

TOWN OF SHELDON
COMPREHENSIVE PLAN
2016 Update

Prepared by: The Planning Board of the Town of Sheldon

Reviewed by: The Planning Board of Wyoming County

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INTRODUCTION

This Comprehensive Plan Update is guidance for the governance of the Town of Sheldon prepared with public input by the residents of the town. This Plan replaces the Comprehensive Plan adopted by the Town Board on July 10, 2001.

The Planning Board finds that updating the existing Comprehensive Plan is in the best interests of the residents of the town because it helps to protect, enhance, and develop our town so that together, through their elected representatives, the residents of the town can most effectively provide for the public health, safety and general welfare of our community.

State law mandates certain procedures with respect to a comprehensive plan for a town, all of which have been followed with respect to this plan. State law suggests, but does not require, certain topics to be included. In constructing this Plan, the Planning Board considered carefully all of the suggested topics and included those relevant and useful to the particular circumstances of our town.

The Planning Board reviewed carefully the 2001 Comprehensive Plan and found that the goals that were generated with considerable effort and community input in 2001 remain valid and should be continued in the updated plan. This builds on the investment made by the town in the 2001 plan. The Board found that good progress toward some of the town's goals has been made since 2001 so that the action plans outlined back then can be updated and, in some cases, simplified or consolidated to reflect this progress. The Board also added certain goals to reflect the current situation both with respect to the town's resources and the desires of its residents. The Board's objective, as it considered each of the goals, was to arrive at a plan that is efficient and useful in addressing the specific needs of the town at this time and in the foreseeable future. The Planning Board focused on practical guidance that is within the budgetary capabilities of the town as those can be anticipated in the years to come.

The Plan takes account of the available data with respect to the town collected by federal, state, and county agencies and other reliable sources. These data are set out in Appendix A. The Plan also utilizes the current town zoning map, the official map of the town, and the map of Agricultural District #1 in Wyoming County in which the town is included. These maps are included in Appendix B.

The Plan is consistent with the relevant portions of state law, including the Town Law, the Agriculture and Markets Law Sections 25-AA and 25-AAA, and the State Environmental Quality Review Act (SEQR). The Plan recognizes and relies on the accomplishments of the Town Board in providing a careful and thorough town zoning law. These laws are further described in Appendix C.

The planning process benefited from input from residents of the town, including a questionnaire distributed broadly in the community to assess preferences and priorities. The public input through the questionnaire and the Planning Board's response to the answers to the questionnaire and comments from the public is set out in Appendix D. The Planning Board meetings, all open to public participation and for which official minutes are maintained by the Town Clerk, are described in Appendix E.

ACTION PLANS

GOAL #1: PROTECT AND MAINTAIN FARMING AND FARM-RELATED LAND USES AS THE PREFERRED USES WITHIN THE TOWN

The actions planned for the purpose of meeting this goal are as follows.

1. Maintain and, as necessary, update and improve the "Right to Farm" law.

In 2008, the Town Board enacted Local Law No. 1 of the Town of Sheldon establishing the right to farm within the community. The Board found and determined that agriculture is vital to the town because it provides a livelihood for many residents, provides employment in agricultural services, promotes environmental quality, and does not increase the demand for services from the town government. The local law includes the full scope of rights and protections allowed by the state constitution and laws. The right to farm law should be maintained and, if circumstances arise that indicate additional provisions are required or recommended, the Town Board should consider appropriate protective changes to the law.

2. Protect against land uses conflicting with or impinging on farming within the town.

In 2009, the Town Board enacted Local Law No. 2 replacing the former zoning provisions and providing a Comprehensive Zoning Law. A primary purpose of the new zoning law was "to protect farming and farm-related land uses and economic activities." To this end, the Board adopted a Town of Sheldon Zoning Map identifying a district within the town as agricultural (the "A" zone) which coincides with the Wyoming County Agricultural District 4. The Board provided: "The purpose of the A zone is to assure a proper economic and physical environment for continued agricultural use of land to maintain an open, rural character to viable agricultural areas. . . ." Each of the provisions of the zoning law that affect the agricultural zone is measured against this standard. The careful administration of the zoning law to protect agricultural land and uses should be maintained and, if circumstances arise that indicate additional provisions are required or recommended, the Town Board should consider appropriate protective changes to the law.

3. Coordinate with Wyoming County with respect to Agricultural District #4.

The New York constitution directs the legislature to provide for the protection of agricultural lands, and state law provides for agricultural districts as a way of dealing with the potential extension of nonagricultural development into farm areas. This legislation allows counties to establish, modify, or terminate agricultural districts. The town is included in Wyoming County Agricultural District #4 along with Bennington, Java, and Arcade. There are tax and other benefits for farm operations associated with inclusion in an agricultural district. The Planning Board should monitor proposed changes in the laws and regulations affecting agricultural

districts, and should monitor reviews of and proposed changes in the land within the town included within the agricultural district so as to promote the interests of farming operations in the town as appropriate.

4. Promote a balance in town services and budgeting so that important farm-related needs are considered carefully.

Certain town services are important to successful farm operations within the town. The Town Board constructs and seeks public input with respect to an annual budget for town services and supervises the town departments that provide these services. The Town Board should continue its practice of focusing on the needs of farming operations in budgeting for and providing town services.

GOAL #2: MAINTAIN AND ENHANCE THE RURAL LIFE STYLE, APPEARANCE, AND RURAL CHARACTER OF THE TOWN, INCLUDING ITS HAMLETS

The actions planned for the purpose of meeting this goal are as follows.

1. Maintain appropriate mixed use, density development, and design patterns in the hamlets.

Development in the hamlets of Johnsonburg, Varysburg, and Strykersville should be at an appropriate scale and design to be compatible with and enhance existing hamlet character.

New or expanded developments should blend with adjoining properties, provide a transition between the project and pedestrian uses and provide appropriate landscaping. Consistent setbacks from the roadway are important. New architecture should relate to the surrounding environment with regard to texture, scale, massing, proportion and color. A strong visual relationship between the building, site and adjacent development is vital for overall design compatibility.

2. Ensure that the town's communications with its residents are satisfactory.

Communications about Town Board or Planning Board agendas and actions should be as timely and as complete as necessary to provide a meaningful opportunity for input from citizens. In particular, notification of neighbors of development proposals should be made as soon as possible after such proposals are received.

Advertising for public notices should be in news media and publications most likely to be read by town residents.

3. Encourage young people who grow up in the town to stay in or return to the town after education elsewhere.

A town cannot maintain its life style, appearance, and character if it steadily loses population and if the average age of the population steadily increases. Young people who grow up in the town can be encouraged to stay with appropriate incentives from the town on housing or starting new small businesses. The Town Board should consider a personal touch in making clear to young residents that the town wants them to stay.

4. Steer commercial development to hamlets and major intersections.

New commercial development should be directed to appropriate, available land in the hamlets and at the major intersection of Route 20A and Route 77. The continued sustainability of the hamlets and their commercial uses is important to the overall economic health of the town.

5. Identify cultural and historic resources, analyze impacts to historic resources and promote the adaptive reuse of key historic properties.

The town should maintain and, as necessary, augment cultural resource surveys of potential historic and archaeological resources to determine if they meet state and National Register criteria. The town should coordinate these efforts with the state's Historic Preservation Office and seek possible state and federal funding. Eligible resources should be nominated to the state and national register programs. The importance of potential historic resources on farm

properties should also be recognized. Farm homesteads, barns and other farm structures should be included in the inventory of historic resources.

The town should coordinate the reuse or development of important historically significant vacant or underutilized buildings in the town, particularly along the main streets of the hamlets and at historic crossroads.

6. Improve the appearance of general signage.

Signs play a significant role in forming the character of a street corridor. Signs can either contribute to or detract from the visual quality of a public right-of-way. Signage should be managed to avoid visual blight and safety concerns, while providing a fair economic environment. Attractive, coordinated and well-designed signs have a positive impact on both businesses and the community. Appropriate signs provide a defined identification of individual businesses, create a pleasing environment that will attract people, and enhance the image of the community.

7. Promote cultural activities.

The town should promote local and regional cultural special events in Sheldon. These events should be organized in conjunction with co-sponsors such as Wyoming County, local schools, 4-H, Boys & Girls Clubs, churches, local or regional arts groups and other special interest groups, when appropriate.

GOAL #3: PRESERVE AND PROTECT THE TOWN'S IMPORTANT NATURAL AREAS AND RESOURCES, INCLUDING THE QUALITY OF SURFACE WATER, GROUND WATER, AND AIR

The actions planned for the purpose of meeting this goal are as follows.

1. Protect against land uses that conflict with or impinge on important natural resources, scenic resources, and environmental quality.

The town has scenic vistas, watercourses, lakes, ponds, streams, groundwater recharge areas, wetlands and wetland buffer zones, moderate and steep slopes, wildlife habitats, corridors and migration routes, and unique geological features. Information on natural resources can be used in considering land use applications within the town with a goal of preserving the town's natural resources, and preventing harms to the town's environment.

2. Keep informed and current on state and county actions with respect to natural resources that affect the natural resources in the town.

The New York Department of Environmental Conservation devotes significant funds and personnel to the development, information, and enforcement of regulations that protect natural resources within the state. Wyoming County also devotes funds and personnel to these objectives on a more limited scale. The town benefits from these state and county programs, and conserves its own funds by avoiding any duplication of effort. By keeping informed and current on state and county activities, the town can augment these programs as appropriate.

3. Encourage vegetative buffers along watercourses.

Vegetative buffers help filter pollution and prevent contaminants from reaching water resources. Restricting vegetative clearing in strips bordering watercourses should be considered with respect to planning actions.

4. Maintain the town's drainage systems in good working order.

Drainage systems control excess runoff of sediments and contaminants which can damage creeks and other waterways.

5. Consider potential contributions to the amount of carbon reduced or sequestered where appropriate.

The increasing trend of carbon dioxide emissions to our atmosphere in recent decades has caused concern over its effect on environmental ecosystems and climate worldwide. Concentrations of carbon dioxide, a byproduct of the burning of fossil fuels, have increased rapidly in the atmosphere as consumption of fossil based fuels has also increased. Alterations to our town's climate could result in changes or decline in certain sectors of its economy, including agriculture, maple syrup production, and health costs associated with respiratory health and heat related illnesses.

Where appropriate, the town should help enable resident lifestyles that reduce the carbon footprint associated with local activities.

GOAL #4: PRESERVE PROPERTY VALUES AND MAINTAIN PROPERTY TAX LEVELS WITHIN THE TOWN

The actions planned for the purpose of meeting this goal are as follows.

1. Utilize special use permits effectively to protect property values.

Special use permits are the authorization of a particular land use which is permitted in the town’s zoning ordinance, subject to requirements to ensure that the proposed use will not adversely affect nearby properties if such requirements are met. The town needs to have standards in place that can be consistently and fairly applied during review of special use permit applications.

Because the special use permit is a very important tool for the town to protect property values, these permits should be issued carefully with adequate documentation to support enforcement.

2. Follow landscaping guidelines in site plan reviews.

A landscape plan should be required as part of the site plan review of any new development proposal in the town. Landscaping adds visual interest, seasonal variety, and a softer texture to development. Well-maintained landscaping along the entire length of a commercial corridor improves the perception of the community’s economic health, stability, and pride to visitors doing business in the town or traveling through. Landscaping should also screen views of parking, mechanical equipment and other negative site features.

3. Ensure fair property taxation and protect against property tax increases to the extent possible consistent with achieving other important goals.

The town tax assessor should be readily available at convenient times for consultations with town taxpayers. The assessor should have updated records and make corrections promptly. Tax rolls and maps should be readily available for reference and copying at the town hall on all weekdays.

Before enactment, tax measures should be subject to adequate public notice, designed and implemented in a manner likely to achieve timely and actual notice of taxpayers in the town.

GOAL #5: PROMOTE HOUSING MAINTENANCE AND SUPPORT A DIVERSE MIX OF HOUSING OPPORTUNITIES INCLUDING AFFORDABLE AND ACCESSIBLE HOUSING

The actions planned for the purpose of meeting this goal are as follows.

1. Encourage rehabilitation of existing housing.

Pursue state or federal grants and loan programs to improve areas of substandard housing within the town and to renovate structures. Promote infill and adaptive reuse development in the hamlets in order to help meet housing needs. Advertise on the town's website and promote housing rehabilitation programs available through Wyoming County and the state and federal governments.

Evaluate underutilized and deteriorating older buildings for the potential rehabilitation and re-use as affordable or senior housing apartments, such as assisted living centers, shared housing, or independent home care facilities.

2. Require landlords to maintain their properties so as not to detract from the town's appearance, safety, and good reputation as a place to live.

The town's zoning law should make adequate provision for the upkeep and safety of residential rental properties in order to ensure that landlord-owned properties do not detract from the overall quality of the town's residential sector.

The Zoning Officer should give careful attention to properties rented by landlords to ensure that they are maintained adequately and do not detract from the appearance or safety of the hamlets in the town.

3. Encourage individual apartments above commercial uses and other privately-built, moderately-priced housing options for seniors who are downsizing and want to remain in the community, young families, and other residents.
4. Avoid potential adverse effects from proposed housing.

Review very carefully any proposed housing that involves additional mobile homes or trailer parks, campgrounds, apartment complexes, or low-income housing as these forms of housing can involve zoning code enforcement expenses that could adversely affect the town's limited financial resources. The Planning Board finds, based on careful analysis of available data, that the town has a sufficient stock of affordable housing to meet current and anticipated needs in the town.

5. Assess on a periodic basis the need and necessary resources for municipal water and sewer services in the hamlets.

Municipal water and sewage services should be considered together as a package in assessment, planning or proposal phases.

GOAL #6: MAINTAIN AND ENHANCE THE TOWN'S EXISTING ROADWAY NETWORK

The actions planned for the purpose of meeting this goal are as follows.

1. Provide for good performance in the town services of snow plowing and road maintenance.

Prompt snowplowing and good road maintenance are important to successful farm operations and to working people in the town commuting to jobs.

2. Improve road safety within the town.

Widen shoulders on town roads as necessary.

Monitor needs to reduce speed limits on town roads and to make recommendations for reduced speed limits on county and state roads within the town.

Consider ways to reduce heavy truck traffic on town roads that is not related to the town's farms, agriculture-support businesses, and other small businesses.

3. Keep advised about plans for county and state roads within the town.

To the extent possible, avoid roads being widened or otherwise altered in ways that would impact adversely the quality of life in the hamlets and on farms and homes along these roads.

4. Cooperate with, and coordinate efforts with regional planning and environmental organizations and the county to preserve and maintain the scenic qualities of roadways in the town.

5. Maintain and, as necessary, improve the visual quality of the roadway corridors entering the Town, including standard entryway design with "gateway" signage.

Gateways should provide a sense of welcome and civic pride to a community. Key gateways include entrances to the town from all state routes (Routes 78, 98, 77, and 20A) as well as entry points to the hamlets. Gateways should provide visible, consistent gateway signage and provide a sense of place with attractive landscaping and streetscape features. Excessive signage should be removed from the public right-of-way at gateway locations.

GOAL #7 SUPPORT A PRACTICAL AND PRODUCTIVE ENERGY PLAN THAT BENEFITS THE RESIDENTS OF THE TOWN WHILE NOT IMPINGING ON OTHER IMPORTANT VALUES.

The actions planned for the purpose of meeting this goal are as follows.

1. Encourage sustained retrofit and lower energy use.

Retrofit and lower energy use will reduce energy costs to homeowners, businesses, churches, and clubs. Cost savings and increased comfort for consumers result from energy efficiency improvements.

Provide information on the town's website as to available methods, federal, state and utility clean-energy incentives and subsidies available to homeowners. Build awareness of benefits and motivate participation among town residents; provide resources to volunteer and church groups and outreach materials at Town Clerk's office.

Provide energy efficiency information to realtors who handle a majority of the town's real estate transactions. Provide benchmark utility bills against which town residents can measure their utility bills.

2. Encourage the use of renewable power where appropriate.

Facilitate the use of clean renewable energy within the Town by providing information for town residents about the clean energy options available to them.

New York's new "remote" net metering law permits eligible customer-generators to designate net metering credits from equipment located on property that they own or lease to any other meter that is located on property owned or leased by the customer and is within the same utility territory and load zone as the net-metered facility. Credits accrue to the highest-use meter first, and as with standard net metering, excess credits may be carried forward from month to month. Under the New York system, the utilities buy excess power from customers at the retail rate when the solar or wind unit generates more than the customer uses, and the utilities sell back that excess power to customers at the wholesale rate when the solar or wind unit does not generate enough to cover customer uses.

Residential solar: Residents and businesses in the town have a significant potential to generate electricity through solar photovoltaic panels. Existing buildings with a southern exposure, a roof surface in good condition, and minimal shading from adjacent topography, trees or buildings are suitable for solar PV panels that can generate significant kilowatts of power. Federal and New York State tax credits vary year-to-year, but provide a significant subsidy.

Farm-related small wind power: Small wind is defined as wind turbines with a capacity rating of less than 100 kW. Turbines in this category range in size from smaller than 1 kW for off-grid applications to 100-kW turbines that can provide village power. Fifty-four small turbine models are offered commercially in the United States for applications including farms and ranches, homes, commercial facilities, and communities. Most small wind systems feature rotor

diameters less than 50 feet and are typically installed on towers less than 160 feet tall. A 30% federal tax credit plus New York State tax credits support small wind installations.

Geothermal HVAC: The earth remains at a constant, moderate temperature just below its surface all year round. Geothermal heating and cooling systems take advantage of the stable temperature underground using a piping system, commonly referred to as a “loop.” Water circulates in the loop to exchange heat between a home, the ground source heat pump, and the earth, providing geothermal heating, cooling, and hot water at quite high efficiencies. Heating, cooling and hot water costs combined make up over 70% of the typical electric bill, so installing an energy efficient geothermal system can lower energy bills significantly. Most geothermal heating and cooling systems can cut home heating, cooling, and hot water costs by up to 80%.

3. Encourage maximum recycling by residents and businesses in the town.

Paper, glass, plastic, metals, and leaves should be recycled to the fullest extent possible.

Promote the use of backyard rat-proof composters for kitchen waste that can add to recycling efficiency.

Promote use of the County-wide yearly recycle location for deposit of batteries, paint, tires, and computers that are not picked up by regular weekly waste disposal services.

4. Make town government operations more energy efficient.

Complete an energy audit of town government operations to identify and achieve potential energy savings.

Consider an RFP for solar PV leasing (i.e. 3rd party financing) for town facilities.

5. Leverage federal and state energy assistance by monitoring key government initiatives.

Provide information on the town’s website including links to U.S. Department of Energy, Energy Efficiency and Renewable Energy Office; U.S. Department of Housing and Urban Development, Office of Community Planning and Development; and the U.S. Environmental Protection Agency Clean Energy Local Programs Best Practices.

6. Work with the County on the feasibility of tightening up building codes to require higher energy efficiency standards.

Permitting and inspection should encourage or support energy efficiency and the use of alternative energy resources. Where appropriate, apply the Leadership in Energy and Environmental Design (LEED) Rating System, a tool created in 2000 by the US Green Building Council, a private non-profit organization, to help promote and measure sustainable building design. The LEED Rating System is based on non-prescriptive environmental goals

organized into five categories: sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Each category contains several goals which are assigned a numerical value. Based on the number of goals that a project is able to successfully implement, the building is awarded a LEED rating.

7. Protect the town against larger energy-related projects that could adversely affect the quality of life in the town.

Careful attention should be given to the potential very substantial adverse impacts on the town from biosolids, hydro-fracking, additional commercial windmills, and large scale gas and electric transmission lines.

- A. Biosolids: The storage and dumping of biosolids on land in the town should be prohibited.

Biosolids are human sewage sludge, food waste, fats, oils, greases, and sludges generated by waste water treatment plants, industrial sources, and other sources, often resulting from the treatment of municipal and industrial waste water by anaerobic or aerobic means.

Biosolids are potentially dangerous and hazardous to the welfare of persons and land to which they are exposed because of deleterious and toxic substances (such as lead and mercury) and dangerous pathogens (bacteria, viruses, protozoa, and parasite eggs) that they may contain.

Storage or spreading of biosolids can result in pollution and contamination of soil, surface and ground water, and air. This pollution and contamination can pose a threat to the health, safety and welfare of persons, crops, livestock and wildlife. Storage or spreading of biosolids can result in: (1) exposure to pathogens that cause serious, incapacitating, or irreversible illness and an increase in mortality; (2) harmful liquids which drain off, over and into soil and water; (3) emission of noxious fumes, aerosols, and odors and spreading of dust and particles containing contaminants into the air; and (4) attraction of rodents, scavengers, birds, vermin, insects and other animals which transport contaminants and pathogens.

- B. Horizontal hydro-fracking: Horizontal hydro-fracking on land within the town should be prohibited.

Horizontal hydraulic fracturing, or "horizontal hydro-fracking," is the process of drilling both vertically and horizontally and injecting fluid into the ground at a high pressure in order to fracture shale rocks to release natural gas and oil inside.

Each such gas well currently requires an average of 400 tanker trucks to carry water and supplies to and from the fracking site. It takes 1-8 million gallons of water to complete each fracturing job. At the fracturing site, the water brought in is mixed with sand and chemicals to create fracking fluid. Up to 600 chemicals are used in fracking fluid, including known carcinogens and toxins such as methanol, hydrochloric acid, formaldehyde, radium, ethylene glycol, mercury, uranium, and lead. The fracking fluid, which includes 40,000 gallons of chemicals, is pressure-injected into the ground through a drilled pipeline 10,000 feet into the ground. The pressure

imposed by the fracking liquid causes the nearby rock to crack, creating fissures where oil or natural gas flows back to the surface through the cemented pipeline. Each gas well may be fracked up to 18 separate times under current practices.

This kind of fracking has four principal adverse impacts:

Water pollution – Chemical additives are used in the drilling mud, slurries and fluids required for the fracking process. Each well produces millions of gallons of toxic fluid containing not only the added chemicals, but also other naturally occurring radioactive material, liquid hydrocarbons, brine water and heavy metals. Fissures created by the fracking process can also create underground pathways for gases, chemicals and radioactive material. All of this can lead to contamination of personal home drinking wells and local streams and rivers.

Air pollution – A number of air contaminants are released through the various drilling procedures, including construction and operation of the well site, transport of the materials and equipment, and disposal of the waste. Exposure to these pollutants can cause short-term illness, cancer, organ damage, nervous system disorders and birth defects or even death. Methane is a main byproduct of the production process and studies have shown that the amount of escaping gas from wells is equal to the carbon emission of between 1-3 million cars.

Health risks_– Crystalline silica, in the form of sand, can cause silicosis (an incurable but preventable lung disease) when inhaled by workers. Sand is a main ingredient used in the fracking process. Research has found that 75% of the chemicals used in the fracking process could affect the skin, eyes, and other sensory organs, and the respiratory and gastrointestinal systems. Approximately 40–50% could affect the brain/nervous system, immune and cardiovascular systems, and the kidneys; 37% could affect the endocrine system; and 25% could cause cancer and mutations. These results indicate longer-term effect on humans.

Induced earthquakes – Earthquakes constitute another problem associated with deep-well oil and gas drilling. Scientists refer to the earthquakes caused by the injection of fracking wastewater underground as "induced seismic events. Although most of the earthquakes are small in magnitude (the strongest measured 5.2), their relationship with and effects on the storage of millions of gallons of toxic wastewater is not well documented.

- C. Commercial windmills: Increases in the height or density of commercial windmills within the town should be regulated.

Maintenance requirements for existing commercial windmill locations should be enforced to ensure the safety and acceptable appearance of the windmill sites.

The operators of existing commercial windmills should be asked each year to provide the Planning Board with an update of their operating and development plans so that the town can be apprised well in advance of any changes that might occur in the future.

A practical plan should be developed with respect to any anticipated diminishing in the future of financial support to the town or its residents from the location or operation of existing commercial windmills in the town. The amount by which financial support will be diminished should be publicized by the town well in advance.

- D. Large-scale gas pipelines and electric transmission lines: The construction of large-scale gas pipelines or electric transmission lines through the town should be restricted where feasible.

The town should keep informed about the approval process for any large-scale projects of these kinds and should participate with other towns as feasible.

The operators of gas and electric transmission lines should reimburse the town for the full amount of any costs incurred due to their location or operations with in the town.

GOAL #8: ENCOURAGE COMPLEMENTARY ECONOMIC ACTIVITIES THAT STRENGTHEN THE OVERALL ECONOMY AND EMPLOYMENT BASE OF THE TOWN

The actions planned for the purpose of meeting this goal are as follows.

1. Promote related agricultural businesses.

The town should authorize and encourage on-site commercial agricultural activities, such as farm stands, that enhance farm profitability.

Working with the county and state, economic incentives should be provided for agricultural support businesses.

2. Designate appropriate areas for economic development.

These areas include the area south of Route 20A in the northwestern edge of the town that is currently designated for industrial use and the area at the intersection of Perry and Humphrey Roads in the southeastern portion of the town. Appropriate areas for economic development are those that already contain business uses, do not include prime agricultural areas or active agricultural uses, and are in locations which would minimize impacts on scenic resources to the maximum extent possible. Light industrial uses, particularly agricultural support industries, would be permitted in these areas.

3. Further evaluate the potential for economic development uses along Route 20A.

Due to the relatively good roadway access, the Route 20A corridor presents a logical opportunity for economic use in concentrated nodes of economic development activities. Economic development along Route 20A should be arranged so as not to disrupt any vistas and should not promote the creation of a commercial strip along Route 20A. In addition, such development should be buffered from other uses and screened from Route 20A.

4. Attract new small businesses.

Based on the continued importance of the food and agriculture industry in the region, the town should seek to attract small businesses, especially those relating to agriculture. Small businesses are those that employ 50 workers or less. The town should work with Wyoming County development officials and with the Governor's economic initiatives in Western New York.

5. Pursue a tourism strategy.

A local tourism development strategy should be tailored to the natural resources and established businesses of the town. The town should promote agri-tourism businesses, including farm tours and other special activities.

The town should advertise in the New York State official travel guides to reach the broader Western-Central New York tourist market.

The town should actively explore ways of attracting tourists to Sheldon from nearby resorts and attractions such as Darien Lake and Letchworth State Park through increased advertising and promotion and special tours.

6. Restrict entertainment venues.

Entertainment venues may not be appropriate for the town as they can have serious adverse effects on the town's economic and social advantages currently enjoyed by residents.

The town should ascertain the extent of and exercise its powers in connection with these venues.

GOAL #9: PROVIDE FOR AND ENCOURAGE COMMUNITY SERVICE USES AND ACTIVITIES TO MEET THE NEEDS OF RESIDENTS IN A COST-EFFECTIVE MANNER

The actions planned for the purpose of meeting this goal are as follows.

1. Track federal, state, and county sources of funds for municipal projects and apply for grants as appropriate.

Coordinate with Wyoming County grant-writing resources and identify qualified volunteers or consultants to assist in applying for grants that would support the town in the implementation of measures designed to meet the community's needs.

2. Work toward town-wide high-speed low-cost internet connections.
3. Improve the sidewalk/driveway system where necessary for pedestrian and bicycle safety.

Convenient and safe pedestrian access between commercial, residential, recreational, and community facilities is essential for safety in the hamlets. Sidewalks should be used where there are dangerous conditions for pedestrian traffic.

4. Promote public access to the town's natural areas and resources, as appropriate.
5. Require appropriate open spaces and public access in approval of new residential subdivisions.

Recreational areas and public access to significant natural resources within the town enhance the quality of life for the town's residents.

GOAL #10: MAINTAIN CLEAR, EFFECTIVE, EFFICIENT AND UP-TO-DATE LAND USE REGULATIONS AND PROCEDURES THAT PROMOTE THE GOALS OF THE COMPREHENSIVE PLAN

The actions planned for the purpose of meeting this goal are as follows.

1. Support effective zoning enforcement.

Maintain and, as necessary, strengthen enforcement of land use regulations.

The Zoning Officer is authorized to enforce the local law of the town with respect to zoning. The Zoning Officer should have adequate resources and backup help, perhaps through volunteers. The Zoning Officer should give careful attention to possible zoning violations to ensure that the spacing, appearance, environmental protection and safety of lots and structures in the town support its rural character and life style. The Zoning Officer is authorized to issue appearance tickets for noncompliance. Appearance tickets issued by the Zoning Officer should be handled promptly by the town's court.

All environmental protection regulations should incorporate remedies for the town, including monetary penalties, for violations.

2. Provide land use training for local officials.

The town should send one representative each year on a rotating basis to land use training courses given by county and state agencies. Priority should be given to new board members and staff. Enhanced training and awareness of land use and environmental regulations should help to ensure that project review minimizes and mitigates land use impacts.

3. Make the development process more efficient, predictable, and fair to the town and the applicant.

The town should incorporate or cross-reference in one document all elements of the development process to streamline the process and provide clarity as to what is required.

The town should evaluate its fee structure for development permits on a regular basis to ensure that fees are reasonable and reflect actual costs to the town.

The town should prepare a checklist of the requirements for issuance of a permit to operate a business within the town so that applicants know what to expect and what information will be required.

GOAL #11: PROVIDE FOR A PRACTICAL DISASTER RESPONSE AND EMERGENCY PREPAREDNESS PLAN TO PROTECT THE TOWN

The actions planned for the purpose of meeting this goal are as follows.

1. Coordinate with county and state disaster response officials.

Understand the disasters and emergencies for which they are prepared and the help from them might be available in the event of a local disaster or emergency.

New York State has adopted an Incident Command System (ICS) as a framework for emergency situations. See www.dhSES.ny.gov/oem/training/ics.cfm

2. Put together a risk analysis.

Identify credible threats that could cause disruption in the town and how such threats might be minimized to help focus on the most immediate potential problems.

3. Determine the town's critical services and functions and the impact on the town in the event of an interruption.

This involves an estimate of how quickly each of the town's services have to get back up and operating (what is the acceptable level of downtime); and whether there is another organization that can take over the town's services temporarily.

4. Protect the town's records.

Store the town's critical documents in a fireproof, crush-proof safe. Some critical documents are the town's tax records, special use permits, and blank checks. The town's computers should be backed up regularly on a cloud server so that information is available offsite.

Confidential information should be stored in password-protected sections of the town's digital records and in password-protected online accounts.

The state has an outline of a records retention policy at www.npccny.org/info/RecordsRetention.doc that should be consulted as appropriate.

5. Create an emergency communications system.

In a disaster situation, information should be readily available as to how to contact key people (home, cell and work phone, e-mail), where they live and work, expertise and special skills, and other information related to their usefulness or willingness to help.

Create a phone chain that defines who calls whom.

Make sure password information is available so that the website can be updated from outside the town offices.

The town's computer systems should have a battery backup so they can stay online for a period during a serious electrical outage and can be shut down without causing damage to the equipment.

6. Consider how disabled people would be evacuated.
7. Provide emergency preparedness information to town residents to help households prepare for all types of emergencies.

The state provides a guide called *Ready New York: A Household Preparedness Guide* that could be used for this purpose. www.nyc.gov/html/oem/html/get_prepared/ready.shtml

GOAL #12: UPDATE THIS COMPREHENSIVE PLAN AT REASONABLE INTERVALS

The actions planned for the purpose of meeting this goal are as follows.

1. Provide for updating the Plan or approval of continuation of the existing Plan shortly after each decennial census by the federal Census Bureau.

The federal census is done every 10 years and should be next produced in 2020. The federal census provides updated data that is useful in assessing the town's progress or vulnerabilities.

2. Amend the Plan as necessary to provide interim guidance before the next general update of the Plan.

APPENDICES

The Appendices to the Comprehensive Plan provide information used by the Planning Board in updating the Plan and reference material for residents and officials of government agencies that may review or use the plan.

APPENDIX A: RELEVANT DATA

The federal decennial census (2010) data about the Town of Sheldon:

Population in 2010:	2,409
Males:	1,267 (52.6%)
Females	1,142 (47.4%)
Change in population since 2000:	-5.9%
Population density	51 people per sq. mile
Median resident age:	43.1 years
Compared to NY state:	40.7 years
Racial composition of population	
White	2,357 (97.8%)
Hispanic	36 (1.5%)
American Indian	3 (0.1%)
Asian	2 (0.08%)
Pacific Islander	1 (0.04%)
Two or more races	10 (0.4%)
Foreign-born residents	19 (0.7%)
Marital status (population 15 yrs. and older)	
Married	61.7%
Separated	1.2%
Divorced	6.6%
Widow/Widower	5.9%
Never married	24.6%

Education (pop. 25 yrs. and older)	
High school or higher	83.9%
Bachelor's degree or higher	9.7%
Graduate or professional	4.4%
Affiliated with religious congregation 46.29%	
Compared to U.S.	50.2%
Ancestries	
German	54.1%
Irish	15.8%
Polish	15.1%
French	9.8%
English	9.3%
Other	5.3%
Average household size 2.5 people	
Compared to NY state	2.6 people
Family households 70.4%	
Compared to NY state	63.5%
Households with unmarried partners 7.4%	
Compared to NY state	6.8%
Cost of living index 172.5	
U.S. average	100.0
Estimated median household income: \$53,696	
Compared to 2000:	\$43,232
Compared to NY state:	\$56,448
Estimated per capita income \$23,635	
Residents w/ income below poverty 5.8%	
Compared to NY state	6.8%
Unemployment (July 2013) 6.7%	

Compared to NY state	7.6%
Estimated median house value	\$115,657
Compared to 2000:	\$92,200
Mean price all housing units	\$147,811
Detached houses	\$154,067
Two-unit structures	\$176,593
Mobile homes	\$45,110
Median real estate property taxes	\$1,904 (2.1%)
Compared to NY state	\$2,847 (1.9%)
Land area	47.3 sq. miles

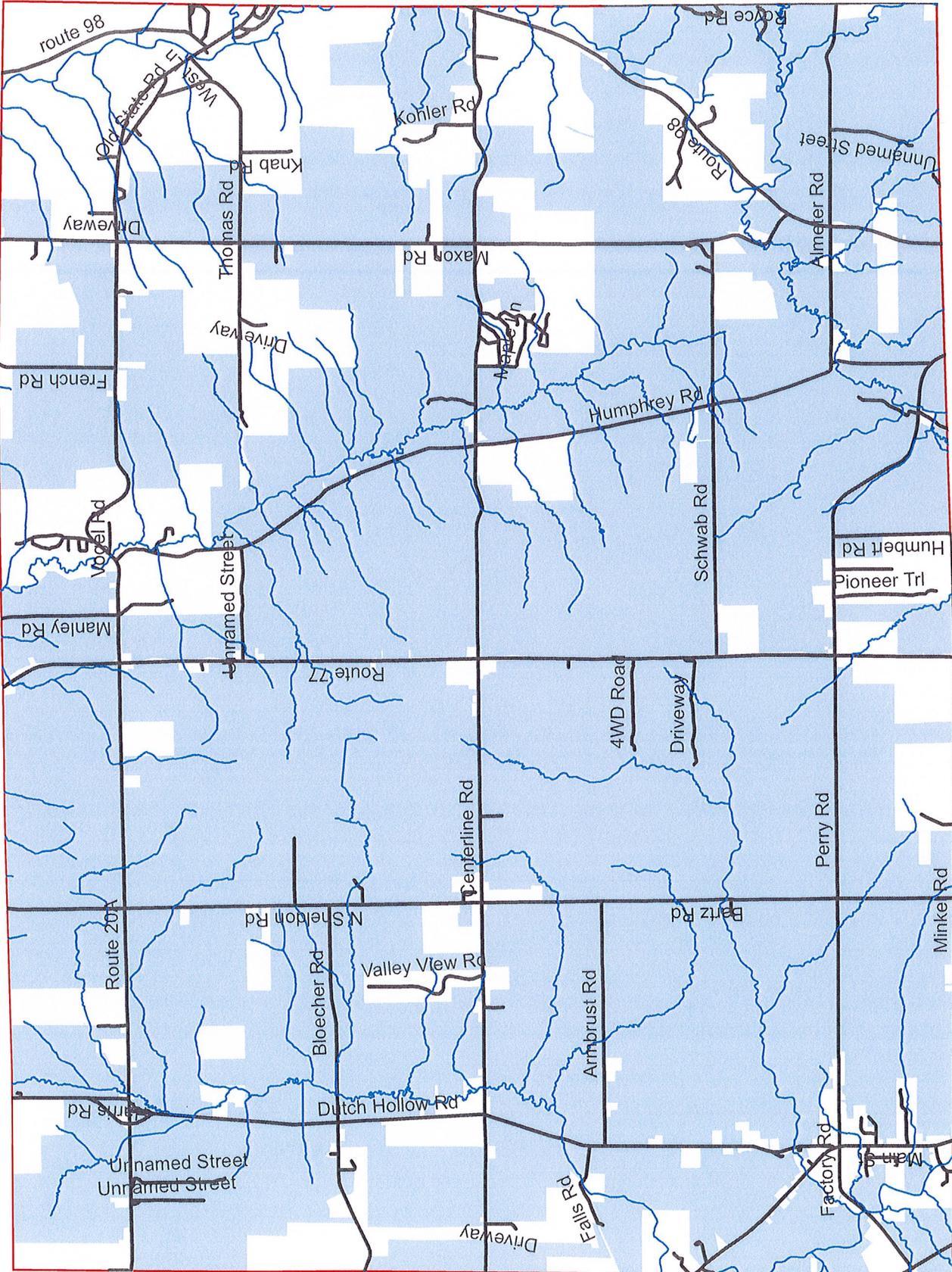
Data from other sources.

Predicted avg. indoor radon level greater than 4 pCi/L (pico curies per liter) (highest range)

APPENDIX B: RELEVANT MAPS

The Plan utilizes the current town zoning map, the official map of the town, and the map of Agricultural District #1 in Wyoming County in which the town is included. Copies of these maps are included here.

Town of Sheldon Agricultural Districts



Legend

- Wyo Co Ag District 4
- Streams
- Roads
- Town of Sheldon





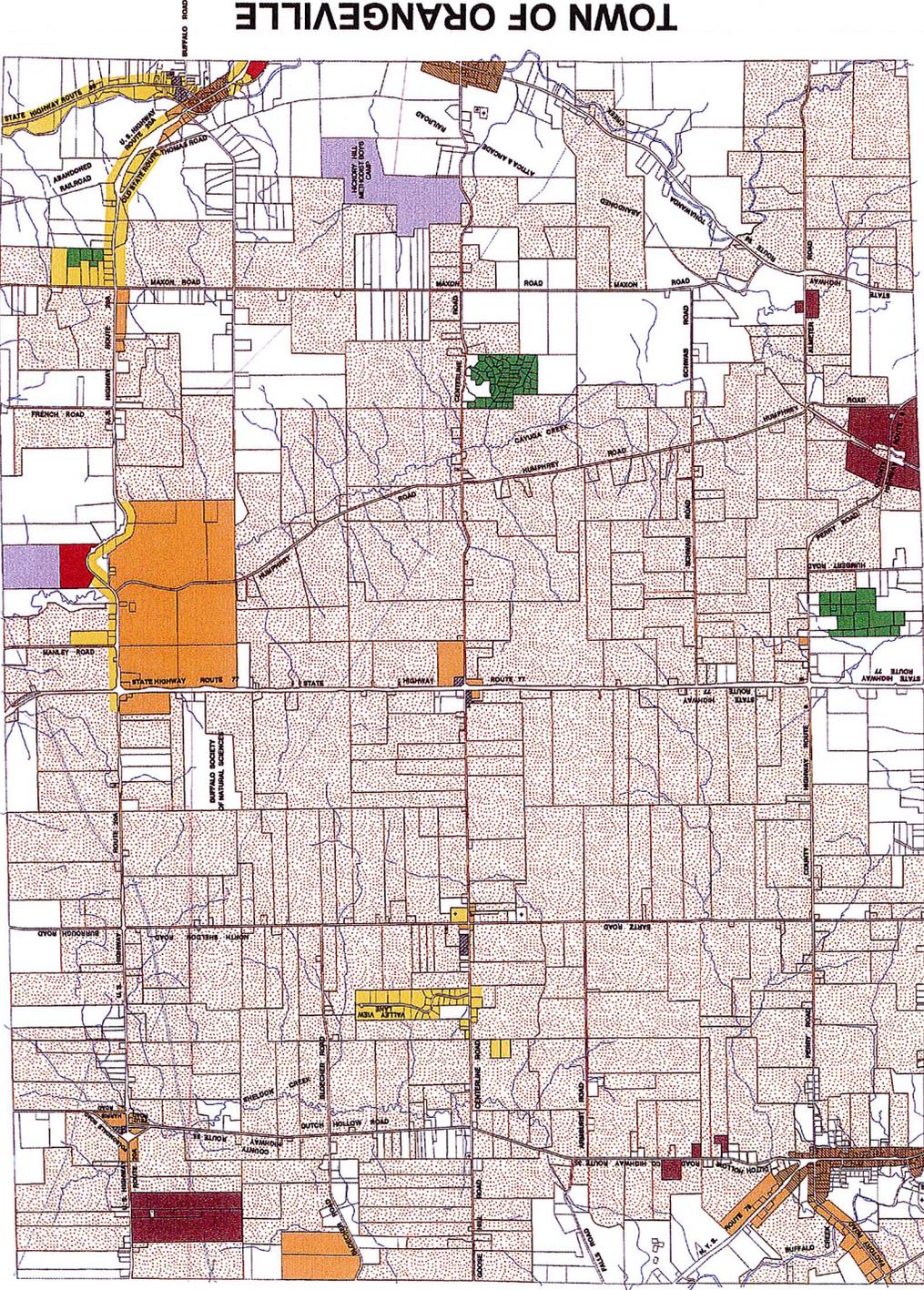
Legend

-  TShelctemetery
-  TSheldonparcel
-  Sheldon_Hamlet_District
-  Sheldon_Business_District
-  Sheldon_Rural_Residential_District
-  Sheldon_Industrial_District
-  Sheldon_Trailer_Park_District
-  Sheldon_Camping_Recreational_District
-  Sheldon_Seasonal_Use_District
-  Sheldon_Restricted_District
-  TSheldon_Pipeline
-  TSheldon_powerline
-  TSheldonstream
-  TSheldonAgrDist

TOWN OF SHELDON ZONING MAP COUNTY OF WYOMING STATE OF NEW YORK

ANY RESIDENCE IN THE TOWN OF SHELDON NOT COLORED YELLOW IS STILL CONSIDERED RURAL RESIDENTIAL

TOWN OF BENNINGTON



TOWN OF ORANGEVILLE

TOWN OF JAVA

APPENDIX C: RELEVANT LAWS

Town governments are subject to the requirements of 13 different state statutes:

- ✓ Town Law
- ✓ General Municipal Law
- ✓ Municipal Home Rule Law
- ✓ Agriculture and Markets Law
- ✓ Education Law
- ✓ Environmental Conservation Law
- ✓ Public Health Law
- ✓ Highway Law
- ✓ Real Property Law
- ✓ Real Property Tax Law
- ✓ General Construction Law
- ✓ Public Officers Law
- ✓ Social Services Law

Most of these laws impinge in one or more ways on the town's governance and, sometimes directly or indirectly, on the planning process. These laws have been reviewed to ensure the town's Comprehensive Plan involves no conflicts with state requirements.

The Plan is most directly affected by, and is consistent with, the relevant portions of the Town Law, the Agriculture and Markets Law, and the State Environmental Quality Review Act (SEQR).

Town Law

The Town Law contains the provisions governing the process by which a comprehensive plan is formulated, reviewed, and approved. Article 16 of the Town Law that governs zoning and planning. Section 272-a of that article covers town comprehensive plans. Section 274-b covers special use permits.

Agriculture and Markets Law

The state Agriculture and Markets Law contains two sections that are relevant to the comprehensive plan.

Section 25-AA governs agricultural districts. The sections particularly relevant to the town's Comprehensive Plan are

- ✓ Section 305-a, which requires that a town's comprehensive plan not unreasonably restrict or regulate farm operations within the agricultural district within which agricultural land in the town is located.
- ✓ Section 308, which governs the right to farm.

Section 25-AAA governs agricultural and farmland protection programs. The section relevant to the town's Comprehensive Plan is

- ✓ Section 324-a, which permits towns to develop agricultural and farmland protection plans in conjunction with the town's Comprehensive Plan.

State Environmental Quality Review Act (SEQR)

The SEQR Act requires local government agencies to consider environmental impacts during decision-making. This involves an assessment of the environmental significance of actions and a balancing of environmental impacts with social and economic factors when a government proposal or activity is considered for approval.

This update of the town's Comprehensive Plan does not have significant adverse environmental impacts. A Negative Declaration by the Chair of the Planning Board has been filed.

Town of Sheldon Zoning Law

The Plan recognizes and relies on the accomplishments of the Town Board in providing a careful and thorough town zoning law. The full text of the zoning law is available online at www.townofsheldon.com.

APPENDIX D: INPUT FROM TOWN RESIDENTS IN FORMULATING THE COMPREHENSIVE PLAN

The planning process included significant input from residents, including a questionnaire distributed broadly in the community to assess preferences and priorities. A total of 250 people responded to the survey, or about 14% of the approximately 1,800 adults in the community (from the 2010 census). A statistical analysis of the responses was done by the online service that hosted the survey. In addition, the questionnaire provided a space for individual comments. A total of 72 people added comments to their responses to the questionnaire. Some of these comments covered more than one subject, so the comments were disaggregated in order to account for all of the opinions expressed. The comments have been consolidated in an analysis prepared by the Planning Board. All of the survey documents and analyses have been compiled in a separate document that has been lodged with the Town Clerk.

The survey results are reflected in the plan.

Q1 QUALITY OF LIFE

All of the 14 listed aspects of the quality of life in the town were rated as important or very important by a significant majority of the responses except for town parks and trails, and town historic sites which trailed only marginally. By rank, the top categories ranked very important by more than half of the respondents are:

- Protection of clean drinking water (79%)
- Quality of public schools (56%)
- Preservation of farmland (55%)
- Preservation of property values (54%)

The Comprehensive Plan addresses the preservation of farmland in Goals #1 and 10, protection of clean drinking water in Goals #3 and 7; and preservation of property values in Goals #4 and 10.

The Plan does not address the quality of public schools. The town does not have responsibility for education.

Q2 GROWTH AND DEVELOPMENT

Of the 15 listed types of development, six were ranked by more than 50% of the responders as something that should be encouraged or strongly encouraged:

- Solar energy projects (74%)
- Alternative energy sources (68%)
- Personal use wind turbines (63%)
- Development of commercial business (62%)
- Small-scale shopping opportunities (60%)
- Senior citizen housing (55%)

The Comprehensive Plan addresses solar energy projects, alternative energy sources and personal use wind turbines in Goal #7.

The Plan addresses development of commercial businesses which would include small-scale shopping opportunities in Goal #8.

The Plan addresses senior citizen housing in Goal #5.

Of the 15 listed types of development, nine were ranked by more than 50% of the responders as something that should be “strongly discouraged,” “discouraged,” or as to which they had “no view.”

- Mobile home parks (92%)
- Apartment complexes (85%)
- Housing for low income residents (76%)
- Entertainment venues (73%)
- Bio-digesters (68%)
- Campgrounds (64%)
- Horizontal fracking (62%)
- More commercial windpower (59%)
- More restaurants (51%)

The Comprehensive Plan deals with mobile home parks, apartment complexes, housing for low income residents, and campgrounds in Goal #5.

The Comprehensive Plan deals with bio-digesters, horizontal fracking, and commercial windpower in Goal #7.

The Plan deals with small businesses, which would include restaurants and entertainment venues, in Goal #8.

Q3 MUNICIPAL SERVICES

The survey questionnaire asked about nine categories of municipal services. Seven were rated good to excellent by a significant majority of those responding:

- Waste pickup and recycling
- Fire protection and EMS
- Snowplowing
- Park maintenance
- Youth recreation programming
- Road maintenance
- Zoning regulations

Two areas were rated either fair or poor by a majority of the respondents:

- Notification of neighbors of development proposals
- Communication to Town residents.

With respect to the lower rated town services, the Comprehensive Plan envisions improvements in these areas as provided in Goal #2.

Q4: SPENDING PRIORITIES

The survey questionnaire listed 11 possible priorities for town spending. Six received ratings of support or strong support:

- Improving road shoulders
- Protecting farmland from development
- Managing deer populations
- Alternative energy sources
- Environmental programs
- Economic development

Five areas received ratings of opposition or strong opposition

- Development of trails
- Increasing sidewalks
- Increasing parks
- Municipal water
- Municipal sewer

The Comprehensive Plan takes account of these points.

Improving road shoulders is covered in Goal #6

Protecting farmland from development is covered in Goals #1, 2, and 10

Alternative energy sources are covered in Goal #7

Environmental programs are covered in Goal #3

Economic development is covered in Goal #8.

Limitations on expectations with respect to municipal water and sewer are covered in Goal #5.

Limitations on expectations with respect to sidewalks are covered in Goal #9

Managing the deer population, development of trails, and increasing parks are not covered because they are primarily responsibilities of state agencies, not the town.

There were 172 comments, of which 10 were general comments not directed to a specific subject. The Planning Board consolidated the subject matters of the comments as follows:

1. Energy (fracking, windmills, biosolids, natural gas) 50 comments
See Goal #7
2. Roads and sidewalks (includes signs) 30 comments
See Goals #5 and 6

3. Agricultural rights and responsibilities (includes rural character of the community, natural resources) 16 comments
See Goals #1, 2, 3, 10
4. Taxes and fees 11 comments
See Goal #4
5. Business and economic development
See Goal #8
6. Zoning and zoning enforcement (includes housing, junk, noise, historic preservation)
See Goal #10
7. Infrastructure (includes cable, internet, water, EMS, schools, public transportation, security, town website, adult center, child recreation programs, seniors facilities)
See Goals #2, 5, and 9
8. Other (includes Town Assessor office location, Town Attorney, term limits for town officials, and deer)
See Goal #4 on the Town Assessor's office.

The Town Attorney's contract is currently evaluated on a yearly basis and does not prevent town officials from retaining a different attorney for specific matters. For those reasons, the Town Attorney is not addressed in the Plan.

Term limits for town officials were not addressed in this update of the Plan because it did not appear to be a priority interest of town residents and because there have been significant changes and turnover in town boards in the last five years indicating that the system seems to work well at present without legislated limits.

Deer population control is the responsibility of a state agency, not the town.

APPENDIX E: PLANNING BOARD PUBLIC MEETINGS AND COUNTY REVIEW

Public input was also obtained through working sessions, regular meetings of the Planning Board open to public participation, and public hearings from September 2014 to April 2016. The minutes of these meetings are available on the town's website, www.townofsheldon.com.

The Planning Board held a public meeting on the draft plan on April 6, 2016. The minutes of that public hearing are available at the Clerk's Office.

The draft plan that was considered at the Planning Board's public meeting was submitted to the Wyoming County Planning Board and approved at the regular meeting in May 2016.