

# **Town of Homer Comprehensive Plan**

Drafted with the assistance from the:  
Cortland County Planning Department  
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## **I. Introduction**

The Town of Homer adopted its original comprehensive plan in 1972. Since that time land use issues have changed over the past three decades because much of the vast agricultural resources of the Town have succumbed to development pressures (mostly residential in nature). The Town Board therefore appointed a Review Board to review the Town's Plan and to revise it and/or develop a new one. This Plan will incorporate those and other appropriate concepts/strategies while outlining a means of continued responsible development so as to allow future generations to enjoy the attractive character of the Town of Homer.

In harmony with trends in the surrounding areas, Homer has steadily, but gradually, evolved from an agrarian society to a rural society. The landscape is becoming dotted with a few large dairy farms surrounded by suburban encroachment. These changes are the result of economic realities, especially those of agriculture. Consequently, a Comprehensive plan must at least be cognizant of economic forces. There is significant economic downward pressure on agriculture and upward pressure on rural development.

## **II. Objective**

The purpose of this Plan is to promote the orderly and wise use of the land and water areas of the Town for the protection of the health, safety and welfare of the residents of the community into the future. This Plan is composed of two parts: the text of the Plan and a Plan Map. These two parts must be used in conjunction with each other.

The Plan provides for the development of policies of land use which are consistent with an increasing awareness of our responsibility to maintain a functioning natural environment. Federal, State and local regulations and standards on aquifer protection, preservation of open space and agricultural land, highway construction, land taxation, and other matters pertaining to land use should be continually reviewed and enforced where applicable. It is the responsibility of the Town Planning Board to review all State or other legislative action enabling the Town to provide legal instruments by which to carry out the provisions and purposes of this Plan, and to propose appropriate legislation for action by the Town Board. The Plan recognizes the fact that the ultimate responsibility for proper land use rests with the local citizenry, and that it is therefore appropriate for the residents of the Town of Homer to take personal responsibility both in aquifer protection and in regulating land use.

This Plan categorizes eight major land use classifications:

- agricultural – prime and secondary
- commercial
- conservation – steep slopes and wetlands
- light industrial

residential  
lakeside residential  
recreation  
aquifer

It should be noted that in today's society with high speed access to information (internet) and locations, the Town must look beyond its boundaries by considering land use and infrastructure issues on a regional basis. These issues extend beyond the Town's boundaries and therefore this Plan embraces the concepts of "smart growth" of quality communities. These concepts include the following:

- Inter-municipal cooperation and planning practices which not only benefit the residents of our community, but also protect and enhance the quality of life in our neighboring communities.
- Encouragement of farmland protection measures.
- Encouragement of cluster style or planned unit development including mixed use development (i.e. residential, recreational, and home occupations).
- Encouragement of commercial/light industrial development in designated areas through incentives such as Empire Zone designations and infrastructure investment.
- Measures designed to protect our natural resources for future generations and to preserve open space for recreational opportunities.

### **III. Summary of Development Goals**

The Plan establishes development goals and guidelines for the following:

- Aquifer Protection.
- Expansion of existing centers of development.
- Encourage cluster development while discouraging fragmented growth.
- Preservation of and/or limitation of growth in areas designated as Prime Agricultural and Conservation.
- Promote agricultural economic viability by allowing ancillary activities in agricultural area where consistent with the context of the remaining plan
- Provision for gradual decrease in density of development as one moves away from established growth centers.
- More intensive protection of the Little York Lake drainage basin.

In addition to these guidelines are the following considerations:

- A. The Plan recognizes growth potential for designated areas of the Town. It does not support random or incompatible development. Instead, a logical and smooth transition from areas of intensive to non-intensive land uses is encouraged.
- B. The Plan promotes cluster-type development as opposed to linear or strip growth. The retention of natural landscape between settlement areas of the town provides each location with its own separate identity, thus giving residents a sense of the uniqueness of the places where they live.
- C. The Plan encourages preservation and enhancement of the existing rural nature of the Town, with agricultural land-use being a central theme. Preservation of agricultural land necessitates an economically viable scenario for agricultural land ownership which discourages alternative rural development.

#### ***IV. Critical Issues for Meeting Goals***

- A. Preservation of Existing Town Assets. The existing historical, archaeological, esthetic, and most importantly the ecological (water quality, etc.) assets of the Town, must be safeguarded and preserved. New housing construction and neighborhood rehabilitation must be encouraged and promoted in and around the designated centers of growth.
- B. Regulation and Enforcement. To achieve the goals of the Town Comprehensive Plan, it is important for the Town Board and Planning Board to provide for and maintain updated standards with respect to: subdivision regulations, lakeside development regulations, site plan reviews, fire & building codes, zoning, junk regulation and the Town's official zoning map.
- C. Keep Comprehensive Plan Responsive. A role of the Town Planning Board is to formulate practical policies and programs that will help promote the Comprehensive Plan. The Plan places a responsibility on the Planning Board to review policies or other modifications to keep the Plan responsive and up-to-date with current Town trends.
- D. Community Support of the Goals. Occasionally the interests of private enterprise may be in conflict with the general philosophy and community interests reflected in this Plan. The Plan places a responsibility on the part of private developers to propose and build developments that are in accordance with the Plan.

## **V. Land Use: Trends and Analysis**

### **A. Agriculture – Prime and Secondary**

The preservation of agriculture is key to retaining the Town's character. Defining land in prime and secondary agriculture categories is based on soils analysis. "Prime Agriculture" is highly productive valley land, while "Secondary Agriculture" refers mostly to hillsides composed of lower-yield soils. These secondary agriculture areas provide necessary support for crops and grazing. The same soils that are good for agriculture are also good for housing and other forms of construction.

Residential development should not be encouraged on prime agricultural lands. Preservation of agricultural land-uses supports the protection of the primary aquifer underlying each valley. The cumulative effects of development over the aquifer pose a serious threat to a safe and adequate water supply serving Homer and other areas of the County.

### **B. Commercial**

Commercial activity has been concentrated over the years in and near the Village of Homer and in Little York and East Homer. Future commercial growth should be encouraged to continue in these areas. Areas which are near population centers which are not being used for agricultural or residential purposes may be considered for commercial development. An example would be development of a small commercial park on lands adjacent to the gravel mining ponds along U.S. Route 11, north of the Village of Homer.

### **C. Conservation – steep slopes and wetlands**

Development of areas with steep slopes (15+%) should be discouraged as removal of natural vegetation in these areas may lead to erosion and runoff of topsoil into streams and lakes causing eutrophication, pollution of water supplies, and the destruction of natural habitats. Erosion and runoff of topsoil also damages roadways and private property by clogging ditches and culverts, causing flooding.

Wetland areas must also be protected and preserved, as these areas are critical in flood control and in maintaining ecological balance. Wetlands serve as a buffer to protect low valley lands from flooding and also serve as a means of groundwater infiltration to replenish the aquifer. These areas are ecologically sensitive, with a variety of plant and animal life vital to their proper functioning.

### **D. Light Industrial**

Light industrial development should be encouraged near compatible (usually commercial) land uses. Thus, light industrial development should be concentrated in and near the Village of Homer, Little York, and East Homer. Light industrial development includes industrial activities that are not

objectionable to the general public because of noise, smoke, odor, etc., and does not result in substantial heavy equipment or tractor trailer traffic. A typical light industrial facility would have the exterior appearance of a commercial operation.

The mining of sand and gravel is of special concern. Gravel mined from valley bottoms destroys valuable cropland and creates a pond of water. A number of such gravel-mine ponds already exist in the Town. Extension of these operations, or the establishment of new ones, should not be approved. This restriction does not necessarily apply to requests to mine gravel above the water table in other locations.

#### **E. Recreation**

Casterline Pond located on US Route 11, just north of the Village of Homer, is a prime DEC fishing location. Other than Casterline Pond, there are no public parks within the Town of Homer outside of the Village limits; however ample recreational opportunities exist. The Cortland County Snowmobile Trail traverses the Town, as does a network of designated secondary trails. The Village of Homer Recreation Program provides numerous recreational opportunities for both children and adults. The Tioughnioga River has been discussed as an underutilized recreation resource. The Town should consider developing additional recreational opportunities to complement the Tioughnioga River trail, such as acquisition of land for a Town park with a trail connection to the river trail. A Town park can serve a number of purposes, including increasing the variety of recreational opportunities available to the public, provide the Town with a location for Town and neighborhood functions creating an increased sense of community, and preservation of environmentally sensitive areas and “green space” for aquifer recharge.

#### **F. Residential**

In order to preserve the blend of agricultural and natural landscape and at the same time provide areas in the Town for residential development, it is the intent of this Plan to preserve prime farmland for agricultural purposes. Residential development will not be encouraged on lands considered prime farmland. “Strip” housing development is undesirable because of its gradual destruction of the community’s rural landscape character. Some of this loss of character results from the incompatibility between farm operations and strip housing.

Lots in all residential areas should be of such size and shape that the private water supply and waste disposal systems thereon will, in the long run, be capable of giving adequate protection to the persons in the community. In those parts of the Town where long-range plans provide for future public sewers, subdivisions should be developed with dry sewer lines installed, to be eventually connected to the public system.

In its review of proposals for the subdividing of land, the Planning Board shall consider the density of development already existing in the vicinity in order to insure that there will be no adverse effects to the community at large, especially with respect to waste disposal, water supply, and traffic flow.

#### **G. Lakeside Residential**

Land use around Little York Lake has become more intensive in recent years as residents have converted seasonal homes into year-around residences. Also, new development around the lakeside area has increased the threats to water quality and sedimentation of Little York Lake. A more restrictive development plan should be implemented to help slow down the detrimental effects of lakeside residential growth. To this end, a new residential land-use category, "Lakeside Residential", has been identified in this plan.

#### **H. Aquifer Protection**

The sand and gravel aquifer in the Town of Homer is the water source for the majority of the Town's and Village's residents and businesses. If this resource were to become contaminated and no longer potable, securing an alternative source of water would be a great financial burden to the residents and businesses of the Town and Village. Therefore, aquifer protection must be a priority for all land use decisions within the aquifer or aquifer recharge area.

#### **I. Natural Gas Development**

The Town of Homer sits atop the Marcellus and Utica shale formations which have been identified as potential sources of natural gas (e.g., methane, propane, butane, etc). Extraction of this gas generally requires the controversial process of hydraulic fracturing. Drilling of the natural gas wells are under the jurisdiction of the New York State Department of Environmental Conservation which requires a permit.

The natural gas industry consist of companies involved in the exploration, drilling or production, refinement, transmission, storing, and distribution of natural gas products.

The natural gas exploration segment consists of companies who identify potential resources, secure land development rights and acquire drilling permits.

The natural gas drilling and production segment consists of companies who (either on their own account or for others on contract or fee basis) construct the drilling well pad site; truck construction materials to the site; obtain water withdrawal permits; withdraw, pump, and transport water to the site; store water on site; transport chemicals, sand, and other materials to the site; drill and manage the well; mix the hydraulic fracturing materials; bring the gas and other flowback materials to the surface; complete the well; manage onsite or remote storage and processing of water, materials, and wastes; manage the field gathering lines; services the well; and restore the land.

The transportation and storage segment consists of companies (who either on their own account or for others on contract or fee basis) build and maintain compressor and processing stations, gathering pipelines, and transmission pipelines, as well as companies involved in managing underground and above ground storage sites.

In addition to the primary activities, ancillary services might include building and maintain trucking and materials storage yards, water withdrawal sites, staging areas, trucking services, equipment repair services, road repair services, land reclamation services, as well as provision of housing and other services for the workers.

## **VI. Land Use: Development Goals**

The land use categories discussed above provide rationale for the arrangement of land use areas shown on the Comprehensive Plan map. When developments are proposed, review by the Planning Board prior to taking action should include reference to the goals and objectives given below.

### **A. Agricultural Goal**

*The preservation of prime farmland in the Town of Homer is essential to the continued viability of farming as a livelihood in the Town, as well as preserving the open-space and rural character of the Town. Small farms, as well as medium and large farms, perform important roles in the preservation of farmland. Therefore, it is a major goal of the Town to protect and preserve all prime farmland from encroachment by non-agricultural uses. Preservation of secondary agriculture lands, wherever possible, is a recognized goal. Viability of small farms is also a recognized goal. Underlying these goals is the premise that it is economically viable for landowners to maintain farmland over other uses.*

#### Objectives

1. If farmland must be taken out of agricultural production, every effort must be made to start with less productive land, while preserving better agricultural land in the largest tracts possible.
2. Only land uses which are compatible with current agricultural practices and use should be permitted to locate in Agricultural Districts, as defined under the New York State Agriculture and Markets law.
3. Where a planned residential or mixed use development is proposed, sufficient distances from lot lines, screening vegetation, fences or other buffering should be provided to separate the new development from farming operations.

4. Strip development along major roadways and the placement of residential subdivisions in prime farmland should be prevented to the fullest extent possible.
5. The zoning of agricultural road frontages for residential purposes should not be supported, as it runs counter to the maintenance of viable farming in Homer.
6. All proposed non-agricultural uses should be carefully reviewed in terms of their long-term compatibility with farming.
7. Reference should be made to the current official Agricultural District Map whenever appropriate to determine the probable effects of proposed non-agricultural uses on the district. Where such proposed uses may be deleterious, the Cortland County Agriculture and Farm Protection Board should be promptly consulted.
8. Reference should also be made to other instruments designed to protect farmland such as the County Agriculture & Farmland Protection Plan and the Town of Homer Right to Farm Law.

**B. Commercial Goal**

*Development of commercial areas and uses should maximize economic benefits while minimizing environmental impact.*

Objectives

1. Designated commercial areas shall be an expansion of or adjacent to already existing enterprises and should be in close proximity to existing population centers (Village of Homer, Little York, and East Homer).
2. Commercial development should conform to aesthetic standards established by the Town and should complement the existing rural character of the Town.
3. Sufficient yards, wooded areas, fences or other buffering should be provided to separate commercial activities or mixed use development from any residential structure or farming operation.

**C. Conservation Goal**

*Provide safeguards to prevent the irrevocable loss of uplands, wetlands and open water areas in Homer containing unique natural characteristics. Conservation of these areas is an essential element in retaining the existing rural atmosphere of the Town. The high level of environmental quality and natural beauty exhibited by conservation areas are both social and economic assets of the Town worthy of protection.*

## Objectives

1. Development in areas designated for conservation is inappropriate except at very low density. Intensive development in conservation areas should be discouraged or avoided.
2. Floodways, floodplains and streamways should be reserved for low intensity land uses or preserved in their natural state.
3. The management of surface water must be carefully considered in any placement of buildings, alignment of roads and drives and the location of impervious surfaces.
4. It is the responsibility of land owners and developers to assure that proper analysis and planning occurs for the adequate removal of surface water via storm drains, streams, ditches or other means. Consultation with the Cortland County Soil and Water Conservation District is encouraged prior to completion and approval of any construction plans.
5. Where extraction of earth materials is proposed, the required reclamation plan must be practical and reasonable and the final use or uses it proposes must fit logically into this Plan.
6. Long-term plans for land acquisition of environmentally sensitive areas should be initiated by the Town to provide important aesthetic and recreational assets for future generations.

### **D. *Light Industrial Goal***

*Promotion of light industrial development and/or expansion in the Town should enhance the economy while preserving the essential character of the community.*

## Objectives

1. Light Industrial development in areas so designated, including home occupations, shall be encouraged.
2. Light industrial development shall be supported if it provides economic benefits to the Town with minimal impact on health, safety, and welfare of the residents.
3. Industrial development proposals for high intensity operations which obviously conflict with the rural character of the Town will not be encouraged.

4. Mining of earth materials in the Aquifer Protection District should be discouraged because of the potential detrimental impacts to the sole source aquifer and the permanent loss of prime agricultural land.

**E. Recreational Goal**

*Provide sufficient open space and facilities for leisure pursuits for people of all ages and for all seasons.*

Objectives

1. Recognize and protect areas of land having exceptional recreational, educational or unique natural value to the public.
2. Work cooperatively with other municipalities and with commercial entities to encourage continuing recreational opportunities for Town residents.
3. Provide for public recreational opportunities in the Town which complement the Tioughnioga River Trail.
4. Provide opportunities for a year round diverse recreational program for all ages through programs such as swimming and for winter activities such as ice skating, figure skating, and ice hockey.
5. Promote outside interest in the recreational opportunities available in the Town, recognizing that tourism is increasingly beneficial for the Town's economy.
6. Consider a policy which sets aside open space within future subdivisions which might be designated as "common land" to be preserved for the leisure pursuits of the residents of the subdivision, including plans for its maintenance.
7. Assess and develop plans to create and maintain hiking and biking trails.
8. Federal, State and private funding sources supporting improved recreation facilities and programs should be aggressively pursued. The spontaneous involvement of the citizens of the Town in recreation activities makes almost anything possible in terms of fulfilling program needs.
9. Efforts should be made to avoid over-concentration and investment of resources in team sports. The complete recreation program should provide for activities appealing to Homer residents of all ages and abilities.

## **F. Residential Goal**

*Encourage properly planned residential growth and development within the Town. Properly planned residential growth will help maintain and expand the Town's tax base while continuing to support the Town's attractive rural character.*

### Objectives

1. The most dense residential development should be encouraged in areas served by local roads which feed off the main arterials and collector roads within the Town.
2. Every effort should be made to limit strip development along main arterials and collector roads.
3. Priority should be given to cluster-type or planned unit development. However, conventional development on large lots which would not be out of character with the remainder of the Town or threaten the integrity of the Aquifer Protection District, may be appropriate.
4. Housing should be discouraged in areas subject to natural hazards such as flooding, landslides, or where soils and/or topography are not suitable for road access, septic systems or storm drainage.
5. The use of buffer areas, large lots, and common lands are some features to be considered in planning for residential developments, including multi-family units.

## **G. Lakeside Residential Goal**

*Development in the area of Little York Lake should conform to a high standard of protection for the environmental, aesthetic, and recreational qualities of the area.*

### Objectives

1. Comprehensive lakeside development regulations should be adopted. These regulations should include, at a minimum:
  - Larger lot size requirements (2 acre minimum)
  - Increased yard depths (front, side, rear).
  - Stringent septic and water system requirements
  - Storm water and erosion management plans
  - Renovation standards which reduce existing environmental threats.

2. Alternate plans from developers that meet average density goal of 2-acre lot minimum will qualify for waiver incentives on requirements stated above.
3. Long-term comprehensive sewage disposal plans should be explored and encouraged which ultimately lead to reduced threats to the water quality of Little York Lake and the Town's ground-water assets.

#### **H. *Aquifer Protection Goal***

*Protect the aquifer from contamination or excessive withdrawals in order to ensure the availability of this valuable resource during periods of drought and for future generations.*

##### Objectives

1. Support efforts to study the aquifer within the Town. Additional hydrogeologic information about the aquifer will enable the Town to better understand this resource in order to use and protect it effectively. The Town should receive this information and these reports in a timely fashion.
2. Initiate public education programs to inform people about the aquifer, its importance, and ways to protect it. An informed public will help promote aquifer protection.
3. Annually review the existing Aquifer Protection District Local Law and revise as necessary.
4. Adopt a Stormwater Management and Erosion and Sediment Control Local Law or Ordinance in order to:
  - a. Manage stormwater runoff from developed areas in such ways as to prevent infiltration of contaminated runoff into the aquifer.
  - b. Protect surface water quality and prevent increased flooding due to development.
  - c. Develop monitoring and reporting procedures to insure proper function of stormwater facilities.

#### **I. *Natural Gas Development***

*Natural gas development may be allowed provided that it is consistent with comprehensive plan goals and does not pose undue risk to the health, safety, and welfare of the residents of the community.*

## Objectives

1. Does not pose undue risk to public health. Public health is critical and needs to be protected. Therefore the Town needs to maintain its air and water quality and water quantity and guard against the release of hazardous or toxic substances into air, water, or earth that contribute to disease and poor health.
2. Does not pose undue risk to the aquifer. The primary aquifer (Homer/Preble Aquifer) is vital to the Town of Homer. Homes, businesses, agriculture and tourism all depend on good, clean water. If any part of the aquifer is damaged, it is difficult to remedy that situation. Therefore, the Town of Homer must ensure that the primary aquifer, which is the main water source for the majority of the residents and businesses in the Town and Village of Homer, remains free from contamination. As much of the water which recharges our aquifer comes from the surrounding slopes, great care needs to be taken with these areas as well. Aquifer protection guides land use decisions in the aquifer and in the aquifer recharge areas.
3. Does not pose undue risk to surface water. Quality of life equally depends on surface water. It feeds the aquifer, waters livestock, and supports recreation and tourism, among other things. The Town of Homer works to prevent against contamination of surface and ground water sources, including the Tioughnioga River and tributaries, lakes, open water areas, and wetlands.
4. Does not pose undue risk to drinking water. A large number of Homer residences and many of our farms depend upon water from sources other than the primary aquifer. The Town of Homer needs to protect the safety, quality and quantity of drinking water sources other than the primary aquifer, including private wells and open water areas used by livestock and other animals.
5. Does not pose undue risk to soils. Along with water, soil is the basis of all life. It is in our long-term best interest to do everything we can to ensure healthy and productive soils. Healthy and productive soils are essential for the preservation of prime farmland, the preservation of secondary agricultural lands, and for supporting the Town's agricultural and conservation goals.
6. Maintains current rural and agrarian character. This comprehensive plan underscores the commitment to maintain the environmental quality and natural beauty that underpins the social and economic nature of the Town of Homer's rural and agrarian character, as the same time recognizing that agricultural businesses need to be economically viable.

7. Does not unduly create nuisances. A nuisance is defined as the unreasonable, unwarranted, or unlawful use of one's property in a manner that substantially interferes with the enjoyment or use of another individual's property, without an actual trespass or physical invasion to the land. The Town of Homer needs to guard against the creation of nuisances that interfere with the comfort, convenience or health of neighbors or community members.
8. Does not unduly risk livestock health. The health and well-being of livestock is the backbone of much of the agriculture in the Town of Homer. The Town of Homer cannot allow practices which put livestock health at risk.

## **VII. Implementation**

The basic objective of this Plan is to preserve and enhance the present desirable features within the Town while allowing for development, by providing guidance for agricultural, residential, recreational, and commercial/industrial growth, yet maintaining a conscientious concern for the environment. Within the Plan, there are also goals and objectives for each classification of land use existing in the Town of Homer. These goals and objectives can be attained through development and/or amendment of the following implementation mechanisms.

### **A. Town Zoning**

Zoning carries out the planning program with respect to the use of private property. With adoption of the Town Comprehensive Plan, attention should be given to reviewing the relationship of the existing Zoning Law to the Plan. Such a review will indicate what changes or amendments to the Zoning Law should be made to bring zoning into closer alignment with the Adopted Comprehensive Plan and Map. These changes/amendment to the Zoning Law/Map should include the following:

1. Stricter penalties for violation of the Zoning Law.
2. Adoption of Site Plan Review regulations, particularly for uses permitted in the Business and Industrial Districts.
3. Adoption of Lakeside Residential zoning standards as a means of protecting water quality of Little York Lake and subsequently the sole-source aquifer underlying Homer.
4. Adoption of guidelines for conditional permits to include additional requirements for certain commercial and industrial uses which may be of concern to the Town.
5. Revision of existing sign regulations to restrict the size, type, number, location, and lighting of signs.

6. Establishment of minimum lot size requirements within the Agricultural District which at the very least meet the minimum standards for the County Health Department to grant permits for an individual private well and septic system.
7. Revision of home occupation provisions:
  - a. to account for internet based businesses
  - b. to delineate a maximum gross floor area which can be occupied by any home occupation.
8. Annually review and/or revise the Aquifer Protection District special permit requirements and restrictions. The initial recommended revisions include the following:
  - a. Absolute prohibition, without any possibility of obtaining a special permit, of specified uses within the Aquifer Protection District, including new and/or expansion of existing mining operations.
  - b. The cost to develop a project has little or no bearing on its potential impact on the aquifer. Therefore, the specific requirement for an Aquifer Protection District special permit for non-residential projects which exceed a stated development cost should be eliminated.
  - c. Adoption of additional Wellhead Protection District regulations to further protect those areas which contribute to the Village of Homer public water supply. Wellhead Protection regulations provide measures of safeguarding those areas of the aquifer which directly impact public water supplies, through strict development guidelines.
9. Adoption of a Stormwater Management and Erosion and Sediment Control Local Law and set up monitoring and enforcement procedures in order to:
  - a. Manage stormwater runoff from developed areas in such ways as to prevent infiltration of contaminated runoff into the aquifer.
  - b. Protect surface water quality and prevent increased flooding due to development.
10. Adoption of telecommunication facilities regulations.

There is an increasing demand for wireless communications transmitting facilities and services. In many instances these facilities require construction of telecommunication towers. The Town should consider provisions to protect the Town's interest in siting such towers

in locations consistent with sound land use planning, at the same time allowing for the building of towers that will meet both the technical and service objectives benefiting the public. These regulations should also take into account the visual effects of towers while requiring the co-location of multiple facilities on one tower to reduce the number of towers needed. These regulations should also address the disposition of these towers when they are no longer needed.

## **B. Subdivision Regulations**

Each subdivision of land in the Town of Homer occurs independently of other subdivisions; adjacent developments under different ownerships typically do not share infrastructure (road network, water resources, etc). Unless each major subdivision is planned to fit into a satisfactory pattern of streets and related facilities, the Town can become an unattractive collection of poorly designed housing developments with associated traffic, drainage and sanitation problems.

In 1971, the Town Board approved the establishment of subdivision regulations as authorized by Town Law. These regulations set the standards and requirements that must be followed in creating new land subdivision and related road and street access. As provided by the Town Law, the regulations are administered by the Town Planning Board. Each new land subdivision must be approved by the Planning Board before the subdivision may be advertised for sale or recorded in the County Land Records and before any development may proceed.

The Subdivision Regulations of the Town are as important to the development of Homer as is the Zoning Law. While zoning regulates the use of land, the subdivision regulations control the layout and design of streets and roads and establish the improvements required in all new land developments. For example, this Plan discourages strip housing development along main arterials and collector roads. Subdivision regulations can combat the development of strip housing by specifying a maximum depth to width ratio for all newly created lots, and by encouraging lots smaller than 5 acres in major subdivisions to have access via local roads.

## **C. Planned Unit Development (PUD)**

Planned Unit Development is a land use design technique which groups or concentrates buildings on lots smaller than permitted by existing land use controls in order to preserve open space without increasing the allowable density (units per acre) of development. A PUD may involve a variety of land uses; residential, commercial and light industrial while the open space provides areas for recreational opportunities. It usually involves substantial tracts of land and has a mixture of housing types: single-family dwellings, townhouses, apartments, etc. Planned Unit Development techniques shall be encouraged as a means to achieve the goals and objectives of this Plan. Planned Unit Developments provide open space (to be maintained by the

owner of the development, or by the Town upon dedication of such to the Town) for recreational opportunities and aquifer protection while reducing infrastructure needs by concentrating development.

#### **D. Agriculture and Farmland Protection Plan**

The prime farmland within the Town of Homer is some of the most productive farmland in the entire State of New York. Therefore, in addition to the Right to Farm Law adopted by the Town of Homer in 2001, the Town should encourage the County to adopt Right to Farm legislation to preserve and provide additional protection to this valuable resource.

An additional way to accomplish this goal is to investigate local initiatives such as a Town Agriculture and Farmland Protection Plan. The purpose of an Agriculture and Farmland Protection Plan is to develop programs that are intended to maintain the economic viability of the Town's agricultural industry and its supporting land base and to protect the environmental and landscape preservation values associated with agriculture. This plan should also include provisions to promote agri-business within the Town. Agri-business provides an additional economic option which is compatible with the agricultural framework of the community.

#### **E. Infrastructure**

##### **1. Sewage Disposal Plan**

Certain areas of the Town (outside of the Village of Homer) have dense concentrations of residential development, with each property having its own septic system. Each residence also has a private well. Concentrations of septic systems, many of which are failing over time, lead to possible contamination of the aquifer and these neighboring wells. The Town therefore should develop, with the assistance of the County Health Department, a sewage disposal plan particularly for areas with a high concentration of residential development on individual septic systems.

Possible septic disposal solutions include construction of sewage lines to connect with the Wastewater Treatment Plant facility in the City of Cortland, or development of a community septic systems similar to other areas in the County with high concentrations of residential development not in reasonable proximity to the Treatment Plant (such as at Greek Peak in Virgil). Package treatment plants in outlying areas similar to the system at Greek Peak may be worth exploring. Areas to be studied include East Homer, Little York, the NYS Rt. 41 corridor, and areas immediately surrounding the Village of Homer.

Human waste spreading in the Town is a sewage disposal technique which must be eliminated. Currently there is no facility in the County which accepts and treats material which is pumped from septic tanks. The Town

should work with the County to assure that such a facility is constructed and operated. Upon construction and operation of such a facility, the Town should adopt legislation which prohibits the spreading and/or disposal of human waste within the Town.

## **2. Commercial/Light Industrial Development**

Commercial and light industrial development should occur near major transportation routes where raw materials can be received and products can be distributed. The cost of developing a commercial/light industrial site is a determining factor in the site location process. Site development cost will decrease significantly if the infrastructure network (water, sewer, roads, telecommunication capabilities, etc.) is already in place. Development will occur where the Town wants it to occur if the necessary infrastructure is in place. The Town of Homer should consider the development of small commercial/light industrial parks in areas which are in close proximity to existing infrastructure facilities, thereby reducing the cost of infrastructure development. A prime location to consider is the area around the ponds vacated by former mining operations along U. S. Route 11. This area is close to existing infrastructure (Village of Homer) and transportation (railroad and U.S. Route 11). These ponds are not very useful for recreation due to the steep slopes of the ponds, but may provide attractive scenic vistas for commercial/light industrial sites on the surrounding lands.

Areas designated by the Town for commercial/light industrial development can also become more attractive for such development through the Cortland County Empire Zone designation. The Empire Zone designation on a property provides incentives such as tax and utility breaks for business and industrial entities based on the number of employees hired and retained. The Town should contact the Cortland County Business Development Corporation/Industrial Development Agency to designate appropriate commercial/light industrial areas within the Empire Zone.

## **F. Recreation Plan**

Recreational opportunities and access to recreational facilities will increase significantly with the development of the Tioughnioga River Trail project. The Town should consider the impacts of this project on recreation in the Town through the development of a Recreation Plan. This plan would look into recreational opportunities compatible with the River Trail project, such as the possible development of a Town recreation area/park easily accessible from the Tioughnioga River Trail.

This Recreation Plan should recognize the benefits of swimming as a potentially basic part of a diversified year round recreation program for all ages. An outdoor pool at a central location in the Town or the Village should be considered initially. Eventual consideration of the need for an indoor pool can be studied. This should occur when demand for use of the pools at the YMCA, YWCA and SUNY Cortland exceed availability. Recognition should also

be given to the activities of ice skating, ice hockey and figure skating as part of the winter program. The Town should assist the Village with its ice rink to insure the viability of ice skating despite temperature fluctuations above freezing.

Develop, gradually, plans for a Town/Village Recreation Center. This calls for the provision of new or expanded facilities when program participation over taxes the existing facilities. The Town and Village should continue monitoring the adequacy of facilities for current and optimum activity. From time to time recommendations concerning facility needs should be made to the Town and Village Boards.

### **VIII. Conclusion**

The Town should develop and update a database for use by the Town and others interested in implementing the Plan. This database can be an ongoing activity assisted by the County Planning Department.

It is recognized that a Comprehensive Plan is a work in progress. Plan modifications will be necessary because of future changes in the population and in their needs. Therefore, the Plan should be reviewed annually and amended and dated as necessary. When the Plan is periodically reviewed citizen input is essential, through public informational sessions and hearings. A Town Plan Review Board would continue to have responsibility for updating the Town Plan. Copies of the Town Comprehensive Plan and Map should be available at the Town Clerk's office.