

TOWN OF FULTON COMPREHENSIVE PLAN

SEPTEMBER 1990
Updated JUNE 2014

Revised by the
TOWN OF FULTON PLANNING BOARD
Using 2010 Census Data

Based on Original Plan
Prepared in 1979

Technical Assistance
Provided by
Schoharie County Planning & Development

I. BACKGROUND AND PHYSICAL CHARACTERISTICS

A. **FOREWORD:**

The creation of a Comprehensive Plan is authorized by New York State Town Law 272-a, which states, “The town comprehensive plan is a means to promote the health, safety, and general welfare of the people of the town and to give due consideration to the needs of the people of the region of which the town is a part”.

This plan is the product of a careful and deliberate review of present and reasonably foreseeable future needs of the Town. It adopts general development objectives and policies that are consistent with the expressed will of the community.

The Comprehensive Plan should be used as a foundation for decisions regarding land use and development within the Town of Fulton. The plan will be useful for the Town Board, the Planning Board and other community groups as a reference tool when making decisions. However, the Comprehensive Plan should be used in conjunction with other tools (e.g. mapping and technical data, site plan review processes, subdivision regulations, local laws, etc).

Periodic review and revisions of the Town of Fulton Comprehensive Plan should be undertaken as the community changes, new information becomes available, and/or newer planning methods are developed.

The Comprehensive Plan Committee Members:

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,Deborah Krol, Richard Mix

OBJECTIVES:

- Preserve and enhance small town rural character.
- Seek to establish reasonable control of density, based on health, safety, and welfare.
- Utilize various development strategies to preserve rural character and natural resources.
- Identify natural resources to live in harmony with the environment.
- Provide guidance for business and commercial development and seek to ensure orderly growth.
- Promote visually aesthetic development in the town (i.e. viewsheds, roads, etc.).
- Encourage community activities that preserve the small town rural environment and are of benefit to town residents.

B. **Geography**

The Town of Fulton is centrally located within Schoharie County (See Figures A and B). Of the 16 Towns in Schoharie County, Fulton is the largest having a total land area of 65 square miles. The major populated areas within the Town are the Hamlets of Breakabeen, Fultonham, Watsonville and West Fulton.

The only primary access road in the Town of Fulton is New York State Route 30 which traverses the Town in a North to South direction. In addition, there is a network of County roads and approximately 58 miles of Town roads which are primarily used by local residents.

Fulton's accessibility to the surrounding employment centers, as evidenced by its closeness to the Capital District area, makes the Town a desirable place to live. This is further enhanced by the existence of Interstate Highway 88 (I-88) which has two interchanges in close proximity to the Town of Fulton.

C. **History***

The Town of Fulton is as rich in American History as any town in Schoharie County. The native Indians, namely the Mohawks, Mohegans, Stockbridges, Tuscaroras, Delawares and Oneidas farmed its flats, fished its waters, built castles at Wilder Hook and Breakabeen, and established seasonal settlements in sheltered areas along the Schoharie Creek.

In the early 1700's, European immigrants settled in what was to later become the Town of Fulton. Among the earliest was Adam Vrooman, an Indian trader from Schenectady, who purchased two tracts of river flatland from the Indians. These parcels were purchased in 1711 and 1714 totaling approximately 1,200 acres and became known as Vrooman's Land. Another 18,000 acres of the Town, known as the Byrnes Patent, was a land grant received by Michael Byrnes in 1767. The remainder of the Town was made up of land owned by John Butler (8,000 acres), William Bouck (1,250 acres), Edward Clark (100 acres), William Wood (2,000 acres), Hendrick Hagers (900 acres), Isaac Levy (4,333 acres), and Philip Bergh.

Early settlements in the Town included (1) Rabbit Bush, which was settled by the Germans in 1714 – 1718 and later became known as Fultonham; (2) Breakabeen, which was developed on Philip Bergh's patent and was named for the brakes, a species of ferns which grew there; (3) Hardscrabble, which was later named Watsonville for Charles Watson who settled there in the early nineteenth century; and (4) Byrneville, later named West Fulton, with its luxurious timber growth. Other smaller settlements, which grew up around these four major settled areas, include Pleasant Valley, Patria, Rossman Hill, Vintonon, Fulton Hill (Fairland), Dibble Hollow, Huson Corners, Armlin Hill and Bouck's Falls (Cooper street).

Due to its abundance of naturally rich farmland, the area which was to become the Town of Fulton became a large producer of corn, apples, and wheat. The quantity of wheat produced in the area was so large that the Schoharie Valley became known as the breadbasket of the Revolutionary War. In the last quarter of the 19th Century, the major crop of the Town became hops. The hayday of hop growing ended rather abruptly in the 20th century due to prohibition and plant disease.

The Town of Fulton was formed on April 15, 1828 with the first town supervisor being Charles Watson who resided in what is now Watsonville. Other well-known people from the Town included William C. Bouck and Timothy Murphy. William C. Bouck was elected Governor of the State of New York in 1842, was a delegate to the Constitutional Convention in 1846; and after serving as assistant Treasurer of New York City, retired to the old family mansion on Bouck's Island, which is presently owned by David Shaul, son of the late Max Shaul.

The Revolutionary War brought Timothy Murphy, the legendary hero of the area, to Schoharie County. Murphy is credited with having felled General Fraser, a feat which has been declared one of the turning points of the Revolution. After the war ended, Timothy

Murphy and his wife, the former Peggy Feeck, made their home in Watsonville. A bronze plaque signifies Timothy Murphy's burial place in the Middleburgh Cemetery.

The upper fort, one of three forts along the Schoharie Creek during the Revolutionary War, was built on land of John Feeck in 1777. Embar Farms, LLC and Cindy and Jim Barber's operations presently occupy this land.

*History section prepared by Hazel Newkirk

II. DEMOGRAPHIC DATA

A. **Population Growth**

The United States Census Report of 2010 recorded 1,442 individuals living in the Town of Fulton. The 2000 census had recorded a population of 1,495 which shows a 3.6% decrease over the ten (10) year period while Schoharie County as a whole had a population increase of 3.7% during that same period. The population in the Town of Fulton had grown 3.3% since 1980 while Schoharie County saw a 9.3% population growth in those same 30 years.

B. **Population Density**

Based on the 2010 population count of 1,442 and the total land area of the Town, the population density of Fulton has been determined to be one person per 27.9 acres, or 22.2 people per square mile. This is a relatively low population density and emphasizes the development character of the Town. However, State-owned lands and areas too steeply sloped to be developed represent a substantial number of acres and should be factored into this analysis.

It should also be repeated that a large percentage of the total population of the Town is concentrated in the hamlets of Breakabeen, Fultonham, Watsonville and West Fulton.

C. **Population Profile**

Population

The 2010 population of 1,442 represents a decline of 3.6% since 2000, according to the United States Census of that year, while Schoharie County as a whole had a population increase of 3.7% during that same period. The population in the Town of Fulton had grown 3.3% since 1980 while Schoharie County saw a 9.3% population growth in those same 30 years. 809, or 56.1% of the population as of the 2010 Census, was male, versus 633, or 43.9%, female.

People

The Town of Fulton was slightly older than the national average, but a good representative of Schoharie County in that regard. The median age for the Town was 42.5 years old, according to the 2010 U.S. Census – the same for the County as a whole. The nation-wide average was a median age of 37.2 years. The three most populated age groups for Fulton in 2010 were ages 50-54 (9.3%), 55-59 (8.3%) and 60-64 (7.8%), respectively. An additional 228 people, or 15.8% of the population, were 65 or older, versus 13% nationwide. In all, 31.8% of households had individuals 65 or older and 41.1% of the total population was at least 50 years of age in 2010. Youth was not absent from the Town, however, as 143 of 547 occupied households, or 26.1%, had individuals under the age of 18 and 20.8% of the population, or 300 people, were 19 years old or

younger. To compare, the highest bordering municipalities had median ages of 49.0 and 48.7 in Broome and Gilboa, respectively. The lowest median ages for bordering municipalities were 31.1 and 42.1 for the Towns of Cobleskill and Richmondville, respectively.

According to the 2007-2011 American Community Survey 5-Year Estimates , there are 560 total households in the Town of Fulton. The median household income was \$46,429, the mean was \$52,976, and the per capita income was \$23,599. This is significantly lower than the totals for New York State as a whole, which are \$56,951, \$82,698 and \$31,796, respectively. Schoharie County's economic profile falls between the two, with \$50,795, \$62,290 and \$25,362 being reported for that area.

Housing

As of 2010, the available housing stock for the Town of Fulton was comprised of 869 total housing units. Of those, 269 housing units were dedicated to seasonal, recreational, or occasional use, equaling 31.0% of all housing stock. Five hundred and forty seven (547) of 869 households were occupied year round. For comparison, the highest percentages of seasonal housing for surrounding municipalities were seen in Blenheim and Gilboa, with 49.0% and 44.2%, respectively, while the average for all of Schoharie County was 17.1. There was a stark contrast between those rates and the 2.0% and 6.3% rates for the neighboring Towns of Cobleskill and Richmondville, respectively.

D. Income Sources

a. Agricultural Activity

Agricultural production represents the largest economic activity within the Town of Fulton. There has been a reduction in the number of farms and a corresponding shift from dairying to cash cropping. Farming within the Town is a mixture of vegetable production, feed grain, and hay production for cash crop purposes and dairy farming. The valleys of the Town are the most intensively farmed, although some agricultural operations continue to operate in the higher elevations in the Town. The Schoharie Valley is unique in that the soils that make up the broad flats have been described by the New York State Agricultural Resources Commission as representing some of the best soils in New York State. There are relatively few areas in the State that lend themselves to the variety of crops that can be grown in the Schoharie Valley. For this reason, an agricultural district has been set up in this area of the Town to preserve this rich farmland.

In addition to the farms that provide most or a high percentage of the income for their owners, many other land owners within the Town maintain some form of agriculture by keeping animals such as horses, pigs, cows and sheep or by harvesting hay or other crops either for their own use or for supplemental income. Also a number of landowners sell wood products either in the form of firewood or saw logs for supplemental income. Agriculture within the Town of Fulton remains a highly viable economic activity.

b. Other

There are several non-agricultural business operations within the town of Fulton. These include operations such as saw mills, general stores, two post offices, machine shops, other businesses and several individuals who provide bulldozing, backhoe and trucking services. The majority of residents in the Town of Fulton work outside of the Town and few if any of the non-agricultural businesses depend solely on Town residents for their business. The NYS Corrections Department formerly operated a correctional facility in the Town of Fulton and finding an alternate use for that site is a priority.

II. PHYSIOGRAPHIC CHARACTER

The physiographic character of an area is a description of the natural environment including the land, the water and the air. It is of utmost importance to understand the physiographic character of an area when considering the development capability of the land and the water. Various patterns and intensities of use that would be appropriate to an area hinge, very often, on how well one recognizes and perceives the adequacy of an area for a certain use.

A. Topography

The topography of the Town of Fulton was determined through the use of the USGS Topographical map series which delineates contours at 20 foot intervals. Topographical maps indicate a high elevation of 2,240 feet above sea level near Fulthill and Fairland roads and a low elevation of 620 feet above sea level along the Schoharie Creek, south of the Village of Middleburgh, a range in elevation of some 1,620 feet. The topography of the Town slopes in a northeasterly direction sloping inward toward the Schoharie Creek Valley.

The uniform slopes map, Figure I, illustrates steepness of slopes in the Town. The grade of a given slope may have dramatic effects on the type of development, if any, which may be engineeringly feasible within a specific area.

Interpretatively classified, the topographical information based on slopes is set forth in the following list:

<u>Category of Slope</u>	<u>Percentage of Total Area</u>
0-15% - (flat and rolling or ease to Moderate grades)	40
15% - above (steep land)	60

Slopes can be classed according to their potential for use: flat and rolling grades are usable for intensive use of almost any type, easy to moderate grades are usable for movement and informal activity, while steepland is difficult to move over and develop. The percent of slope is determined by a ratio of vertical incline to each unit of horizontal distance. However, it is important to note that due to the scale of such maps (1:2400), boundaries are necessarily very generalized; consequently,

the level of detail at this scale is assumed to be within one-quarter inch or 500 feet.

The slope of the land is an important consideration to development types and use intensities. Problems which might be encountered by allowing development on steep slopes include erosion, severe surface run-offs, foundation slippage and ground shifting. Very low, flat land, on the other hand, is susceptible to poor surface drainage.

Land area in the range 0-15% slope usually include water bodies, poorly-drained areas and wetlands. However, much of the area within this range in Fulton is suitable for development due to its adequate sloping for proper runoff. The range from 0-15% is always the most suitable sloping for residential development. However, it should be cautioned that at the upper levels of the range, the degree of incline will pose limitations to the highway system and consequently to any intensive degree of development.

Those areas in the range of 15% and over are susceptible to numerous environmental and engineering limitation and it is cautioned that no development be allowed on slopes of this degree. These areas should be limited to open space, recreational areas, or natural cover areas and should be protected from encroachment. The two principal locations of steep terrain in the Town are the southwestern portion of the Town next to Camp Summit and West Fulton, and in the northwestern sector of the Town near West Middleburgh and Petersburg Mountain.

As one can easily observe, the vast portion of the land area within Fulton is characterized by steepland while a large portion is flat or rolling, and devoted to agricultural pursuits.

B. Waterway and Floodplains

The enclosed floodplain map, Figure J, indicates perennial streams and flood prone areas within the Town of Fulton.

Principal bodies of water in the Town include the Schoharie Cree, which flows in a south to northeasterly direction, Panther Creek flowing west to east into the Schoharie Creek and House Creek which flows north to south into Panther Creek. Bouck Falls located on County Route #4 (West Fulton Road) is one of the major water falls in Schoharie County. The direction of flow, size and location of streams are important considerations with regard to water supply, run-off, recreation and conservation measures as they relate to future development and development intensities in the Town.

The National Flood Plain Management Program outlines the tentative boundaries of the probable 100 year flood level. It should be noted that these are only tentative boundaries which may be subject to revisions by United States Department of Housing and Urban Development and the New York State Department of Environmental Conservation in the future. Any development in this area must conform to the National Flood Insurance guidelines and must be approved by the New York State Department of Environmental Conservation and

be in compliance with the State Law requiring a Building Permit for new construction in the town. However, due to the restrictions on the area with regard to buildings and building type, new growth and construction should be channeled to locations less susceptible to flooding.

The Town should place particular significance on the viability of these water bodies because of their potential for recreation, irrigation and other water supply potential.

C. **Soils**

Because the economy of the area is dependent on agriculture, it should be the primary objective of the Town to encourage the future protection of these areas while at the same time encouraging the diversification of the local economic base to include business, commerce and industry.

In 1969, the Soil Conservation Service, in cooperation with Cornell University, issued the *Soil Survey for Schoharie County*. Information from this text was instrumental in the development of a soils data map for the Town of Fulton. For details of the soil characteristics, one should consult the comprehensive soils survey referred to above, *Soil Survey for Schoharie County*. Also, free information on soil characteristics and septic system design are available at the Schoharie County Soil and Water Conservation District and the Schoharie County Department of Health. This information was used to determine the degree of development limitations assessed for each type of soil in Fulton and should be consulted for common types of development, such as homesites, septic tank use, land fills, and adaptability for landscaping, streets and parking lots, pipeline installations and recreational uses. The categories are meant to be general descriptions of various types of land uses and should present a solid basis on which the Town can direct development and the intensity of use. The degrees of limitation are as follows:

- | | |
|----------|--|
| SLIGHT | Indicates that the soil has none or few limitations that would restrict their use. |
| MODERATE | Limitations exist which reduce to some degree their desirability for the use indicated and which may require corrective measures. |
| SEVERE | Unfavorable soil properties exist which restrict their use and desirability for the activity indicated. Considerable cost and disruption to the environment may be involved in correcting the problem or problems encountered. |

It should be immediately realized that these generalizations of soil limitation are not meant to prevent all development within an area based on soil suitability, however, it is meant to imply that various problems might occur due to a number of exogenous factors. Development problems due to frequent flooding, seasonal wetness, slow permeability, silty-clay-loam surface layers, risk of polluting nearby water supply, and severe slopes are some examples.

The potential of unfavorable circumstances arising due to development within these areas should be weighed against the long-term needs and desires of the community and its citizens.

IV. EXISTING LAND USE

The New York State Office of Real Property Services created a uniform classification system to be used in assessment administration in New York State, which consists of numeric codes in nine categories that generally describe the way that the property is used. The nine categories given to parcels are:

- 100 - Agricultural - Property used for the production of crops or livestock.
- 200 - Residential - Property used for human habitation. Living accommodations such as hotels, motels, and apartments are in the Commercial category - 400.
- 300 - Vacant Land - Property that is not in use, is in temporary use, or lacks permanent improvement.
- 400 - Commercial - Property used for the sale of goods and/or services.
- 500 - Recreation & Entertainment - Property used by groups for recreation, amusement, or entertainment.
- 600 - Community Services - Property used for the well being of the community.
- 700 - Industrial - Property used for the production and fabrication of durable and nondurable man-made goods.
- 800 - Public Services - Property used to provide services to the general public.
- 900 - Wild, Forested, Conservation Lands & Public Parks - Reforested lands, preserves, and private hunting and fishing clubs

Parcels are assigned codes by the Schoharie County Real Property Tax Services [with input from assessors?] and that office maintains this data. The analysis of land uses in Fulton found below is based on this set of data.

Land Use Classification	Parcel Count	Acreage	Percentage in Classification (Area)
Agricultural	63	5,422.0	13.48
Residential	764	13,194.7	32.80
Vacant	429	8,451.9	21.01
Commercial	11	14.1	0.04
Recreational	2	29.7	0.07
Community Services	18	348.0	0.87
Industrial	2	193.5	0.48
Public Services	2	0.2	0.00
Wild, Forested, Conservation, etc.	143	12,273.0	30.51
Unclassified	8	296.3	0.74
TOTAL	1,442	40,223.4	100.00

Four of the six parcels in the “Unclassified” category, representing nearly 100% of the acreage in that category, are owned by the State of New York but not assessed. The other two are non-assessed overflow parcels from other towns.

V. OBJECTIVES

The following objectives have been formulated to establish the long range guidelines for land use in the Town of Fulton. These are based on the foregoing surveys and analyses of existing conditions, population figures, economic land use trends and discussions of developmental alternatives at planning board meetings. Such guidelines or policies represent value judgments and attitudes about what is important in the Town now and in the future. There may be additional issues which are particularly important to the Town of Fulton; these should be included making the list as complete as possible.

A. **Growth**

The primary objective is to maintain and enhance the open, rural character of the Town of Fulton. Growth in the Town will be encouraged, but the extent and location of development will be largely dictated by accessibility, availability of public utilities, and the capacity of the soil to effectively accommodate sewage disposal systems. All growth and development will also be encouraged in accordance with good planning practices.

B. **Agriculture**

The Town recognizes the value of the prime farmland located within its boundaries and understands the significance of protecting this and other farmland from encroachment by non-farm development, while at the same time realizing that non-farm development is also important to the area.

C. **Housing**

Due to the existence of a broad range of socioeconomic conditions in the Town, a wide variety of housing types including one and two family dwellings and mobile homes will be permitted in appropriate locations, but densities will be kept low and the existing visual character of an open rural area will be maintained. Adequate and well located sites for cluster development can be most economically and logically served by town facilities and utilities. These areas will be protected from encroachment by incompatible non-residential uses and detrimental activity [and decrease the per-unit cost of services for new residential development].

D. **Commercial Development**

Commercial development in the Town should be limited primarily to the type of goods and services needed by a limited market. The Town intends to concentrate commercial activity in areas where it presently exists and where the surrounding environment is conducive to commercial rather than residential development.

E. **Industrial Development**

Industry other than farming in the Town of Fulton is virtually nonexistent. However, the Town intends to allow industry on a limited scale where feasible. Mixed land uses, particularly housing, will be discouraged in industrial areas.

F. **Floodplain Development**

The Town recognizes that extensive development of floodplain areas is often the cause of serious property damage and loss of life. Therefore, within the limits of reason, the Town intends to prevent flood prone areas from being developed in a manner that could result in property damage and loss of life. Any development allowed in the floodplain areas shall be in accordance with The National Flood Insurance Program. The Town also intends to support efforts at the Town, County, State, and Federal levels to reduce flooding in flood prone areas in the Town. [Town of Fulton has Flood Damage Prevention Law adopted ...]

G. **Natural Features**

Unique natural areas in the Town have economic as well as intrinsic value in the long-range development picture. Preservation measures must be enforced to prevent destruction of or damage to these irreplaceable features.

H. **Traffic**

The present system of roads in the Town is generally adequate for the traffic it carries. The Town intends to upgrade existing Town roads and to attempt to preserve the traffic carrying capacity of these roads by such land development controls as increased frontage and deeper setbacks.

I. **Environmental Considerations**

The Town is concerned about the preservation and enhancement of environmental quality. It intends to encourage and support land development control measures aimed at maintaining the quality of residential areas, rehabilitating excavation sites, reducing the negative visual impact of signs, discouraging the random collection and storage of junk material, preserving views, and preventing pollution of water and air.

J. **Tourism**

It is recognized that tourism activity in this part of the state can be of considerable economic value to the Town of Fulton. The Town intends to strongly support actions which will help in the development of the tourist industry when such actions do not conflict with other development policy which has been established.

K. **Recreation**

Soccer complex, many hiking trails (including Long Trail and [Vrooman's Nose?], sparks such as Max V. Shaul and Timothy Murphy, snowmobiling and cross-country skiing, Rossman Pond, hunting/fishing, and biking to name some of what is available.

VI. LAND USE PLAN

The following standards should be considered when directing land use development in the Town of Fulton.

Type of Land Use Activity

Procedural Standards

Agriculture

Policies and laws will need to provide for agriculture in all areas of the Town.

Major valley areas of rich topsoil as well as those areas designated as agricultural districts and important dairying areas should be actively encouraged to remain in agricultural use through the establishment of favorable land use policies and minimum parcel size and dimensions.

Farming should be evenly distributed throughout the area to continue the character as a rural agricultural area.

Residential

New residential development should occur in depth, which required the construction of new roads, rather than the existing practice of selling off road frontage only. This will include an active subdivision review process and should be the responsibility of the developer; not the Town. This will require a strictly enforced Town Highway law.

New (subdivision) should correspond with the lay-of-the-land and maintain as many of the natural features as possible.

Minimal lot sizes and dimensions should be established, perhaps to allow smaller parcel minimums in hamlet areas, and require larger minimums in conservation areas.

Business

Businesses should be encouraged to locate along main highways and to provide adequate parking for customers.

Signs should be in keeping with the surrounding area.

Conservation Areas/
Open Land

Open land should be considered irreplaceable and preserved accordingly.

Vision Statement 2014

In the future...

The Town of Fulton will remain a peaceful, beautiful town with a pleasant and healthy environment that provides a high quality of life for our residents. We want to preserve and enhance our small town rural character, conserve and preserve our natural resources, preserve working and profitable farms and our essentially agricultural character, and provide for the community service and facility needs of the community in an efficient and cost effective manner. We have well-maintained and safe roads, and up-to-date telecommunications for residents and businesses. Our rural character is defined by our water, soils, air and farmland resources, and unspoiled views of the hills and fields. We have well planned housing and businesses that are consistent with a rural community. Our environment remains clean and green and offers residents recreational opportunities. We value our senior citizens and they have opportunities to age in place here in Fulton.