TDRs, selling them, and using the proceeds to buy more TDRs.

- h. Consider splitting the existing RU district into two in order to target land uses better for agriculture. North of Route 17B and Fulton Hill Road could be an agricultural district that would still allow for low density residential development but have standards oriented to agricultural protection, and south of 17B and Fulton Hill Road would be RU oriented as it is now to low density residential development.
13. Include in zoning a buffer requirement that new non-farm uses must provide for when they are adjacent to farm operations to reduce the potential for nuisance complaints. Authorize the Planning Board to determine the size and width of this buffer on a site by site basis.



B. Subdivision Regulations

More emphasis should be added to the Subdivision Law as it relates to agriculture as follows:

1. Add maintenance of agricultural lands as an important purpose of the subdivision regulations.
2. Consider defining a minor subdivision as one that creates no more than 5 lots, and a major as one that creates lots over 5 (See Appendix for explanation).

3. Clarify that the Planning Board should use the Ag Data Statement to identify people to be notified about the hearing related to a proposed subdivision.
4. Amend §304.12 (Existing or man-made features to be included on plat (major subdivision)) to include prime soils and agricultural activities on the plat so that the Planning Board can adequately review the subdivision and protect as many important farmlands as possible. The list of plat requirements for minor subdivisions should also include identification of active agricultural lands on or adjacent to the proposed subdivision.
5. Amend Article IV (Design Standards) to strengthen attention given to agriculture as per the Town of Delaware Comprehensive Plan. This section should include rural siting standards so that new development is more consistent with continuing adjacent farming operations. Such standards related to agriculture (others exist related to rural character) could include, but are not limited to:

- a. Place buildings on edges of fields and not in middle of field;
- b. Use existing vegetation and topography to buffer and screen new buildings or group in clusters, situated behind tree lines or knolls. Require new non-farm uses to create a buffer between itself and active agricultural operations;
- c. Place buildings away from prime farmland soils or



soils of statewide significance;

6. Update §404 (Open Space) so open space is defined the same as in the zoning law. Further, the definition should put less emphasis on active recreation and more on agriculture and conservation. Do not require preserved land be kept solely for common open space because that may not be advantageous to a farmer who would like to develop some of his land but retain ability to farm on some land.
7. Include procedures and details in the subdivision law to guide a clustered or conservation subdivision process. The zoning should establish the rules as to when and what standards such a subdivision would need, but the subdivision should outline the review process as well. The subdivision law should be adequate to provide the applicant and Planning Board all necessary procedures and standards with which to implement the requirements detailed in the zoning related to clustered and conservation subdivisions.

Implementation Steps

This section outlines an action plan to implement the Agriculture and Farmland Protection Plan's recommended strategies. Leadership from the Town Board is critical to put this plan into action. Although the Town Board has the ultimate responsibility in implementing this plan, they will need assistance from various boards, agencies, and organizations for specific strategies recommended in the Plan. This Plan calls for a variety of policy decisions, program initiation, regulatory changes, coordination with regional organizations and agencies, and securing funding.

The following schedule is a compilation of all the actions identified in this Plan. The action table does not detail each strategy contained in the Plan. Instead, it is a compilation of the actions suggested and presents a prioritization of major categories of work to be accomplished in Delaware. This Action Plan should not be a substitute for the details contained in the rest of the Plan. This table also includes actions that must be implemented by the County, State or other entities. As such, the Town's role in these should be to aggressively lobby or engage those other entities in implementing the action.

The table below provides a checklist of strategies and identifies the level of priority each holds as well as staff, agencies and organizations who would be responsible for implementing that action, and the specific section in this plan where details about that action can be found.

Key to Priorities

The priorities listed in the table below are based on the following scale:

Initial	Short	Medium	Long	Ongoing
Initial =	Highest priority to be implemented immediately following plan adoption (Within the First Year)			
Short =	High priority to be implemented within two years following plan adoption			
Medium =	Priority to be implemented within two to five years of adoption			
Long =	Important but not a critical priority, to be implemented within five to seven years following plan adoption			
Ongoing =	An action item that needs ongoing attention			

Implementation Chart

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility ²	Plan Reference
Foundation	Delaware: Adopt the Ag Plan as an addendum to the Town Comprehensive Plan.	Initial	Town Board	Foundation Action A
Foundation	Continue inter-municipal cooperation between Delaware and Callicoon	Initial/Ongoing	Town Board	Foundation Action B
Foundation	Establish an Agricultural Plan Implementation Committee	Initial	Town Board	Foundation Action C
Foundation	Advocate implementation of the Sullivan County Ag and Farmland Protection Plan	Initial/Ongoing	Town Board	Foundation Action E
Foundation	Advocate implementation of state-level strategies with New York State Department of Agriculture and Markets	Initial/Ongoing	Town Board	Foundation Action F
Ag Economic Development	Provide information and training on tax relief programs	Initial	Town Board/Ag Committee/Assessor/NYS DAM	Strategic Action (A) 1 and 2
Foundation	Seek funding and consider hiring part-time person to serve as staff and implementation facilitator	Short	Town Board/Ag Committee	Foundation Actions D and G
Ag Economic Development	Work with Sullivan County to establish ag economic development zones and enhance other IDA funding opportunities, expand the Agri-business Revolving Loan Fund, finish the Meat Processing Facility in Liberty	Short	Ag Committee/IDA/County Ag Economic Development	Strategic Action (A) 3, 6, 11, 13 and County Initiatives 1 and 6

² For actions that involve County, State or other agencies, the Town's role should be to lobby that entity to implement the strategic action outlined.

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility²	Plan Reference
Ag Economic Development	Enhance the role of agriculture in the Sullivan County Partnership for Economic Development programs	Short	Ag Committee/Sullivan County Partnership	Strategic Action (A) 5
Policies and Regulations	Appoint farmer to serve on Planning board	Short	Town Board	Strategic Action (B) 2
Policies and Regulations	Develop a Right to Farm Law	Short	Town Board	Strategic Action (B) 5
Education and Communication	Develop and disseminate educational materials on gas drilling to farmers and farmland owners	Short	Sullivan County Planning	Strategic Action (C) 4
Farmland Preservation	Update zoning to include an incentive program in the form of density bonuses for farmland protection	Short	Ag Committee/ Planning Board/ Town Board	Strategic Action (D) 5
Farmland Preservation	Promote use of formal farmland rental agreements	Short	Ag Committee/ Town Assessor	Strategic Action (D) 7
Environmental Protection	Update zoning to allow for review and permitting of gas drilling to the full extent feasible under state law	Short	Town Board/ Planning Board	Strategic Action (E) 2
County Initiative	Enhance the role of agriculture on the Sullivan County Visitors Association website	Short	Sullivan County Visitors Association	County Initiative 10
State Initiative	Develop new initiatives to encourage landowners to maintain long term leases for farming	Short	NYSDAM	State Initiative 1
State Initiative	Create new funding streams to help towns implement ag plans; provide funding to reduce productions costs	Short	NYSDAM	State Initiative 2, and 6

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility²	Plan Reference
State Initiative	Expand local options for raising funds for PDR and LDR programs; Allow for local governments to use penalties collected for taking land out of production to be used for local PDR funding	Short	NYSDAM	State Initiative 5 and 7
State Initiative	Develop mechanisms to help towns bring local planning to be consistent with Ag Districts program	Short	NYSDAM	State Initiative 9
State Initiative	Change state policies that require economic development project proposals to be oriented to employment creation to better mesh with agriculture	Short	NYSDAM	State Initiative 12
Ag Economic Development	Inventory and find ways to advertise all farms in Town	Short/Ongoing	Ag Committee/Sullivan County Planning	Strategic Action (A) 9
Ag Economic Development	Promote value-added, Community Supported Agriculture (CSA), niche, and agri-tourism farming opportunities	Short/Ongoing	Ag Committee/ NYSDAM/ Cornell Cooperative Extension	Strategic Action (A) 16
Education and Communication	Establish an educational campaign to publicize value of farming to the total community and improve public understanding of farm practices	Short/Ongoing	Ag Committee/ Cornell Cooperative Extension/ NYSDAM/ Open Space Institute/ DHC/ SCSWCD	Strategic Action (C) 1
Ag Economic Development	Work with Cornell Cooperative Extension to create a clearing house of information for new farm startups and expansions	Medium	Ag Committee/Cornell Cooperative Extension	Strategic Action (A) 7

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility²	Plan Reference
Ag Economic Development	Establish programs to encourage entry of young and new entrepreneurial farmers into agriculture in Town	Medium	Ag Committee	Strategic Action (A) 12
Ag Economic Development	Explore feasibility of alternative agricultural opportunities such as kosher markets and aquaculture	Medium	Ag Committee	Strategic Action (A) 14
Ag Economic Development	Partner with Future Farmers of America (FFA), and the Workforce Development Program to establish a local intern program for training skilled agricultural workers	Medium	Ag Committee/FFA/ Cornell Cooperative Extension/County Workforce Development Program	Strategic Action (A) 15
Ag Economic Development	Work with Sullivan County to provide for high-speed internet and cable throughout Town	Medium	Town Board/Sullivan County	Strategic Action (A) 17
Ag Economic Development	Explore creation of a for-rent community kitchen to promote value-added farming	Medium	Ag Committee	Strategic Action (A) 19
Policies and Regulations	Update zoning, subdivision, and site plan laws to be farm-friendly (strategies within section are organized by priority)	Medium	Ag Committee/ Planning Board/ Town Board	Strategic Action (B) 1
Policies and Regulations	Work with area realtors to educate them about the ag disclosure notice	Medium	Ag Committee/ Area Real Estate Agencies	Strategic Action (B) 3
Policies and Regulations	Develop brochure that summarizes zoning and land use requirements and disseminate to farmers and farmland owners	Medium	Ag Committee/ Planning Board	Strategic Action (B) 4
Education and Communication	Work with the Sullivan County Chamber of Commerce to increase farmer membership in the Chamber	Medium	Ag Committee/ Sullivan County Chamber of Commerce	Strategic Action (C) 3

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility²	Plan Reference
Farmland Preservation	Establish a Purchase of Development Rights (PDR) program: Use this plans prioritization model to identify priority parcels	Medium	Ag Committee/ Planning Board/ Town Board/ Open Space Institute/ DHC	Strategic Action (D) 1, 2, and 8
Farmland Preservation	Promote use of model leases for landowners to use for recreation and hunting uses	Medium	Ag Committee/ Town Assessor	Strategic Action (D) 9
County Initiative	Explore a county-wide distribution network to improve local business access to local farm products	Medium	Sullivan County Planning	County Initiative 8
County Initiative	Conduct county study showing cost/benefits of use of conservation easements on Town budgets	Medium	NYSDAM/ Sullivan County Planning/ DHC/ Open Space Institute	County Initiative 9 and State Initiative 8
State Initiative	Change ag assessment rules to allow for more small farms to take advantage of the ag assessment program	Medium	NYSDAM	State Initiative 3
State Initiative	Initiate "foodshed" planning for long-term sustainability in New York State	Medium	NYSDAM	State Initiative 14
Education and Communication	Work with Cornell Cooperative Extension to coordinate and hold regular farm focus group meetings for Town farmers and farmland owners.	Medium/Ongoing	Ag Committee/ Cornell Cooperative Extension	Strategic Action (C) 2
State Initiative	Support business plan development and marketing support	Medium/Ongoing	NYSDAM	State Initiative 11
Farmland Preservation	Establish a Transfer of Development Rights (TDR) program: Use this plans prioritization model to identify sending and receiving parcels	Medium/Long	Ag Committee/ Planning Board/ Town Board/ Open Space Institute/ DHC	Strategic Action (D) 3 and 8

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility²	Plan Reference
Farmland Preservation	Establish a Lease of Development Rights (LDR) program	Medium/Long	Ag Committee/ Planning Board/ Town Board/ Open Space Institute/ DHC	Strategic Action (D) 4
Ag Economic Development	Consider establishing a local development corporation to promote farm and agri-businesses in Callicoon and Delaware	Long	Ag Committee/Cornell Cooperative Extension/ Town Attorney	Strategic Action (A) 4
Ag Economic Development	Explore formation of local buying cooperatives to help farmers pool resources and keep productions costs down	Long	Ag Committee/Cornell Cooperative Extension	Strategic Action (A) 18
Farmland Preservation	Develop a "Come Farm with Us" program to match buyers and sellers of farmland for farming	Long	Ag Committee/Local Real Estate Agents	Strategic Action (D) 6
State Initiative	Develop tax incentive program to encourage preservation of farms within viewsheds of State highways	Long	NYSDAM	State Initiative 15
Foundation	Advocacy to NYS to implement state-level initiatives, continue support of farm support agencies and organizations, incorporate agriculture into all Town functions	Ongoing	Town Board, Ag Committee	Foundation Actions F, H, I and K
Ag Economic Development	Promote the "Pure Catskills" brand and consider establishing a new agriculturally-based theme, use Grow NY and Pride of NY materials and programs	Ongoing	Ag Committee/ Cornell Cooperative Extension/ NYS Ag and Markets	Strategic Action (A) 8, 10
Environmental Protection	Promote alternative energy for farms	Ongoing	Ag Committee	Strategic Action (E) 1

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility²	Plan Reference
Environmental Protection	Promote use of best management practices	Ongoing	SC SWCD	Strategic Action (E) 3
Environmental Protection	Ensure gas drilling has minimal impact on local roads	Ongoing	Town Board/ Planning Board/ Highway Department	Strategic Action (E) 4
Environmental Protection	Control nonpoint sources of pollution, flooding, and runoff from farms	Ongoing	SC SWCD	Strategic Action (E) 5
County Initiative	Facilitate more interaction between County legislators, County Manager, and the farming community	Ongoing	Sullivan County Planning	County Initiative 3
County Initiative	Continue funding of County agricultural economic development staff and programs and continue staff and funding of ag programs as outlined in plan	Ongoing	Sullivan County Planning	County Initiative 4 and 5
County Initiative	Educate farmers and farmland owners about county level programs that support agriculture	Ongoing	Sullivan County Planning	County Initiative 7
State Initiative	Provide information and training on Ag District programs, farm valuation, farmland protection techniques, models and tools for land use planning	Ongoing	NYSDAM	State Initiative 10 and 13

Appendix 1: Farms and Farm Resources

1. Farm Operations and Farmland

Feature	Acres
(105) Productive Vacant Land ³	1,938
(110) Livestock	605
(111) Poultry	80
(112) Dairy	1,628
(113) Cattle	229
(120) Field Crops	800
(170) Nursery	79
Non-Farm class properties, but identified as farmland through planning process	4,259
Total Farmland Acres	9,618 (43% of entire town)
Number of parcels rented for farmland (estimate)	~190
Average Size of Farm	40 acres

Farmland Soils	Acres
Prime Farmland in the Town	1,544
Soils of Statewide Importance in the Town	9,895
Prime Farmland Soils on farms	637
Soils of statewide importance on farms	5,199

Farm Employment for Residents over 16 Years of Age

	1990				2000			
	Bethel	Callicoon	Delaware	Liberty	Bethel	Callicoon	Delaware	Liberty
# with Farming, Fishing and Forestry as Occupations	91	42	56	48	18	4	5	66
# in Farming, Fishing and Forestry Industry	92	56	52	31	44	56	28	95

³ The numbers in parenthesis reflect the land use code assigned by the Town Assessor

2. Snapshot of Delaware Farms and Farmland Owners

Results of Survey

During the Fall of 2008, all farmers and farmland owners in Town were included in a farm and agri-business survey. Twenty-three farm/farm landowners responded. The results of this effort reflect a snapshot, or sample, of farm and farm operations in Town. A summary of the results are as follows:

a. There are a wide variety of farms represented in the sample including:

Type of Farm	Number of Farms
Dairy	8
Livestock (including horses and alpaca)	6
Cash crop (hay)	1
Fruit	1
Christmas Trees	1
Maple products	1
Bees	1
Other	4

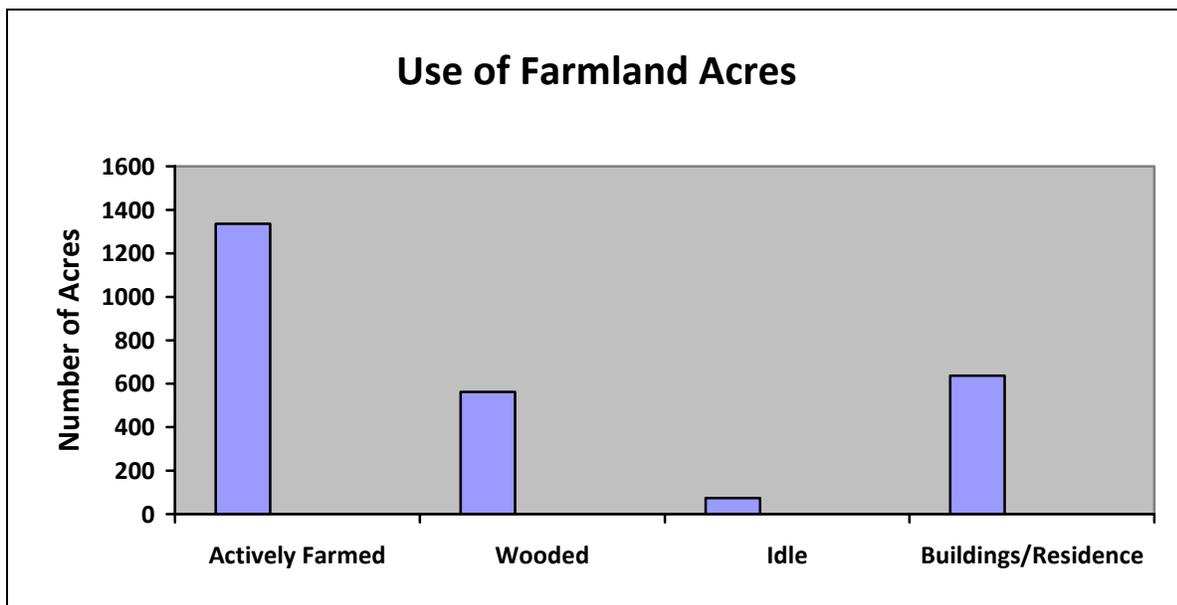
b. Some farms had secondary operations including forestry, eggs, vegetables, Christmas trees, alternate energy, art, trucking, solar panels, compost, beef cows, hay, and agri-tourism.

c. Two farms sold goods or services at farmers markets: in Bethel Woods, and in Callicoon.

d. Some Delaware farmers also own or rent land in surrounding towns as shown below. The average size of owned land was 126 acres. About half of the farmland inventoried was actively farmed, with the other half either wooded or in farm residences/agricultural structures. Less than 3% of the land was considered idle.

Farmland Owned and Rented by Survey Participants

Town	Total Acres Owned	Total Acres Rented
Bethel	120	160
Callicoon	23	0
Delaware	2907	1416
Liberty	2	0
Total	3050	1576



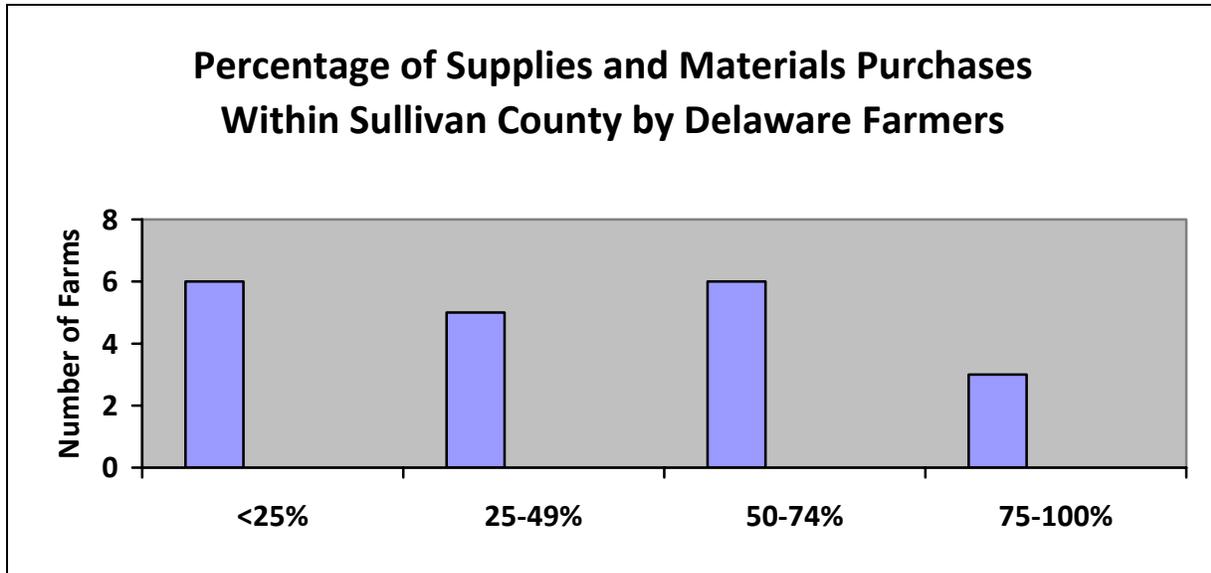
e. Sixty people were employed by the farms that participated in the survey. This included 34 full time workers, 16 part time workers, no seasonal full time and 10 part time seasonal workers.

f. Farms typically support one household. Almost all farms have been in existence for a long time with farms holding an average of 63 years in the same family.

g. A majority of farmers received ag value assessments on their property and structures, participated in the STAR tax program, and were enrolled in a State certified Agricultural District. However, there was very little participation in the Sustainable Agriculture Research and Education program,

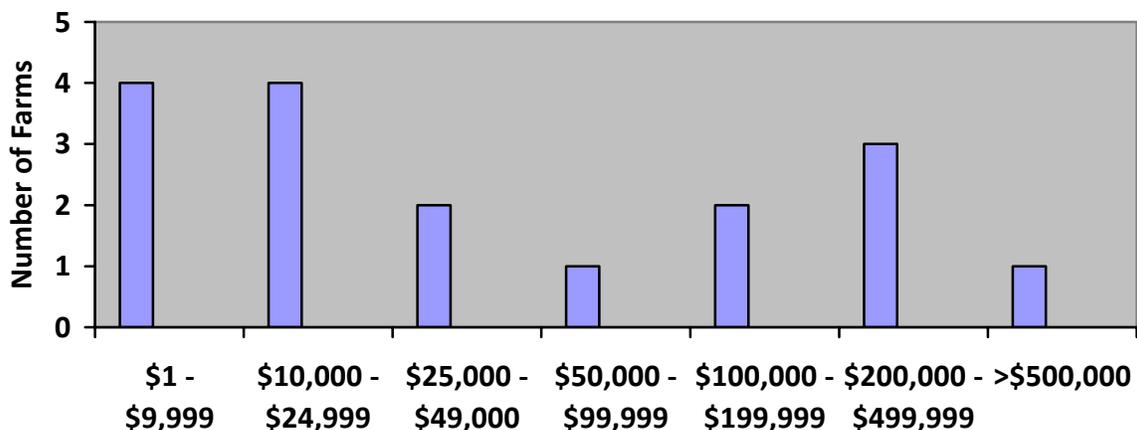
IDA tax abatement, NYSERDA, or Watershed Ag Council programs.

h. Sullivan County agri-businesses supplied farms only a portion of needed supplies and equipment as shown below.



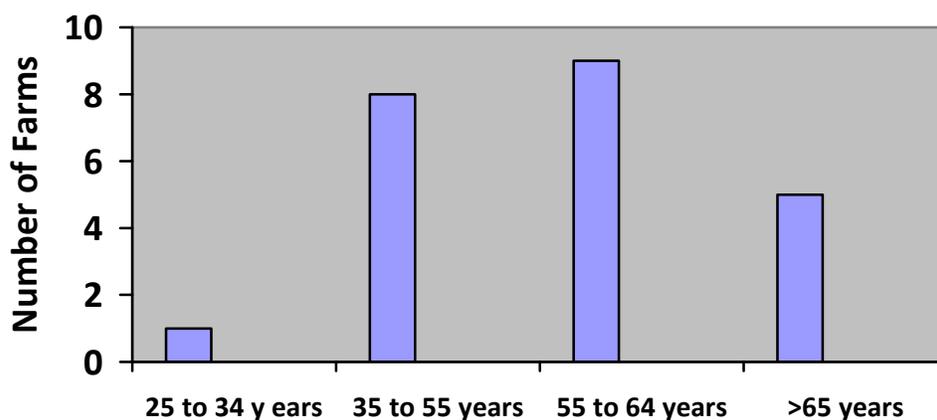
i. There was a wide variation in farm gross annual sales. Of the 18 farms that answered this question, 11 or 61% earned less than \$50,000 from their farm operation, and five of those earned less than \$10,000. Although many farms had relatively small gross annual sales, taken together, these sample farms contributed a total of 1.5 to 2.2 million dollars of gross sales in Delaware. Agriculture has a very large multiplier effect and thus positively impacts the area's economy. For example, gross sales of 1.5 million dollars would have a total economic impact of about \$570,000 from earnings and about \$2 million in output (using conservative multipliers).

Gross Annual Sales (Number of Farms)



j. The farm population is an aging one. Only four percent of survey participants were younger than 34 years of age. Thirty-five percent of the participants were middle aged (35 to 64 years) and 22% were over 65 years.

Age of Participating Farmers or Farmland Owners



k. About 91% of the surveyed farmers have lived in Sullivan County for more than 20 years. All participants except one had at least a high school degree. About 29% have high school degrees, 48% have some college, and 26% have a college degree. Among the participants was one with a master's degree.

2. Agri-business Survey

The agri-business survey went to businesses that support agriculture in the Sullivan County region. These included feed and seed dealers, machinery sales, equipment, insurance, legal, financial, and veterinary businesses. Most of these businesses were long-lived being in business an average of 67 years. 71 seasonal workers (26 full time and 45 part time), and 374 year round (332 full time and 42 part time) are employed by these businesses. Even removing insurance, legal and financial businesses, all other agri-businesses employed 193 year round and 63 seasonal employees. The majority of businesses had gross sales over \$100,000 as shown below. Forty-three percent had gross sales over \$500,000. Taken together, these businesses contribute 1.3 million to over 10 million to the Sullivan County economy. These businesses are not totally supported from farms within the County however: only three businesses indicated that more than 75% of their client base is from within the county and most (58%) said that less than 25% of their clients are within the county.

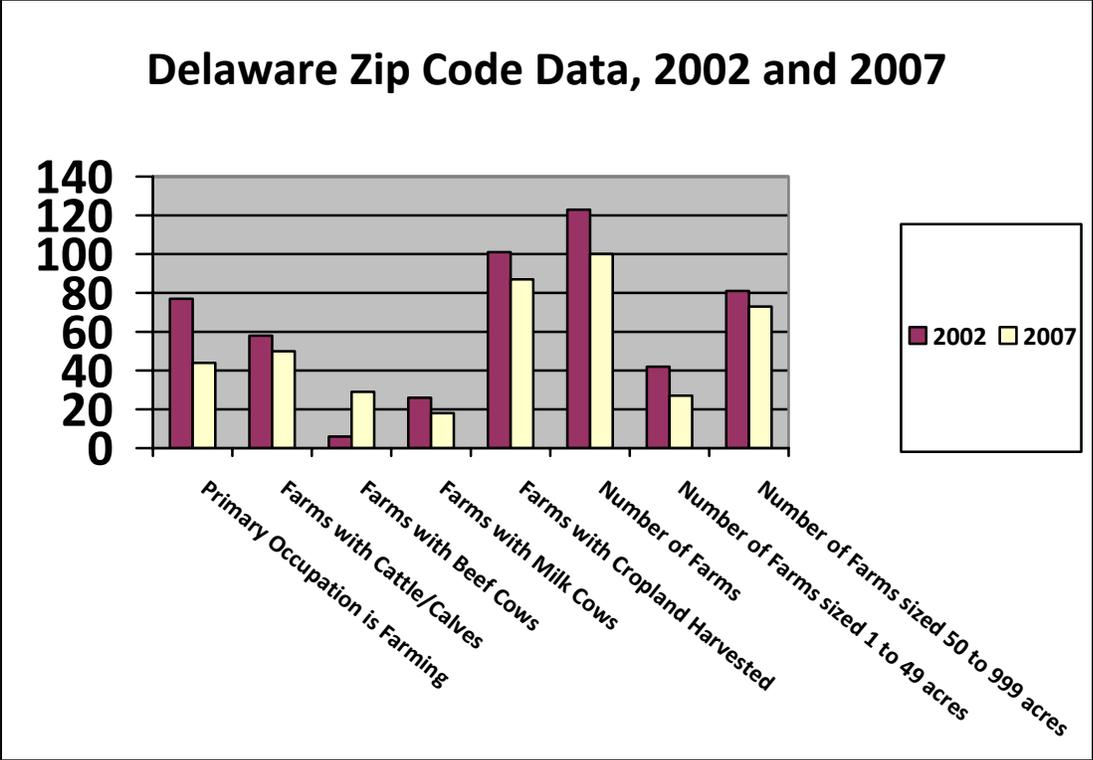
3. Highlights of US Census of Agriculture by Zip Code

Appendix 1 details data from the US Census of Agriculture by zip code. (Note that the zip code data does not match the borders of the Town of Delaware. This data includes all zip codes within the Town but extends into other areas as well.) This census is completed every five years.

The following table and chart compares highlights of the 1997 to 2007 data:

	# Farms	# 1-49 Acres	# 50 to 999 Acres	# Where Farming is Principal Job	# with Cropland Harvested	# with Cattle/Calves	# with Beef Cows	# with Milk Cows
1997*	90	17	73	64	82	62	21	35
2002	123	42	81	77	101	58	6	26
2007	100	27	73	44	87	50	29	18

*Two zip codes within Delaware had no zip code level data included so results for 1997 do not include the same sample.



This chart shows some significant trends. The general trends show a decrease in all measures of agriculture. There are fewer farms where the operation is the primary occupation of the farmer. The number of farms with cattle/calves and milk cows has also decreased. However, there are more beef farms in Delaware. As the total number of farms have decreased, the number of acres having cropland harvested also fell. That indicates that the some land was taken out of production rather than being bought or used by other farms. The number of farms of all sizes decreased over the past decade. *It is important to note that the observed trend may be influenced by more farmers filling out the census from one year to the next.*

A look at changes in Bethel, Liberty, Callicoon, and Delaware towns offers additional insight. Using US Census data and US AG Census Data (zip code level), the following table summarizes trends and changes:

	1990-2008 Change in Population (number of people)	1990-2000 Change in Population (percent)	2000- 2008 Change in Population (percent)	# Residential Building Permits Issued 1990-2008	# Lots Created 1990- 2008	Change in # of Farms 2002- 2007
Callicoon	+92	+.99%	+2%	326	458	-17%
Delaware	+166	+3.3%	+2.9%	288	202	-19%
Bethel	+850	+18%	+4.1%	869	732	No Change
Liberty (outside Village)	-163	-0.7%	-2.2%	622	727	-11%

In Delaware, the population increased by 166 people with a lower rate of change between 2000 and 2008 than 1990 to 2000. At the same time, 288 new residences were built, 202 lots were created, and the number of farms decreased by about 19%. The Town of Bethel had the highest growth rate of the four towns, but no real change in the number of farms.

4. County Trends

Understanding the agricultural trends facing Sullivan County assists in identifying changes or issues that may be influencing farms in the Town of Delaware. The following 1997 to 2007 highlights summarize the major trends agriculture is experiences in the County (See full data set in Appendix 2).

Between 1997 and 2007 there were:

- A decrease in acres farmed.
- An increase in the number of farms.
- An increase in the market value of farm land and buildings.
- A decrease in the number of very small farms, an increase in the medium sized farms (10 to 179 acres) and a decrease in larger farms.
- A decrease in cropland and harvested cropland.
- An increase in the market value of farm products.
- An increase in the number of farms earning small amounts from the farm and a decrease in the number of farms earning larger amounts.
- A decrease in the per farm net cash return.

- A decrease in the number of farmers who farm as a principal occupation.
- A decrease in the number of farms raising, and in the number of cattle, calves, and cow animals.
- A decrease in the acreage planted to corn and hay, and in orchards.
- An increase in the number of farms and acreage planted to potatoes, sweet potatoes and vegetables.

5. Ag Districts

Land in a NY Certified Ag District	16,168 acres
Farmland in a NY Certified Ag District	9,036 acres
Number of farmland parcels in a NY Certified Ag District	224 parcels
Total Acreage in the Town of Delaware	22,683 acres

6. Economic and Fiscal Conditions

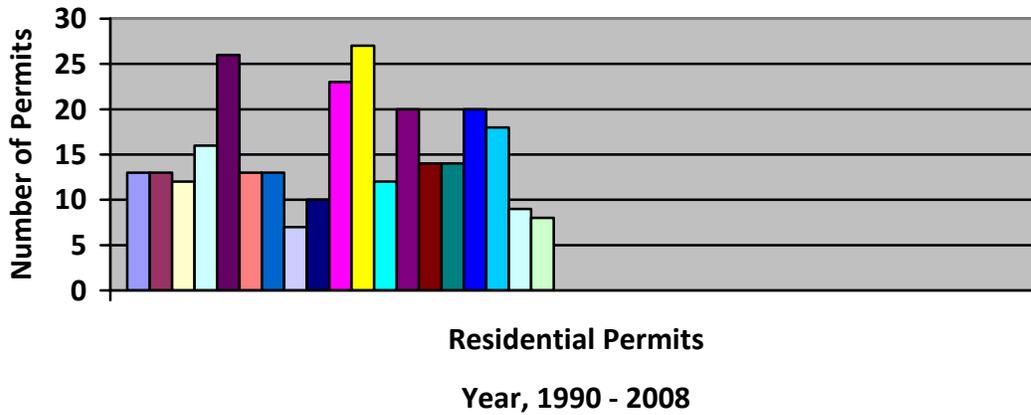
AGRICULTURE CLASS PARCELS INCLUDED IN 2007 TOWN ASSESSMENT ROLL					
<u>Property Use Code</u>	<u>Category</u>	<u>Number of Parcels</u>	<u>Number of Parcels With Ag. Exemption</u>	<u>Average Value (\$)</u>	<u>Total Market Value (\$)</u>
Agriculture Class Parcels					
105	Productive Vacant Land	58	53	39,450	2,288,114
110	Livestock	6	6	165,368	992,208
111	Poultry	1	1	173,500	173,500
112	Dairy	19	17	188,134	3,574,547
113	Cattle	2	2	270,600	270,600
120	Field Crops	8	8	181,137	1,449,100
170	Nursery	1	0	53,500	53,500
Total		95	87	153,098	8,801,569

Appendix 2: Housing, Development and Demographic Trends

1. Housing and Development Trends

Year	Residential Permits	Miscellaneous Permits	Commercial Permits	Industrial Permits	Total
1990	13	15	3	0	31
1991	13	25	0	0	38
1992	12	15	0	0	27
1993	16	32	0	0	48
1994	26	24	3	0	53
1995	13	32	0	0	45
1996	13	48	1	0	62
1997	7	45	1	0	53
1998	10	45	10	2	67
1999	23	22	0	0	45
2000	27	55	0	0	82
2001	12	61	0	0	73
2002	20	70	0	0	90
2003	14	38	0	0	52
2004	14	95	1	0	110
2005	20	61	3	0	84
2006	18	85	4	0	107
2007	9	37	5	0	51
2008	8	5	0	1	14
Total	288	810	31	3	1067

Number of Residential Permits Issued in Delaware



In the past 18 years, 288 permits have been issued for new homes and 31 for commercial operations in Delaware. Over the years there has been much variation in the number of new housing permits issued. In 1990, the US Census found 1321 housing units in Delaware. Although the 2000 Census counted 1335 units (only 14 additional homes), the building permit information is more accurate, counts all second homes not included in the US Census, and indicates that the number of houses increased by 146 units between 1990 and 1999. The ten-year average number of new homes is about 15 per year for the 1990's. Between 2000 and 2008, an additional 142 homes were built in Delaware. New home construction fell in both 2007 and 2008 by almost half the rate as prior years.

Subdivision Plats, Lots and Acres, 1990 to 2008

Year	Number of Subdivision Plats Filed	Number of Lots Created	Total Acres Subdivided
1990	5	15	NA
1991	3	23	NA
1992	4	9	NA
1993	6	30	NA
1994	3	11	43.67
1995	1	8	9.99

Year	Number of Subdivision Plats Filed	Number of Lots Created	Total Acres Subdivided
1996	2	7	14.95
1997	2	6	NA
1998	1	6	NA
1999	0	0	NA
2000	4	20	429.16
2001	7	0	46
2002	2	6	31.67
2003	3	10	104.97
2004	2	7	52.2
2005	1	6	NA
2006	3	38	NA
2007	0	0	0
2008	NA	NA	NA
Total	49	202	733

The 1990 to 2008 subdivision activity represented the development of about 3% of the Town's total land base. Two hundred two new lots were created between 1990 and 2008 converting at least 733 acres of open land to residential use. As shown on the table below, most of the subdivisions were small and created four lots or less. Over this time frame, nine subdivisions were major, and three of those included 11 to 49 lots.

Number of Lots Created Per Plat, 1990-2008

Year	Total Plats	1 - 4 Lots	5 - 10 Lots	11-49	50+
1990	5	5	0	0	0
1991	3	2	0	1	0
1992	4	4	0	0	0

Year	Total Plats	1 - 4 Lots	5 - 10 Lots	11-49	50+
1993	6	4	1	1	0
1994	3	3	0	0	0
1995	1	0	1	0	0
1996	2	2	0	0	0
1997	2	2	0	0	0
1998	1	0	1	0	0
1999	0	0	0	0	0
2000	4	3	1	0	0
2001	1	0	0	0	0
2002	2	2	0	0	0
2003	3	3	0	0	0
2004	2	2	0	0	0
2005	1	0	1	0	0
2006	3	1	1	1	0
2007	NA	NA	NA	NA	NA
2008	0	0	0	0	0
Total	43	35	6	3	0

2. Demographic Trends

Demographic	1990	2000
Persons	2633	2719
Households	823	956
Farming occupations	56	24
Housing Units	1321	1335
Occupied housing units	950	956
Vacant housing units	371	381 (294 seasonal residences)
Structures Built in Previous Decade	73 (1980's)	196 (1990's)

A comparison of the 1990 to 2000 census shows several significant trends that could affect agriculture in the Town of Delaware. While the population in Town decreased about 1.6%, the number of housing units increased 1.1% and the number of households increased 16.2 percent. Although the difference between households and population is not as large as some places, a difference between population growth and housing growth is an indication of sprawl without growth. The rate of growth has increased as evidenced by 73 new housing structures built in the 1980's and 196 in the 1990's. The census also shows a decreasing number of people employed, and with occupations in agriculture.

3. Buildout Analysis

A build-out analysis is an exercise designed to estimate the amount of development that can possibly occur if all developable land in a Town, Village, or County is built according to that municipality's current land use regulations. The buildout analysis applies current land use regulations, considers environmental constraints that would limit development in certain areas, and calculates the total residential density allowed at full buildout of the municipality. It does not predict when this would occur, at what rate it would occur, or where it would occur first. It only predicts the possible end result.

The general process followed to calculate full buildout conditions is:

- Identify areas that already have residential development and therefore would not allow new development.
- Identify properties subject to conservation easements, or are owned by government entities not likely to allow development.
- Identify areas in the Town having environmental constraints that would not support new residential development.
- Calculate the amount of new residential development allowed by the current land use regulations in the remaining undeveloped areas of the Town.

A geographic information system (GIS) software program is used to conduct the analysis. In essence, the analysis calculates the total land base of the Town, subtracts all lands having environmental constraints and completely built areas, and then applies the various development rules to calculate the number of allowable new residences. For purposes of this analysis, the buildout assumes that all new development would be single-family homes.

Note that the results of all of these calculations are only estimates. The GIS layers used are not exact replicas of what is actually found in the real world, only representations of what is there. The processing of the data also introduces a certain amount of error, and can increase the inaccuracy of the data layers. The only way to get an accurate count of allowed residential uses on a particular property is to do an on-site survey of existing conditions. The following table summarizes the results of the Buildout analysis. See also Buildout Maps in Appendix 6 for illustrated results.

Using the Current Minimum Lot Size Requirements

	B-1	CAL-B-1	R-1	CAL-R-1	RU	DR	PUD*	Totals
Minimum Lot Size from Zoning	7,500 Sq. Ft.	2 acres	40,000 Sq. Ft.	40,000 Sq. Ft.	80,000 Sq. Ft.	2 acres	2 units per acre	
Existing Residences	71	28	165	178	737	77	270	1,526
Potential New Residences (No environmental constraints considered)	210	416	90	242	7,411	1,297	32	9,698
Potential New Residences (Water, Wetlands, and Flood Hazards constraints considered)	185	394	82	231	7,022	1,201	32	9,147
Potential New Residences (Water, Wetland, 100 ft buffers of Water and Wetlands, and Flood Hazard constraints considered)	145	372	73	216	6,525	1,157	27	8,519
Potential New Residences (All environmental constraints considered, including Slopes over 15%)	126	81	60	64	3,882	374	22	4,609

* The level of development within a PUD is estimated.

Appendix 3: Planning, Land Use Regulations and Agriculture

1. Town Comprehensive Plan and Agriculture

Town of Delaware Comprehensive Plan

The Town of Delaware Comprehensive Plan establishes agriculture as an important land use in Town. Objectives stated in the Delaware Comprehensive Plan include maintaining the rural/agricultural character, conserving open land and natural resources as economic assets, protecting agriculture and farmland as community and economic assets, encouraging compatible commercial and industrial development, and safely and efficiently moving people and goods throughout the Town.

Goal 1 (Maintain the Town's existing agricultural/rural character) offers the following objectives that support farming:

- Carefully control the location and scale of commercial and industrial establishments while recognizing the importance of such development to the tax base.
- Provide for conservation subdivision as an optional form of development that will cluster residential development so as to preserve important farmland, open space and natural, scenic and cultural features.
- Avoid zoning regulations that unduly restrict agriculture.

Goal 3 (Protect Agriculture and Farmland as Community and Economic Assets) offers the following objectives that support farming:

- Provide in the Zoning Law for a wide range of agricultural/forestry uses throughout the Town, including ancillary uses.
- Offer options such as conservation subdivision, transfer of development rights and density averaging to permit development of less desirable farmland while preserving cropland and other prime farmland.

- Avoid the construction of growth inducing community facilities such as central sewage collection and treatment facilities where they would encourage the development of agricultural areas; except as needed to correct existing sewage disposal problems and where they would promote development of existing or proposed new centers.
- Direct higher density housing away from agricultural areas.

The Comprehensive Plan offers the following specific strategies aimed at promoting agriculture and meeting the above goals:

- Support and encourage efforts of County and State agencies to maintain agriculture as an important part of the local economy.
- Evaluate all land use control actions (zoning amendments, subdivision regulations, etc.) to ensure agriculture is not negatively affected.
- Cooperate with area economic development organizations to diversify the local economy by creating zoning that will help facilitate pursuit of agricultural and other tourism opportunities and encourage small businesses (e.g. metal fabrication) that are not infrastructure dependent as well as similar enterprises, including home occupations and telecommuting.
- Recognize agriculture as a critical component of the Town's character and economy and take all necessary actions to preserve agricultural land and activities.

2. County Plans

Sullivan County Agriculture and Farmland Protection Plan

Sullivan County adopted a county-wide agricultural development and farmland protection plan in 1999. This plan presents data and maps related to agriculture at that time, and offers long-range goals, objectives and strategies to support farming. Eight goals are established along with strategies aimed at seven different topic areas. These major topics are right-to-farm, farmland preservation, land use planning, education and public relations, taxation, economic development of agriculture, and business, retirement and estate planning. The Plan also offers an implementation schedule for the protection of agriculture in Sullivan County.

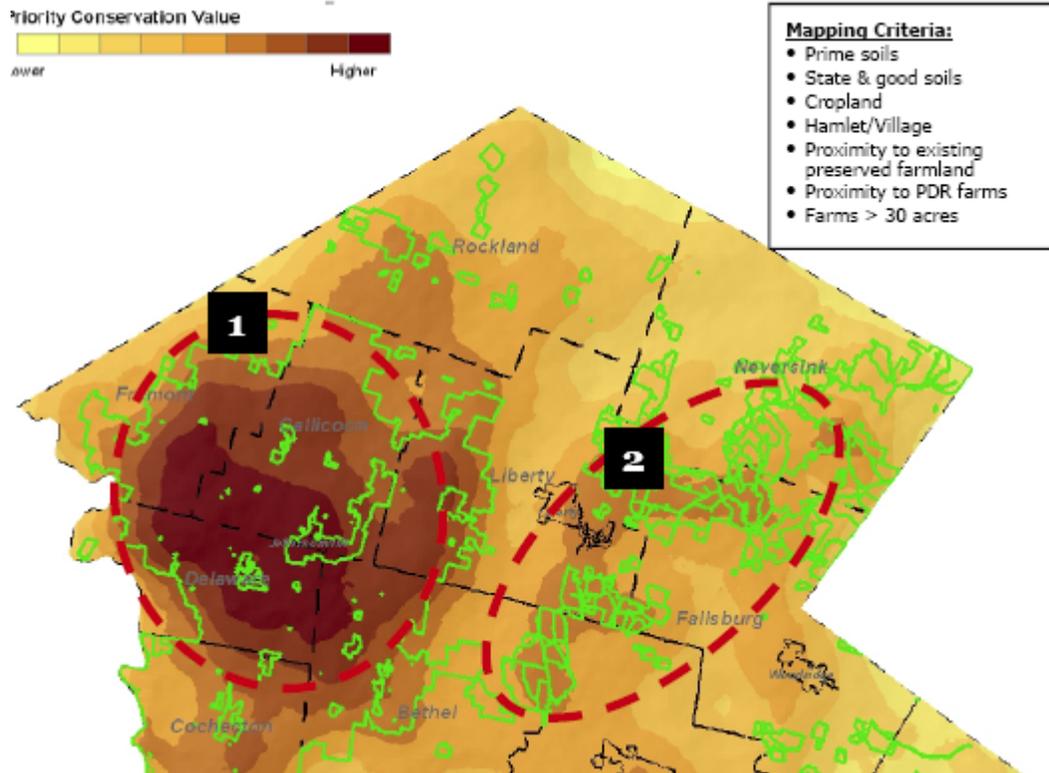
Sullivan County Conserving Open Space and Managing Growth Plan

In 2008, Sullivan County adopted a strategic plan, "Conserving Open Space and Managing Growth". This plan identifies the County's existing natural

resources so that open space conservation can be focused in areas where it will have the greatest impact. It will serve as a “road map” for Sullivan County to protect and restore these resources. The document provides an overview of related plans, and establishes goals and strategies. Agricultural resources are a major category of open space established by the County in that plan. It establishes a goal of maintaining the County’s valuable farmland in active agricultural use while creating and promoting land use planning and zoning incentives that counter the conversion of farmland. To accomplish this, the strategic plan establishes several strategies and specific actions as follows:

- Secure priority areas by annually seeking Federal and State program Purchase of Development Rights (PDR) funding for selected parcels.
- Leverage funding from private organizations to assist in County farmland protection goals.
- Develop a local fund for purposes of acquiring agricultural conservation easements on a purchase or lease basis.
- Structure a simple transfer of development rights (TDR) program and broker it to prospective farmers and developers.
- Develop planning and zoning programs that offer incentives for agriculture conservation. Steps to accomplish this include developing a farm-friendly checklist for use by towns in evaluating land use regulations for impacts on agriculture, crafting model language for use in local land use regulations, and assisting land owners with use of conservation subdivision techniques.
- Provide educational assistance and technical assistance to farmers in estate and retirement planning to facilitate farm transfers to younger generations.

For agriculture, the County Strategic Plan prioritized lands based on prime soils, statewide important soils, cropland, locations of hamlets and villages, proximity to existing preserved farmland, proximity to farms already having PDR easements, and farms greater than 30 acres. The figure below shows two county agricultural priority areas: Priority Area #1 is concentrated in the towns of Callicoon and Delaware which includes the area called “the Beechwoods.”



From the Sullivan County Open Space Plan

The Beechwoods is also significant in that it is an area named in the 2009 Draft NYS Open Space Plan as a statewide area for agricultural conservation. The following excerpt describes this:

New York State Open Space Conservation Plan (2009 Draft)

In its 2009 Draft update to the *New York State Open Space Conservation Plan*, the DEC identifies the Upper Delaware Highlands, which includes the project site, as a Regional Priority Conservation Project Area. As such, this area is eligible for funding from the State’s Environmental Protection Fund, and other State, federal and local funding sources. For these project areas, the Plan advises that “a combination of State and local acquisition, land use regulation, smart development decisions, land owner incentives and other conservation tools used in various combinations, will be needed to succeed in conserving these open space resources for the long term” (47). The Plan specifically addresses farmlands:

- Agriculture is one of the leading economic sectors in Sullivan County’s Upper Delaware Highlands Region, remaining equal to recreational tourism. Including poultry, dairy, livestock, horticulture

and aquaculture, this agricultural industry produces more than \$72 million on 385 active farms covering more than 63,000 acres. To preserve important agricultural lands not only furthers this economic base for this Catskill region but retains a rural community character and protects critical water and wildlife resources. The best soils in Sullivan County are predominantly located in the Beechwoods, an area that encompasses the Towns of Bethel, Callicoon, Cochecton and Delaware, and along the Delaware River.

This has yielded the densest concentration of active farming operations in the County and has been designated as Agricultural District One by the New York State Department of Agriculture and Markets. The concentration of operations here is an asset to make local farms economically strong and culturally important. As such, particular focus should be placed on encouraging the continued use of farmland for agricultural production in this area by purchasing development rights on farmland, as well as in the neighboring towns of Fremont and Rockland.

The Plan recommends several actions to support working farms and forests:

- Help to build the capacity of municipal and nonprofit partners working on farmland protection projects.
- Support the work of municipalities to develop or update local Agricultural and Farmland Protection Plans.
- Support tax incentives or regulatory relief for forest-based industries.
- Support technical assistance and financial support for new forest product development, industry modernization and new environmentally friendly technologies.
- Improve skill-building initiatives within forest-based industries to improve competitiveness, safety and economic viability. Continue to support state, local government and non-profit acquisition of or easements on priority forest lands

Sullivan 2020 Plan

Finally, the Sullivan 2020 Plan addresses farmland protection under the open space section and agricultural diversification under the economic development section. Sullivan 2020 is a strategic plan that establishes a vision for the County. The Conserving Open Space and Managing Growth Plan (above) is a recommended action directly from the Sullivan 2020 Plan. Intermunicipal collaboration, regional coordination of zoning laws, strategies

to promote environmental consciousness, and identification of effective solutions and actions plans are keystone features of the Sullivan 2020 and agriculture plays a key role in helping meet Sullivan's vision.

3. Local Land Use Regulations

A. Review of Comprehensive Plan

1. The Plan establishes goals that strongly include agriculture and its important role in the Town of Delaware.
2. Although maintaining agriculture is established as an important goal, the plan also establishes an objective that land use regulations would be limited to those essential to the health, safety and welfare of the residents and for addressing land use conflicts. While it is certainly understood why this is included in the plan, it may also conflict with the ability of the Town to implement some of the very land use techniques advocated in the plan (such as using zoning to control density and minimize conflicts between existing and future land uses).
3. The plan calls for use of the conservation subdivision technique optionally. Optional use of this technique will be strengthened if a strong incentive program such as mentioned above were included in the zoning (density bonus). The plan calls for offering bonuses for Transfer of Development Rights, Purchase of Development Rights, use of density averaging, and large lot zoning. This is excellent provided that these preserved lands specifically include agricultural lands. (The Plan does recognize that agriculture should be included in the preserved lands of a conservation subdivision and this should be implemented, as discussed above.)
4. The plan further shows its support for agriculture by calling for an avoidance of land use regulations that would unduly restrict agriculture and protecting cropland and primary farmlands. It also directs that higher density development be directed away from agricultural areas. These are all important ag-friendly policies that can be implemented with zoning changes.
5. The plan discusses new roads and expectations for new road development. This is adequate, except that it does not include a policy that roads should be designed, maintained, and used for farm equipment as well.
6. Page 22 of the Plan outlines a series of elements that will be very

supportive of agriculture and excellent to implement in the ag plan.

B. Review of Zoning Law

Overall, the Town of Delaware Zoning Law has many positive and ag-friendly features. For example, it allows for a variety of ag uses as permitted uses in most districts, defines agriculture and a variety of ag-oriented businesses, and does not overly restrict uses such as farm stands. There are several places where improvements could be made however. These are outlined below:

1. §103: The purpose statements adequately discusses agriculture's role in the Town.
2. §202: Many different types of agriculture are defined. The definition of agriculture is quite broad and that is better than a narrow one. However, it clearly defines agriculture as being an activity for economic gain. As per the definition of agriculture in this plan, that may be restrictive as some agricultural activities may not be for economic gain. The Town should consider removing this or amending it to be more inclusive. Further, there is no specific mention of other types of agriculture such as nurseries, aviaries, aquaculture and other types of farming. The law should be forward thinking so that agricultural activities of the future are allowed as current ones are.
3. §202: There is no definition of a "farm" and this should be added.
4. §202: The definition for open space is very narrow as it applies only to land included in a cluster development, multi-family development or PUD development. This may not be advantageous for preserving open space in other situations and other kinds of developments. Further, including active recreation lands like golf courses as open space could result in major subdivisions being developed with no ag or other undeveloped lands within them. This does not seem to meet either the stated purposes of the zoning law or the Town of Delaware Comprehensive Plan. The Town should consider removing active recreational activities from the open space definition.
5. §202: Defines an intensive livestock operation. This definition does not include dairy, but addresses beef, pigs, sheep, goats, fur animals, and poultry. The zoning requires farms with the minimum numbers of animals to have at least 20 acres of land. Intensive livestock operations

are only allowed in the RU district. 20 acres may be overly restrictive. Further, the numbers of animals that define an intensive livestock operation is much less than required by New York State GENERAL PERMIT (GP-04-02) under the SPDES program for medium concentrated animal feeding operations. There are no acreage requirements at the state level. The local law is much more restrictive. The Town may want to consider bringing the local intensive animal operation definition and regulations more in line with the State.

6. §401: A wide variety of agricultural activities are currently allowed - most are allowed as a permitted use with no other requirements. It offers a good potential for the introduction of a number of farm-related uses in the Town's RU district that could help farmers stay on the land by providing options for supplemental means of income. However, there are a variety of other types of farm operations that might be judged not allowable by the zoning officer or be required to go through an unpredictable variance process. Below is a partial listing of a number of potential agri-tourism, farm-support and farm-compatible businesses that the Town could consider allowing in the RU districts. They could be allowed as either outright permitted uses, accessory uses or uses requiring a special use permit or siting review.

Agri-tourism: u-picks, CSAs, expanded road stands, corn mazes, hay rides, pumpkin patches, seasonal events, school programs, weddings and parties, farm markets, dairy barns, bakeries, farm stores and restaurants, bed and breakfasts, farm stays;

Farm support businesses: slaughterhouse, community kitchen;

Farm-compatible businesses: child or adult care center, riding academy, outdoor recreation.

On the other hand, numerous uses are allowed as a special use in the RU District that may be incompatible long-term with agriculture. Commercial uses such as hotels, motels, manufacturing, industry, airports, and amusement parks may induce future growth that will further erode the ability for agriculture to operate successfully. The Town should review the list of special uses allowed in the RU district and consider removing these as incompatible with the agricultural goals established in the Comprehensive Plan.

7. §605.11 Surface and Ground Water Protection: Does not exempt agricultural activities. As such, this may be used against agriculture even though agriculture is a permitted use and within an ag district which

protects farms and generally accepted agricultural methods. This section should clarify what the regulations apply to.

8. §613.5 Clearcutting for Timber: This section is confusing in that it includes in sub-section E a reference to cluster development. It allows for cluster residential developments with an increase in density by 25% if 40% of the land is left as open space. It is confusing and unclear why there is a reference to clustering and a density bonus in a section regulating clearcutting for timber.
9. §701 Clustering: Clustering is allowed but not required for major subdivisions. The subdivision law does not indicate under what circumstances the Planning Board may require it. It does not clarify that the technique could be used voluntarily by the applicant either. It seems reasonable that the Town would welcome this kind of development under a wide variety of circumstances, and that should be expressed. Further, if the Town wants to give the Planning Board the authority to require a clustered development, it should be clearly outlined in the law as to when this can occur, and should be coordinated with the subdivision law process. The law should also be updated to be more specific about what open space is desired, and how the development will be planned. The Comprehensive Plan calls for use of the conservation subdivision process and this is a much better tool to outline how a clustered subdivision should be designed. Other issues related to clustering include:

Requiring 25% of the parcel remain as open space is a smaller percentage than normal. Most communities require 50% of the parcel to be preserved.

There are no incentives for clustering. The Comprehensive Plan calls for using positive incentives to encourage clustering. As such, the zoning could be amended to include a section on density bonuses which would provide for such incentives.

Current cluster regulations do not allow for agriculture to take place on the open space. The law indicates that active recreation is a primary use of the open space preserved. In order to use this design technique successfully to allow for continued agriculture in a conservation or clustered subdivision, open space must be clearly defined to allow for agricultural activities. Consider removing the requirement that half of the required 25% open space must be in active recreation. That requirement would preclude most agricultural activities. Active recreation like golf may not be compatible with agriculture. The cluster section seems to be oriented to preservation of open land for recreation and not for

agriculture or conservation. There should also be more emphasis of conservation of critical environmental resources in the open space.

The cluster section requires dedication of preserved open space to a home owners association. Although this may be beneficial in some circumstances, it would not be when the original landowner wanted to retain control of the open space for continued farming. The sub-section on HOA's should be amended to allow for a variety of landownership of the preserved land.

The cluster section also establishes bulk requirements for lots within a clustered development. One-acre lots and 150 foot lot widths are required if there is no water and sewer provided. These bulk dimensions may preclude creative design of a subdivision to maximize creation of open space. The Town should consider making the minimum lot size to be whatever the Health Department would permit for a septic system. If the soils were adequate, this could be smaller than 1 acre lots. Other bulk requirements should be determined at the time of subdivision. This gives maximum flexibility for good design.

10. §703 Planned Unit Development: These developments offer the landowner much flexibility in design, but are currently written to be oriented to creation of open space for recreation. 50% of the parcel is required to be preserved as open space and this is an appropriate percentage. Similar to the issues with the cluster section, the PUD requires at least half of the preserved open space to be in active recreation. However, the Town should consider amending the PUD requirements to allow for and encourage agriculture on any preserved open space lands.
11. §805.3 Adverse Effects: This section requires the Planning Board to evaluate the adverse effect that land uses subject to a special use permit might have on traffic, parking, public improvements, neighborhood character, and other matters related to public health, safety and general welfare. However, it does not ask the Planning Board to evaluate the adverse effect a special use may have on adjacent agricultural uses. The Town should consider adding agriculture to this section.
12. §805.5 Special Use and Site Plan Conditions and Additional Standards: This section directs the Planning Board to consider a variety of items as they make a decision about a special permit. It is recommended that the Town add to this list that special attention be paid to the impact of a proposal on continuing agricultural uses.

13. Agricultural Data Statement: The zoning law adequately includes the data statement as a required part of the process. That is excellent. However, it does not direct the Planning Board about what to do with it. It is recommended that Section 806.8 (hearing notice) and all other locations where the ag data statement is mentioned, be amended to require a public hearing notice be sent to all those people listed on the ag data statement.
14. §1002.3 Activities Not Requiring Permits: This section exempts certain activities from needing a zoning permit and certificate of use from the building inspector. This list does not include agricultural structures. All agricultural uses not requiring a special use permit as per Section 401 should be exempt because these ag uses are permitted uses and do not need a zoning review and because agricultural structures are exempt from requiring a building permit under New York State law.
15. §1002.3 Application for Permits: This section should be amended to include the need for an ag data statement as required elsewhere in the law.
16. Zoning Map, District Boundaries, and Density:

The zoning establishes a 2-acre minimum lot size with a 200' lot width and 15% lot coverage requirements in the RU District. The RU District is where the vast majority of agriculture is taking place. Based on the buildout analysis, this density would allow for several thousand new homes in the RU district. This level of density, if fully realized, could have negative impacts on agriculture. Not only would it use valuable ag lands for housing, it would result in other impacts that make continuing farming in the district very difficult. In addition to the above changes discussed, it is recommended that the Town re-evaluate density and zoning district boundaries, and consider one or more of the following planning tools:

- a. Use Average Lot Density: Do not require a minimum lot size, but instead rely on an average density to be attained over the entire parcel being developed. In this way, smaller lots can be created leaving more opportunity for preservation of open space. While the cluster provisions of zoning will work best on major developments, use of average lot density will assist with preservation of farmland on small subdivisions as well. Minimum lot sizes can be as small as allowed by the Department of Health for septic systems.
- b. Reduce Density Using a Sliding Scale: This technique sets a density of development based on the size of the parcel to be divided. Smaller

parcels get a higher density and larger parcels get a lower density. In this way, more growth is directed to those parcels already cut up and leaves a lower density on the larger parcels still farmed. At the same time, landowners can subdivide their farmlands if necessary.

- c. Reduce Density by Using Net Acreage: This removes lands on a parcel having certain characteristics such as wetlands, open water, very steep slopes, etc. from being included in the calculation for how many units the parcel is eligible for. For instance, in the RU district a 100 acre parcel would be eligible for a maximum of 50 new lots using a gross acreage calculation. Using a net acreage calculation, the 100 acre parcel having 20 acres of environmental constraints would have 80 acres of land, and would be eligible for 40 dwellings.
- d. Reduce Density but Give it back with Incentives: If someone wants to develop a conventional subdivision with no protections for open space or ag lands, then the density is reduced. If however, they cluster, participate in a Transfer of Development Rights program, or otherwise protect agricultural lands, then they would be eligible for a density bonus. This would not necessarily reduce density in the Town, but would help meet other protection goals.
- e. Keep Density the Same as Now but Offer Incentives For Better Subdivision Design or Permanent Preservation of Farmlands:
- f. Initiate a Transfer of Development Rights Program.
 - 1. Sending areas should be priority farmlands in the RU district. (See Farmland Prioritization Map).
 - 2. Receiving areas could be in the CAL R-1 and R-1 districts. Consider also expanding the R-1 and CAL R-1 areas to give more room for higher density development in the future.
 - 3. Density bonuses could be given for participation in the TDR program.
- g. Consider splitting the existing RU district into two. North of Route 17B and Fulton Hill Road could be an agricultural district that would still allow for low density residential development but have standards oriented to agricultural protection and south of 17B and Fulton Hill Road would be RU oriented as it is now to low density residential development.

C. Review of Subdivision Regulations

This local law generally follows standard subdivision regulations and procedures. It is not particularly strongly oriented to ensuring that the rural character, open space, agriculture, and other goals outlined in the comprehensive plan are met. Overall, more emphasis should be added as it relates to agriculture as outlined below:

1. Maintenance of agriculture is not included as an important purpose of the subdivision regulations. This should be added.
2. The law defines a minor subdivision as any subdivision that creates not more than 4 to 10 lots, or cumulative to 4 to 10 lots as of 1989. Subdivisions above the 10 lots would be a major subdivision. Most communities define a minor subdivision as one that creates no more than 4 or 5 lots and define major subdivisions as anything beyond that. It is not clear what advantage having a range is for the Town. In a rural community trying to preserve open space, agriculture, and rural character, a 10-lot subdivision is still significant and such a project could have profound impacts on agriculture that might not be adequately reviewed under the minor subdivision rules. It is recommended that the Town consider defining a minor subdivision as one that creates no more than 4 or 5 lots and a major as one that creates lots over that limit.
3. The law is excellent in the regard that it requires the ag data statement for both minor and major subdivisions. The law should clarify however, that the Planning Board should use that data statement to identify people to be notified about the hearing related to the proposed subdivision.
4. §304.12 Existing or man-made features to be included on plat (major subdivision): There is no mention of prime soils or agricultural activities as part of the plat. In order to adequately review the subdivision and protect as many important farmlands as possible, this information should be included on the mapped plat. The list of plat requirements for minor subdivisions should also include identification of active agricultural lands on or adjacent to the proposed subdivision.
5. Article IV Design Standards: This section is critical as it determines how a subdivision will be designed. There is no mention of agriculture, prime soils, or even rural character in this section. It is strongly recommended

that the Town amend this section to strengthen its attention given to agriculture as per the Comprehensive Plan. This section should include rural siting standards so that new development is more consistent with continuing farming. Such standards related to agriculture (others exist related to rural character) could include:

- a) Place buildings on edges of fields and not in middle of field;
 - b) Use existing vegetation and topography to buffer and screen new buildings or group in clusters, situated behind tree lines or knolls. Require new non-farm uses to create a buffer between itself and active agricultural operations;
 - c) Place buildings away from prime farmland soils or soils of statewide significance;
6. §404 Open Space: The subdivision law refers to open space as common open space. The definition is somewhat different between the subdivision and zoning. Both should be the same, and both should be a broader definition of open space that puts less emphasis on active recreation and more on agriculture and conservation. The law also requires 10% or a minimum of 1 acre of land be kept for common open space. Like the zoning, creation of "common" open space may not be advantageous to a farmer who would like to develop his land but retain some ability to farm on some parcels. This definition might preclude that from happening.
7. There are no procedures or details in the subdivision law to guide a clustered or conservation subdivision process. This detail should be added. The zoning should establish the rules as to when and what standards such a subdivision would need, but the subdivision should outline the review process as well. The subdivision law should be adequate to provide the applicant and Planning Board all necessary procedures and standards in which to implement the requirements detailed in the zoning related to clustered and conservation subdivisions.

Appendix 4: US Agriculture Census Zip Code Level Data

1. Description and Comparison of Farm Operations in Town of Delaware Zip Codes

1997 Farm Owner and Operator Characteristics in Delaware by Zip Code

ZIP	Town	Full owners		Part owners	Tenants	Operators living on the farm operated	Operators by Principal Occupation farming
1997							
12764	Narrowsburg	8		1	0	9	4
12723	Callicoon	13		22	1	32	27
12726	Cochecton	6		7	0	13	10
12748	Jeffersonville	21		10	1	27	23
Totals		48		40	2	81	64
2002							
12723	Callicoon	26	28			49	41
12745	Hortonville	*	*			*	*
12750	Kenoza Lake	6	*			7	*
12764	Narrowsburg	10	*			13	*
12748	Jeffersonville	14	19			31	23
12726	Cochecton	10	6			16	13
Totals		66	53	0		116	77
2007							
12723	Callicoon	13	10	2		23	15
12745	Hortonville	4	1	0		5	1
12750	Kenoza Lake	3	2	0		5	1
12764	Narrowsburg	11	3	0		14	3
12748	Jeffersonville	17	15	2		24	18
12726	Cochecton	9	8	0		16	6
Totals		57	39	4		87	44

2. Type of Farms in Delaware Zip Codes

Livestock Inventory on Farms in Delaware by Zip Code

ZIP	Town	Cattle and calves inventory total farms	Beef cow inventory total farms	Milk cow inventory total farms	Cattle and calves sold total farms	Hogs and pigs inventory total farms	Hogs and pigs sold total farms	Sheep and lambs inventory total farms	Hens & pullets laying age inventory total farms	Horses and ponies of all ages inventory total farms	Horses and ponies of all ages sold total farms
1997											
12764	Narrowsburg	6	3	1	4	0	0	1	0	1	0
12723	Callicoon	32	9	18	30	0	0	4	2	7	0
12726	Cochecton	8	3	4	9	1	1	1	0	1	0
12748	Jeffersonville	16	6	12	16	1	1	1	6	8	3
Totals		62	21	35	59	2	2	7	8	17	3
2002											
12723	Callicoon	34	6	15	24			8	5	17	*
12745	Hortonville	*	*	*	*						
12750	Kenoza Lake	*	*		*			*		*	
12764	Narrowsburg	*	*		*			*	5	5	*
12748	Jeffersonville	16	*	11	12	*	*	*	7	8	*
12726	Cochecton	8	*	*	5	*	*	*	*	*	
Totals		58	6	26	41	0	0	8	17	30	0
2007											
12723	Callicoon	17	5	8	15	0	0	2	3	7	0
12745	Hortonville	3	2	1	1	2	0	2	4	5	2

ZIP	Town	Cattle and calves inventory total farms	Beef cow inventory total farms	Milk cow inventory total farms	Cattle and calves sold total farms	Hogs and pigs inventory total farms	Hogs and pigs sold total farms	Sheep and lambs inventory total farms	Hens & pullets laying age inventory total farms	Horses and ponies of all ages inventory total farms	Horses and ponies of all ages sold total farms
12750	Kenoza Lake	2	1	1	2	0	0	2	0	2	0
12764	Narrowsburg	6	5	1	4	0	0	4	3	6	4
12748	Jeffersonville	14	10	5	12	8	7	1	5	5	3
12726	Cochecton	8	6	2	8	3	3	1	2	2	2
Totals		50	29	18	42	13	10	12	17	27	11

Source: US Agricultural Census. Note: 1997 Agricultural Census no data was available for zip codes in Hortonville (12746 or Kenoza Lake (12750).

Cropland Harvested in Delaware by Zip Codes

ZIP	Town	Cropland harvested total farms	Cropland harvested 1 to 49 acres	Cropland harvested 50 to 499 acres	Cropland used for pasture or grazing total farms	Cropland idle total farms	Total woodland total farms	Pasture and rangeland other than cropland or woodland pastured total farms	All other land total farms	All other land 100 acres or more
1997										
12764	Narrowsburg	8	4	4	8	0	5	2	6	0
12723	Callicoon	36	11	24	22	2	24	11	26	2
12726	Cochecton	11	4	7	10	0	9	1	9	0

ZIP	Town	Cropland harvested total farms	Cropland harvested 1 to 49 acres	Cropland harvested 50 to 499 acres	Cropland used for pasture or grazing total farms	Cropland idle total farms	Total woodland total farms	Pasture and rangeland other than cropland or woodland or pastured total farms	All other land total farms	All other land 100 acres or more
12748	Jeffersonville	27	12	14	17	0	20	7	20	1
Totals		82	31	49	57	2	58	21	61	3
2002										
12723	Callicoon	45	13	31	21	5	36	30	45	5
12745	Hortonville	*		*	*		*	*		
12750	Kenoza Lake	7	7		*		7	6	5	
12764	Narrowsburg	9	6	*	6		12	*	11	
12748	Jeffersonville	27	11	14	19	*	21	10	20	
12726	Cochecton	13	6	7	12	*	7	*	8	
Totals		101	43	52	58	5	83	46	89	5
2007										
12723	Callicoon	23	10	12	17	NA	20	NA	NA	NA
12745	Hortonville	5	2	3	3	NA	1	NA	NA	NA
12750	Kenoza Lake	4	4	0	3	NA	4	NA	NA	NA
12764	Narrowsburg	12	7	5	10	NA	8	NA	NA	NA
12748	Jeffersonville	31	15	16	26	NA	22	NA	NA	NA
12726	Cochecton	12	7	4	8	NA	13	NA	NA	NA
Totals		87	45	40	67	NA	68	NA	NA	NA

3. Farmland Acreage and Size of Farms in Town of Delaware Zip Codes

ZIP	Town	Farms by size all farms	Farms by size 1 to 49 acres	Farms by size 50 to 999 acres
1997				
12723	Callicoon	36	6	30
12726	Cochecton	13	4	9
12748	Jeffersonville	32	6	26
12764	Narrowsburg	9	1	8
Totals		90	17	73
2002				
12723	Callicoon	54	16	38
12726	Cochecton	16	7	9
12745	Hortonville	*	*	*
12748	Jeffersonville	33	12	21
12750	Kenoza Lake	7		7
12764	Narrowsburg	13	7	6
Total		123	42	81
2007				
12723	Callicoon	25	8	17
12726	Cochecton	17	7	10
12745	Hortonville	5	2	3
12748	Jeffersonville	34	5	29
12750	Kenoza Lake	5	0	5
12764	Narrowsburg	14	5	9
Totals		100	27	73

4. Market Value of Farms, Economic Trends in Town of Delaware Zip Codes

1997 Market Value of All Agricultural Products in Delaware Zip Codes

1997						
ZIP	Town	Total farms	Market value of agricultural products sold less than \$10000	Market value of agricultural products sold \$10000 or more	Market value of agricultural products sold \$10000 to \$99999	Market value of agricultural products sold \$100000 or more
12764	Narrowsburg	9	5	4	4	0
12723	Callicoon	36	11	25	14	11
12726	Cochecton	13	4	9	4	5
12748	Jeffersonville	32	15	17	7	10
Totals		90	35	55	29	26

2002 Market Value of All Agricultural Products in Delaware Zip Codes

		Total farms	Less than \$50,000 (farms)	\$50,000 to \$249,999 (farms)	\$250,000 or more (farms)
12723	Callicoon	54	36	16	*
12745	Hortonville	*	*		*
12750	Kenoza Lake	7	7		
12764	Narrowsburg	13	10	*	
12748	Jeffersonville	33	20	11	*
2726	Cochecton	16	12	*	*
Totals		123	85	27	0

2007 Market Value of All Agricultural Products in Delaware Zip Codes

		Total farms	Less than \$50,000 (farms)	\$50,000 to \$249,999 (farms)	\$250,000 or more (farms)
12723	Callicoon	25	15	8	2
12745	Hortonville	5	4	0	1
12750	Kenoza Lake	5	5	0	0
12764	Narrowsburg	14	12	2	0
12748	Jeffersonville	34	26	5	3
12726	Cochecton1	17	14	0	3
Totals		100	76	15	9

Appendix 5: US Agricultural Census County Level Data

Census of Agriculture: Sullivan County	1997	2002	2007	% Change
Farms (number)	311	381	323	3.9
Land in farms (acres)	58,067	63,614	50,443	-13.1
Land in farms - average size of farm (acres)	187	167	156	-16.6
Land in farms - median size of farm (acres)	116	106	100	-13.8
Estimated market value of land and buildings average per farm (dollars)	379,677	522,088	546,478	43.9
Estimated market value of land and buildings average per acre (dollars)	1,861	2,798	3,493	87.7
Estimated market value of all machinery/equipment: average per farm (dollars)	62,091	72,534	81,001	30.5
Farms by size: 1 to 9 acres	27	27	19	-29.6
Farms by size: 10 to 49 acres	50	107	81	62.0
Farms by size: 50 to 179 acres	125	128	134	7.2
Farms by size: 180 to 499 acres	83	92	66	-20.5
Farms by size: 500 to 999 acres	23	19	19	-17.4
Farms by size: 1,000 acres or more	3	8	4	33.3
Total cropland (farms)	279	322	274	-1.8
Total cropland (acres)	34,813	34,476	24,614	-29.3
Total cropland, harvested cropland (farms)	261	274	236	-9.6
Total cropland, harvested cropland (acres)	25,045	26,541	21,198	-15.4
Irrigated land (farms)	19	35	24	26.3
Irrigated land (acres)	109	293	75	-31.2
Market value of agricultural products sold (\$1,000)	23,364	37,753	42,117	80.3
Market value of agricultural products sold, average per farm (dollars)	75,126	99,090	130,393	73.6

Census of Agriculture: Sullivan County	1997	2002	2007	% Change
Market value of ag prod sold-crops, incl nursery and greenhouse crops (\$1,000)	2,117	2,690	2,088	-1.4
Market value of ag products sold - livestock, poultry, and their products (\$1,000)	21,247	35,064	40,029	88.4
Farms by value of sales: Less than \$2,500	79	155	123	55.7
Farms by value of sales: \$2,500 to \$4,999	38	40	30	-21.1
Farms by value of sales: \$5,000 to \$9,999	39	34	26	-33.3
Farms by value of sales: \$10,000 to \$24,999	54	43	62	14.8
Farms by value of sales: \$25,000 to \$49,999	21	27	28	33.3
Farms by value of sales: \$50,000 to \$99,999	28	32	16	-42.9
Farms by value of sales: \$100,000 or more	52	50	38	-26.9
Total farm production expenses (\$1,000)	19,833	26,504	40,529	104.4
Total farm production expenses, average per farm (dollars)	63,162	69,383	125,477	98.7
Net cash return from agricultural sales for the farm unit (farms)	314	382	323	2.9
Net cash return from agricultural sales for the farm unit (\$1,000)	2,775	12,280	2,747	-1.0
Net cash return from ag sales for fm unit, average per farm (dollars)	8,838	32,146	8,504	-3.8
Operators by principal occupation: Farming	194	243	164	-15.5
Operators by principal occupation: Other	117	138	159	35.9
Operators by days worked off farm: Any	154	181	179	16.2
Operators by days worked off farm: 200 days or more	90	123	123	36.7
Livestock and poultry: Cattle and calves inventory (farms)	160	155	119	-25.6
Livestock and poultry: Cattle and calves inventory (number)	11,012	8,900	6,300	-42.8
Beef cows (farms)	69	75	79	14.5
Beef cows (number)	1,082	875	1,215	12.3
Milk cows (farms)	72	53	32	-55.6
Milk cows (number)	4,505	3,948	2,272	-49.6

Census of Agriculture: Sullivan County	1997	2002	2007	% Change
Cattle and calves sold (farms)	158	109	89	-43.7
Cattle and calves sold (number)	5,508	3,123	2,220	-59.7
Hogs and pigs inventory (farms)	11	19	23	109.1
Hogs and pigs inventory (number)	126	206	425	237.3
Hogs and pigs sold (farms)	11	19	21	90.9
Hogs and pigs sold (number)	182	227	525	188.5
Sheep and lambs inventory (farms)	23	48	31	34.8
Sheep and lambs inventory (number)	334	1,010	729	118.3
Layers and pullets 13 weeks old and older inventory (farms)	31	65	64	106.5
Layers and pullets 13 weeks old and older inventory (number)	(D)	(D)	(D)	
Broilers and other meat-type chickens sold (farms)	11	15	13	18.2
Broilers and other meat-type chickens sold (number)	1,208,336	2,542,338	1,528,519	26.5
Corn for grain or seed (farms)	8	6	3	-62.5
Corn for grain or seed (acres)	693	670	(D)	
Corn for grain or seed (bushels)	69,580	26,627	(D)	
Corn for silage or green chop (farms)	52	30	21	-59.6
Corn for silage or green chop (acres)	2,523	1,324	882	-65.0
Corn for silage or green chop (tons, green)	27,579	11,970	14,451	-47.6
Wheat for grain (farms)	(N)		1	
Wheat for grain (acres)	(N)		(D)	
Wheat for grain (bushels)	(N)		(D)	
Barley for grain (farms)	(N)		1	
Barley for grain (acres)	(N)		(D)	
Barley for grain (bushels)	(N)		(D)	
Oats for grain (farms)	2		1	-50.0
Oats for grain (acres)	(D)		(D)	
Oats for grain (bushels)	(D)		(D)	

Census of Agriculture: Sullivan County	1997	2002	2007	% Change
Soybeans for beans (farms)	(N)		2	
Soybeans for beans (acres)	(N)		(D)	
Soybeans for beans (bushels)	(N)		(D)	
Dry edible beans, excluding dry limas (farms)	(N)			
Potatoes, excluding sweetpotatoes (farms)	6		12	100.0
Potatoes, excluding sweetpotatoes (acres)	17		22	29.4
Potatoes, excluding sweetpotatoes (hundredweight)	1,262		(N)	
Hay-alfalfa,other tame,small grain,wild,grass silage,green chop,etc(farms)	210		186	-11.4
Hay-alfalfa,other tame,small grain,wild,grass silage,green chop,etc (acres)	23,488		19,636	-16.4
Hay-alfal,oth tame,small grain,wild,grass silage,green chop,etc(tons,dry)	38,529		35,056	-9.0
Vegetables harvested for sale (farms)	25		31	24.0
Vegetables harvested for sale (acres)	157		151	-3.8
Land in orchards (farms)	13		9	-30.8
Land in orchards (acres)	101		25	-75.2
(D) Withheld to avoid disclosing data for individual farms.				
(N) Not available.				

Appendix 6: Maps

Base Map

Property Class

Government Owned/Protected Properties

Farm Locations

New York State Agricultural Districts

Farmland Soils

Farmland Prioritization

Buildout Analysis (various maps)

Zoning

Water and Sewer Districts

Aerial Photo

Appendix 7. Resources

There are many resources available through federal, state, county, and private agencies. The following is a partial list of organizations and agencies that provide information, assistance, funding, or other support for farming and agriculture related activities. Many of the organizations listed below have multiple programs that are available, and each website should be thoroughly explored. The following are resources that may be most relevant to farms in Sullivan County:

Agricultural Marketing Resource Center (www.agmrc.org)

Come Farm With Us In Jefferson County (www.comefarmwithus.com)

Cornell Center For Food Entrepreneurship At The New York State Food Venture Center (www.nysaes.cornell.edu/cecfe) see also A Technical Guide For Food Ventures:
www.nysaes.cornell.edu/necfe/pubs/booklet.html)

Cornell Community And Rural Development Institute Toolbox:
(www.cdtoolbox.net)

Cornell Community And Rural Development Institute (CaRDI):
www.cardi.cornell.edu/

Cornell Cooperative Extension in Sullivan County: www.sullivancce.org

Cornell Small Farms Program (www.smallfarms.cornell.edu)

Cornell Cooperative Extension: www.cce.cornell.edu

Delaware Highlands Conservancy: www.delawarehighlands.org

Environmental Protection Agency: www.epa.gov

Federal Grants: www.grants.gov

Market Maker (Food Industry Linking Agricultural Markets)
(www.national.marketmaker.uiuc.edu). The New York Market Maker is (www.marketmaker.uiuc.edu)

National Sustainable Agriculture Information Service:
www.attrancat.org/field.html

New England Small Farm Institute: [Http://www.smallfarm.org](http://www.smallfarm.org)

New York Agricultural Innovation Center (www.nyaic.org)

New York State Department of Agriculture and Markets
([Http://www.agmkt.state.ny.us](http://www.agmkt.state.ny.us)) and
(<http://www.agmkt.state.ny.us/RelatedLinks.html>) and

New York City Watershed Agricultural Council: www.nycwatershed.org

New York Farm Bureau: [Http://www.nyfb.org/](http://www.nyfb.org/)

New York Farm to Fork (www.nyfarmtofork.org)

New York Farm Viability Institute (www.nyfvi.org)

New York Farmlink: www.nyfarmlink.org

New York State Department Of Agriculture And Markets:
www.agmkt.state.ny.us

New York State Energy Research and Development Authority
(Nysesda): www.nysesda.org

New York State Farmers' Direct Marketing Association:
www.nysfdma.com

New York State Organic Resource Center:
www.agmk.state.ny.us/ap/organic

New York State Small Scale Food Processors Association:
www.nyssfpa.com

Northeast Organic Farming Association: www.nofa.org and
Northeast Organic Farming Association – New York: www.nofany.org

Northern New York Agricultural Development: www.nnyagdev.org

New York Farm Net: www.nyfarmnet.org

Open Space Institute: www.osiny.org

Organic Alliance: www.organic.org

Small Business Administration: www.sba.gov/

Small Cities Program - Community Development Block:
www.nysmallcities.com

Sullivan County Division of Planning And Environmental Management:
www.sullivan.ny.us

Sullivan County Soil and Water Conservation District (SWCD):
www.sullivancountyswcd.com

The Farmers' Market Federation Of New York:
www.nyfarmersmarket.com

United States Department Of Agriculture (USDA): www.usda.gov

University of Vermont's Women's Agricultural Network: uvm.edu/wagn

USDA Farm Service Agency (FSA): www.fsa.usda.gov

USDA Natural Resource Conservation Service: www.nrcs.usda.gov/ or
in New York: www.ny.nrcs.usda.gov

USDA Rural Business Programs: www.rurdev.usda.gov/rbs

Value Added Producer Grant (Contact Is the Local Rural Development
Office at 225 Dolson Ave. Suite 104, Middletown, NY 10940 At
548-343-1872, X 4)

Interns and internships may be located at a variety of web sites and
organizations, especially through universities that offer agricultural
programs. See also www.agcareers.com,
www.attra.ncat.org/attra-pub/internships, or www.idealists.org.

Appendix 8: Farmer and Agri-business Survey

Summary of Delaware Farmer Survey

- Q 1 and 2. There are a wide variety of farms represented in the survey with the prevalent products being dairy and livestock (including horses and alpaca). Other farms were less prevalent but included one cash crop (hay), one fruit, one maple products, and four "other" kinds of farms. Other farms include eggs, and hay and rental land to another farmer.
- Q 3. Two farms sold goods or services at farmers markets in Bethel Woods, and in Callicoon.
- Q4. Some of the farmers who are based primarily in Delaware also own or rent land in surrounding towns. About 145 acres of land out of town are owned by Delaware farmers and 160 acres are rented. Within Delaware, 2907 acres are owned by the farmers who participated in the survey and 1416 additional acres are rented. That is a total of 4,323 acres of farmed land. The average size of owned land is 126 acres (mean of 94 acres).
- Q5. Participants categorized about 2610 acres of the total land (probably mostly the owned land) into farmsteads, actively farmed land, wooded, idle, and rural residential acres. About 51% of the land is actively farmed and 22% is wooded. Less than 3% is considered idle.
- Q6. Sixty people are employed by the farms that participated in the survey. This included 34 full time workers, 16 part time workers, no seasonal full time and 10 part time seasonal workers.
- Q 7 – 9. These farms typically support one household. Almost all farms have been in existence for a long time: the average number of years the farmer owned the farm was 24, with an average of 63 years in the family.
- Q10. This question explored the level of support for various farmland protection strategies. There was support for most of these techniques from most farmers. However, there was much less support for overlay zoning districts, lease of development rights, and transfer of development rights programs. Those techniques that were strongly supported by more than half the participants included conservation easements, purchase of development rights programs, farm friendly zoning, conservation subdivisions, loan programs, differential assessments, growing new farmers, ag enterprise zones, exclusive agricultural zones, the Sullivan County Ag and Farmland Protection Plan, and the town comprehensive plan. The techniques that received the most support were differential assessments, growing new farmers, and farm friendly zoning.
- Q11. The participants ranked the farmland protection strategies and in order,

chose: purchase of development rights, farm friendly zoning, conservation subdivisions, and conservation easements as preferred methods.

Q12. In order to ensure that agriculture is reviewed adequately by local planning boards, farmers felt there needed to farmers on the boards, better education, more communication with Cooperative Extension and SCS, and a better understanding of drainage issues on farms.

Q13. A majority of farmers participated in ag value assessments on their property and structures, the STAR tax program, and were enrolled in a State certified Agricultural District. There was very little participation (0 to 6 maximum) in the Sustainable Agriculture Research and Education program, IDA tax abatement programs, NYSERDA programs, and Watershed Ag Council programs.

Q14. Farmers were asked to identify what their challenges were. Top challenges included property taxes, machinery costs, production costs, fuel costs, and environmental regulations. Other challenging factors included land prices, estate taxes, and land use regulations. Factors that were not as challenging or not applicable to area farmers were availability of rental land, rental costs, water availability, access to financing, access to marketing or business support, lack of local consumers, and lack of processing facilities and a community kitchen.

Q15. Farmers felt that production costs, property taxes, fuel costs, and residential encroachments were the top challenges facing them personally.

Q16. About 26% buy less than 25% of their supplies and equipment from within Sullivan County. Only three participants buy over 75% of their supplies locally. The remaining farms buy between 25% and 74% of their supplies locally.

Q17 - 18. Almost 50% of participants earn less than \$25,000 in gross sales from their farming operations. One farmer considered their farm personal use only and earned no income from it. About 22% (4 farms) earn over \$200,000 in gross farm income. Eight or about 44% (18 farmers answered this question) consider their farm to contribute less than 25% of their family net income. Six farms considered themselves to have the farm contribute greater than 75% of their family net income.

Q19. Most farmers indicated they were in Sullivan County because they had family roots and the farm was a family farm. Other factors that attracted people to the area included the beauty, open space, and proximity to markets.

Q20. Most farmers feel the future trends in farming will be either a smaller

number of large farms or movement of farms out of Sullivan County. About half also felt there were trends towards more diversification and more operations that are smaller. The prevalent feeling however was loss of farms out of the county and creation of larger farms that remain.

Q21. This question explored farmers' future plans. Nine farmers indicated they would be increasing farming operations within 1 to 10 years. Nine will be diversifying. Eight desire to increase their agricultural sales in that time frame. Twelve also want to sign a gas lease. More farms however indicated they would stay the same or transfer the farm to a family member. Only three farmers indicated they would be selling a portion of their farm for non-farm use and three said they would be planning on selling the entire farm for non-farm use. Only one farm said they would be decreasing sales (within 10 years). For the most part, this question showed there are about half the farmers who plan on continuing and even increasing their operations.

Q22. Farmers were very concerned (70%) or somewhat concerned about loss of farmland in town. One participant was not very concerned and one was not concerned at all. The reasons for this concern included: lack of economic returns to keep farms going; non-farmers moving in that don't understand farming; land prices going up, increased development. Farmers also expressed their concern IF there is a loss of farmland and that included an impact on the county's future, fewer properties to use for haying, changes in character to the community, increased food costs, and a change in the way we live.

Q23 - 24. Slightly more farmers feel that there is no negative relationship with non-farmers. About 44% (of 18 who answered this question) do feel there are negative relationships. Most of the reasons given for the negative relationships revolved around the lack of awareness and information non-farmers have about farming. To improve these relationships, farmers felt there needed to be more of a public relations emphasis, education, and better involvement of non-farmers in local farms.

Q25. About 56% of participants feel gas leasing will help agricultural activities. 22% felt that it would help farmers and 5 participants had no opinion. Reasons given were mixed: some felt the added income would be very helpful to keep farmers going while others felt that there are many negative environmental impacts.

Q26. There were no young farmers that were included in the survey. One farmer was between the ages of 25 and 34. Three were between 35 and 44. All others were older than 45 years and 22% of participants were over 65 years.

Q27. Two participants have lived in Sullivan County between 11 and 20

years, and 91% have lived in Sullivan County for more than 20 years.

Q28. All participants except one had at least a high school degree. Almost 48% have some college and 26% have a college degree. Among the participants was one with a master's degree. Eleven, or 29% have high school degrees.

Q29. See notes.

What the Survey Tells Us

- There are a wide variety of farms, but dominated by dairy and livestock. Many farmers have secondary operations that further diversify farming in the town.
- Not many farms participate in farmers markets – probably due to the nature of the farm.
- Some Delaware farmers actively own or rent farmland in surrounding towns to support their businesses. A small percentage of farmers have rental lands not owned by the farmer out of the town. However, 67% rely on non-farmer owned/rented lands within town. There is potential that this loss could be very negative on Callicoon farmers.
- The 239 farms who participated in the survey contribute to the employment of the area by employing a total of 60 people for at least part of the year. This is not an unsubstantial contribution to the economy.
- Farms typically support one household and have mostly been in the family for many years. There is a lot of history and experience in the community as a result.
- There is support for many ag protection methods. Overlay zoning techniques would probably not be acceptable. Programs that attracted new farmers, farm friendly zoning, PDR and use of conservation easements, and continued tax benefits for farming are all priority solutions. However, other innovative ideas do have support such as conservation subdivisions, TDR, ag enterprise zones, and even exclusive agricultural zones.
- Overall, participants felt that more education and awareness of the role agriculture plays in the town as well as the potential negative impacts to agriculture need more attention by the local planning board.
- Farmers are taking advantage of some of the tax programs, but not all. This might indicate the need for more education of the farmers about these programs.

- Taxes and operations costs (fuel, machinery, production) were among the top challenges of farmers. They feel that rental land and its cost, water, and access to marketing and business support were not problems. Some farmers who concentrate on fresh produce felt that lack of local processing facilities were a challenge to them.
- Farmers are going out of the area to purchase many of their supplies and equipment. This might indicate that not all services are available locally. It also may indicate that there may be business opportunities for some of these services to be provided locally.
 - Unfortunately, the overall economic picture of Delaware farms is not strong. About 50% of the farmers have small gross sales (less than \$25,000) and many have their farms contributing less than 25% of their family income. That means that off-farm income is required and that much of the farms in Town do not contributor to a large degree to the owners income.
- Farmers feel that there will be a loss of farms resulting in fewer farms (some moving out of the county) and farmland being incorporated into other farms. This would result in fewer, but larger farms. They also feel that some farm diversification will occur. Even so, many farmers hope to increase their sales, increase their agricultural operations, and maintain the farms in their families. Three indicated that they would be selling all or part of their farm, but that means that most will be staying the same or attempting to expand.
- There is concern about loss of farmland both from an economic point of view as well as from a community character point of view. Increased development and continued loss of income were reasons why so many were concerned.
- Some farmers are clearly having difficulties with their non-farm relationships. There are still many farmers who have not had that problem, but given that 44% do have issues, it is a problem that needs addressing. Education was the key tactic felt to improve relationships.
- Although there were mixed feelings about the role gas drilling can play in maintaining farms, slightly more people felt it would be good for farmers because they would earn additional income that could keep the farm going and the land in agriculture. Some were clearly concerned about possible negative environmental impacts.
- The farming community is aging and that means that in the next decade or two, there might be significant changes in farm and land ownership. Lack of young farmers is a potential large problem.

Analysis of Farm Business Survey

About the Business Participants

A variety of ag-related and support businesses participated in the survey. These were mostly well-established businesses that have been around for many years. These 29 businesses provide jobs within Sullivan County to 332 full time employees and 113 part time or seasonal employees. Gross sales contribute at least \$8,784,999.00 to the economy. While not all of these businesses cater only to agriculture, the feed dealers, machinery sales and repair, equipment, and almost all but one direct sale of farm products businesses grossed over \$500,000 each.

Most participants were aged between 35 and 49 years old. Most had lived in the county for more than 20 years (73%). Seventy percent had college degrees and four had some college but no degrees. About 35% said that their business coming from Sullivan County has decreased over the past 5 years while 41% said it has stayed about the same. 21% said they have seen increases in local business. The businesses that saw increases were machinery sales and repair, equipment, direct sales of farm produce, financial, and a garden greenhouse business.

It is obvious that these businesses do not rely totally on ag clients from within the county to support their businesses. Only 10% had more than 74% of their business derived locally.

Some Opinions

There was general consensus that there would be a smaller number of farms in the county one way or another (either moving out or being absorbed into a bigger farm). About ½ felt that there were still opportunities for farm diversification.

About 45% felt that drilling could help agriculture, but 24% felt it could impede it. Others had no opinion.

Many of the businesses were optimistic about growing their business and of the 29, only three said they would be decreasing their agricultural sales over the next 10 years.

About 86% said they had some level of concern (very concerned or somewhat concerned) about loss of farmland. The three that indicated they were not very concerned included a pet feed company, equipment business and a roadside stand direct sale business.

General Businesses Support for

General support among the businesses surveyed including actions such as:

- Farm friendly zoning
- Use of differential assessments
- Sullivan County Ag Plan
- Loan Programs
- Growing new farmers
- PDR
- Conservation Easements

General Lack of Businesses Support

Generally, businesses did not support actions such as:

- Use of exclusive agricultural zones
- Use of overlay zoning districts

Participating businesses also commented on what they felt were the Towns strengths, weaknesses, opportunities and threats. These were:

Strengths

- Rural Character of the area
- Scenery and beauty of the area
- Adequate access to financing for business
- Adequate access to marketing and business support

Weaknesses

- Property taxes
- Fuel, machinery and production costs
- Availability of skilled labor
- Lack of local clients
- Loss of farms and farmland to housing growth could lead to loss of business
- Some concern about negative farm/non-farm interactions

Opportunities

- Communication and education of non-farmers
- Use of larger lots
- More county support of farms
- Farm diversification
- More direct contact between farms and non-farmers
- Use of Ag Districts
- Decrease taxes
- Farm friendly zoning
- PDR
- Loan Programs
- Growing new farmers