



Updated Town and Village of Middleburgh Comprehensive Plan

**Prepared by the Town and Village of Middleburgh
Comprehensive Plan Committee**

October 2015

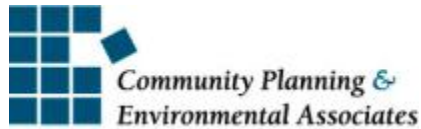
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Section One: Introduction

Historical Highlights

The Town of Middleburgh was established on March 17, 1797 by the Legislature of the State of New York as one of the six original towns in Schoharie County. First settled in 1712 by the Palatines under the leadership of John Conrad Weiser, it was called Weiser's Dorf or Weisertown until 1797, when, with Hartman's Dorf, it took its official name from its most prominent feature - the Middle Fort of American



Revolutionary renown. It was here, after the burning of the entire valley, that Timothy Murphy defied Major Woolsey, rallied the Colonials, and successfully defended the Fort against British and Indian raiders on October 17, 1780.

The census of 1800 showed a population of 1,831 people. Today, the population is about 3,680. The largest center of population in the Town is the Village of Middleburgh (current population about 1,483). The Town includes several hamlets including West Middleburgh (Mill Valley), Huntersland, Aker Hollow (Ecker Hollow), Limekiln, and Frisbieville. The Town encompasses 25,850 acres.

The Schoharie Creek and its fertile valley flows northward across the Town, dividing it into ridges of upland with broad flats upon the sides of the creek. The cliffs and mountains on its east and west are part of the Helderberg Mountains, the northern portion of the Catskills. The cliffs provide a dramatic view of the valley and contain relics of the fossil trees. The view southward from almost every high point gives breathtaking views of our neighboring towns and Vroman's Nose, a unique geological formation.

Two major State highways are found in Middleburgh - NYS Route 30 leading south to the headwaters of the Susquehanna River and the Delaware River, and north to the Mohawk River, and NYS Route 145 leading southeast to the Hudson River and northwest to the Mohawk River. These roads cross at the Schoharie Creek in the Village of Middleburgh, forming an important hub of transportation. These routes, long used as Indian trails, were used as early turnpikes, and important to settlers migrating westward and drovers supplying cattle to New York City.

A half mile south of this intersection two major tributaries of the Schoharie Creek are found – the Little Schoharie and the Linekill (or Line) creeks. This is an important location because here, historical flooding caused a bridge of driftwood to be formed. The Native Americans called this area the Towas-ho-har, or driftwood. This is the derivation of the word 'Schoharie'.

The fertile flats in the Schoharie Valley created by the Schoharie Creek were vital in the raising of grain for the Colonial troops and the area became famous as the "Breadbasket of the Revolution." Then as now, agriculture has always been and still remains the predominant land use and economic driver of the areas. Farming has transitioned from the raising of wheat and corn followed by hops, and today, alfalfa,

corn, vegetables and fruit. Today, many of the small farms in the hills have converted from agriculture to reforestation and low-density residential uses. Several large dairy farms remain as well as nearby vegetable farms serving local and regional markets. Recently niche markets have developed for local breweries and distilleries.

The Village of Middleburgh served as the terminus for the Middleburgh and Schoharie Railroad from 1867 until 1936. This was a critical economic activity until the railroad gave way to automobiles and trucking.

Today, The Village remains the economic hub of the Town and has experienced a revitalization since the flooding of Hurricane Irene. The Village is home to many small businesses, active organizations, churches, antique and craft shops, restaurants, the Middleburgh Central School District, a new library, excellent and efficient ambulance service and fire department, among other resources, all contribute to this picturesque and historic community.

About this Comprehensive Plan

This Comprehensive Plan is designed to play a pivotal role in shaping the Town and Village of Middleburgh for the next 10 to 15 years. By design and definition, this Comprehensive Plan provides an overall framework for future public and private decision-making in Middleburgh and should be considered a “road map” for future financial, civic, and land use activities. This Plan articulates the vision for the Town and Village, its long-term goals, and details how Middleburgh can achieve them.

The Town and Village boards initiated this planning process to document and evaluate changes that are or have been taking place within the Town since the original Plan was adopted in 1999. The Town and Village determined that having an updated Comprehensive Plan would be an important tool to help the community move forward. Continuing the spirit of cooperation, the Town and Village worked together to develop this joint plan.

Once a comprehensive plan is adopted, there are several important implications. First, all government agencies involved in planning capital projects in Middleburgh must first consider this plan. That means the Town and Village now has a much larger stake in what other governmental agencies want to do when they are proposing a capital project in Middleburgh. Second, it is the policy of New York State to encourage comprehensive planning for the sake of protecting the health, welfare and safety of its citizens. Therefore, most State agencies recognize, if not require, a comprehensive plan as a condition for grants and other funding assistance. This assures that public funds are spent in pursuit of a well-defined public goal.

Other implications of having a Comprehensive Plan include:

- Programs and regulations may be adopted to implement the Plan to protect resources and encourage desired development and growth.

New York State law (Town Law 272-a) grants municipalities the authority to prepare and adopt comprehensive plans. A comprehensive plan is a document that identifies goals, objectives, principles, and policies for the immediate and long-range protection, enhancement, growth, and development of a community. It provides guidance to municipal leaders, government agencies, community organizations, local businesses, and residents, and helps to ensure that the community's needs are met, both now and in the future. **New York's laws also require that land use regulations that are adopted shall be in accordance with a comprehensive plan.**

- Community consensus and support can be built on the shared vision, goals, and strategies presented in the Plan and used for continued economic revitalization.
- Comprehensive plans also help the Town and Village to be successful in obtaining grant monies to implement items contained in the Plan.

This Plan should be reviewed and updated every five years to gauge progress on implementation and perform needed updating to ensure that the Plan remains relevant to Middleburgh.

Revisions should update existing conditions (see Appendix 1), verify community vision and goals, and summarize completed action items and the addition of other steps based on the changing needs of Middleburgh. The Plan should be a vital document that remains a centerpiece for discussion and decision-making

at the Town and Village Board, Planning Board and Zoning Board of Appeals level. **To ensure this, the Plan includes an action plan designed to help the Town and Village Boards implement the recommended actions over time.**

As per NYS Town Law 272-a and Village Law 7-722, this Plan should be reviewed and updated by the Town every five years to ensure that it remains up-to-date and useful to address current conditions and needs.

This Plan is the Foundation for all Land Use Laws

This Plan is not a local law but will be implemented through adoption of local laws. The recommendations made in this Comprehensive Plan will not take effect until the Town or Village boards decide to act on them. This Comprehensive Plan will be implemented through new or updated local laws and other programs initiated by the Town or Village Board over time.

In addition to providing the basis for future decision-making, this comprehensive plan provides a framework for local land use laws such as subdivision and site plan review. As such, the Plan includes recommendations related to improving Middleburgh's existing land use-related laws. It is important to note however, that **this Plan is not a regulatory document**; any change to or development of new zoning or other laws that regulate land use would need to be adopted according to NYS Town Law (NYS Village Law in the Village) procedures through a separate process. That process would include public hearing(s), an environmental review, and County Planning Commission review.

Planning Process Overview

This Comprehensive Plan is based on community input and an analysis of resources, programs, and other data. A variety of tools were used to gather public opinion throughout the planning process. The Plan also incorporates the knowledge and skills of the Comprehensive Plan Committee, elected officials, and the general public.

The planning process focused on answering three primary questions:

1. **What are the current conditions in the Town and Village of Middleburgh?** The Plan is built upon the Town and Village's strengths, weaknesses, opportunities, and threats to the quality of life desired by Middleburgh residents.
2. **What is the future direction of the Town and Village desired by the community?** The Plan accomplishes this by establishing a community vision and a set of long-range goals.

3. **What can the community do to attain its vision?** The Plan offers a comprehensive set of recommended actions that address the issues of concern in Middleburgh. These recommendations can be implemented through policy changes, new program creation or expansion, organizational changes, grant acquisition, regulatory updates, and other alternatives and actions that will guide the Town and Village toward a successful future.

Planning Events and Milestones

The planning process was initiated in September 2014. This project was coordinated by a steering committee made up of both Town and Village residents. This Committee was established by the Town and Village Boards to include farmers, residents, businesses and elected officials. The Town hired a planning consultant to assist in all phases of the Plan's development.

The following activities took place:

1. Formation of the Comprehensive Plan Committee by the Town and Village boards.
2. Bi-monthly Comprehensive Plan Committee Meetings.
3. Town and Village-wide community survey (October 2014).
4. Public visioning and planning workshop (October 2014).
5. Development of Town-wide inventory and profile of resources and characteristics.
6. Update of all resource maps through the Schoharie County Department of Planning.
7. Evaluation of public input and all data to determine the "Strengths, Weaknesses, Opportunities and Threats" (SWOT Analysis) (See Appendix 3).
8. Development of vision and goal statements (See Section 2).
9. Development of recommended policies and recommended actions, including an action plan for implementation (See sections 3 and 4).
10. Development of full draft of Plan to present to the public (July 2015) and public comment (August 2015).
11. Submittal of Draft Plan to Town and Village Boards (August, 2015).
12. Town and Village Boards review and public hearing (August to October 2015).
13. Draft Plan sent to Schoharie County Planning Department for legally required County review to determine if there are any county-wide impacts (called a 239-m review) (Date to be added to Final).
14. Environmental review as per NYS State Environmental Quality Review Act conducted by the Town and Village boards as lead agency (SEQRA). (Date to be added to Final)
15. Adoption of Plan by Town and Village Boards via a resolution (Date to be added to Final).



Figure 1: Fall 2014 Workshop held at Middleburgh Elementary School

Organization of this Plan

Sections 1 through 4 establishes the vision and goals for the Town and Village and then offers a series of recommended actions that the municipalities can take in the future to accomplish those goals. These sections help the elected officials implement the Plan by offering action priorities, time frames, and identifying assistance that might be needed. Section 2 answers the “where do we want to be in 10 to 15 years” and Section 3 and 4 answers the “how do we get there” question.

The Appendices detail the profile and inventory of Town and Village resources. It also documents the public input upon which this Plan is based. Together, the Appendices answer the “where are we now?” question. The Appendix describes current conditions, demographics, physical and cultural features, and information from the residents.

Town and Village Input and Data Collection

The issues, goals and recommended strategies detailed in this Comprehensive Plan are also based on new information gathered about the Town and Village of Middleburgh, new public input, and relevant information from the old plan. Specific sources of information used to prepare this plan included:

- Background studies of land use patterns in Middleburgh
- Population and demographic information
- Housing (number of units, type of units, etc.)
- Community facilities and services
- Transportation resources
- Recreation and educational resources
- Public safety programs
- Environmental conditions of the Town
- 1999 Town and Village of Middleburgh Comprehensive Plan
- Review and Analysis of Town Zoning and Subdivision Regulations
- Maps (See Section Six)



Our Vision

The mission of this Comprehensive Plan is to provide a roadmap that will guide present and future generations in the Town and Village. Middleburgh's future is grounded in the long-term protection of the Town and Village's beauty, our history, the environment, and our natural resources. Our hope is to provide new opportunities for growth that enriches our residents and businesses in a manner that promotes a sustainable economy, protects our natural resources, addresses community and taxpayers' needs, enhances and encourages education and the arts, and that creates a community in which our citizens can successfully work, play, and live, Middleburgh will be a truly sustainable and successful rural community where we work together and strive for honesty, fairness, and integrity in everything we do.

This vision will be realized when the Town and Village of Middleburgh:

- Have sustained growth that stimulates innovation, places a value on results, and helps us understand how today's actions will contribute to our future.
- Empower people to have the freedom to act and think in ways to get the job done, while adhering to processes and values that ensure proper governance and being mindful of community needs.
- Promotes responsibility and trust by acting as good stewards of the resources entrusted to us.
- Performs with a purpose that is committed to achieving a sustainable economy while leaving a positive imprint on our community.

We uphold our commitment to this vision with the following guiding principles. We must always strive to:

- Care for our residents and neighbors and the world we live in.
- Support only programs we can be proud of – the true test of our standards.
- Balance short term and long term goals while weighing risks and benefits. Maintaining this balance helps sustain our growth and ensures our ideas and solutions are relevant both now and in the future.
- Respect others and succeed together with diversity and inclusion.
- Communicate actions of government effectively to the public.

This vision involves addressing several critical areas of focus. These are:

- Economy
- Sense of Community
- Community Character
- Recreation
- Disaster Preparedness
- Housing
- Infrastructure and Government
- Environmental Protection



Figure 4: An illustration of the words used to describe the future Town and Village of Middleburgh from the survey results. The larger the word, the more people that used that word in their response to the survey question.

The long-term vision for each of these focus areas is:

Economy

Our economy will be diverse, sustainable, and vibrant and supported by both local residents and visitors. This economy will provide job opportunities that will encourage and make it economically feasible and desirable for our children to stay in the area. There will be enhanced tourism through promotion of lodging and attractions that reflect the area's character and assets. Middleburgh will welcome new small businesses, environmentally-sustainable technology, and light industrial-related businesses. Farming, sustained by agri businesses and new agri-tourism operations, will remain vital and supported. The Town and Village will collaborate to ensure that the Main Street business district and hamlets remain the centers for retail and services. New opportunities outside the Village will be created in appropriate locations that build on and complement rather than compete with those located in the Village. **All future development will be within the framework that has been established in this Plan and be in keeping with our small town, rural, and historic character of Middleburgh. We will embrace these challenges through careful design and planning.**

Sense of Community

Our sense of community will provide a safe and vibrant place in which to live, raise our families, establish a businesses, and retire. Having a quality educational system and abundant, diverse cultural activities will reflect our deep sense of community. We encourage involvement of our residents in community activities.

Community Character

Our community character will be defined by our assets that include our beauty, environment, rich history and small town and rural community character. This also includes our historic buildings and public spaces, public art, scenic vistas, farmland and open spaces, waterways and wetlands. The Town and Village will work to avoid heavy industries, high intensity uses, high volumes of traffic or other land uses that adversely change the valley's character.

Recreation

Our recreation will have all types of seasonal recreational opportunities for our residents and visitors including but not limited to swimming, biking, hiking, horse-back riding, hunting, fishing, canoeing, kayaking, cross-country skiing, skating, snowmobiling and other outdoor activities. Middleburgh will strive to provide multi-generational parks, a community center, activities, and recreation areas for all ages and abilities with opportunities to enhance physical fitness.

Disaster Preparedness

Our disaster preparedness will include ongoing education, planning for and implementing of programs and guidelines in collaboration with State and County officials to minimize effects of disasters, particularly flooding.

Housing

Our housing will provide opportunities that address diverse needs of age, income, and physical abilities.

Infrastructure and Government

Our government will provide appropriate municipal services and infrastructure needed to protect the health, safety and welfare of our citizens including maintaining clean, potable water, safe roads and streets and ample parking for businesses on Main Street, and access to public facilities. Our local government will assist with the implementation of technology, cellular, broadband, and other available modes of communication to promote safety and economic development. The Town and Village governments will cooperatively share services to the extent that this is practical and fair to all.

Environmental Protection

Our environmental protection efforts will focus on promoting smart growth that protects the environment, open spaces, scenic vistas, wooded areas, and farms. A high priority will be placed on protection of groundwater resources, aquifers, and on protecting our creeks, streams, and wetlands. Middleburgh promotes renewable energies and energy efficiency.

Goals

The following set of goals have been established to address each of the critical areas of focus:

- Economy
- Sense of Community
- Community Character
- Recreation
- Disaster Preparedness
- Housing
- Infrastructure and Government
- Environmental Protection

1. Enhancing Our Economic Base

- a. **Attracting and Retaining Business:** Attract new businesses and commercial opportunities that coordinate with existing business and commercial activity to grow the economy consistent with our community character.

Village: Preserve and maintain the historic and quaint atmosphere of the Main Street business community, with streetscape enhancements and improvements on an on-going and uniform basis. Enhance gateways to promote economic development and tourism.

Town: Create new opportunities for business outside of the immediate Village area as well as maintaining and expanding the existing business. Ensure that new as well as existing commercial development foster growth of the area while remaining consistent with other goals, environment, and community characteristics. Enhance gateways to promote economic development and tourism.

- b. **Preservation of Agricultural Lands:** Maintain farms, farmland, farm related business, and agri-businesses that support farmers.
- c. **Services and Conveniences:** Facilitate the provision of both basic and advanced public services such as public transportation, utilities, highway maintenance, and recycling consistent with the Town and Village's vision.
- d. **Taxes:** The Town and Village should work together to develop and expand local government efficiencies and shared services to reduce costs. Coordinate services where practical and economically feasible.
- e. Support expansion of cell and broadband to promote economic development.
- f. Enhance tourism and agri-tourism opportunities.
- g. Ensure that new commercial development is designed and located consistent with the other goals especially those related to maintaining the architectural appearance of the Village and the

small, rural character and environment of Middleburgh.

2. Preserving and Promoting our Scenic and Visual Attributes and Community Character

- a. Open Space: Protect open spaces and scenic vistas to preserve the beauty and character of Middleburgh while promoting opportunities for the public to enjoy those resources.
- b. Rural and Historic Character: Preserve, promote, and enhance our rural and historic resources to use as the cornerstones in promoting Middleburgh.
- c. Visual Quality: Maintain and improve the streetscape in Downtown Middleburgh by supporting businesses to enhance the historic and small town appearance.
- d. Ensure that all new and existing commercial development are located and designed to complement the existing scenic beauty and historic architecture of Middleburgh.
- e. Enhance and maintain public spaces through the use of public art, period lighting, brick or textured sidewalks, or stamped/colored crosswalks.
- f. Incorporate the present assets while promoting new opportunities within the Village and Town to maintain our sense of community.

3. Ensuring our residents have opportunities for educational enhancements.

- a. Community Groups: Expand use of existing community organizations as sources of assistance to government decision making and local quality of life initiatives. When appropriate, have a delegate or liaison from the Town and/or Village Board attend various meetings of community groups and organizations.
- b. Education: Support additional educational and training opportunities for all.
- c. Public Participation in Town/Village Activities: Foster enthusiastic, high-quality citizen participation in government activities.

4. Preparing for Disaster and Flood Response

- a. Establish a comprehensive approach to flood preparedness in collaboration with State and County officials and preserve the work accomplished through the 2015 Stream Restoration Project on Line Creek and the Little Schoharie.
- b. Reduce flood insurance rates where possible.

5. Providing Needed Public Services/Ensuring Public Safety

- a. Public Safety: Ensure the sufficiency of law enforcement, fire, and emergency medical service agency coverage to meet current and future needs.
- b. Transportation: Ensure that the Town and Village enjoy the benefits of an efficient, well-

maintained, safe intermodal transportation system. Promote increased safe walking and bicycling as viable and healthy transportation modes.

- c. Water Quality/Wastewater Systems: Protect groundwater, stream and other water resources.
- d. Municipal Administration and Finance: Ensure that Town and Village government operations follow and implement the direction and policies as established in this Comprehensive Plan to represent the needs and values of residents and taxpayers. Strive to eliminate the duplications of services and/or operations as much as possible, in the most economical fashion, working together to provide needed services to the taxpayers without jeopardizing the needs of the taxpayers. Ensure that officials and administration have a clear understanding of their roles in the governmental operations, their responsibilities and the limits of their authority, thus allowing for cohesive and integrated delivery of services.

6. Providing Recreational Opportunities

- a. Offer a variety of recreational opportunities for all residents and visitors.

7. Providing Housing Opportunities

- a. Promote the obtainability of diverse, affordable, and attractive housing options.
- b. Ensure that Middleburgh is a desirable community in which to live by virtue of offering housing appropriate to needs, developed in a manner consistent with local character.
- c. Promote assisted living and a variety of senior citizen housing opportunities.
- d. Create other affordable housing options including reuse of upper floors of Main Street buildings as quality apartments.

8. Protecting the Environment

- a. Promote responsible management of natural resources.
- b. Become a more environmentally sustainable community.
- c. Promote appropriate growth to the area, while maintaining and preserving natural assets and resources and incorporate development standards that promote preservation of open space, environmentally sensitive areas, and community character.
- d. Promote green building techniques.
- e. Ensure that zoning and subdivision laws include review processes and development standards that minimizes or eliminates adverse environmental impacts.
- f. Promote and encourage residents to take maximize use of passive solar energy in siting and designing new commercial buildings and housing.

Section Three: Strategies and Recommendations

Enhancing Our Economic Base

A. Attracting and Retaining Businesses

Key Concerns

- Using municipal policies, regulations and tasks to enhance the local business climate.
- Ensuring the capabilities of existing businesses to maintain or expand their operations.
- Ensuring that Middleburgh is attractive to potential entrants.
- Ensuring that the business community is involved and has input on proposed economic development policies.
- Ensuring that proper infrastructure exists to support business activity.
- Ensuring that the Town and Village collaborate on economic development.

Actions to be Taken

1. Review administrative processes such as those for building inspections and receiving building permits to ensure that they are as streamlined as possible. Make Town and Village administrative procedures and policies more "user friendly" to business owners. Develop a four-part form for ease of use and record keeping. Seek grant funding to develop online forms and coordination of the permit process with the Code Enforcement Officer for efficiency and records management. For both the Town and Village, create a flow chart to help applicants for zoning permits understand the review and approval process and time frames. Create a job description for the Code Enforcement Officer and Building Inspector.
2. Work with representatives of the business community, develop a Village parking plan that balances the need for "turnover" in parking near businesses with shopper convenience. The parking plan should include use of backstreet entrances, enhanced lighting, signage, landscaping, and promotion of off-street parking for apartment residents and Main Street business employees, and improvement of alleyways. It should also address development and enforcement of parking rules (including parking of trailers and RV's).
3. Consider establishment of an attractive bus shelter on Main Street in the Village to promote public transportation options.
4. Ensure that there is regular communication between the Town, Village and the business and agricultural communities. Create mechanism to work together as public/private partners to improve the local economic climate. Support the business association and other organizations involved in economic development in Middleburgh.

5. Explore creation of a business improvement district (BID) within which special incentives can be provided to people either expanding existing businesses or locating new businesses.
6. Adopt a "work with us" philosophy in dealing with prospective developers. Develop a checklist for the Joint Planning Board as an aid to help applicants through the review and approval process. Ensure zoning provides for business friendly procedures. Ensure that the planning and zoning boards receive training (as per requirements of New York State).
7. Have ongoing review and updating of Town and Village websites to ensure they are up-to-date and effective tools to promote economic development. Creatively use social media and online resources as part of business attraction.
8. Establish a Town/Village committee, including local business owners, to assess current status of local infrastructure and prioritize needs for improvements. Encourage community participation in these efforts.
9. Seek out grant funding for economic development programs and work with this committee to advocate for promoting priority economic development projects. Consider use of a grant writer to assist in grant applications. Also, advocate to the State and County for ways they can help the Town and Village with grant applications and administration.
10. Establish mechanisms to help the Town and Village meet matching requirements for grants. Work with other Schoharie County communities to advocate with New York State to change policies on grant matching requirements for small communities because matches often prohibit use of grants.
11. Develop programs to help improve the aesthetics of the rear of Main Street buildings. Research and consider use of façade easements to help improve both front and rear facades of Main Street buildings.
12. Update the Town and Village zoning laws to encourage use of creative zoning techniques to encourage commercial development consistent with this Comprehensive Plan. Consider the following:
 - a. Modify the zoning ordinance in both the Town and Village to make it easier to establish activities such as bed-and-breakfasts, antique shops and artists' studios in residential areas. At the Town level, consider techniques such as performance zoning (in essence, "regulating impacts rather than land uses").
 - b. Consider the following zoning changes to support economic activities:

Business Improvement District (BIDS)

This is a special district where the majority of property owners and/or merchants agree to provide an extra level of public service in that area by imposing an added tax or fee on all of the properties and/or businesses in that district. Those fees stay in the district and are used to provide infrastructure, streetscape improvements, signage improvements, advertising or similar services that benefit those businesses. Some BIDS have a manager to organize economic development programs, funding, loan programs, and training.

Suggested Zoning Changes	Location
Change the commercial zoning district by establishing two commercial districts – one for the downtown main business area and another that covers the two on either end of the Village and treat them differently to reflect the different characteristics of each.	Village
Remove inconsistencies in home occupation sign rules and consider establishing minor and major home occupations. Allow for home occupation signs.	Town and Village
Tailor each of the commercial district areas to have uses, dimension and density requirements and development standards that are specific to each location. For example, commercial uses near Vroman’s Nose are quite different in nature from those on Route 30 and should be treated differently in the zoning. Evaluate the need to have 6 different commercial districts or if they are really only one or two that are distinct and need treating differently. If there are similarities, then there is no need to create separate districts. Similarly, if they are unique, then the text related to commercial districts should be separated to reflect those differences.	Town
Improve parking lot design and placement for commercial uses. Parking lots should be located to the side or rear of a new commercial structure.	Town
<p>Update the Use Schedule:</p> <ol style="list-style-type: none"> 1. Add business signs to the use schedule and that they be reviewed as part of the normal site plan process for commercial uses, not as a permitted use. 2. Clarify on the table that all new uses (except for those listed in section 4.1 of Attachment 1) also require site plan review. 3. Define all uses that are included in the use table. 4. Define and allow for light industry as a special use permit in one or more commercial districts in Town. The zoning should also include development standards for these uses to ensure they are consistent with the Town goals, the environment, and neighbors. 5. Wind turbines are regulated, but not included on the use schedule. Update the table to allow for these with a special use permit. 6. Consider allowing with a special use permit bed and breakfast inns. 7. Promote green energy. 	Town
Consider establishing a new commercial district along Route 145 near the Dr. Reddy facility to Gridley Road for non-retail, light industrial, motor vehicle sales/repair, and service oriented businesses. It is not advisable to allow for ‘big box’ retail uses in those locations as they may compete with main street or Route 30 business districts.	Town
Review together the Town and Village use tables to understand what commercial uses are allowed where and work to make zoning consistent and collaborative with each other so the business districts complement, rather than compete with each other.	Town and Village
<p>Identify locations where water extensions and sewer extensions from the Village may be feasible. Conduct a study to evaluate the capacity of the Village’s water and sewer systems and evaluate the feasibility of any extension of that infrastructure. This study should be completed before any extension is proposed or constructed and should form the basis to understand what is needed to support future development.</p> <p>The Town does not desire commercial, strip-style sprawl along both sides of Route 30 between the villages. To prevent that kind of commercial sprawl between the villages</p>	Town and Village

along Route 30, consider limiting water and sewer infrastructure to specific commercial nodes so as not to promote sprawl between the Villages of Schoharie and Middleburgh. Commercial growth along Route 30 between Middleburgh and Schoharie should be nodal, not spread out along the length of the road. Develop a mixed commercial use/light industrial zone at the intersection of the Frisbieville/Route 30 area but with strong design controls to avoid negative impacts to the visual character of the valley and to neighbors. Extensions of infrastructure and commercial growth southeast down Route 145 may be more feasible and desirable.	
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B. Preservation of Agricultural Lands

Key Concern

- The need to ensure the continued viability of farming in Middleburgh, in the process protecting large amounts of agricultural land from conversion to other land uses.

Objective

- Strive for proper infrastructure to support agricultural activity.

Actions to be Taken

- Incorporate zoning law changes (See Appendix 7 - Zoning Review and the following zoning recommendations) to improve the agricultural economy and ensure farm-friendliness of the Town and Village zoning:

Suggested Zoning Changes	Location
Update the zoning so that the AML 25-aa required Ag Data Statement is included in the list of materials to be submitted to the Town by an applicant if a project is located in the New York State Agricultural District. Further, ensure that the zoning reflects that all proposed project submittals must include an environmental assessment form for SEQR. Consider requiring other information that would help in the review of the project such as identification of zoning district, ag district and floodplain. Develop appropriate applications and information to help landowners and Joint Planning Board/ZBA move efficiently through the review process.	Town
Allow for small food processing and small slaughterhouse facilities that could support area farms. (Note that 'small' would need to be defined during the zoning update process.)	Town
Ensure that the zoning allows for farms to have more than one principal use. Farms need to have the ability to grow, process and sell their products at one location. Ensure that zoning allows for a variety of agri-tourism uses as well as multiple farm-related businesses per farm.	Town
Include a section outlining the use of the Ag Data Statement, Ag Disclosure Notice and coordination with Ag Districts, as required in NYS AML 25-AA.	Town and Village
Add a Right to Farm section in the zoning.	Town

Amend zoning as recommended in this plan to ensure that other zoning regulations do not adversely affect the ability of farms to be established or expand.	Town and Village
Make the Right to Farm Law more farm-friendly and consistent with Ag and Markets laws.	Village
The requirement that farm stands sell only produce grown on that farm should be removed so that farms can work together for sales. Ensure that other agricultural operations such as greenhouses, small food processing facilities, agri-tourism and multiple ag operations per farm are allowed on the use table.	Town
Consider using a modified site plan review process as recommended by the NYS Department of Agriculture for those uses on farms the Town feels should have some review.	Town

2. Maintain the certified New York State Agricultural District (See Map) and the ag-value assessment program to benefit farmers.
3. Develop a town-wide agricultural and farmland protection plan and seek New York State Department of Agriculture and Markets funding to do so.
3. Work with the Schoharie Land Trust and support those landowners seeking New York State funding to protect their farmland through conservation easements.
4. Work to create and keep updated an inventory of land that is available for farming uses and that could be made accessible to farmers. This is a local farm link program oriented to farmland that is available in Middleburgh. As a first step, conduct an inventory of available, or potentially available land that could be used for farming.
5. Be consistent with and ensure that the New York State's Smart Growth Public Infrastructure Policy Act (Adopted by New York State in 2010) is followed for state agency or state funding projects in the Town and Village. The State Smart Growth Public Infrastructure Policy Act requires that state agencies make a determination that a project meets relevant smart growth criteria, to the extent practicable, in order to provide financial assistance. The Act is intended to augment the state's environmental policy by maximizing the social, economic and environmental benefits of public infrastructure development while minimizing unnecessary environmental degradation, disinvestment in urban and suburban communities and the loss of open space resulting from sprawl development. This will benefit agriculture by ensuring that new infrastructure is not established in a way that negatively impacts farming.
6. Develop a Farm Smart Review Checklist for the Joint Planning Board and ZBA to use.
7. Ensure that farmers are appointed to serve on the Town Joint Planning Board and ZBA.
8. Because farmers rely on State, County and local roads for movement of farm equipment and products, road safety is critical. The Town and Village Highway Department should make the roads safe for agricultural traffic and farm animals (crossings). Consider placing appropriate signage on Town and Village highways to slow traffic and alert drivers to farm activity in the vicinity. Advocate to State and County transportation departments to lower speed limits or

install signs where needed.

C. Services and Conveniences

Key Concerns

- Local availability of shops and services, and the potential to encourage establishment of desired but unavailable services.
- Minimizing the adverse impacts of service/convenience activities on surrounding areas.

Objectives

- Raise entrepreneurial awareness of "missing" services.
- Facilitate establishment of "missing" services.
- Create a basic service and promotional infrastructure for tourism.

Actions to be Taken

1. Link Town and Village websites to promotional, business and tourism webpages.
2. Ensure that "tourist information" phone numbers are well known and advertised on websites.
3. Arrange for a Town/Village map in brochures and printed materials that are widely distributed.
4. Water and sewer systems must be adequate for supply and quality. Explore the feasibility of expansion of water and sewer and how it could meet economic and development community goals.

D. Taxes

Key Concern

- Balancing sufficiency of tax receipts to finance local public services with reasonableness of burdens on taxpayers with an eye on assessment equity.

Objective

- Promote fairness in the tax codes.

Actions to be Taken

1. Promote public participation in and understanding of the budget process and make that process transparent so the public can easily understand budget expenditures and increases. The Town and Village boards should explain budget increases to the public in a clear and simple manner.
2. Encourage elected State and Federal officials to revisit municipal property tax structures to address impacts of mandates to taxpayers.
3. Promote fairness and equity in assessments.

Preserving and Promoting Scenic, Visual Attributes and Community Character

Open Space

Key Concern

- Location, quantity and quality of open space areas.

Objectives

- Promote official recognition and protection of our open space resources.

Actions to be Taken

1. Inventory scenic areas and areas of open space.
2. Advise the Schoharie County Land Trust and the County Planning Commission of scenic areas identified in the inventory above and define our highest priorities for open space protection. Support and educate the Joint Planning Board on the use of the conservation subdivision technique (See illustration below).
3. Update the Town subdivision and zoning law to include the use of conservation subdivision design for major subdivisions (See illustration below). This allows important open spaces to be preserved while development occurs.



From the Dutchess County Greenway Guide: Fitting Into the Landscape, Dutchess County Planning and Development, Poughkeepsie, NY and Randall G. Arendt, Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks. 1996.

4. Hold one or more annual Town/Village events to remind people of the public open space resources available to them.
5. Be mindful of heavy industry that disrupts open space and that would change Middleburgh's community character.

Rural and Historic Character

Key Concern

- Preserving the condition, quality and accessibility of our rural and historic attributes.

Objectives

- Raise official awareness of our historic resources.
- Establish institutional protections for historic and rural areas.
- Maintain the perceived value of historic sites and scenic areas by highlighting such local offerings, e.g., recreation and tourism.

Actions to be Taken

1. Develop an inventory of Town historic sites and complete the inventory of those in the Village.
2. The Main Street/Railroad Ave Historic District (a local district already designated by the Village in zoning) has already been determined to be eligible for listing on the State and National Historic Register as a historic district. Work with NYS Historic Preservation Office to designate this district as a National/State register-listed historic district.
3. Review and enhance where needed, appearance codes and architectural review requirements for new development and remodeling of existing structures.
4. Hold an annual "historic homes" walk in the Village, with leaders giving brief histories of each home and, perhaps, with visits to some properties on the walk.
5. Prepare self-guided walking tours such as the proposed heritage trail of the historic parts of the Village and driving tours of the Town.
6. The Town and Village should explore applying to become a Certified Local Government to take advantage of grant and technical assistance for historic preservation.
7. Explore creating a local historic district in the Town.
8. Encourage and expand open space beautification programs such as the wildflower project.

9. Update the zoning laws as follows to address historic and rural character:

Suggested Zoning Changes	Location
Consider creating a historic district overlay for the main business district using the boundaries established in the Village Façade Law.	Village
Consider moving authority for historic review from the Joint Planning Board to a Historic District Commission so that the Village could be eligible to be a 'Certified Local Government' as that would be advantageous for grants and technical assistance.	Village
Build on the existing historic inventory and photographs to complete requirements of the existing requirements of Zoning Section 4.215 (C) to conduct the historic inventory.	Village
Consider establishing a subdivision law as explained in the zoning review. The subdivision law should include criteria that includes, but is not limited to addressing water, sewer, soil and environmental conditions on the parcel.	Village
Improve off-street parking on Main Street. Evaluate parking options, how on-street parking could be counted towards parking requirements, and other ways to increase the amount of parking available for commercial and residential uses. In addition, amend zoning to address parking lots differently in the downtown business district differently than the other commercial districts. Outside of the downtown area, consider requiring parking lots to be placed to the side or rear of new commercial buildings to maintain the streetscape. Downtown, allow for on-street parking to be counted, and work towards more off street parking that is designed in a manner consistent with main street aesthetics.	Village
Amend zoning to ensure that commercial signs are sized and placed in a way that is consistent with the character of the community. Evaluate sign regulations in the Village of Cobleskill as a model.	Village and Town
Add commercial design standards to the zoning to ensure new commercial buildings are consistent with rural and Village character, not just in the main street business area. The following design standards could be considered for commercial uses. See audit for details and the Village Façade law for specific standards that could be included.	Town
Evaluate existing lots in the historic district and review existing frontage requirements and change as needed to promote continuation of the historic character.	Village
Develop a unified signage program to designate and 'advertise' the historic district in the Village.	Village
Adult uses are currently allowed in all locations within the R-3 Residential District with setbacks from certain other uses. Even with the setbacks, the available land for adult uses in the Village is quite large. Therefore, consider restricting adult uses to a more defined location(s) in the R-3 Residential District.	Village
Ensure that noise and glare impacts are minimized through regulations detailed in the development standards for new commercial uses.	Town
Consider requiring a developer to place an extra setback or buffer be required between a new residential development and an existing agricultural operation. This will ensure better separation from residential and farm uses. These buffers are the responsibility of the residential or other new use, not the farmer. This is especially important in the NYS Ag District areas of Town and when major subdivisions occur.	Town

Visual Quality

Key Concern

- The aesthetics of individual buildings, streetscapes, greenspaces, and open areas in the Town and Village.

Objectives

- Manage storefront appearances and the overall character of storefronts.
- Use broader municipal influence to further the ideals of maintenance and appearance of properties.
- Rally community effort to improve site and area-level cleanliness/condition.

Actions to be Taken

1. Improve enforcement of ordinances governing aspects of visual quality.
2. Establish visual quality provisions in the zoning ordinance geared toward improving the looks of our "gateways" (Routes 30 and 145 at the Town lines). Erect and maintain welcome signage at the Town gateways.
3. Conduct semi-annual "clean-up" days during which individual volunteers and civic organizations clean public spaces. Can be expanded to include cleanups of the grounds of elderly or handicapped residents who are unable to do such things as weeding, mowing, painting, exterior house repairs.
4. Where possible, ensure that new construction takes place in a style consistent with surrounding structures or the Town or Village's historic rural character (for example, the reproduction of the "Baker Hotel" façade as the front of the new Middleburgh Library).
5. Update the zoning laws as follows to address visual character:

Suggested Zoning Changes	Location
Review and revise if needed, the Town sign ordinance to prohibit the installation of "pole-type" signs in favor of "monument-type" signs.	Town
Consider establishing a subdivision law as explained in the zoning review. The subdivision law should include criteria that includes, but is not limited to addressing water, sewer, soil and environmental conditions on the parcel.	Village
Improve off-street parking on Main Street. Evaluate parking options, how on-street parking could be counted towards parking requirements, and other ways to increase the amount of parking available for commercial and residential uses. In addition, amend zoning to address parking lots differently in the downtown business district differently than the other commercial districts. Outside of the downtown area, consider requiring parking lots to be placed to the side or rear of new commercial buildings to maintain the streetscape. Downtown, allow for on-street parking to be counted, and work towards more off street parking that is designed in a manner	Village

Suggested Zoning Changes	Location
consistent with main street aesthetics.	
Amend zoning to ensure that commercial signs are sized and placed in a way that is consistent with the character of the community. Evaluate sign regulations in the Village of Cobleskill as a model.	Village and Town
Add commercial design standards to the zoning to ensure new commercial buildings are consistent with rural and Village character, not just in the main street business area. The following design standards could be considered for commercial uses. See audit for details and the Village Façade law for specific standards that could be included.	Town and Village
When the Village's zoning is updated, include the Façade Law as a new section so that it is coordinated with all other development standards and include the boundaries established in that law to the zoning map as a façade overlay area.	Village
Consider establishing a subdivision law as explained in the zoning review. The subdivision law should include criteria that includes, but is not limited to addressing water, sewer, soil and environmental conditions on the parcel.	Village
Amend zoning to ensure that commercial signs are sized and placed in a way that is consistent with the character of the community. Evaluate sign regulations in the Village of Cobleskill as a model.	Village and Town
Consider establishing a maximum setback in the historic district to ensure the current streetscape is maintained.	Village
Review maximum building height for the main street business district – those three story buildings are currently more than 35 feet. New buildings should be consistent with what is there including allowance for three-story buildings. Creation of a Main Street commercial district will allow the Village to create zoning standards tailored to that area instead of combining the business area along Main Street along with all other Main Street locations, as currently exists in zoning. The unique characteristics of the Main Street business area should be captured with its own distinct district.	Village
Reconsider how junk yards and salvage yards are permitted in commercial districts and allow only where these uses currently exist.	Town
Reconsider permitting of Outdoor Advertising Signs (billboards). Clarify rules for these kinds of signs and require a special use permit for new ones. For other signs, develop more comprehensive development standards for business signs, including LED signs.	Town
Consider including development standards for other uses such as mini-storage or warehouse uses as they are allowed as per the use table for storage, but there is no guidance given to the Joint Planning Board to deal with these uses. In addition, the zoning needs to address lighting, fencing and road emergency access.	Town
Consider limiting commercial structures to be no more than 40,000 square feet (similar to the Esperance Hannaford) to ensure scale and intensity of uses are consistent with the goals of this plan. Require a specified amount of green space or maximum amount of impervious surface area allowed for commercial development.	Town

Capitalizing on Our Human Resources

Community Groups

Key Concern

- Roles of community organizations in enhancing local quality of life.

Objectives

- Participation by community organizations with potential stakes in government decisions. Include a broad representation.
- Encourage organizations to "take the lead" on community initiatives.
- Coordinate community organizations and agencies in emergency situations and special events.

Actions to be Taken

1. Define and promote local organizations' projects and their efforts to improve the community.
2. In preplanning for emergencies and special events, provide organizations with inclusive roles.
3. Strengthen ties with community organizations.

Education

Key Concern

- Quality of MCS (and, for some, SCS) education as preparation for college, trades, and participation in the community.

Objective

- Enhance Municipal-Educational linkages.

Strategies

1. Meet with school district officials to identify opportunities to cooperate on community-based activities.
2. Provide support to the school district's efforts to improve education by providing letters of support when the district pursues grants.

Public Participation in Town/Village Activities

Key Concerns

- Steps (e.g. securing training for board members) which can be taken to maximize benefit of public input.
- Existing and potential input of individual citizens in civic and government activity.

Objectives

- Give residents the opportunity to directly influence the future of Middleburgh.
- Enhance the quality and amount of citizen participation in government activity.
- Support MCS Participation in Government classes.
- Conduct activities that highlight the positive things about Middleburgh.
- Provide public forums with elected officials.

Actions to be Taken

1. Continue to hold an annual Town and Village meetings to discuss upcoming priorities, the progress made in the past year and jointly discuss issues. Hold additional meetings as necessary.
2. Establish an oversight committee to monitor and make recommendations on Town and Village implementation of the Comprehensive Plan.
3. Use press releases, social media, postings and other means of "getting the word out" regarding where Town and Village residents should look for official announcements.
4. Maintain municipal bulletin boards for posting of meeting announcements, and publicize their whereabouts.
5. Continue use of Midtel Cable and SCHOPEG community access channels for announcement of meetings and other Town/Village activities.
6. Coordinate "Mayor/Supervisor/Clerk for a Day" as way of introducing students to the principles of government operations.
7. Work with the School to offer internships in Town/Village offices as opportunities to earn school credits.
8. Continually reference the Comprehensive Plan in all decision making.

Providing Public Services and Ensuring Public Safety

Floodplains/Flood Response/Disaster Preparedness

Key Concerns

- Advance planning and regulatory steps that can be taken to minimize losses.
- Status of flood vulnerability and response plans.
- Adequacy of flood response resources.
- Mechanisms for dissemination of needed comprehensive information to the public.

Objectives

- Improve flood/disaster management and response.
- Improve disaster-related communications.
- Change land use regulations to minimize exposure to flood dangers.
- Earn points under the Community Rating System to reduce National Flood Insurance Program rates for property owners.
- Work to influence decisions made outside Middleburgh which influence flood/disaster potentials.

Actions to be Taken

1. Work with the County Office of Emergency Services to prepare and regularly publicize flood evacuation route system.
2. Work with the County Office of Emergency Services to designate and regularly publicize flood evacuation shelter locations.
3. Work with the County Office of Emergency Services to develop adopt a multi-hazard mitigation plan. Work together to adopt the Emergency Operations Plan and Hazard-Specific Plan that was developed for Middleburgh by the Schoharie County Emergency Management Office. Prepare a flood management plan.
4. Work, in collaboration with State and County officials, to develop an inter-agency agreement between the New York Power Authority at Blenheim-Gilboa, the New York City Department of Environmental Protection at Schoharie Reservoir, and the New York State Department of Environmental Conservation's Flood Control Program, a protocol which has the following objective: To identify a range of reasonable, credible, and prudent operational measures that potentially could reduce downstream flooding during high-flow events.
5. Inquire about getting flood information and the official flood response plan included in local phone directories.
6. Starting from the County Office of Emergency Services' inventory, establish a complete inventory of emergency equipment and supplies.

7. Conduct a comprehensive inventory of properties in the floodplain and their "levels of vulnerability." Procure inventory to be available locally.
8. Develop a plan of pre-siting emergency response equipment when flooding is possible.
9. Identify key areas of flooding and lobby for mitigation.
10. Establish a prioritization scheme for mobilizing emergency equipment to various parts of the Town and Village when flooding occurs.
11. Conduct public meetings with residents living in flood-prone areas to get their observations on how flood conditions evolve, what tends to get flooded earliest, et cetera.
12. Prepare and disseminate to the public a communications plan covering emergency responder, social media and website(s).
13. Conduct public meetings and make presentations to community groups to regularly publicize flood response strategies to be used. Include identification of radio stations, public safety radio frequencies to be tuned for information during flood conditions.
14. Establish working arrangement with local ham/amateur radio enthusiast community for provision of additional flood communications capabilities.

Public Safety

Key Concerns

- The status and quality of police, fire and emergency medical, and emergency management service protection.
- Adequacy of public safety resources to meet current and projected future needs.
- Accessibility of businesses and public buildings to all.

Objectives

- Address the sufficiency of law enforcement coverage, fire and EMS staffing and equipment.
- Provide information about emergency services to the public.
- Enhance accessibility to buildings and services for all people.

Actions to be Taken

1. Maintain the joint Town/Village Public Safety Committee. Their role could be to review and keep up-to-date the emergency preparedness plans, identify and implement safety and first aid training, and to communicate with the Power Authority and other officials related to flood issues. They could address flood loss reduction management for the Town and Village. Evaluate and implement necessary and feasible flood loss reduction strategies. (See Box below for outline).

2. Consider the following Flood Loss Reduction Management Strategies. These come from the Flood Damage Reduction Strategies and Tools developed by FEMA:

Flood Loss Reduction Strategies to Consider	
Work to become less susceptible to flooding	Update floodplain regulations and ensure that zoning, subdivision, building codes, sanitary and water requirements and other regulatory tools address minimizing susceptibility to flooding.
Work to decrease impacts of flooding	Provide information and education, promote flood insurance, take flood emergency measures, and assist with any post-flood recovery efforts
Modify Flooding	Evaluate and use where appropriate dams, reservoirs, dikes, levees, floodwalls, stream channel alterations, diversion ditches and spillways, and use of onsite detention (such as constructed wetlands)

3. Tie the school district into general municipal and Emergency Management Office communications plans and into flood and winter weather communications structures.
4. Promote greater public participation opportunities to encourage joining fire and EMS agencies.
5. Consider sharing police services for public safety with adjacent towns and Villages.
6. Conduct community forums on crime prevention, consider establishing a neighborhood watch program and conduct community education programs on fire and flood safety and CPR including location and use of defibrillators. The Joint Safety Committee could be instrumental in helping implement these programs.
7. Encourage the public to register their cell phones with the County Emergency Management Office for notification through the Reverse 911 system in the County.
8. The Town and Village should work to become welcoming to all people, including those with disability or accessibility needs. New commercial and public structures should be compliant with the American Disabilities Act. Work to improve accessibility on Main Street.

Transportation

Key Concerns

- Physical and operational condition of local street system.
- Adequacy of public works resources to maintain acceptable conditions.
- Sufficiency of the system to meet transportation needs.
- Provisions for transit and non-motor vehicle travel.

Objectives

- Monitor traffic volumes and operating conditions at critical locations.
- Review, and mitigate where necessary, traffic impacts when new land uses are proposed.
- Ensure transportation is accessible and maintained during emergencies and construction.
- Ensure that Town and Village roads are maintained in good physical condition and support communication with Town, Village, County and State public works departments.
- Ensure that non-motorists who would like to bicycle or walk have safe and sufficient opportunities to do so.
- Develop comfortable access to county public transportation system stops.

Actions to be Taken

1. Review traffic count summaries for roads in and near Middleburgh that are developed by NYSDOT. (See <https://www.dot.ny.gov/divisions/engineering/applications/traffic-data-viewer>)
2. Secure funding for a professional study to evaluate and identify emergency routes in the Town and Village.
3. Develop a safe Town/Village-wide bicycle and pedestrian plan and link it with county-wide and regional plans.
4. Provide easily accessible bicycle racks near downtown shops, conveniences, and improve connections between residential neighborhoods and stops via sidewalks, crosswalks.
5. Work with the County to evaluate feasibility of placement of bike racks on public buses.
6. Request that NYSDOT install and maintain high-visibility crosswalks at all major intersections along Routes 30 and 145 in the Village, as well as at the Post Office and at the entrances to school buildings.
7. Request that NYSDOT install "STOP FOR PEDESTRIANS IN CROSSWALKS" signage in the Village on Routes 30 and 145.
8. Place a bus stop and bus shelter at the Middleburgh park-and-ride facility. Waiting areas at transit stops either should offer protection from inclement weather or be very close to sheltered areas. Maintain pavement/sidewalks/pads at bus stops.
9. The Village should work towards implementation of the recommendations made in the 2014 Healthy Streets Plan.

10. Promote the idea that NYS Route 30, currently designated as the Timothy Murphy Trail, be re-designated as The Timothy Murphy Trail and Scenic By-way.

Water Quality/Wastewater Systems

Key Concerns

- Ensure overall condition of sewer and water system and sufficiency of current needs.
- Protection of water supply.
- Preservation of water quality in streams, ponds, lakes.

Objectives

- Ensure the future adequacy and integrity of the Village sewer and water system.
- Protect the integrity of local streams, ponds and lakes.

Actions to be Taken

1. Coordinate water quality planning efforts with County, Local, and State Agencies.
2. The Village should adopt the wellhead protection law.
3. Study to improve Village water system and wastewater treatment plant to increase capacities.
4. Ensure sufficient training is required and provided for.

Municipal Administration and Finance

Key Concern

- Municipal management practices and the potential for improvements in efficiency and effectiveness.

Objective

- Promote Town and Village consolidation of services to promote fiscal responsibility.

Actions to be Taken

1. Pursue grants in support of innovative practices and projects.
2. Use the Comprehensive Plan for guidance in future planning and decision making.
3. Review existing municipal ethic laws applicability and ensure that all board and committee members are informed.
4. The Town and Village Boards should ensure that any Joint Planning Board and Joint Zoning

Board of Appeals have representation from both the Town and Village serving on it.

5. Consider hiring a full-time code enforcement officer shared between the Town and Village.
6. For strengthening administration and use of the zoning laws, consider the following:
 - A. Update Village Zoning so procedures, time frames, and administration of the zoning is efficient, clear, and consistent with NYS Village Laws (See specific details in Appendix 7 Zoning Review):
 1. Update and clarify definitions and ensure there is consistency between the Town and Village laws.
 2. Remove the PDD section and replace it with a subdivision law. (See rationale in full audit.)
 3. Update the special use permit section with procedures consistent with State Village law and add development standards for certain special uses that will help the Joint Planning Board and applicant know what criteria will be looked at to approve a special use.
 4. Reorganize the zoning so that the procedures and standards in Attachment III is incorporated into the main body of the zoning law.
 5. Update Joint Zoning Board of Appeals to be consistent with State Village Law procedures and time frames.
 6. Update the site plan review section as per suggestions of the Audit.
 7. Ensure that the zoning reflects that the Village should not incur any costs related to the review of a project and those are the responsibility of the applicant.
 - B. Update Town Zoning so procedures, time frames, and administration of the zoning is efficient, clear, and consistent with NYS Town Laws (See specific details in Appendix 7 Zoning Review):
 1. Update the zoning purpose statements so they capture the community goals as stated in this Plan.
 2. Ensure text in the zoning matches the zoning map.
 3. Consider updating the zoning map so zoning district boundary lines do not cut parcels in half to the maximum extent feasible.
 4. Update the definitions as per the audit.
 5. Consider moving the standards and procedures now in the attachments into the main part of the zoning.
 6. Ensure that the Town is reimbursed for all costs related to a project review.
 7. Remove the PDD section as an allowed process.
 8. Update the Special Permit Section and site plan review section so all procedures are consistent with NYS Town law and adequate criteria for issuance of such a permit are outlined to give clarity to both the Town and the applicant.
 9. Add in a Change of Use section to the zoning.
 10. Consider developing a flowchart for guidance.

Recreation

Key Concern

- Providing for recreational opportunities for all ages.
- Tying recreation and economic opportunities together.
- Taking advantage of the Town and Village resources and character to enhance recreational opportunities.

Objective

- Promote multi-purpose trails and pathways which link to each other and to important locations within the Town and Village.
- Provide a forum for ongoing recreational planning in the Town and Village including support of the MJYC (Middleburgh Joint Youth Commission).
- Town and Village consolidation of recreational services to promote fiscal responsibility.

Actions to be Taken

1. Support development of a bike/hike trail along the Schoharie Creek and ensure that it links with Village sidewalks and important locations in the Town. Coordinate with SALT as they conduct the feasibility study for a county-wide trail along the Schoharie. Recognize and advocate for funding as discussed in the NY Rising Plan for the Town and Village which establishes creation of this trail as a priority project.
2. Involve local snowmobile trail groups and work to enhance linkages between existing snowmobile trails. Consider additional trail linkages to bring snowmobiles to the Village to enhance recreational opportunities and promote businesses there.
3. Work with New York State Department of Environmental Conservation to promote new trails or new trail connections on State lands.
4. Create a canoe/kayak/boating access point and parking pull offs to promote additional water-related recreation.
5. Promote timed releases of water in the Schoharie Creek to enhance recreational uses.
6. Support development of a Town/Village Recreation Committee and work to develop a comprehensive recreation plan for Middleburgh. Plan for multi-use trails (bikes, walking, horses, off-road vehicles), more opportunities to promote recreational opportunities, and address safety issues identified in this plan. Design of parking, access, and signage should also be parts of recreational planning.

Other actions recommended for this Committee include:

- a. Create a map and an interactive online app showing trails, tourist routes etc. for biking.
- b. Provide parking at specific locations to help promote recreational use and integration with tourism efforts.
- c. Provide landowners with educational materials explaining state policies related to liability of landowners.

- d. Work with DOT, the Town, Village, and the County to look at shared road opportunities to minimize conflicts with cars and cyclists/walkers.

Housing

Key Concerns

- The availability, quality and suitability of existing housing meets community needs.
- Desired future development is consistent with local character and services.
- Availability of senior citizen living arrangements including provision for assisted living.

Objectives

- Encourage the improvement of existing housing units and the establishment of new housing.
- Use administrative and regulatory tools to guide residential development.
- Capitalize on/be prepared for the trend of residential relocation.

Actions to be Taken

1. Enforce building codes consistently and timely, and enforce zoning ordinance provisions consistently.
2. Develop and adopt appearance codes for application to site plan/single-home construction plan review.
3. Revised zoning ordinance should include provisions reflecting this Comprehensive Plan.
4. Revise zoning ordinance and subdivision regulations to include possible provisions for alternative development as a way of preserving open space.
5. Add in development standards for multi-family dwellings since they are allowed in many locations in Town, but no development guidelines are currently offered.
6. Both the zoning law and enforcement activities should ensure that farm use of manufactured homes for farmworker housing is consistent with NYS Ag Law 25-aa.
7. Evaluate the need for additional senior citizen housing and assisted living arrangements and identify possible locations.

Environmental Protection

Key Concerns

- Loss of open spaces and adverse impacts on the environment from housing and commercial development¹.
- Degradation of steep slopes, streams and other important environmental features.
- Impact of heavy industrial activities on the environment.

Objectives

- Become a more environmentally sustainable community.
- Promote green building techniques.
- Incorporate development standards that promote preservation of open space, environmentally sensitive areas, and community character.
- Ensure that zoning and subdivision laws include review processes and development standards that minimizes or eliminates adverse environmental impacts.
- Promote appropriate growth to the area, while maintaining and preserving natural assets and resources.
- Promote passive solar energy through proper siting and design of commercial facilities and housing.
- Ensure control of stormwater runoff from new development.
- Promote responsible management of natural resources.

Actions to be Taken

1. Become a more environmentally sustainable community.
 - a. Consider joining the NYS DEC Climate Smart Community program and developing a local climate change action plan with their assistance.

(See <http://www.dec.ny.gov/energy/50845.html>;

The Climate Smart Communities Guide to Local Action contains overviews of possible community actions, how-to's and case studies to help communities implement the CSC pledge. Communities can become a Climate Smart Community- A public commitment to reduce Greenhouse gas emissions and prepare for climate change. The program helps communities to decrease community energy use by reducing greenhouse gases and taxpayer cost for electricity and fossil fuel, having buildings and local services, such as water treatment and street lighting energy efficient, reducing miles traveled by municipal governments making government fleets more efficient , using green purchasing and other policies that save energy and reduce greenhouse gas emissions, promoting community use of renewable energy , using other climate-smart solid waste management, and planning to minimize the adverse impacts of climate change. The Town and Village can also reduce

¹ Note that many of the other goals and topics included in this Plan also address environmental topics including but not limited to rural character, visual character, historic resources, and water quality. Many environmental topics are explored in other sections of this plan.

greenhouse gas emissions through use of climate-smart land-use tools (see DEC Land Use Toolkit), and supporting development of a green innovation economy.

Use the Cleaner, Greener² Regional Sustainability Plan that includes Schoharie County (<http://www.nyserda.ny.gov/All-Programs/Programs/Cleaner-Greener-Communities/Regional-Sustainability-Plans/Mohawk-Valley>) and work to implement programs consistent with this Plan. The primary goal of the State program is to encourage communities to create public-private partnerships and develop regional sustainable growth strategies in such areas as emissions control, energy efficiency, renewable energy, low-carbon transportation, and other carbon reductions. They have identified many ideas and programs to help local communities accomplish this goal.

2. Consider establishing a joint Town/Village or County Conservation Advisory Council, as authorized (but not mandated) as per General Municipal Law. This is a voluntary group of citizens interested in the environment that can be available to do educational programs, natural resource inventory work, or advising the Joint Planning Board, ZBA and Town/Village Board on environmental matters. As an alternative, foster formation of a county-level conservation advisory committee.
3. Create a Local Type 1 list as authorized by the State Environmental Quality Review Act (SEQRA) and identify land uses that are potentially environmentally impacting in Middleburgh. Actions that are "Type 1" would provide Town and Village with more information on potential impacts from development. Some examples of land uses that the Town is concerned about include gravel pits, large mines, gas development and its infrastructure, other heavy industries, large-scale wind and solar development, large scale retail (big box retail).
4. Promote use of the NYS DOT Green LITES program to inform new road building in Town and assist the Town Highway Superintendent in use of environmentally friendly road specifications where appropriate. This could also be used as a green rating system for infrastructure improvement projects. The State program is a rating system to help ensure infrastructure investments minimize greenhouse gas emissions.
5. Create a green development guidance document that the Joint Planning Board and builders could use to inform new development. Encourage use of green building materials, use existing guidelines from DEC and organizations such as LEED. Institute Green Building Standards and Policies (<http://www.dec.ny.gov/energy/57119.html#Green>). Consider giving discounts of building permit fees to encourage green building.

² Green Building: According to the US Environmental Protection Agency, "Green building is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life-cycle from siting to design, construction, operation, maintenance, renovation and deconstruction. This practice expands and complements the classical building design concerns of economy, utility, durability, and comfort. Green building is also known as a sustainable or high performance building."

6. Reference information contained in the NY Rising Plan for flood vulnerability and other flood related information for flood planning and mitigation.
7. Support those landowners desiring to use conservation easements to protect important locations such as streambanks and floodplains. Work with the Schoharie Land Trust when easements are proposed.
8. Consider the following zoning and subdivision updates to address environmental concerns:

Suggested Zoning Changes	Location
Finalize mapping of the floodplain district and include this as a part of the zoning map.	Town and Village
Update floodplain section of the zoning to be consistent with the recommended DEC model. Recognize that these development standards change over time and the Town and Village should periodically work with DEC to ensure that the floodplain development standards are up-to-date.	Town and Village
Amend zoning and subdivision laws to allow for use of conservation subdivisions. These can be voluntary, but it is more effective if it is mandatory for all major subdivisions (5 lots or more). This technique implements the performance zoning method. It is a siting technique that allows the landowner to get their full development capacity but the lots are laid out in a way so that a percentage of the parcel is permanently preserved (typically this is set at 50%) and the amount of pavement and other impervious surfaces are minimized. This can result in a clustered subdivision but does not necessarily do that. The houses are strategically located to preserve the open space and critical natural features such as wildlife habitats, wetlands, scenic vistas, steep slopes, unique forested lands, important farm lands, and identify such resource features through a natural resources inventory as the first step in land development. Subdivision development should be designed around important natural resource and agricultural features to be preserved. Conservation subdivisions can be used with density and/or net acreage to achieve the open space and natural resource protection results desired by the Town	Town
Include use of the conservation subdivision technique in the R-3 zoning district. This is a performance zoning technique that allows development and at the same time protects open spaces, including agriculture.	Village
Currently large mines are allowed with a special use permit in the Commercial District, and small mines (<750 cubic yards per year ³) allowed with a special use permit in the R3 District. Using the information in the Zoning Audit (Appendix), update and clarify the excavation and mining section in the zoning law. The zoning should include definitions and special use development standards consistent with New York State mining law.	Town
Consider updating zoning to include requiring a site plan review and a	Town

³ 750 cubic yards is the measurement used by the New York State Department of Environmental Conservation to separate smaller mines that do not need a State mining permit from larger ones that do need a mining permit.

Suggested Zoning Changes	Location
renewable special use permit of an existing mine (or any size) whenever a mine is proposed to be expanded or changed, or when a renewal of a DEC mining permit is required.	
Consider updating zoning to allow for new, small mines (<750 cubic yards/year) with a special use permit in the Commercial District.	Town
<p>Consider as an option, creation of a Mined Land Overlay District as a floating district. A floating district is a zoning district that delineates conditions which must be met before that zoning district can be approved for an existing piece of land. Rather than being placed on the zoning map as traditional zones are, however, the floating zone and its development procedures and standards are included in the zoning law, but not applied until the Town Board approves creation of that overlay district. Thus, the zone "floats" until a development application is approved, when the zone is then added to the official zoning map.</p> <p>Mines within the Overlay District would require a renewable special use permit and would have to meet the special use permit criteria of the Overlay District. The Overlay District should establish criteria for mining operations to ensure that the community goals expressed in this plan are met. Procedures include Town Board approval, Planning Board submittal of an advisory opinion about the proposal prior to Town Board approval, a public hearing, and full evaluation of a reclamation plan and environmental impact assessments as an involved agency as part of a SEQR/NYS DEC Mining Permit review.</p>	Town
Consider whether the use of two-acre minimum lot sizes in the R3 district meets Town goals and if a lower density or use of other performance zoning techniques would better balance growth and impacts.	Town
Update the development criteria of Section 4.4 so that the environmental, community character, visual, and environmental impacts of a project are reviewed and mitigated during site plan review.	Town
Address commercial scale solar arrays (farms) in zoning. Allow for these facilities through use of a special use permit and standards that address size limitations to ensure consistency with the scenic, environmental and agricultural goals of the Town, setbacks, and other development standards. Zoning should require a viewshed analysis to ensure that solar farms are carefully reviewed to mitigate aesthetic impacts and prevent glare onto roads or neighboring properties. Zoning should allow for solar panels for residential uses and agriculture. The Town should consider conducting a town-wide analysis that would identify locations appropriate for commercial scale solar arrays.	Town and Village
The local law passed to ban fracking should be included or at least referenced in the zoning so there is no question about it. Even though NYS has currently bans fracking, the Town's decision to ban it locally should be memorialized and incorporated into the zoning.	Town
Address regulation of pipelines and compressors as separate uses in the zoning. Require a special use permit for all pipeline ancillary uses.	Town

Suggested Zoning Changes	Location
Address regulation of outdoor wood boilers and ensure that local regulations are consistent with NYS regulations.	Town
Consider establishing a setback from streams to protect the streambank and stream bank vegetation through a Riparian Buffer Law. These are typically 100 feet on each side of the stream where disturbance is minimized.	Town and Village
Reference the NYS Stormwater Pollution Prevention Plan and NYS DEC SPDES requirements in zoning to ensure everyone is informed that commercial uses that disturb more than 1 acre of land or residential uses that disturb more than 5 acres of land are required to meet state DEC stormwater requirements.	Town and Village
Since there are so many steep slopes and ridgelines in Town, and because they have such important roles in both the environment and the visual character of Town, consider including steep slope or ridgeline development standards in zoning. This may include use of a setback on steep slopes. Maintain the vegetated buffer at the cliff's edge.	Town

Section Four – Action Plan

Implementing the Comprehensive Plan will require a series of Town Board and Village Board policy decisions, program initiatives, and coordination between each other and with other local, county, regional and state organizations and agencies. This Plan details different types of actions including capital improvements, regulatory updates, administrative actions, and establishment of programs and policies. Some actions recommended in the Plan will also require funding. Successful implementation of these actions over the next ten to fifteen years will be based on effectively setting priorities and allocating limited resources – people and funding – to the most important projects.

The steps below outline a suggested progression for implementation of this plan:

Critical Implementation Steps for the Town and Village Boards

A. Coordinate Implementation

The Town Board and Village Board will oversee all aspects of implementation of the Plan in their respective communities, and will direct work to be done in the future. However, other groups and agencies should be called upon to assist the Board when needed including the Joint Planning Board, highway departments, Schoharie County, local organizations, professional advisors, and new committees. Since so many recommended actions in this plan are oriented to both the Town and Village, coordinating implementation efforts is the first priority.

B. Inform the Public

The strength of a comprehensive plan comes when it is used by elected and appointed officials, businesses, organizations and the general public. The Plan sets the direction and tone for Middleburgh for the next few years. Successful implementation will come when everyone involved is informed of the Plan and use of the Plan becomes a natural part of committee, board and community work. To that end, the Town and Village should ensure that copies of this Plan are available at Town and Village offices, in the library, and on the website. Further, it is recommended that several paper copies be available for all elected and appointed boards so that the plan can be used and referred to during their regular work. As part of their required 4-hour annual training, the Planning Board and Zoning Board of Appeals should receive training on this Comprehensive Plan.

All Plan materials should be readily available including the appendices and all the maps. The large paper map sets should be easily accessible at Town and Village hall. The Town and Village should also ensure that a full set of large scale maps are provided for use by the Joint Planning Board, ZBA, and other committees. The mapped data should also be made available on a Town and Village computer for use by the Joint Planning Board, ZBA, and others during meetings.

C. Establish an Implementation Committee

The Town and Village Boards should create and then appoint members to a Comprehensive Plan Implementation Committee to move the priority actions recommended in this Plan forward. This could be a new joint committee, or could be a continuation of the Comprehensive Plan Steering Committee, but must be composed of a diverse group of representatives of elected and appointed officials, citizens, and landowners to help guide implementation of the plan.

Of critical importance to this implementation committee is a Town Board and Village Board annual clarification of their expectations, and time frames, along with any funding or other assistance it may choose to make available for the committees implementation efforts.

As per suggestions in this Plan, other committees such as a recreation planning committee should also be formed soon after adoption of the plan.

D. Work on Priority Actions

The Town and Village Board could use the following chart below to help guide its implementation efforts. The following actions are identified as priorities for the Town and Village Board to begin work on soon after adoption. The Town and Village Boards should make sure that a yearly review of the plan and the action matrix is made part of the annual re-organization process for the Town Council. A standard date for work session soon after the yearly Town and Village Boards January re-organization meeting should be established. This work session would be devoted to reviewing the action plan, identifying goals reached, retiring completed ones from the action list, and adding new actions in to be implemented.

E. Fund and Update Zoning as the First Task in Implementation

The Town and Village Boards should seek funding for, and initiate zoning and other land use regulatory updates as a first task in implementing this Plan. Seek professional assistance to draft updates and appoint a zoning update committee for each municipality to assist. This Plan and its land use recommendations should be used as the 'checklist' of items to be incorporated.

F. Keep the Comprehensive Plan Current

The Town and Village Boards should update this Plan every five years. The Town and Village Board should review this list on an annual basis to determine the status of efforts as well as to identify other actions that should be implemented next.

Section Five – Implementation Steps and Timetable

Implementation Table

The following table provides a summary of the program emphasis the Town and Village should take to implement this Plan. This table lists 13 major recommended projects. Within each of these 13 projects, there are multiple steps or actions that the Town and Village could take. Specific details and references are offered in the Table (Plan Topic References). These references are tied to the action number in the recommendations offered in the prior section.

Time Frame

In recognition that certain actions will require work over a longer time frame whereas others represent an ongoing need, the following time frames are used in the table, where

- “Short term” actions should be implemented within 1 to 3 years following adoption with work beginning immediately following adoption of the plan; and
- “Medium Term” actions should be implemented 4 to 7 years after adoption; and
- “Long term” signifies important, but not critical, priority actions. These should be implemented after the initial/short term priorities and after three years following Plan adoption.

Priority

- High means that this action or set of actions are a high priority
- Moderate means that this action or set of actions are of moderate priority
- Low means that this action or set of actions are long-term projects that will take sustained efforts to implement.

Action	References in Plan to Topic and Action Number	Priority	Time Frame
Develop pedestrian safety programs	Transportation Actions 4 to 8. Action Transportation 6 and 10 (improve crosswalks in Village) is a significant action)	Moderate	Medium
Work on improving enforcement of laws	Municipal Administration 4; Housing 1; Economic Base A1; Visual Quality 1.	High	Short
Create methods for ongoing communication, and collaborate with other governments, organizations, volunteers	Economic Base A4, A8, D 1-3; Open Space 3; Water Quality 1.	High	Medium
Seek Grants to Implement Projects. This is a critical foundational step for all other actions.	Economic Base A9, A10; Municipal Administration 1	High	Short
Fund and Institute Streetscape and Façade Improvement Programs, especially oriented to improving rear facades of Village Main Street buildings.	Economic Base A11	Low	Long
Work on Marketing and Advertising the Town and Village and its Resources, including more effective use of websites.	Rural and Historic Character 4 and 5; Economic Base C1 to C3	High	Short
Involve The Community, Promote Volunteers, and Appoint Committees to assist in Plan Implementation. This includes establishment of a Conservation Advisory Committee, a group to assess water and sewer infrastructure needs, and others.	Economic Base A8 and D1; Open Space 4; Visual Quality 3; Community Groups 1 to 3; Education 1 and 2; Public Participation 1 to 8; Public Safety 1 and 3 to 6; Recreation 2. Public Safety actions 3 to 6 related to flood management and emergency planning are especially important.	High	Short
Establish or Improve Historic Districts and Historic Preservation Programs	Rural Historic Character 2, 6 and 7	Moderate	Medium

Action	References in Plan to Topic and Action Number	Priority	Time Frame
Conduct Inventory of Resources including Historic and Scenic	Open Space 1; Rural Historic Character 1	High	Medium
Institute Environmental Sustainability Programs and Provide Guidance for Green Building	Environment 1, 4 and 5	Low	Long
Adopt local Laws and Develop a local Type 1 List for SEQR, and Adopt a Wellhead Protection Law.	Water Quality 2; Municipal Administration 3, and Environment 3	Moderate	Medium
Update Zoning and Subdivision Laws. These changes address many issues across a variety of topics.	Economic Base A12, B1; Open Space 3 and 5; Rural Historic Character 3 and 9; Visual Quality 2, 4 and 5; Municipal Administration 4 and 5; Housing 2 to 6; Environment 7	High	Short
Develop Other Plans and Conduct Studies. This includes a water/sewer capacity study in the Village, a parking plan in the Village, transportation and emergency route planning, bike/hike trails, and a recreation plan. This also includes ongoing floodplain management planning and implementation of recommendations.	Water Quality 3; Economic Base A2, C4; Floodplain Management 1 to 13; Public Safety 2; Environment 6; Transportation 1 to 3; Recreation 1 and 2	High to Moderate	Medium to Long

Section Six - Maps

Maps developed by Schoharie County for this Plan include:

- Aerial Photographs
- Agricultural Districts
- Aquifers
- Floodplains and Floodplain Zoning
- Local Watersheds
- Preserved Lands
- Property Classes (Land Uses)
- Recreation
- Soils
- Soils and Zoning, and Building Potential
- Steep Slopes and Zoning
- Topography
- Watersheds
- Wetlands
- Zoning Districts