



FINAL
TOWN OF CATON
COMPREHENSIVE PLAN

as part of the:

Caton/Hornby/Lindley
Cooperative Rural Futures Project

funded in part by:

New York State Department of State
Quality Communities Program
Three Rivers Development, Inc.
Town of Caton

with technical assistance from:

Southern Tier Central Regional
Planning and Development Board

May 13, 2002

Town Of Caton

Board Members, Officers and Representatives

Town Supervisor	Scott VanEtten
Council Members	Bernard Hartman Whiting Lightfoot Robert Lord Douglas Thomas
Town Clerk	Avonne Dickerson
Highway Superintendent	Michael Card
Code Enforcement Officer	Linda Giardina
Zoning Board of Appeals	Tim May Douglas Crooker Gerald Dann Roger Dickerman Bethany Gridley
Planning Board Chairperson	Morris Gridley
Planning Board Members	Alice Hartman, Secretary Curtis Cowles Roger Grigsby Hans Kellberg Don MacNaughton
Comprehensive Plan Committee	Robert Booth Curtis Cowles Gerald Dann Beth Gridley Morris Gridley Bernard Hartman Brad Hinman Hans Kellberg Whiting Lightfoot Robert Lord Don MacNaughton Tim May Doug Thomas Scott VanEtten
Consultant	Jennifer Fais

TABLE OF CONTENTS

	Page
I. Introduction	1
II. Planning Process	1
III. Historical Perspective	3
IV. Existing Conditions	5
A. Location	5
B. Population	5
C. Housing	5
D. Land Use	7
E. Assessment Process	7
F. Tax Comparison	7
G. Roads	9
V. Issues - Overview	11
VI. Issues Specific	12
A. Agriculture	12
B. Rural Way of Life	15
C. Manufactured Homes	19
D. Open Space - Recreation	22
E. Open Space - Wildlife	23
F. Open Space - Forests	24
G. Flooding and Streambank Erosion	25
H. Drainage and Sediment Control	27
I. Roads	29
J. Business/Hamlet Development	31
K. Industry	32
L. Community Services	33
APPENDIX	
A. Statement of Rural Rights	35
B. Comprehensive Plan Committee, November 15, 2001	36
Comments from Public Meetings	
C. Landowner Survey and Results	40

Table of Contents (continued)

	Landowner Survey Tables	44
	Table A2 - The Town should encourage small retail stores to serve local needs	
	Table A7 - The Town should give priority to making regulations that would provide agricultural lands from non-farm development	
	Table A9 - The Town should create regulations on incentives to enable people to protect open space	
	Table B7 - Encourage the development of recreational areas (such as hiking trails, biking trails, swimming areas, playgrounds)	
	Table B11 - Hunting Preserves, wildlife areas, wetland preserves	
	Table C3a - Single-wide mobile homes should be allowed in the Town ONLY on individual lots	
	Table C7 - What kind of development would you like to see in the Town? Retail/commercial (mini-malls, grocery, laundromat)	
	Table D4 - Would you sell your land?	
D.	Comprehensive Plan Public Hearing, March 14, 2002 and May 13, 2002	52
	notice, minutes, comments	
E.	Town Board Public Hearing, April 25, 2002	58
	notice, minutes by Town Clerk, notes by Comprehensive Plan Committee	
F.	Comprehensive Plan Resolution as part of	61
	the minutes of the March 25, 2002 meeting	
G.	County Planning Review	63
H.	Environmental Assessment Form and	65
	Negative Declaration of Environmental Significance	
I.	Town Board Resolution	79
J.	Media Releases	80
K.	Maps	
	Map 1 - Ag Land and Open Space	
	Map 2 - Natural Features	
	Map 3 - Aerial Photography	
	Map 4 - Roads	
	Map 5 - Residential Property and Acreage Per Parcel	
	Map 6 - Drainage Issues	

TOWN OF CATON COMPREHENSIVE PLAN

I. INTRODUCTION

The Town of Caton Comprehensive Plan describes the qualities of the Town that make it distinctive, summarizes the “vision” that most residents have for the future of their town and makes recommendations on how to keep Caton the rural place that its residents know and love.

The Plan, to be successful, depends on the *personal* commitment of town residents to consider the long term well being of their children and grandchildren when considering a short term financial gain from the sale of their property.

The Plan, to be successful, depends on the *public* commitment of town officials to update their land use laws where they need improvement, to enforce the laws that meet the residents’ needs now and to budget for major town expenses such as roads and parks.

II. PLANNING PROCESS

- 1960-65 Caton begins to lose its farming job base to industry, and there is the start of **sale and division of farmlands into residential housing**.
- 1965 The Caton Town Board approves the use of the **New York State Building Code** and appoints the first **Town Building Inspector** and **Code Enforcement Officer**.
- 1966 The Caton Town Board appoints a group of town citizens to commence work on a **Town Zoning Law**.
- 1971 The **first Caton Zoning law is approved** by the Caton Town Board after two public hearings. The Caton Town Board appoints the **first Planning Board** and **Zoning Board of Appeals**. Members of the group, who worked on the writing of the Zoning Law, were divided between the Planning Board and Zoning Board of Appeals.
- 1985 With the growth of residential housing and subdividing of farms, the Caton Town Board passes **Subdivision Regulations**.
- 1991 The Caton Town Board sees the need to **update the original Zoning Law**. The completely revised law is passed in December of 1991.
- 1990's During the late 1990s, Caton local officials became concerned about a range of issues: the potential impacts of expanding growth in the Corning/Erwin area, the potential for large housing developments, the spread of mobile homes, the loss of farmland, the increased traffic on local roads, just to name a few. Gaining the

support of the Town Board, they gathered up existing maps and reports and approached Southern Tier Central Regional Planning Board for **planning and funding assistance**.

- 2/2/00 STC staff helped them conduct a joint Town Board, Planning Board and Zoning Board of Appeals **Strategy Planning Meeting** on February 2, 2000 **to identify priority issues and to create a vision for Caton**. STC also helped them make an application to the NYS Department of State for planning funds.
- 5/8/00 The **Comprehensive Planning Committee was appointed** on May 8. The group was a representation from the Town Board, Planning Board, Zoning Board of Appeals, and members at large.
- 10/00 The Committee's first order of business was to find out what Caton residents thought. With the help of a summer intern, the group worked with STC on the development of a **resident survey**. This was mailed to all 1000+ landowners in the fall of 2000. Because of a public information blitz of posters, signs, and media coverage, 44% of the surveys were returned. by year's end.
- 1/9/01 In 2000, the New York State Department of State had announced planning funds through the **Quality Communities Demonstration Program** to help communities work cooperatively to ensure "smart growth." Meanwhile, the Towns of Hornby and Lindley were experiencing the same concerns about mounting development pressure and they agreed to be partners with Caton in a joint planning effort. Their application to undertake the **Cooperative Rural Futures Project** was one of twenty-six projects statewide to be funded. The contract was signed on January 9, 2001.
- 3/8/01 The Townwide **Potluck Desserts Kick Off meeting** was held at the Fire Hall on March 8 About fifty town residents came with their potluck desserts to talk with town officials about the **resident survey, roads, taxes, the Issues/Visions summary and their concerns about Caton's future**. They also picked up **film or single-use cameras to record their favorite places** in Caton. This library of photos would be used to guide the Planning Committee. As a door prize, **large scale historic maps of Caton in 1873** were given to participants.
- May/June 01 **Six Expert Roundtables** were held to discuss: the **future of agriculture, open space preservation, hamlet revitalization / commercial development, rural roads, manufactured homes, and environmental concerns**. Everyone in Caton, Hornby and Lindley was invited. Special invitations went to a mailing list of more than 300 large landowners, business owners, and local officials.
- Summer 01 The Comprehensive Planning Committee met with townspeople to develop maps, review assessment / tax information and discuss land use policy over the summer. **"How can Caton make a place for newcomers and still stay rural?"** was the primary question to be answered in this Comprehensive Plan.

III. HISTORICAL PERSPECTIVE

The Town of Caton was once a lumbering economy in the years 1790-1870. As the virgin forest was cut, the land was cleared and farmed. Farming was the major source of income for Caton in the years 1840-1970. As early as 1840 there were 219 farms in Caton. In the 1900's much of the full time farming had phased out. In 1990 there were twelve full time farmers. In year 2000, there are only five full time farm families.

In the past, Caton has had a grist mill, wood mill that made shingles, a bee hive manufacturing plant, lumber mills, a wooden pail factory, blacksmith shops, creameries, grocery stores, a tavern and inn, a Post Office, a meat market, a jewelry store and, in 1870, three resident physicians. In the year 2001, Caton is now a rural residential community with three active churches. The Town has a water well drilling and well repair business, an adult care related business (Pathways), a school bus business, kennel, retail auto sales, a scrap iron and steel business, and several home businesses such as a tailor shop and hair dresser, and various electrical, plumbing and general contractors.

Town Board Member, Robert Lord, provided the following chronology of important events in Caton's history, gleaned from several local historical records:

- 1700 - Caton was the hunting grounds of the Seneca Indians.
- 1788 - Massachusetts sells what is now Caton to the Phelps and Gorham land group and they survey the land into Township #1, Range #1.
- 1801 - The land is transferred to the Pulteney Association who sell the land to settlers.
- 1810 - The first settlers come into what is now Caton.
- 1825 - More settlers arrive in Caton which, at that time, was called Wormley, after Samuel Wormley who was the Town's first Post Master, Tavern and Innkeeper.
- 1832 - The Baptist Church of Caton formed, the Breese grist mill was built and L. Barnard builds a sawmill in West Caton.
- 1833 - Methodist Church of Caton formed.
- 1835 - The first Gridley families arrive in Caton.
- 1840 - The name of Wormley is changed to Caton after Richard Caton.
- 1840 - There are 219 farms in Caton.
- 1861 -1865 - Caton has 175 men fight in the Civil War. This is more men than any other small town in New York State.
- 1870 - Caton has three resident physicians.
- 1875 - Caton Grange established.

1879 - Caton has a jewelry store.

1888 - West Caton Post Office established.

1890 - Caton Center has plank sidewalks.

1891- A wheel maker and blacksmith establishes in Caton

1898 - Caton has twelve schools with twelve teachers. Many of these schools are now private homes.

1900- The Caton Rural Telephone Company was established.

1902- Caton has a jail located on the banks of Caton Creek. One person spent the night in the jail.

1912 -1960 - Harrison Meat Market opened its doors in Caton Center.

1916 - Flash flood washes out bridges.

1920 - Flash flood washes out bridges.

1937 - Serious flooding with roads and bridges washed out.

1951- Caton Fire Company formed. Prior to the formation, many members had donated their own money to purchase fire equipment.

1955 - 1956 - Caton School built, all twelve local school buildings closed.

1972 - Serious town garage fire destroys the garage and burns part of the Town Hall.

1973- New town garage built on Riff Road and Town Hall rebuilt.

1973 - Flash floods wash out roads and culverts.

1982- Caton School closes.

1985- Caton School sold to Pathways.

1997- Caton Town Hall Meeting room refurbished.

IV. EXISTING CONDITIONS

A. LOCATION

The Town of Caton is located due south of the Town and City of Corning in Steuben County, NY. This approximately six-mile by six-mile square town covers 39.2 square miles of rolling terrain with views across the flat hilltops to Pennsylvania. At the top of the watershed, the town drains north, east and west to tributaries to the Chemung River.

B. POPULATION

The mid-1800's were a prosperous time for all three towns taking part in the Rural Futures Project. However, Caton's population of 1642 in 1890 wasn't seen again for almost 100 years as people left Caton when the economy declined and farms failed. In 1920, Caton recorded a low of 688 people. Modern records show a rebound to 1359 people in 1960 as again the national economy flourished.

The population total jumped by almost 30% to 1747 people in 1970. Caton has continued this steady increase, reaching a total of 2097 people in 2000.

TOTAL POPULATION

TOWN	1840	1850	1860	1870	1880	1890	1900	1910	1920	1930	1940	1960	1970	1980	1990	2000
CATON	796	1214	1550	1554	1634	1642*	1445*	1078	688	915	976	1359*	1747	1847	1888	2097
HORNBY					1317	1011	959	870				1383	1377	1786	1655	1742
LINDLEY					1481	1537	1306	1153				1313	1414	1831	1862	1913

**Discrepancy found among data sources.*

C. HOUSING

People live in the hamlet of Caton Center, in the small developments on Bear Run Road, Caton Crest or on individual parcels throughout the town. The large 1000 to 2000 acre farms of a hundred years ago have been split over time among family members so that a 500 acre parcel is considered large now. Individual house lots are being subdivided from the larger parcels along existing roads though suburban subdivisions are also being developed. Generally, site built homes were built on larger properties while modulars and manufactured homes (double-wides and single-wides) were built on smaller lots in the mid-1990's; however, with the approval of the Caton Crest housing development and other suburban-style lots, recent trends show site-builts on lots less than 50 acres while more of the modulars and manufactured homes were being located on larger country properties.

NEW RESIDENTIAL BUILDING LOTS SINCE 1995

information from town building permit records

TYPE OF HOME	1995-1999		2000		2001		1995-2001	
	TOTAL # LOTS/	% OF TOTAL	TOTAL # LOTS	% OF TOTAL	TOTAL # LOTS	% OF TOTAL	GRAND TOTAL #	GRAND TOTAL %
SITE BUILT	21	42%	2	20%	8	36%	31	38%
MODULARS	9	18%	1	10%	1	5%	11	13%
DOUBLE-WIDES	16	32%	5	50%	7	32%	28	34%
SINGLE-WIDES	4	8%	2	20%	6	27%	12	15%
TOTAL	50	100%	10	100%	22	100%	82	100%

SIZES OF NEW RESIDENTIAL BUILDING LOTS SINCE 1995

information from town building permit records

TYPE OF HOME	95-99		2000		2001	
	PARCEL SIZES IN ACRES <i>(from smallest to largest)</i>	AVG. SIZE OF NEW PARCELS <i>(when less than 50 acres)</i>	PARCEL SIZES IN ACRES <i>(from smallest to largest)</i>	AVG. SIZE OF NEW PARCELS <i>(when less than 50 acres)</i>	PARCEL SIZES IN ACRES <i>(from smallest to largest)</i>	AVG. SIZE OF NEW PARCELS <i>(when less than 50 acres)</i>
SITE BUILT	.93, 2, 2.47, 4.3, 5, 7, 9, 9, 25, 34, 41, 46, 61, 64, 69, 69, 72, 73, 101, 168 (1 UNK.)	15 <i>(8 of 21 lots are 50 acres or more)</i>	13, 34	24 <i>(Neither of the two lots are 50 acres or more)</i>	2.1, 5.4, 5.4, 10, 14, 14, 46, 50	16 <i>(One of 8 lots are 50 acres or more)</i>
MODULARS	2, 3.5, 6, 7, 10, 14, 72, 80 (1 UNK.)	7 <i>(2 of 7 lots are 50 acres or more)</i>	17	17 <i>(No lots are 50 acres or more)</i>	63	63 <i>The only lot is 50 acres or more)</i>
DOUBLE-WIDES	1.2, 2, 2.3, 2.4, 3.2, 4.3, 5, 7, 7, 7, 7, 16, 23, 37, 37 (1 UNK.)	11 <i>(None of 16 lots are 50 acres or more)</i>	2.1, 3, 8, 50, 91	4 <i>(Two of 5 lots are 50 acres or more)</i>	.66, 2, 46, 50, 55, 84, 131	17 <i>(Four of 7 lots are 50 acres or more)</i>
SINGLE-WIDES	1.6, 4.6, 35, 69	14 <i>(One of 4 lots are 50 acres or more)</i>	7, 210	7 <i>(One of 2 lots are 50 acres or more)</i>	1, 2.3, 7, 22, 70, 210	8 <i>(Two of 6 lots are 50 acres or more)</i>

D. LAND USE

The major land use, according to land use codes assigned by the town assessor's office is residential which accounts for 80% of the Town's assessed value. The breakdown of land uses and their assessed values is as follows¹:

Land Use	No. of Parcels	Total acres	% Area	\$ Assessed Value	% of Assessed Total
Single Family	549	11,078 ²	46.4% ³	33,135,911	64%
Multiple Family	7			374,328	1%
Manufactured Housing	208			7,832,227	15%
Farm/Agricultural	33	5,660	23.7%	2,207,809	4%
Vacant	341	6,757	28.3%	2,860,708	6%
Other	48	489	1.6%	5,031,867	10%
Total Parcels in Town	1,186	23,976 ⁴	100%	51,442,850	100%

E. ASSESSMENT PROCESS

Land use codes are assigned to give a general idea of the types of land uses in a town. These are handy to track changes from year to year and to prepare maps . However, they DO NOT necessarily reflect the way a property is assessed. Parcels, especially large ones, may contain different types of land, such as wetlands, forest or pasture in addition to the two-acre building lot. The assessment takes these values into account with "wasteland," land which cannot be used for any economic purpose, being the lowest value. Building lots are the highest value while "residual" land is assessed at decreasing rates as the acreage gets larger.

F. TAX COMPARISON

The Town of Caton has the highest tax rate of all the nearby municipalities, a fact not usually broadcast by a community . Town officials point out, in defense of the figure, that they take pride in the excellent condition of Caton's roads, Town Hall and other town facilities. They feel that residents expect a high quality of life in the Town and understand the need for taxes to maintain these Town services.

¹ Information provided by town tax assessor.

² Includes totals for all residential categories.

³ Includes totals for all residential categories.

⁴ This acreage does not include areas in road rights-of-way, open water, etc.

COMPARISON OF TAXES OF NEARBY TOWNS

TOWN	Equalization Rate 99/2000	Town Tax Rate /\$1000		% Change	Town 2000 Tax Rate/\$1000 (Reflects Equalization Rate)
		Total Town Taxes \$			
		1999	2000		
ORANGE	44.46%	13.57	13.61	3%	6.051006
	44.46%	333,995	347,020	4%	
CATLIN	99.98%	2.558939	2.435571	- 5%	2.5174062
	103.36%	N/A	168,000	N/A	
CORNING	100.71%	3.991182	4.426649	11%	4.7409411
	100.71%	790,244	813,819	3%	
CAMPBELL	4.28%	84.631620	83.340894	- 2%	3.5669903
	4.28%	331,458	328,012	- 1%	
ERWIN	104.52%	4.664419	4.722664	1%	4.71558
	99.85%	1,335,655	1,316,593	-1%	
HORNBY	96.73%	7.062481	6.803656	- 4%	6.803656
	100%	290,432	285,022	- 2%	
CATON	78.80%	9.904393	10.055450	2%	8.370774
	79.31%	453,823	475,053	5%	
LINDLEY	6.37%	126.093858	125.217521	-1%	7.675834
	6.13%	369,368	371,114	-	

COMPARISON OF ANNUAL ASSESSMENT ROLLS

Year	Prior Assessment Roll in \$	New Assessment Roll in \$	Change	New Construction in \$	Assessment Changes in \$
2000	47,145,645	51,442,850	4,297,205 9.11%	2,106,909	2,190,296
1999	45,702,420	47,146,145	1,443,725 3.16%	1,470,125	(26,000)
1998	44,406,240	45,702,420	1,296,180 2.92%	1,160,830	135,350
1997	43,518,840	44,406,240	887,400 2.04%	825,750	61,650
1996	42,432,295	43,518,840	1,086,545 2.56%	1,010,900	75,645

G. ROADS

Route 225 is the only state road in the Town and is a major route between Corning and Elmira. County Routes 120 (Tannery Creek or the Lindley-Caton Road) and Route 106 (Church Creek Road) provide an east-west alternative to Route 17 to the north and connect Lindley to Caton and Southport in the Elmira area. The Town Highway Department maintains 66 miles of town roads, which is equivalent to the distance from Corning to Vestal. There is a total of 101.3 miles of roads in the Town, including state and county roads.

RECENT EQUIPMENT AND COST

YEAR	EQUIPMENT	COST
1996	Purchase a used ten-wheeler (good condition) with plow and wing	\$25,000 to \$30,000
1997	Purchase one new 4x4 (one ton) with dump body, front plow with diesel engine. This would replace town pick up truck	\$28,000
1998	Replace grader with new CAT grader, to buy back at end of seven years \$118,000. Sold 1984 JD Grader for \$32,000	\$180,000
1999	2 ten-wheeler dump trucks with wings & plows New Single axle dump truck with plow and wing to replace 1982 International - DID NOT DO	\$80,000
2000	Replace CAT Loader with new JD Loader Replace CAT Backhoe SOLD - CAT Loader \$118,000 (new was \$148,000) had 3 years 1971 Brock Way (single axle) SOLD 1974 Brock Way (single axle) SOLD 1979 Single Axle dump truck from Town of Corning 1981 Ten Wheeler (SOLD) 1991 Chevy Pickup (SOLD) 1995 CAT Backhoe (SOLD) 1997 Ford 1 Ton (SOLD) 1999 Mowing Tractor (used 1976 IH) 2000 New Dodge 1-ton w/plow and diesel engine(trade up value) 20001 New JD Backhoe	\$101,000 \$800.00 \$1,250 \$2,500 \$12,000 \$6,500 \$11,500 \$18,500 \$7,200 \$7,200 \$32,000

2001	1983 Raygo Roller (SOLD)	\$10,000
	1997 Ford 1 Ton truck with plow (SOLD)	\$17,000
	1995 Cat Backhoe (SOLD)	\$31,000
	1999 Hy Pac Roller (used)	\$52,000
	2001 John Deere Backhoe (new)	\$68,000
	Fourteen foot Dump Box (new) (for 1985 Ford 10-wheel truck)	\$5,900
	2001 Dodge 1 Ton truck with plow (new)	\$32,000

FIVE YEAR PLAN ON EQUIPMENT (REQUEST)

2001	Replace 1995 Caterpillar Backhoe	
2001	Purchase good used 84 inch Drum Drive Roller to replace current Raygo Roller	
2002	Replace 1997 John Deere Loader	
2002	Replace 404 International Rake Tractor with increased horsepower, diesel, and cab options	
2003	Replace new 10-wheel dump truck with built in sander	
2004	Replace Dodge 1 ton dump truck and plow	
2005	Purchase new 10 wheel dump truck with built in sander	

PAST HIGHWAY PROJECTS

1996	<ul style="list-style-type: none"> *Clean ditches on Hittown Road *Replace all pipes that are bad from John Hill to Fishpond Roads *Dig out bad section of road and replace with gravel *Pave from John Hill to Fish Pond Road *Clean ditches on Thurber Road *Replace pipes that are bad on Thurber Road *Grind up top of Thurber, mix with stones and retop along with a seal of oil and stone *Repair other oil and stone roads (cleaning ditches as we repair) *Make more gravel at Beech's Pit
1997	<ul style="list-style-type: none"> *Clean ditches on lower end of Hittown Roads from Fish Pond to CR 32 *Replace pipes on above as necessary *Pave road from Fish Pond to CR 32 *Clean ditches and replace pipe on Davis Road - cutting brush back behind ditch line *New gravel as needed on Davis Road *Pave from Town of Corning line to CT 40 *Make more gravel at Beech's Pit *Repair other oil and stone roads as necessary

1998	<ul style="list-style-type: none"> *Clean ditches from end of Mathews Road to Hittown Road and replace pipes that are bad *Rip existing top of Mathews (from SR 225 to Red School) and pave this section *Pave Old County Road from SR 225 to Mathews Road *Clean ditches on Wollcott Road and Williams - cut brush back behind ditch line *Pave from ST 225 to Riff Road, then do William Road *Repair other oil and stone roads as necessary *Make more gravel at Beech's Pit
1999	<ul style="list-style-type: none"> *Clean ditches on Birch Creek Road. Replace bad pipes from CR 32 to Hamilton Road and pave *Put new pavement on Gridley Road from ST 225 to Whiskey Creek Road *Make more gravel at Beech's Pit *Clean ditches on Deyo Road, replacing bad pipes and finish with oil and stone
2000	<ul style="list-style-type: none"> *Clean ditches on Red School House from SR 225 to Ginnan Road and replace bad pipes *Put new gavel on Red School House and then pave it *Clean ditches on Brown Hollow from Red School House and replace bad pipes *Put new gravel on and pave from Red School House to Stickler *Make more gravel at Beech's Pit *Clean more ditches as necessary
2001	<ul style="list-style-type: none"> *Deyo Road - 1.2 miles 2 coats of oil and stone *John Hill road - 7/10 miles paved with millings and 1 coat of oil and stone *Brown Hollow road - 1.2 miles of oil and stone *Mathews Road - 5/10 miles with oil and stone *Davis road - 6/10 miles with oil and stone *Ginnan Road - 6/10 miles with oil and stone *Kelly Hill Road - 6/10 miles with oil and stone *Hittown Road - 8/10 miles of oil and stone *Total of 6.2 miles of road sealed with oil and stone

V. ISSUES - OVERVIEW

Over the past ten years, growth in the Chemung Valley, stimulated by advances in fiber optics at Corning Incorporated and new development at the Airport Corporate Park, has resulted in hundreds of new homes and thousands of square feet of industrial and big box commercial development to be built primarily in the Town of Erwin/Gang Mills/Big Flats areas. The Town of Caton has seen new housing development, the Town of Hornby has seen a few new homes, and the Town of Lindley is preparing for the impacts of the upgrade of Route 15 to Interstate 99.

Caton lies within an easy commuting distance to either Corning or Elmira so is feeling the effects of this growth as people, searching for a piece of the receding countryside, look to Caton for a place to live. This additional housing development can lead to the loss of open space, and the decrease of land in agricultural production. Other development related issues include the spread of communication towers and the growing demand for neighborhood services in Caton Center.

VI. ISSUES - SPECIFIC

A. AGRICULTURE

SITUATION

1) Active Farm Land

Town assesses ag land as property with a gross income of \$10,000 or more derived from agricultural produce/sales. Using this yardstick, Caton has 3651 acres in 33 parcels of active farming including livestock (land use code 110), dairy (112), cattle and hogs (113), and field crops (120), although the perception by residents is that there are few farmers left in the Town. (*See Map #1 Agricultural Lands and Open Space.*)

2) “Worked Land”

The Committee reviewed 1995-96 air photo and prepared a map of “worked land,” land which is being used for hay, crops or raising animals but which falls below the required income. However, in terms of “rural quality of life,” the existence of “worked land” is indistinguishable from farmland to the resident or traveler and is an important feature of the countryside.

For the sake of analysis, the Comprehensive Planning Committee renamed these parcels “worked land” if some or all of the parcel was in production. This new classification applies to parcels which are currently classified as “rural residence with acreage,” “residential with small improvements,” “residential vacant” or “abandoned agricultural.”

There are 138 parcels totaling 7,711 acres in the Town which include at least some “worked land.” It is estimated that about three quarters that acreage or about 5700 acres are the actual fields and pastures of “worked land” as noted on the hand-drawn map at the Town Hall.

3) Land in NYS certified Agricultural Districts

Caton has 4830 acres in 76 parcels of farmland in agricultural districts (*see Map #1 Agricultural Lands and Open Space.*) Much of the active farmland (16 of the 33 parcels totaling 1646 acres) and worked land (34 parcels with 2238 acres) is included in Steuben County District #13. Additional non-farm acreage may also be included. Agricultural Districts provide protection against sewer and water line extensions which to discourage development incompatible with farming, among other benefits for farmers who keep their land in the district for eight years or more.

4) Land with agricultural exemptions

Agricultural exemptions are also a tool used to help farmers stay in business. They are tax breaks given by the state to help ease the farmer’s tax burden. Thirty-three parcels totaling 2899 acres in Caton receive these tax breaks valued at \$3,784. The remainder of the Town tax payers picked up the cost of these savings provided to Caton farmers as an incentive to keep them in farming.

5) Abandoned Agricultural Land

Another land classification is “abandoned agricultural land” which is “nonproductive; not part of an operating farm.” The Committee double-checked these parcels against the air photos and generally agrees that these areas are grown up to shrubs and small trees and that it was unlikely that they would be returned to farming. A total of 56 parcels covering 2000 acres are classified as “abandoned agricultural land.”

~ *The Caton Resident Survey Says*.....

The Town should give priority to making regulations that would protect agricultural lands from non-farm development.....

Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Not Sure	
49%	21%	15%	8%	7%	100%
215	93	64	37	30	439

YES	NO	TOTAL	<i>Retain farmland by protecting farmers’ “Right to Farm”. (Protect farmers from restrictions on agriculture operations and nuisance suits).</i>
404	30	434	
93%	7%	100%	

YES	NO	TOTAL	<i>Would you sell your land ?</i>
112	316	427	
26%	74%	100%	

A wide majority of residents answering the survey (70%) want the Town to take active steps to protect agriculture from housing development. In addition, there was almost universal agreement on farmers’ “Right to Farm” (93%). This sentiment supports Town action to protect farmland. However, although three-quarters of the residents do not intend to sell their property, the remaining quarter do. If this is characteristic of the Town as a whole, 6500 acres of Caton could change hands and be used for other purposes.

POLICY

- 1) **Active Farm Land and “Worked Land”**
To retain this land in active farming.
- 2) **Abandoned Agricultural Land**
To direct any new housing development to these lots, if developable and not located in agricultural districts, since existing trees and shrubs could be retained as privacy screens and wildlife habitat.

RECOMMENDATIONS

1) Active Farm Land and “Worked Land”

Work with the Steuben County Farmland Protection Board and Cooperative Extension to find financial incentives and to maintain and expand our agricultural industry.

Encourage farmers to stay in Agricultural District #13 when it is up for review in 2008.

Expand District #13 to include the priority acreage included in the 104 parcels (5472acres) of “worked land” not currently enrolled.

Encourage farmers to join the American Farmland Trust to learn about estate planning and capital gains tax reduction techniques so that their land can be passed down to future generations or sold to other farmers.

Encourage voluntary easements to Land Trusts. This method allows tax breaks on personal income tax which benefit the owner but does not affect the local tax base.

Encourage owners of active and worked land not currently receiving the agricultural exemption to take advantage of that program. Currently, 20 active agricultural parcels with a land value of \$586,800 and 122 “worked land” parcels with a land value of \$2,135,000 do not receive ag. exemptions (a total of \$2,721,800). The agricultural exemption averaged an 18.6% reduction in assessed value (\$382,129 total ag. exemption value / \$2,050,700 land value before ag. exemption). When the 18.6% average ag. exemption is applied to the above 142 parcels, this would equal \$506,254 in assessed value per year or \$5014 in Town taxes which would need to be made up by other town tax payers. This computes to \$5.25 per year increase in taxes for a homeowner if the cost was split evenly among all homes in Caton.

Consider a larger tax break to owners of active farm land and “worked” land. This tax break could apply to the “agricultural” parcels in the Town:

#	TYPE	LAND VALUE
138	worked land	\$2,422,300
13	ag. exempt (active or not worked)	\$ 467,600
20	active ag. (no ag. exempt)	\$586,800
	TOTAL	\$3,476,700

This value is 6.7% (\$3,476,700/\$51,442,850) of the total assessed value in the Town. At \$9.904393 per \$1000 assessed value, agricultural land contributes \$34,434 in Town taxes. If a 50% town tax break were given to these properties, other property owners would have to pick up \$17,217. Since residential properties make up 80% of the tax base, they would pick up \$13,774 of this total. If divided equally among homeowners (764 home), the average home would see an increase in taxes of \$18.03 per year.

2) Abandoned Agricultural Land

Assess each parcel for appropriateness for housing development and create a map showing these preferred locations.

B. RURAL WAY OF LIFE

SITUATION

Caton residents are proud of the rural quality of their town: the wide vistas, the wooded hillsides, the scenic barns, farmed fields, historic churches, hedgerows and stone fences, shaded stream valleys, and widely spaced secluded homes. “Peace and quiet” and “not seeing my neighbor” are

important requirements for the people who live here. A whopping 96% of survey respondents said that they wanted “to retain the rural flavor/ rural lifestyle of the township.”

But people also know that new residents may want to share the countryside with the “old-timers.” Current residents also may have plans to sell “a few acres” to children or family or may want to subdivide to make a little money for retirement as a “nest egg.” Taken individually, these actions may not have an impact; but, taken as a whole over time, may lead to the loss of the very quality that people cherish in Caton.

Sentiment at the March 9, 2001 public kick-off meeting and expressed in the survey is that residents want to see residential development (66% agree or strongly agree with that statement), but don't want to see suburban subdivisions (40% yes, 60% no). Instead 85% of survey participants supported residential development as part of “a ‘Conservation Subdivision Design’ whose purpose

is to develop land to preserve the natural and scenic qualities of open land.” The overwhelming preference (92%) for this growth is for site built homes or for “double-wides” or modulars (72%).

Still, numerous studies on the tax-dollars-generated-by vs. tax-dollars-used-by different types of land use consistently show that single family homes may “break even” or even cost more in services than they pay for. Forest land, agriculture, and other open spaces pay more in taxes than they need in services such as road repair, schools, fire and police, to name few. Higher density residences, business and industry also tend to pay more taxes than they use in services. This reality may mean that Caton’s vision of new, well-designed home development may not be the source of enough town taxes to pay for the added maintenance and service needs of these new residents.

Current zoning allows two acre parcels with 250 frontage. If every landowner developed his/her existing frontage, the Town would see 4300 lots along every road in the Town, not considering environmental constraints. Since 1174 lots already have homes, this could mean about 3000 more homes in the Town by simply filing for a minor subdivision and building permit under the current system, as a “worst case” scenario.

Much more likely is that larger lots, split off to avoid health department review or to provide some privacy, will split up the existing road frontage. About 2100 more lots, or about double the current

number of lots in Caton, could add to the traffic volume, slow traffic speed because of additional driveway cuts, alter the natural drainage pattern, isolate large parcels behind the development, create a sense of dense development since it would occur within view of the existing roads, and generally erode the rural quality of the landscape. This is the probable “build - out scenario” which this Comprehensive Plan hopes to address.

~ *The Caton Resident Survey Says*.....

YES	NO	TOTAL	<i>Retain the rural flavor/ rural lifestyle of the township</i>
418	19	437	
96%	4%	100%	

YES	NO	TOTAL	<i>Promote “Conservation Subdivision Design” whose purpose is to develop land to preserve the natural and scenic qualities of open land.</i>
367	67	434	
85%	15%	100%	

What kind of development would you like to see in the town?

YES	NO	TOTAL	1.	<i>Single family housing (“stick built” homes).</i>
392	34	426		
92%	8%	100%		

YES	NO	TOTAL	5.	<i>Subdivision Development</i>
167	248	415		
40%	60%	100%		

Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Not Sure
----------------	----------------	-------------------	-------------------	----------

<i>The Town of Caton should encourage new residential growth.....</i>					
31%	35%	14%	17%	3%	100%
135	154	59	75	14	437

<i>The Town’s land use regulations meet our needs to direct development.....</i>					
11%	28%	14%	11%	36%	100%
47	120	59	47	159	432

<i>The Town should work cooperatively with the neighboring communities and share regulatory plans for future growth.....</i>					
35%	38%	9%	9%	9%	100%
155	166	39	41	40	441

POLICY

- 1) To protect the rural quality of life for all residents in the Town of Caton.
- 2) To permit individual lot housing development on land suitable for development (“buildable land”).
- 3) To discourage speculative housing subdivisions.

- 4) To require, if a housing development is proposed, that it is designed to protect environment and to benefit the Town of Caton on a long term basis (incoming taxes equal or exceed long term cost of services.)
- 5) To maintain open space that gives value and character to rural homesteads:
 1. scenic views
 2. privacy
 3. wildlife habitat
 4. unique features such as hedgerows, stone walls/fences, individual large trees which give a homestead its special character

RECOMMENDATIONS

1) “Statement of Rural Rights”

Adopt the “Statement of Rural Rights” and provide to all new landowners at the time of property sale. (See the Appendix)

2) Buildable Land

Define “buildable” land as those lands which are not

1. steep slopes - must follow Planning Board recommendations.
2. floodplains as defined by the town flood hazard boundary map
3. wetlands, state or federal
4. lands covered by water bodies
5. stream corridors (100' setback from each streambank.)
6. hydric (wet) soils
7. frontage with poor sight distance (less than 250 feet)

3) Housing Lots

Permit new housing lots which contain a minimum of two acres of “buildable” land through a minor subdivision and/or building permit process.

4) Minor Subdivisions

Allow minor subdivisions as follows:

CURRENT PARCEL SIZE	TOTAL MAXIMUM LOTS WITHIN 5 YEARS <i>(Including original lot)</i>	AVG. LOT SIZE <i>(If equally sized)</i>
0 - 5 acres	1	5 acres
5.1 - 10 acres	2	5 acres
10.1 - 20 acres	3	6 2/3 acres
20.1 - 40 acres	4	10 acres
40.1 - 100 acres	1 per 12 acres	12 acres
over 100 acres	1 per 15 acres	15 acres

But all the lots would not have to be of equal size. As long as there are two acres of buildable land in each lot, the splits could be made in various ways.

Shared driveway cuts will be encouraged to reduce impacts on traffic. Each homeowner may build/maintain his/her own driveway, but adjoining neighbors would share the curb cut within the town or county right-of-way.

5) Major Subdivisions

Subdivisions of five or more lots at one time (major subdivisions) will be considered a Planned Residential Development (PRD) which will require a zone change and follow the “conservation subdivision” or “cluster” approach, or hamlet design standards.

To encourage large landowners to keep land in large parcels instead of selling off the frontage little by little, the Town of Caton could permit the number of homes per acre overall to increase to one home per 10 acres with at least half the parcel to be maintained in permanent open space or agriculture.

Developers would be required to design a concept using a short access road. This would decrease the number of curb cuts on the higher traffic existing town road, ensure that the best location for an access is selected, and provide more privacy to the new homes. If the developer shows that this is not feasible, the Town could permit all lots on existing roads.

No matter how the subdivision is laid out, the developer must show that the new homes will be an economic benefit to the community over time. This means that increased road maintenance and other services must be assessed before approval is given.

Major subdivisions, regardless of lot size, will be submitted to the NYS Department of Health for their review of on-site sewage disposal and water supply. This ensures that these important facilities are properly designed.

Engineering and planning review costs for major subdivisions shall be paid for by the developer.

6) All Subdivisions: the conservation subdivision approach

The “conservation subdivision” approach is preferred for ALL subdivisions, major or minor. This involves identifying

1. land unsuitable for development (see: Buildable Land 1-7 above)
2. Calculating the amount of “buildable” land
3. Features to be preserved (see Policy: open space features 1- 4 above)
4. Optimum home sites
5. Road location
6. Lot lines

The Town Board would revise the existing subdivision ordinance to reflect the above principles.

7) Signs

The Town Board would revise the sign law, as appropriate, to prohibit permanent offsite advertising.

C. MANUFACTURED HOMES

SITUATION

The quality of manufactured housing has improved dramatically since their introduction to the housing market after World War II. In the seventies, the federal government set standards which these units must meet. Since then, the styles and construction of these individual homes are changing so that many of them are difficult to tell from traditional site built housing and the need to regulate all of them as special cases has become blurred.

There were 208 manufactured homes in Caton in the year 2000. This is 15% of all homes in the town. Over the past seven years, 12 building permits were issued for single-wides and 28 were issued for double-wides while 31 building permits were issued for site built homes and eleven for modular. No homes are located in mobile home parks.

BUILDING PERMITS ISSUED SINCE 1995

TYPE OF HOME	SITE BUILT	MODULAR	DOUBLE-WIDES	SINGLE-WIDES	TOTAL
#	31	11	28	12	82
%	38%	13%	34%	15%	100%

Hornby is very similar to Caton. There were 89 manufactured/mobile homes in Hornby in the year 2000 on individual lots. This is 16% of all homes in the Town. Over the past five years (since 1997), 24 building permits were issued: 3 for manufactured/mobile homes, 7 for single family homes and 14 for single family on rural residential lots (houses on more than 10 acres). This trend shows that 13% of new homes are manufactured/mobile homes, consistent with the ratio in the past. There are 45 homes located in the only mobile home park in the Town of Hornby.

Lindley also surveyed manufactured housing and notes in their Comprehensive Plan that “Lindley (in 2000) had 37% of its residences as single-wides, which is more than double any neighboring community.”

The concern that single-wides are a majority of new housing in the Town of Caton is not founded as seen from the figures above. The percentage of single-wides of all building permits issued for homes remains at 15%. However, total numbers of single-wides do not explain the concern.

When referring to the assessment tables earlier in the report, the average assessed value of all single family (210) and rural residential (240) homes (including land):

$$\$33,135,911/549 = \$60,357$$

Average assessed value of all manufactured homes (270) (including land):

$$7,832,227/208 = \$37,655$$

Because of this disparity in tax generation, many townspeople are concerned that manufactured home owners require the same services, but pay much less in taxes. Disparity in taxation based on valuation is also a major concern in the Town of Lindley as single-wides are valued at approximately a third of other forms of residences. In Hornby, an average site built home is assessed as \$52,322, while the average manufactured/mobile home is \$17,291.

Caton residents are also concerned that locating a single-wide mobile home next to a more expensive home will devalue the neighbor’s property. Sometimes a single-wide is used for storage or simply abandoned on the property which creates, at a minimum, an unsightly situation, or, too often, a health hazard. Caton has also been dealing with a former mobile home park which currently contains abandoned, unsafe single-wides that have created a blighted situation. Town officials are also concerned that Caton may become a “magnet” for single-wides because of the prohibition of single-wides on individual lots in the Towns of Big Flats, Corning, and Erwin, and with action soon in the Towns of Lindley and Hornby.

On the positive side, the difference in cost between a new single-wide and double-wide is shrinking so that someone looking for an affordable home may be as likely to purchase a double-wide as a single-wide. What Caton has also experienced is that single-wide owners often upgrade to a double-wide or larger home over time; thus, a single-wide often functions as an affordable “starter” home as the family saves for their “dream house.”

~ *The Caton Resident Survey Says*.....

What kind of development would you like to see in the town?

YES	NO	TOT.	1.	<i>Double wide / modular built homes</i>
307	121	428		
72%	28%	100%		

2. *“Single - wide” mobile homes:*

YES	NO	TOTAL	<i>a. only on individual lots.</i>
188	195	383	
49%	51%	100%	

YES	NO	TOTAL	<i>b. only in Mobile Home Parks.</i>
92	268	360	
26%	74%	100%	

YES	NO	TOTAL	<i>c. as a Conditional Use allowed in A-R, Agricultural-Residential Zone, subject to site plan approval. (current zoning status).</i>
178	191	369	
48%	52%	100%	

YES	NO	TOTAL	<i>d. anywhere in Town.</i>
85	300	385	
22%	78%	100%	

.....

POLICY

NOTE: The Caton Resident Survey, conducted during the fall 2000, provides a mix of answers to guide the Comprehensive Planning Committee. There is resounding support to allow “double-wides” and modular homes as site built homes, but there are split or conflicting opinions about single-wides. The 78% of residents who said “No” to a single-wide “anywhere in town” may have meant that they wanted single-wides excluded from Caton. Allowing them on single lots, with or without a Conditional Use Permit, garnered more support (49% and 48% in favor) in contrast to restricting them to mobile home parks (74% opposed this restriction.)

Rural towns are increasingly requiring that ALL homes, no matter how they are constructed, are a certain minimum width such as 20' on all sides, if the home is located on an individual lot. This effectively prohibits single-wides on individual lots. (The towns of Lindley and Hornby recommend that Conditional Use Permits, with stricter conditions than current zoning, continue to be required for single-wides.) This prohibition may be challenged in court if there is no evidence that affordable housing (single-wides, for example) are permitted or available in neighboring towns or in mobile home parks. The zoning laws in these towns then permit single-wides in mobile home parks. This opportunity for a single-wide to be located in a park avoids the charge that a town is being “exclusionary.”

However, Caton has very little good land suitable for a mobile home park and, because of the history of the abandoned mobile home park, public sentiment strongly discourages them. A caution: courts have decided that communities may not prohibit mobile home parks; thus, the Town of Caton will need to make some accommodation for parks in their law.

- 1) Improve the quality of existing housing.
- 2) Permit a wide range of housing types for Caton residents.

RECOMMENDATIONS

1) Existing Mobile Home Park

Finalize enforcement of the zoning law and health laws to close the existing substandard mobile home park, dispose of the remaining abandoned structures and return the site to a clean condition.

2) Living Space

Amend the zoning law to require that manufactured homes may only be used for human habitation and that they be removed from the property and properly disposed of within thirty days of abandonment.

3) Home Size

Amend the zoning law to require that all homes, no matter how constructed, be a minimum of 20 feet on any side. Construction would only require a building permit, not a Conditional Use Permit because these homes would fit into the desired community character of Caton.

4) Mobile Home Park Standards

Amend the zoning law to update the standards for a Manufactured Home Park Conditional Use Permit. This would reflect the latest design standards to accommodate the larger manufactured homes and remove the language requiring large road frontage and, instead, require that the homes would be screened from view, among other changes.

D. OPEN SPACE - RECREATION

SITUATION

Caton has no recreational land under public ownership; thus, the landscape is entirely in private hands. Much of Caton is in large parcels which can be good for hunting, forestry or wildlife habitat.

~ *The Caton Resident Survey Says*.....

YES	NO	TOTAL	7.	Encourage the development of recreational areas (such as hiking trails, bike trails, swimming areas, playgrounds)
261	168	429		
61%	39%	100%		

YES	NO	TOTAL	10.	Tourism (i.e.: bed & breakfasts, scenic overlooks, campgrounds)
280	147	427		
66%	34%	100%		

The Town should get additional land and develop it for recreational purposes.....

Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Not Sure	
13%	21%	15%	21%	30%	100%
57	93	66	91	129	436

POLICY

- 1) Avoid subdivision of continuous forest land.
- 2) Encourage voluntary development of private hiking/biking trails.
- 3) Allow marked roads for snowmobile use.

RECOMMENDATIONS

1) "Unbuildable Land"

Apply "buildable" land standards strictly to preserve steep slopes on which are located the majority of unbroken forest lands.

2) Trails

Encourage the Finger Lakes Trails Association to develop additional hiking trails in cooperation with landowners.

Establish bike trails incorporating the town road system as appropriate.

Clearly mark snowmobile routes and enforce law.

E. OPEN SPACE - WILDLIFE

SITUATION

Caton is known for its diverse natural habitats, from wetlands, lakes, ponds and stream corridors to meadows and mixed forest lands. However, no town-wide detailed study has been made to identify the ecological communities, wildlife habitats, bird and wildlife species, migration routes, game animal wintering areas, stream corridors and other important natural features of the Town.

~ *The Caton Resident Survey Says*.....

C. *What kind of development would you like to see in the town? (Circle YES or NO to each question).*

YES	NO	TOTAL	<i>Hunting preserves, wildlife areas, wetland preserves.</i>
347	83	430	
81%	19%	100%	

The Town should create regulations or incentives to enable people to protect open space.....

Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Not Sure
----------------	----------------	-------------------	-------------------	----------

42%	28%	11%	7%	12%	100%
181	123	46	31	51	432

POLICY

Protect important wildlife habitats and species, especially wildlife corridors which connect habitats and enable wildlife to travel freely, safe from roads and other human contact.

RECOMMENDATIONS

1) Open Space Inventory

Conduct an Open Space Inventory to document:

1. Unfragmented forests (over 20 acres)
2. trails
3. Ecological communities (using the NYSDEC, "Ecological Communities of New York State," March 1990 for definitions)
4. Bird and wildlife surveys
5. Natural, archeological and historic landmarks
6. Scenic views and ridge lines
7. Aquifers
8. Wetlands
9. Steep slopes

Contact scientists with the NYS Department of Environmental Conservation, NYS Office of Parks, Recreation and Historic Preservation, Cornell University, and others (*see the Comprehensive Plan Resource Manual*) for assistance.

Use a rating system (perhaps the Town of Lewisboro Open Space Inventory Matrix created by the Conservation Advisory Council, September 2000) to rank important parcels for protection as open space.

4) State Open Space Plan

Nominate exceptional parcels to the NYS Open Space Plan which defines areas important for protection through easement or purchase by the state.

5) Conservation Easements

Review the open space resources with conservation organizations such as the Finger Lakes Land Trust to explore the donation of easements by the private landowner.

F. OPEN SPACE - FORESTS

SITUATION

Land in Caton had been heavily farmed in the 1800's and early 1900's. In the 1930's, significant acreage went out of agricultural production and was put into reforestation to reclaim the eroding slopes. Since that time, Caton has seen continued conversion of agricultural land to "succession" growth of shrubs, poplars and finally to mixed forests. Forest land is now reaching maturity and landowners are turning to woodlots as a cash crop. Poor logging practices can lead to soil erosion, sediment in streams and poor regrowth to viable forest.

POLICY

To encourage sound forest management practices as beneficial to the woodlands and as an income generator for landowners.

RECOMMENDATIONS

1) Timber Harvesting Registration

Adopt a local law requiring registration of timber harvesting operations if harvest will yield in excess of 5000 board feet so that the Town can provide information about good timber harvesting practices and can notify adjacent property owners.

Using the registration policy, the Town Highway Department would take photos of the roads before timber harvesting begins, and again after it is finished. They would then bill the harvesters for necessary repairs.

Distribute copies of forest management practices handbooks as part of "welcome" packet to new residents and upon request by current landowners.

G. FLOODING AND STREAMBANK EROSION

SITUATION

The Caton landscape is drained by a network of streams that are prone to flash flooding of adjacent low-lying areas. In addition, the banks of these streams are subject to erosion. These natural processes can be worsened by human activities that increase flow rates or de-stabilize stream channels. Natural grasses and forest vegetation currently protect many miles of streambank in Caton. However, some streambanks, also known as riparian areas, lack this vegetated buffer. Riparian buffer plants are desirable because they tolerate occasional flooding, their root systems reduce the susceptibility to erosion, and they filter pollutants from surface runoff.

Areas adjacent to all streams in the Town are potential hazard areas for flooding and/or streambank erosion. However, flooding and streambank erosion are only serious problems in locations where human development encroaches on areas adjacent to the streams. Stream crossings are a particular concern because of the potential for undersized culverts or bridges to block or divert water, which can impact adjacent properties. Most of the flood-prone areas in Caton are presently undeveloped and, thus, do not currently result in flooding problems. The Town of Caton regulates development within areas identified as 100-year floodplains on the Flood Insurance Rate Maps developed by the Federal Emergency Management Agency. However, these maps do not encompass all of the streamside areas that are potentially subject to flooding and bank erosion problems.

Numerous ponds in the Town of Caton have been produced by impoundment of streams behind earthen dams. Additional pond and wetland areas have been created by beaver activity. Many of the man-made dams are old structures; none are routinely inspected for safety. Failure of any of these structures could result in a wave of water through downstream areas. The Comprehensive Plan Committee located the sites of these potentially hazardous dams on a map. At the present time, the potential for damages from a dam failure are relatively minor because the areas immediately downstream of the dams contain little or no development.

POLICY

- 1) Discourage development or grading near streams and in floodplains. When such development does occur, insure that the new development
 1. is protected from flood damage,
 2. is protected from streambank erosion damage,
 3. does not adversely impact water quality, and
 4. will not increase the risk of flooding or erosion damage on other properties.
- 2) Discourage private stream crossings. When such crossings are necessary, insure that they are adequately designed for fire equipment. Provide a stable flow path during low-flow, channel forming flow, and flood conditions.
- 3) Maintain or replant native vegetation in stream riparian areas to provide water quality benefits and protect streambanks from erosion.

- 4) Discourage development downstream of dams. When such development does occur, insure that the new development is outside of the potential hazard area if dam failure occurs.

RECOMMENDATIONS

1) Enforce Flood Damage Prevention Law

Strictly enforce Local Law for Flood Damage Prevention (Local Law #2 of 1983), which regulates all development within the 100-year floodplain delineated on the Flood Insurance Rate Map. The regulated activities include (among other activities): buildings, other structures, mining, dredging, filling, paving, excavation, drilling, pipelines.

2) Seek Technical Assistance

Seek technical assistance, as needed, from Southern Tier Central Regional Planning Board or NYS Department of Environmental Conservation.

3) Refer to Drainage Issues Map

Refer to Map #6 Drainage Issues delineating the potential hazard areas downstream of dams and require site plan review for any development in these areas. The Town will solicit technical review of the flood hazards for proposed development from the County Emergency Management Office, County Soil and Water Conservation District, and/or the Dam Safety Section of the State Department of Environmental Conservation.

4) Stream Setback

Require that any new buildings have a minimum setback of 100 feet from the bank of any perennial or intermittent stream indicated in blue on the Caton Natural Features map. (This information is taken from the U.S. Geological Survey topographic quadrangle map.) Require Site Plan Review for any other development within 100 feet of a streambank, such as roads, grading, shaping, or removal of vegetation.

5) Article 15 Stream Disturbance Permit

Recommend that the Town request a copy of the Article 15 Stream Disturbance Permit from the New York State Department of Environmental Conservation for any disturbance within 50 feet of a stream having a state classification of C(t) or higher. When necessary, the Town will refer the property owner to the Steuben County Soil and Water Conservation District for technical and permit assistance.

6) Local Bridge/Culvert Review

Require Town Highway Department and town engineer review and Town approval of any bridge or culvert used for a private stream crossing on any perennial or intermittent stream (indicated in blue on the U.S. Geological Survey topographic quadrangle map). The cost of the town engineer's review is to be borne by the builder/owner. The Town will request assistance, as needed, from the County Soil and Water Conservation District and/or County Highway Department.

H. DRAINAGE AND SEDIMENT CONTROL

SITUATION

The Town of Caton contains several identified wetlands and many areas of poorly drained soils that pose limitations for development. Alteration of existing drainage patterns by development, timber harvesting, agriculture, and other land use activities can result in increased and/or concentrated runoff in down slope areas. This can contribute to flooding and washout problems at existing development and roadside drainage areas. Erosion of unprotected soils can contribute to deposition on adjacent properties, filling of roadside ditches, and sediment impairment of streams and water bodies.

POLICY

- 1) To the extent possible, maintain natural vegetation and existing drainage patterns at development sites. Encourage management practices that minimize offsite drainage impacts, erosion, and sedimentation. Encourage compliance with state permit requirements for stormwater management and erosion control.
- 2) To protect existing drainage structures (bridges, culverts, ditches, etc.) from increased runoff resulting from development, timber harvesting, agriculture, or altered land use.
- 3) To encourage the use of best management practices at timber harvesting operations, with roads and skid trails designed to minimize the impacts on drainage patterns, streams, and erosion.
- 4) To discourage development in wetlands and on poorly drained soils. When such development does occur, insure that
 1. any necessary wetland permits are obtained
 2. the development is adequately protected from flooding and drainage problems

RECOMMENDATIONS

1) Land Disturbance

Limit the land area that is disturbed during construction as part of the building permit process.

Require that all disturbed areas be successfully seeded or stabilized with erosion control materials when construction is complete.

2) Driveway Designs

Require Town Highway Department review of all driveway designs on Town roads to insure that concentrated flow is not directed onto the road or into the roadside drainage system.

Require that anyone needing a driveway on a county or state road provide a copy of the County or State Highway Department approval to the Town.

Amend the zoning and subdivision laws to limit residential and/or commercial driveways to a slope of 10% or less.

3) Increased Runoff

The Planning Board requires Town or County Highway Department review of any development proposal that is likely to increase runoff into the existing roadside drainage system.

4) SPDES Permit Copy

Require, as part of the building permit process, that a Storm Water Pollution Prevention Plan be submitted to the Town before issuance of any building permit for construction activities that require a State Pollution Discharge Elimination System (“SPDES”) Permit for Storm Water Discharges Associated with a Construction Activity. This state permit is required for any construction activity that:

1. will result in the disturbance of **five** or more acres total land area **before** March 10, 2003,
2. is part of a common plan of development or sale that will result in disturbance of **five** or more acres **before** March 10, 2003
3. will result in the disturbance of **one** or more acres total land area **after** March 10, 2003, or
4. is part of a common plan of development or sale that will result in disturbance of **one** or more acres **after** March 10, 2003.

It is already state law that this plan must be filed with the Town and a copy retained on site. The Town can improve compliance with the permit conditions by reviewing the Storm Water Pollution Prevention Plan, monitoring compliance with the plan, and notifying DEC of any concerns. Technical assistance is available from the Steuben County Soil and Water Conservation District and Southern Tier Central Regional Planning and Development Board.

5) Training

Obtain training for the Code Enforcement Officer, Planning Board members, Town Supervisor, and Town Councilmen in stormwater management and erosion and sediment control.

6) Timber Harvesting Registration

Enact a timber harvest registration ordinance. The Town will use the registration information to notify of adjacent property owners and provide the owner of the land to be harvested with information about good timber harvesting practices that minimize erosion, sediment, and runoff problems. (*See Timber Harvesting Registration in F. Open Space - Forest section.*)

7) Soils

The Code Enforcement Officer requires information about the soil type in areas that will be disturbed as part of the building permit application. The developer should indicate how the project would overcome any soil limitations applicable to the proposed development (as indicated on tables in the *Soil Survey of Steuben County, New York*). Technical assistance is available from the Steuben County Soil and Water Conservation District.

8) Freshwater Wetlands Permits

Recommend that the Town request a copy of the Freshwater Wetlands Permit from the New York State Department of Environmental Conservation for any disturbance within 100 feet of a protected wetland, as shown on the New York State Freshwater Wetlands Map.

Require a developer to supply evidence of compliance with the U.S. Army Corps of Engineers for any development that will disturb wetland areas indicated on the National Wetland Inventory map or for any development located on hydric (wet) soils. The Steuben County soil types that are classified as hydric are: Alden (Aa) 9 Atherton (At) 9 Canandaigua (Ca) 9 Carlisle (Cc) 9 Chippewa (Ck) Edwards (Ed) 9 Fluvaquents (FL) 9 Kanona (KaA, KaB, KaC) 9 Palms (Pa) 9 Warners (We) 9 Wayland (Wn)

Technical assistance is available from the Steuben County Soil and Water Conservation District.

I. ROADS

SITUATION

Roads are biggest line item in town budget. People moving in often are used to suburban roads and make demands that roads be upgraded. Smooth, wide roads encourage faster traffic.

~ *The Caton Resident Survey Says*.....

YES	NO	TOTAL	<i>Improve and maintain Town infrastructure. (roads, bridges, Town owned buildings)</i>
418	21	439	
95%	5%	100%	

POLICY

- 1) To maintain rural roads in accordance with desired traffic levels as economically as possible.
- 2) To maintain “collector” roads as higher speed/higher volume roads.

RECOMMENDATIONS

1) Collector/Minor Roads

Adopt map designating “collector, local, private” road designations as described in the Comprehensive Plan.

Require 500' distance between driveway cuts on collector roads.

Allow 200' distance between driveway cuts on local and private roads.

2) Rural Road Design and Maintenance

Work with the Cornell Local Roads program to review and update the following five year and yearly maintenance plan for roads.

Re-establish a Town Road Advisory Panel made up of one Town Board Member, the Highway Superintendent and two residents of Caton with road construction experience and knowledge.

3) Capital Improvement Plan

Implement the Five Year Road Plan - (based on past winter conditions)

2001	<p>Roads that need to be sealed with oil and stone coat: Davis Road (0.6 mile), Sloan Road (0.8 mile) Martin Hill Road (1.2 miles), Cheese Factory Road (0.4 mile), Matthews Road (0.8 mile), Old County Road (0.6 mile) and Brown Hollow Road (1.2 miles).</p> <p>John Hill Road from State Rt. 225 (one mile) and Deyo Road from County Route 106 (one mile): grind up top, add dry stones, millings, and to create an 8 inch base, and seal with an oil and stone coat.</p>
2002	<p>Roads that need to be sealed with oil and stone coat: Thurber Road (1.8 miles), Riley Hill Road (1 mile), Red School House Road (0.6 mile), Gridley Road (0.4 mile), North end of Deyo Road (1.2 miles), and Ginnan Road (0.6 mile).</p> <p>Ginnan road from County Rt. 34 (one mile): grind up top, add dry stone and oil to create an 8 inch base, and seal with an oil and stone coat.</p>
2003	<p>Roads that need to be sealed with oil and stone coat: East Hill Road (0.8 mile), Riff Road (1 mile), Birch Creek Road (0.8 mile), and Hittown Road (2.2 miles).</p> <p>Martin Hill Road from County Rt. 120 (1 mile): cold mix pave and seal with oil and stone coat.</p>
2004	<p>John Hill Road: clean ditches, replace pipes as needed, grind, add dry stone and oil to create an 8 inch base for 0.6 mile to Tobeytown Road. Seal with oil and stone coat. Tobeytown Road: clean ditches, replace pipes as needed, grind, add dry stone and oil to create an 8 inch base for 0.8 mile to existing cold mix pave on Riley Hill Road. Seal with oil and stone coat.</p>
2005	<p>East Hill Road: from existing cold mix pave to Chemung County line (1.2 miles), clean ditches, replace pipes as needed, cold mix pave, and seal with an oil and stone coat.</p> <p>Fish Pond Road: from Hittown Road to Chemung County line (1.5 miles), clean ditches, replace pipes as needed, cold mix pave, and seal with an oil and stone coat.</p>

J. BUSINESS/HAMLET DEVELOPMENT

SITUATION

There are only a few hamlets in the Town which were established years ago as settlers populated the area. Recent development, as previously discussed, has been in large lot development, which may not retain the rural flavor of Caton if left unchecked. Around the northeast, communities are experimenting with ways to expand their existing hamlets or design new development as new “town centers” capturing the neighborly feel of a close-knit hamlet community. Caton residents appear to support bolstering places like Caton Center to keep them viable as centers of community activities.

~ *The Caton Resident Survey Says.....*

What kind of development would you like to see in the town?

YES	NO	TOTAL	<i>Retail/ Commercial (including mini-malls, grocery, laundromat..)</i>
224	211	435	
51%	49%	100%	

YES	NO	TOTAL	<i>Promote the revitalization of Caton Center with small business.</i>
354	82	436	
81%	19%	100%	

YES	NO	TOTAL	<i>Address the need for water/ sewage systems in Caton Center.</i>
207	205	412	
50%	50%	100%	

Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Not Sure
----------------	----------------	-------------------	-------------------	----------

<i>The Town should encourage new small business growth...</i>					
45%	32%	10%	10%	3%	100%
196	141	45	45	13	440

<i>The Town should encourage small retail stores to serve local needs.....</i>					
48%	33%	6%	10%	3%	100%
210	147	28	45	12	442

POLICY

Encourage future neighborhood business to locate in hamlets.

RECOMMENDATIONS

1) Design Standards

Adopt hamlet design standards which encourage mixed uses and allow higher density with well placed green spaces.

2) Incentives

Support efforts, backed by sound business plans, to renovate the former grocery and other existing commercial structures into viable businesses in Caton Center.

Work with the Small Business Development Center and the Regional Energy and Economic Development Corporation (REDEC) to encourage small business creation.

K. INDUSTRY

SITUATION

Caton has only one sand and gravel operation totaling 16 acres which accounts for Caton’s industrial land. Recognizing that “light industry” could improve Caton’s tax base, about two-thirds of the respondents to the Caton survey supported the location of such business in the Town. The constraint is available, appropriate land and the interest to market it to potential businesses.

~ *The Caton Resident Survey Says*.....

What kind of development would you like to see in the town?

YES	NO	TOTAL	
277	162	439	<i>Light Industry (small, clean industry)</i>
63%	27%	100%	

.....

POLICY

Encourage the location of small scale industry.

RECOMMENDATIONS

1) Economic Development

Meet with Three Rivers Development Inc. who works with economic development agencies to attract industry to the Greater Corning Area. Ask them to assess Caton’s potential for industry and pursue any recommendations.

L. COMMUNITY SERVICES

SITUATION

The Grange, Town Hall, Fire Station and Pathways provides limited community services to the residents of Caton. Residents generally support senior citizen housing and other human services; however, although an important subject, the Comprehensive Plan did not address community services thoroughly at this time.

~ *The Caton Resident Survey Says*.....

What kind of development would you like to see in the town?

YES	NO	TOTAL	
			<i>Senior Citizen Housing</i>
265	161	426	
62%	38%	100%	

YES	NO	TOTAL	
			<i>Services (i.e.: nursing homes, health care, insurance service...)</i>
254	172	426	
60%	40%	100%	

Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Not Sure	
					<i>The Town has enough emergency services to meet the needs of our community...</i>
29%	39%	12%	5%	15%	100%
124	174	54	24	66	442

.....