
Town of Nelson Comprehensive Plan Update



Prepared for The Town of Nelson, New York

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The Town of Nelson thanks the Comprehensive Planning Committee for the time they contributed to the comprehensive planning process which resulted in this updated comprehensive plan. This effort was accomplished primarily because of the CPC's dedication, skillful analysis, and intimate knowledge of the community.

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This updated Comprehensive Plan for the Town of Nelson was adopted by the Town Board on December 20, 2007. It is recommended by the CPC that this Plan be reviewed and updated between five and seven years from the adoption of this Plan.

Executive Summary

The Town of Nelson is one of 16 towns in Madison County and enjoys the benefits associated with life in the Central New York region (See Figure 1). The town is bordered by the towns of Cazenovia, Fenner, Smithfield, Georgetown, DeRuyter, and Eaton. The town enjoys an abundance of natural, scenic and cultural resources. The U.S. Route 20 National Scenic Byway traverses east-west through the northern section of Nelson. Nelson has experienced a variety of “trends” throughout its existence all of which have added to its rich heritage. The goal of enhancing and celebrating its many resources is the impetus for establishing an effective comprehensive plan that benefits the entire community.

In the Spring of 2006 a Comprehensive Planning Committee (CPC) was formed to review and update the town’s current comprehensive plan which was completed in July 1991. The CPC undertook the responsibility of updating the 16 year old Plan. While the CPC was focusing on planning issues relevant to the town, during the summer of 2006 the U. S. Route 20 Study began. This study involved a comprehensive review of development and land use regulations along U.S. Route 20 from Trush Park through the Village of Cazenovia to the western border of the Town of Cazenovia. This was an intermunicipal endeavor with the involvement of decision makers from the Town of Nelson, Town of Cazenovia and Village of Cazenovia. The study results are recorded in the comprehensive plan for the Town and Village of Cazenovia, which is scheduled for completion and adoption in 2008.

Understanding the issues that face the town and understanding the multiple steps necessary to effectively update its comprehensive plan, the town retained EDR to professionally guide the Nelson CPC through its planning process which resulted in this Comprehensive Plan Update. Thus, the CPC has been engaged in this planning effort for more than a year.

Even though the 1991 Plan was completed 16 years ago, there are elements of that plan that remain applicable today. After the CPC worked through identification of community assets, opportunities and emerging growth trends, they reviewed these attributes in light of the town’s policy statements in the current plan. Once these policy statements were updated, the focus was on recommended action steps to effectuate these policies. The issues of primary concern are; the protection of the two lakes, Tuscarora Lake and Eatonbrook Reservoir, and their associated watersheds; the strategic management of physical and economic growth in the two Hamlets, Nelson and Erieville, as well as in Trush Park and the surrounding business area along U.S. Route 20; the protection of the town’s scenic resources; and the continued commitment to support the agrarian culture and resulting character that currently defines the town. A significant recommendation of this Plan Update is to review and revise the town’s zoning districts and associated regulations to effectively protect Nelson’s various resources by managing growth and development. The proposed zoning districts are intended to influence future growth and development that will be compatible with and sensitive to the many unique environmental and scenic resources throughout the town.

This Plan Update does function independently of the 1991 Comprehensive Plan, however, the 1991 Plan provides a strong historical backdrop to this Plan Update and thus is included in Appendix C.

I. Comprehensive Planning Process

The comprehensive planning process began with the Comprehensive Planning Committee in the Spring of 2006. The CPC met several times prior to engaging professional planning consultants to assist them. Initial working meetings with the CPC and the professional consultants commenced during the winter of 2007. The first public informational meeting was held on April 11, 2007. Those who attended the meeting were informed of the comprehensive planning effort and invited to discuss the various issues and opportunities for the town. This meeting was well attended and many residents contributed to the identification of issues and opportunities for the Town of Nelson. Subsequent to that meeting the CPC engaged in several working sessions all of which were open to the public. Public participation was continuously available through regular mail, email, or attendance at the various CPC meetings. A second public informational meeting, which also served as a public hearing for the proposed Comprehensive Plan Update, was held on August 15, 2007 in the town hall. Additional public comments were shared during that meeting many of which were incorporated into this Plan Update. The public hearing was adjourned to continue on October 3, 2007. The CPC took into consideration all comments submitted to them. The draft Plan Update was available for the public for review and comment until October 31, 2007. This Comprehensive Plan Update was adopted on December 20, 2007.

II. Policy Statement

The Town of Nelson is a dynamic community that has experienced growth in many respects and continues to evolve. Nevertheless, the Town's vision as stated in its 1991 Master Plan remains applicable. The Nelson community remains dedicated to preserving its rural agrarian culture, image, and practices, while protecting the many sensitive environmental, cultural and historic resources, as well as promoting and supporting a sustainable local economy.

This vision can be achieved by applying the following goals:

Scenic Resources

The Town remains committed to preserving and protecting its scenic resources with community value. These views include lakeshore vistas, views into valleys and from scenic hilltops, hamlet views, and views along U.S. Route 20 a designated National Scenic Byway.

Agrarian Character

Agriculture has been an important aspect of the Town of Nelson for the past 200 years. The agrarian practices and lifestyle has influenced and shaped the quality of life in Nelson. Thus, the agrarian character that defines Nelson is an important feature to protect and support.

Agricultural Industry

The industry of agriculture and farming has evolved from conventional dairy farms to various other types including organic dairy farms, horse, sheep, and alpaca farms. The diverse farming and agricultural activities continue to be of importance to the community and are promoted and encouraged to grow. Critical to the success of this industry is the maintenance of contiguous farmland to support agricultural endeavors of all sizes. Alternative energy generators, such

as wind farms, and telecommunication towers are efficient land uses that are compatible with agricultural practices.

Hamlet and Lakeshore Communities

The rural style of the Hamlets of Nelson and Erieville, and the lakeshore communities significantly contributes to the Town's character, as they provide community-gathering places for the town residents. Strengthening the two Hamlets as informal town centers, in character and function is important to the Town's economic and social success.

Lake Watersheds

The quality of water in Tuscarora Lake and Eatonbrook Reservoir is critical to the overall environmental and economic health of the community. The protection of water quality can be achieved through the collective effort of all landowners to incorporate best storm water management practices on all property located within the Lake Watersheds.

Environmental Resources

Many distinctive environmental resources, such as the Nelson Unique Swamp and Stoney Pond Forest contribute to the overall quality of life and recreational opportunities and warrant preservation and protection. These resources provide many recreational opportunities such as hiking, biking, skiing, snowmobiles, hunting, and fishing.

Socioeconomics

Long-term establishment of a healthy Nelson community requires sustainable economic growth through, among other efforts, the promotion of home based and small agricultural based businesses and the expansion of Trush Park, access to affordable housing that is sympathetic to the town's natural resources, and a diverse tax base.

III. Situation Analysis

A. Town Demographics

The Town of Nelson continues to be an agricultural community with seasonal recreational use, and limited employment or commercial development. The town has experienced its largest growth rate from 1980 to 1990 at 27%. From 1991 to 2007 the town's growth rate has been at a much slower rate. The 2005 population estimate for the Town of Nelson is 1,989, an additional 97 people. This is a 5.1% increase from 1990 when there were 1,892 people living in the Town. This modest growth rate reflects one of the more positive growth rates in the region. For example, the Towns of Eaton and Fenner have experienced an overall population decline over the last decade. The Town of Cazenovia experienced a decline from 1990 to 2000 and then an increase, resulting in a 3.9% overall increase. Madison County grew by a modest 1.5%.

The demographic trends in Nelson are similar to what is happening across Central New York. The median age in Nelson is slightly higher than the median age in the surrounding towns of Eaton and Fenner and similar to the town of Cazenovia (Appendix A, Table 2). The percentage of residents with high school degrees has increased over the last decade, from 85.8% in 1990 to 89.4% in 2000, as has the number of residents with a bachelor's degree or higher; from 20.3% to 28.6%.

The growth of new home starts has followed the trends in the region (Appendix A, Table 3). Although the total number of housing units has increased, it has been a modest increase over the last 17 years. Seventy new homes were built from 1990 to 1994, thirty-nine new homes were built from 1995 -1998, and seventy-three new homes were built from 1999 to June 2007. All 155 new homes have been single-family detached houses. The housing stock continues to age with the majority of the housing stock having been constructed more than 35 years ago.

Although the overall number of employed persons has increased since 1990, the distribution of workers in different classes has changed (Appendix A, Tables 5 and 6). The percentage of government workers in 2000 has decreased since 1990 by 2.9% (from 20.5% to 17.9%). Also, the percentage of self-employed workers has increased by 1.8% and the percentage of employees in the private sector has increased by 1.7%. This reflects, among other attributes, the increase in home occupations and/or cottage industries throughout the town.

The farming industry has declined over the last decade. In 1990 there were approximately 50 people employed in the agriculture, forestry, and fisheries industry and in 2000 the number of employed in that industry dropped more than 50% to 24. This change in the farming industry is not unique to Nelson and is occurring throughout the region. The total number of farms in Madison County in 2005 was 700, with a total of 165,900 acres. In 2006 the total number of farms decreased to 690, with a total of 164,800 acres. In one year the County has experienced a loss of 10 farms totaling approximately 1,100 acres.

However, the percentage of unemployed for the town in 2000 was 3.7% a slight decrease from 3.9% in 1990. This is important because even though, over the last 10 years, the town has experienced a decline in the number of active farms as well as those employed in that industry, the town has also experienced a shift in employment status from agriculture industry to other industries, rather than a direct increase in unemployed workers. This data evidences a healthy adaptive reaction to the shift or downsizing in agricultural industry in Nelson. It is important to the future economic health of the

whole community to recognize its ability to adjust as needed and to become proactive in its effort at maintaining a self-sustaining community.

The business climate in the town has been steady with some fluctuation. Economic growth has been primarily in Trush Park, the surrounding area along U.S. Route 20 and the Hamlet of Nelson. Some of the businesses in Trush Park have recently expanded and additional opportunities exist for economic growth in the Park. A few new businesses have located in the Hamlet of Nelson, one of which is Nelson Farms, which is an innovative state of the art facility to assist entrepreneurs in all aspects of marketing their product. The Hamlet of Erieville has not experienced much commercial growth.

B. Environmental and Scenic Resources

Although the town has changed and continues to evolve, one of its essential attributes that has remained strong, if not more enhanced, is its distinctive natural beauty, from the many inspiring views to the working farms that add to the mosaic landscapes throughout the town. As stated in the 1991 Master Plan,

“...the diversity of the landscape in the Town of Nelson is a valuable resource which should not be overlooked. Vegetation ranges from aquatic to cropland to highland forests. Elevations range from about 450 feet (sic) at Eaton Brook Reservoir to over 1900 feet in the Stoney Pond Reserve. This diversification, in conjunction with Tuscarora lake, Eaton Brook Reservoir and Stoney Pond, creates a landscape so rich in natural beauty that it should not be taken for granted.” (Town of Nelson Master Plan, 1991)

There are countless views of varying types that have been identified over the years as significant to the community as they are either unique to the area or capture the physical (manmade and natural) character of the town. The local views that are of community significance warrant special consideration and attention. Some distinctive views and potential scenic corridors have been identified on the Environmental and Scenic Resources Inventory Map (Figure 2) and photos of each viewpoint are catalogued in Appendix B. The Environmental and Scenic Resources Inventory Map is simply a resource for all town reviewing boards and is not inclusive of all potentially significant views. The Nelson landscape is a dynamic experience that will continue to evolve overtime. A view that is immature today may become significant over ten years of dynamic environmental changes. There may be other views or vistas in the town that have not been identified on the Environmental and Scenic Resources Inventory map but nevertheless warrant special consideration. Also, due to these inevitable changes, the Environmental and Scenic Resources Inventory Map should be reviewed and updated every two to five years.

U.S. Route 20 has been designated as a National Scenic Byway and the stretch of U.S. Route 20, that runs through Nelson and continues west through the Town of Cazenovia has been identified in the CAPP study (2001) and the Cazenovia U. S. Route 20 study (draft 2007) as historically and culturally significant local highway from which many scenic views and vistas are enjoyed by local residents as well as tourists. This portion of U.S. Route 20 could be designated as a Town Scenic Corridor. Similarly with Chaphe Hill Road.

Another resource of significant importance to the community is its water source. Specifically, the three primary watershed areas in the town which were identified in the 1991 Master Plan. The need to protect these three watersheds has been

identified and was acted upon by the town when it implemented a new Waterfront Zone around the two lakes coupled with the Overlay Zoning Districts that cover these important watersheds. To keep these regulations effective it is important to update the boundaries of each of the three watersheds.

There are a few major streams that flow through the Town. They are as follows: Chittenango Creek (NYSDEC Class C(T)), East Branch Limestone Creek B(T)), Middle Branch Tioughnioga Creek (NYSDEC Class C (TS)), Otselic River (NYSDEC Class C(T)), Eaton Brook (NYSDEC Class C(T)), Electric Light Stream (NYSDEC Class C(T)), and Callahan Brook (NYSDEC Class C(T)). These streams are protected and classified by the New York State Department of Conservation. Future development that may impact any stream would be subject to the New York State Environmental Quality Review process for purposes of protecting it as an environmental resource.

The general soil characteristics as identified in the Town's Master Plan in 1991 remain primarily the same. Some of these soil types are not suitable for sanitary facilities. As such, whenever development is proposed in the town, the type of soils should be carefully considered prior to approval of sanitary facilities. Figure 3, Sheet 1 identifies the approximate location of Class I to VII soil types as defined by the Natural Resources Conservation Service (NRCS). The prime soils in Class I and II, with slopes between 0 to 8%, include Conesus silt loam; Hamlin silt loam; Honeoye silt loam; Lansing gravelly silt loam; Mardin channery silt loam; Palmyra gravelly loam; Schoharie silt loam; Stockbridge channery silt loam; and Teel silt loam. The approximate location of these prime soils is identified in Figure 3, sheet 2.

There are three protected natural areas in Nelson which are owned and managed by the New York State Department of Conservation (DEC). A portion of the Nelson Swamp Unique Area is located in the northwestern section of the town, the Stoney Pond State Forest Preserve in the heart of the town and a portion of the Tioughnioga Wildlife Management Area in the south western quadrant of the town.

Approximately 766.82 acres of the 1,100 total acres of Nelson Swamp Unique Area (See Figure 4) falls within the Town of Nelson. Of the 1,100 acres DEC owns approximately 887.45 acres. The other one third of the Unique Area lies within the neighboring towns of Fenner and Cazenovia.

During the late 1990s the DEC Region 7, along with the then Nelson swamp advisory committee, prepared the Nelson Swamp Unique Area Stewardship Management Plan (Management Plan). The Management Plan includes a vision statement and goals for the Unique Swamp Area. The vision for this environmental resource reflects the contemporary vision and goals for this area as recently expressed by the Nelson community.

“...Nelson Swamp will be an area where people can interact with nature's wonders and beauty, providing perpetual enrichment of the human spirit.”

(See NYSDEC Nelson Swamp Unique Area Stewardship Management Plan)

The Management Plan also includes goals and objectives for land and water use as well as public use in the Unique Swamp Area. These goals have appropriately guided the preservation and protection of this unique area for the last decade and continue to be valid today.

One goal of the Management Plan is to “provide the opportunities and facilities for those public uses in Nelson Swamp that are compatible with sustaining the area’s unique resources”. The stated objective to designate, construct, and maintain the Nelson Swamp segment of the Madison County Link Trail has been accomplished and the trail is enjoyed by many town residents as well as visiting tourists. It is also noted that equestrian use should be prohibited to reduce potentially damaging impacts upon the Unique Area’s fragile soils and also to reduce potential conflicts between user groups. Other stated objectives that are relevant today include:

- Protect the aesthetic and visual quality of the Unique Area.
- Protect the riparian and wetland ecosystems from pollution and preventable disturbances so as to maximize their benefits.
- Monitor the condition and use impacts on fragile sites.
- Protect the integrity of the area’s resources through boundary line identification, surveillance/law enforcement and fire protection
- Designate, construct and maintain an interpretive trail designed for public education.
- Designate, construct and maintain the Nelson Swamp segment of the Madison County Link Trail.
- Designate, construct and maintain an off highway parking facility to support the above objectives.
- Sanction two sections of an existing snowmobile trail that pass through Nelson Swamp.
- Encourage volunteerism by enlisting Adopt- A- Natural Resource Program participants.

Stoney Pond State Forest is another unique natural recreation area located within the town. This 136.49 acre Forest Preserve continues to be owned and managed by NYSDEC. There are recreational trails for summer hiking, mountain biking, canoeing, kayaking, hunting, fishing, camping, winter cross-country skiing, and snow mobile trails for use by the general public (See Figure 5). Two off road parking facilities are provided on Jones Road and near Stoney Pond Road.

Tioughnioga Wildlife Management Area is the third state owned and managed protected area in Nelson. Tioughnioga WMA consists of a total of 3,755.7 acres, 86% of which is located within the Town of Nelson with the remaining percentage falling within the towns of Georgetown and Cazenovia. This WMA includes opportunities for hunting and fishing, pedestrian recreational trails, equestrian trails, and snowmobile trails. There are parking facilities along Dugway Road (See Figure 6).

C. Cultural and Historic Resources

Nelson has a rich history that over centuries has contributed to its character. Recently on April 7, 2007 the Town of Nelson celebrated its Bicentennial. Two hundred years of life and community have shaped Nelson into the agrarian, environmentally conscience community it is today. The Town benefits from the valuable resources provided by the Erieville-Nelson Heritage Society, which has been active for the past ten years. The town continues to maintain and support the two historic sites listed on the national registry of historically significant places. The Welsh Church, located off of Old State Road is one of the more prominent historic resources in the town.

*During the 1840's a large number of Welsh people immigrated to the area particularly in the northeast part of Nelson Township. They formed the Welsh Congregation Church in 1850. The Church that was built in 1876 to accommodate the growing membership had the inscription "1876 J.T.J." engraved on one of the foundation stones. Its builder, James T. Jones would be gratified that this church stands today and still hosts worship services.
(See NYSDEC Nelson Swamp Unique Area Stewardship Management Plan)*

Another important place of historic significance is the Rufus Weaver Barn, located at Old State Road and Erieville Road, where the first town meeting was held on April 7, 1807. Additionally there are many small cemeteries of local significance located throughout the town. They are:

1. Weaver Cemetery (Erieville & Stearns Road)
2. Lyon Cemetery (Hardscrabble Road)
3. Payne Cemetery (Hughes Road)
4. Pleasant Valley or Westcott Cemetery (Bucks Woods-Peterboro road)
5. Togg Hill Cemetery (New York State Route 20)
6. Bliss Cemetery (Bliss Road)
7. Humphrey Cemetery (Chaphe Farm)
8. Nelson Rural Cemetery (Thomas Road)
9. Welsh Cemetery (Welsh Church Road)

To celebrate and highlight the cultural and historic resources throughout the region, Madison County created four "Heritage Trails". These trails identify historically significant architecture, homes and community gathering places where individuals and congregations assisted slaves on their way to freedom, places of local historic significance, mills and other important structures that served in the local agrarian culture of growing hops. These four trails are the Madison County Architecture and Preservation Trail, the Madison County History Trail, the Freedom Trail, and the Madison County Hop Heritage Trail.

Of cultural significance are the town's two hamlets. The town has always had two hearts, the Hamlet of Nelson and the Hamlet of Erieville. The importance of each hamlet has never changed, just the size and number of active businesses located therein. When the railroad was the primary mode of transportation the Hamlet of Erieville was bustling with

thousands of residents, hotels, restaurants, and many other businesses. Over time, influenced by national, state and local events, the hamlets have evolved into their current form and density. Today, the Hamlet of Erieville reflects the more quiet rural lifestyle of those who live in the southern section of the town. The residents in and near Erieville currently enjoy one grocery store, the methodist church, and the Erieville Fire Department. The Hamlet of Nelson has experienced more growth because of its location along U.S. Route 20, a main arterial to the Syracuse metropolitan area to the west and the Village of Cooperstown to the east.

D. Land Use and Zoning

Even with population growth, the patterns of land uses throughout the town have not varied much over the last 16 years. U.S. Route 20 still serves as the commercial east/west spine for the town with the two reservoirs, Tuscarora and Eaton Brook as the centerpiece for the recreational tourist and seasonal resident. The heart of the town remains agrarian with dairy farming losing ground to the equestrian industry, sheep farming, and other farming related practices. Approximately 21.8% of the total 27,968 acres in the town is owned and managed by New York State and remains undeveloped. The NYS owned land continues to have a positive effect on the quality of life for local residents as well as the environmental quality of land in the town. The Nelson Swamp Unique Area is approximately 766.82 acres, the Tioughnioga WMA is approximately 3,755.7 acres and the Stoney Pond Forest is approximately 1,469.2 acres.

Today the town has 1.8% grassland, 8.4% wetland, 61.7% Forest, and 23% agricultural, 2.4% open water, 0.7% developed medium intensity, and 2.0% developed open space (See Figure 7). Commercial land uses are primarily centered along U.S. Route 20 near the Hamlet of Nelson, with a few commercial properties located in the Hamlet of Erieville. The light industrial uses are located in Trush Park. Residential land uses are concentrated in the Hamlets of Nelson and Erieville and along the main arterials throughout the town. The area that has developed the most over the last decade is the northwestern section of the town from U.S. Route 20 along Nelson Heights Road to Moseley Road and to Thomas Road (See Figure 8). The typical lot size of residential (non agricultural) property in the town is 5 acres. However, there are smaller residential lot sizes in the Hamlets of Nelson and Erieville and along the shoreline for Tuscarora Lake and Eatonbrook Reservoir. A current land use trend that has significant impact is the transition of seasonal cottages to year-round homes along the lakeshores of Tuscarora and Eatonbrook. The impact from such conversions is the increasing need for potable water and larger sanitary systems per dwelling unit.

There has been little growth with respect to the commercial businesses within the town. Nevertheless, there has been change as some businesses have closed with other new businesses thriving. The commercial land use patterns have not changed with the majority of uses spread out along U.S. Route 20.

The agricultural industry has also experienced some change and continues to significantly influence the town today. Although dairy farming has been on the decline and the total number of farms continues to decrease, the average size of the remaining active farms has increased from 123 acres in 1969 to 230 acres in 2003. Nevertheless the overall acreage of dairy farms in the town has declined. As previously mentioned, the dairy farms have been replaced with alternative farms such as horse farms, Alpaca farms, sheep farms, and beef farms.

It is noted that 4 agricultural districts lie within the town (See Figure 9). They are Agriculture District MD02, MD07,

MD11, and MD12. The town realizes the benefits of having active farmland in and adjacent to it. These local farms benefit the local economy and ensure the protection of open space as well as the scenic views of the agrarian character of the town. It is a policy of Madison County to protect farmland and support agricultural practices in the county. The county's vision for the local agriculture industry is evidenced in the following four goals stated in the Madison County Agriculture and Farmland Protection Plan:

Goal 1. Farmland Protection

Goal 2. Agricultural Economic Development: support and promote agriculture within the County

Goal 3. Increase public awareness of agriculture as an economic resource

Goal 4. Prepare Madison County agriculture for the future

(Madison County Agriculture and Farmland Protection Plan, July 2005)

Due to the significance of agricultural practices in the town and surrounding areas, the county's farmland protection plan was taken into consideration when crafting this Plan Update.

The town supports its local farming community and agricultural practices. Similar to the Madison County Goals set forth in its Farmland Protection Plan, it is the town's objective to prevent both urban and rural sprawl. The perpetuation of the farming industry and maintaining active farmland is important to the town as it speaks to its agrarian roots and is an important part of the local economy. To effectively save its farmland from parcelization as a result of suburban sprawl the town must revise its zoning regulations to include low density agricultural based zoning as well as encourage cluster development. In all respects future land uses in the town must be compatible with local agricultural practices.

There are eight zoning districts and five overlay zoning districts that regulate all land uses in the town (See Figure 11 and Figure 12). The types of land uses however, are not that varied and include, agricultural, residential, commercial, light industrial, and recreational. The community recognizes the importance of protecting its local farmland and conserving its natural, cultural, and scenic resources by managing the various land uses allowed in the town. Such proactive growth management can be accomplished with fewer zoning districts and subdivision regulations with criteria for conservation standards.

E. Public Infrastructure

There have been minimal changes to the transportation network system that services the town. All of the roads are either county or town owned with the exception of U.S. Route 20. This remains the only New York State highway that runs through the town which is classified as a primary arterial. The heaviest volume of regional traffic runs east/west along U.S. Route 20. A review of New York State Department of Transportation's 2004 Annual Average Daily Traffic (AADT) count for U.S. Route 20 reveals that traffic has significantly increased over the last 16 years. The 2004 AADT volume count from Carriage Lane in the Village of Cazenovia to Erieville/Nelson Road is 9,253 vehicles. This is an increase of 28.5% from 1989 when the AADT was 7,200 vehicles. The 2004 AADT volume count from Erieville/Nelson Road to Pleasant Valley Road is 5,234 vehicles, a 35.9% increase from 1989 when the AADT was only 3,850. Other roads have experienced increased traffic volume, specifically Erieville/Nelson Road, Hardscrabble Road and Lyon Road. Since 1991, the following roads have been abandoned:

1992 - Reservoir Road and Green Road

1993 - Roberts Road and U.S Route 20 to Callahan Road, Francis Road, Irish Hill Road, Davis Hill Road, Mayerle Road, Holmes Road, and Peterson Hollow Road

2001 - Roberts Road the length of Callahan Road

The maintenance of the remaining roadways continues to be the Town's largest capital improvement and annual expense. This usually involves improving the road surface, shoulders, culverts and drainage. From 1992 until 2007, the town on average improved approximately 1.50 miles of roadway each year. There are approximately ten seasonal roads that are unimproved and closed during the winter. Although road maintenance is necessary and often involves the establishment of impervious surfaces, the town highway department implements best management practices to avoid negative impacts on the surrounding environment.

The primary transportation available to town residents is by private, personal vehicle. Madison County does operate a public transit system that services the entire County. There are bus stops at Dielectric, Marquardt, and the Nelson Farms. However, the buses run infrequently. A bus schedule can be obtained from Madison County. Additionally, there is a Dial-A-Ride service for direct destination transit service. Madison County is in the process of establishing a coordinated transportation service plan. This report will indicate what is desirable in regards to meeting the community's needs for public transportation.

The total mileage of roadway in the town remains essentially the same since 1991. In approximately 2002 a small section of roadway in Trush Park was dedicated to the town and the northern end of Roberts Road was formally abandoned in 2002. The total number of miles of local and state roadways is 86 miles. Of the 86 miles of roadway, 6.3 miles are NYSDOT owned, 52.3 are town owned, and 27.4 are county owned. A number of roadways have been improved from gravel surfaces to a harder surface such as tarvia or bituminous surface. There are a few roads that remain dirt roads due to the low usage.

The public sewer infrastructure has not changed since 1991. The existing wastewater facilities consist of individual septic systems. The town continues to search for the functional answer to wastewater disposal issues for property owners in Erieville and surrounding Tuscarora and Eatonbrook Reservoirs. Public sewers are not provided in any of these areas. Development along the lake edges is dense with many lots on the shoreline especially Tuscarora Lake at approximately .25 acre or smaller per dwelling unit. Over the years the residential uses have become more intense in that many properties have converted to year round use thus requiring a more consistent and intense wastewater disposal system. The Hamlet of Nelson has the added concern of a very high water table combined with the highest concentration of development in the town.

The only water district in the town services the residents in the hamlet of Erieville. This system serves approximately 148 individuals through 46 service connections. The water source comes from two springs located off of Damon Road. There is some concern that the water source is currently being influenced by surface water, which could negatively impact the quality of water (See Annual Drinking Water Quality Report for 2006, Erieville Water District). The remaining residents and businesses in town have water provided from individual wells.

Trush Business Park, which is located along U.S. Route 20 on the northwestern section of Nelson, is connected to sewer and access water from individual wells. The town continues to discuss the option of providing public water to the business park. The unequivocal effect of providing public water to Trush park would be an improved infrastructure that supports

future economic business development that could lead to possible employment opportunities. This potential effect is unanimously supported. However, the concern has always been the costs associated with extending public water to Trush Park. Extending a waterline up to Trush Park would require a new pumping station, which would add significantly to the overall costs (Water Feasibility Study Trush Park, May 2002).

F. Community Services

The percentage of town residents that are school aged children (grades Preschool - grade 12) is approximately 88.2% of the total town population (477 students). This percentage is higher than that of New York State, which is 75.1% (United States Census, 2000). The school districts that service the students in Nelson are Cazenovia Central School District, Morrisville-Eaton Central School District, and South Otselic Valley Central School District. Although each school district has its own issues regarding building capacity, aging infrastructure and changing student populations, the student residents in Nelson are provided ample educational opportunities. The closest libraries are the Morrisville Library in Morrisville, the Cazenovia Public Library in the Village of Cazenovia, and the New Woodstock Free Library in the Hamlet of New Woodstock.

Town offices have not expanded since 1991 and are still located off of Nelson Road just north of the Hamlet of Nelson. The Highway Department garage, located off of Dugway Road in Erieville has utilized all of its space. The town is researching options for future growth. Police services are provided through Madison County Sheriffs Department with support from New York State Troopers. Fire and emergency services are provided primarily by the Erieville Fire Department. The Erieville Fire Department provides reciprocal support services with Georgetown, Morrisville and Cazenovia Volunteer Fire Departments.

In response to one of the community recommendations, the town developed the Tuscarora Nature and Recreation Park off of Tinsley Hill Road. This park is one of the two recreational parks in the town. The other park is behind the town offices in the Hamlet of Nelson. Both parks consist of recreational fields and a playground area. Additional recreational opportunities exist at the state wildlife management area, forest preserve, and North Country Links Trail (See Figure 10). There are various trail systems for pedestrian hikes, mountain bikes, ski trails, snowmobile trails and equestrian trails (See Figures 4 - 6). Although there isn't public "boat" access to Tuscarora Lake, there is a public boat launch at Eatonbrook Reservoir located just beyond the town borders in the Town of Eaton.

IV. Town Plan Recommendations

A. Zoning and Land Use

Over the last two decades the town has experienced a reduction in farming activity and farmland subdivided into residential lots of varying sizes. This trend is not expected to change and there is concern that over time the town will lose its agrarian character in place of one-acre single-family residential subdivisions. There is potential for one-acre subdivisions to be developed without regard for the natural landforms, vegetative patterns, and other environmental or scenic resources that have historically defined the town's character. There are a few planning tools and land use approaches that, in application, would encourage preservation of natural, scenic, and cultural resources and thus, prevent the unchecked growth of residential suburbanization of the Town of Nelson.

It is noted that the town zoning map and regulations were revised in 2002. New zoning districts were created with an attempt to protect the town's open space, and sensitive environmental and cultural resources. Shortly thereafter the Waterfront Zone was implemented. This new zoning district established new development criteria with the goal of protecting or improving the quality of lake water, vegetation, and other adjacent natural resources by encouraging less concentrated land use around the two lakes. Although these land use regulations have taken a positive step toward management of environmental resources while allowing for growth, additional regulatory management is warranted.

Recommendation #1: Revise and simplify the zoning districts that govern land use within the town.

Currently there are eight different zoning districts governing the town. The reality is that there are not eight significantly different land uses throughout the town. The regulatory distinctions between AR -Agricultural/Residential, RA - Residential A, and RB - Residential B are somewhat insignificant. Additionally, the three commercial zones, HC – Heavy Commercial, TC – Tourist Commercial, and NC – neighborhood Commercial no longer effectively represent the preferred growth patterns for commercial uses (See Figure 11). Under the current zoning neither of the two hamlets are managed by standards that focus on maintaining the hamlet character while allowing for growth in the town community centers. The hamlets in the town deserve their own distinctive zoning as they represent the town business and community centers, and should include a mixture of residential, commercial and professional uses that fit within a specified design standard.

Based on these differences, it is recommended that the town review and revise its zoning districts. The future growth of the town should be effectively guided by its land use regulations. In light of the town's current and projected trends in residential growth, commercial development and agricultural practices the following zoning districts are proposed:

- Rural
- Hamlet
- Neighborhood Residential
- Waterfront
- Business Park

A proposed zoning district map is set forth in Figure 13. The land uses allowed in each zoning district will be consistent with the primary intent for each district. In general, the Rural Zone will allow residential, agricultural, and cottage industry or small businesses; Hamlet Zone will allow mixed uses including residential (single and multi family), commercial retail, and professional offices; Neighborhood Residential Zone will allow single and two family residential;

Waterfront will continue to allow residential uses with an emphasis on protecting the waterfront from “overuse” and to establish specific waterfront redevelopment standards; and Business Park Zone will allow large and small commercial, light industrial, and professional offices.

These proposed new zoning districts would be implemented in light of the current overlay zoning districts. It remains important to the town to maintain protection of the three watersheds in the town, the current overlay zones should be reviewed in light of the proposed zoning districts to ensure effective protection of the town’s vital resources. The town should consider the effectiveness of protecting the scenic quality of U.S. Route 20 with a scenic resource overlay district for this scenic byway. This overlay district would work in conjunction with the proposed Hamlet Zoning District that would include design standards specific to the Nelson Hamlet. The established standards should also address the mitigation or prevention of light pollution throughout the entire town. The night sky is as important a resource to the town as the some of the scenic views during the day. Although appropriate lighting for safety reasons is also important, the two needs can be achieved simultaneously and with little or no conflict. However, without strict lighting standards, “light pollution” can occur, effectively compromising the quality view of the night sky.

In addition to simplifying the zoning districts, attention should be given to the protection of farmland and open space which directly influences lot sizes and density allowed in the proposed town rural zoning district. Currently in the agricultural and residential zoning districts the minimum lot size is 1.4 acres without incentives for cluster development or open space. This essentially allows for “suburban sprawl” type residential development, which would significantly impact the town’s rural character. This also does not encourage protection of farmland or conservation of natural resources, including open space. To effectively protect the town’s rural character, support and encourage growth in areas other than healthy farmland and to protect the community’s natural and cultural resources, the town’s regulatory framework must be revised. Specifically, the conventional approach of identifying a minimum lot size for residential use should be reviewed in light of alternative and progressive zoning options such as minimum/maximum lot size with limited number of subdivided lots for nonfarming use, zoning incentives, or establishing a zoning district based on prime agricultural soils. The goal is to regulate subdivisions so that in the end there is adequate contiguous acreage for future farming activities.

Recommendation #2: Establish and enforce minimal site layout standards for all residential properties.

There are significantly more owner-occupied houses (87.6%) in Nelson than renter-occupied (12.4%). Also, there are more single-family homes than multi-family and this trend is expected to continue. The housing issue to be addressed when revising the zoning regulations, apart from minimum lot size, is the allowed site conditions for affordable housing such as modular, manufactured, or mobile homes. It is important to the town to continue with its rich diversity of housing types while encouraging minimal standards for site conditions such as building and driveway location, outside storage, and other such details. There is a variety of affordable houses available today that should be considered.

Recommendation #3: Identify potential locations for commercial wind farms, solitary wind turbines and telecommunication towers

As a positive outgrowth of the downsizing in the dairy farming industry, the town is experiencing an increase in various cottage industries and niche farming activities. Allowing home occupations, professional offices and agricultural related retail and services would support agricultural activities while compatibly coexisting with agricultural uses. A current trend in agricultural land use is the establishment and coexistence of a wind farm, or communication tower. The town

should identify the acceptable and feasible areas for location of commercial wind farms, solitary wind turbines and telecommunication towers. A review and update of the current regulation of communication towers is suggested.

Recommendation #4: Revise the subdivision regulations to include criteria for conservation of resources.

Soil conditions in sections of the town continue to be challenging with respect to sanitary systems. Many of the soil types throughout the town are inadequate to support septic systems. The possibility of developing municipal sewer systems in any part of the town is financially unfeasible, thus future residential development must carefully consider the soil conditions when determining septic issues. These issues should be considered on a per-application basis, and should be determined in light of the environmental health of the whole community, and potential impact on local environmental resources.

In addition to addressing soil conditions the town should review other important issues with the focus of conserving valuable environmental, scenic and cultural resources. It is recommended that the town revise its standard subdivision regulations to include a detailed review process requiring an inventory of important natural and cultural resources on the property to be developed. This conservation subdivision approach can result in the effective protection of scenic views, open space, and cultural resources of local value. A key ingredient to this suggested conservation subdivision approach is the sequence of the process. It is important to identify the resources located on the property prior to site layout or the presentation of any concept plans.

B. Environmental and Scenic Resource Protection

Recommendation #5: Revise the zoning and subdivision regulations and site plan review to include criteria for scenic resource protection.

It is recommended that the Town revise its zoning regulations to require an analysis of potential impacts on its scenic resources of community significance. The view locations identified on the Scenic Resources Inventory Map are examples of the kind of distinctive views that are worthy of protection in the town (See Figure 2). These views, vistas, scenic corridors are of community significance because they contain at least one of the following attributes: publicly accessible, distinctive natural and/or cultural features, or a composition of landforms, vegetation, and man-made structures that together are characteristic of the town. The Town should include a process in its subdivision regulations by which the town planning board determines whether a viewshed analysis is required. This could include a list of threshold criteria necessary to require a viewshed analysis, such as the following criteria:

1. Any proposed development that may physically interrupt a scenic vista or panoramic view from U. S. Route 20.
2. Any proposed development that may physically interrupt a scenic vista or panoramic view from Chaphe Hill Road.
3. Any proposed development that may physically interrupt a scenic vista or panoramic view of Nelson Swamp.
4. Panoramic views of either Eaton Brook Reservoir or Tuscarora Lake that are unmarred by manmade development .
 - a. The scenic view must be from a public access point and include
 - i. Distinctive natural and/or cultural features, or
 - ii. A composition of landforms, vegetation, and man-made structures that together are characteristic of the Town of Nelson.

The comprehensiveness of the viewshed analysis can be determined on a project by project basis, however the process should include some variation of the following four step analysis:

Field work: This includes at least one site visit to understand and record the actual vantage point(s) for viewing and the direction of the significant view(s). The complexity of the proposed project will determine the number of vantage points to include and angles of viewing.

Simulation: This step involves creating a simulation of the proposed project to better understand its full visual impact. The method of simulation can vary in form and complexity from a graphic perspective depicting the proposed project, to a computer modeling of the specific project that is georeferenced. The selection of a simulation technique should be determined on a project by project basis.

Rating: Upon completion of the simulation, the potential visual impact should be professionally judged or rated so that the reviewing planning board has an objective basis to which it can respond.

Conclusion: It is important that a conclusion as to the degree of visual impact generated by the proposed project is included as a final step in the process. This allows the reviewing planning board and concerned citizens a basis to which it can respond.

It is anticipated that the conclusion of a scenic resource analysis would result in measures taken to minimize whatever view interference is determined to be a negative impact. The goal is to find the optimum site layout with the least amount of visual impact. The practice of viewshed analysis does not equate to unfettered restrictions on future development. It is only a tool by which the community can objectively measure the potential impact future development may have on local scenic resources.

Recommendation #6: Update the boundaries for each watershed and revise local regulations, if necessary, to effectively manage stormwater runoff and encourage adequate groundwater recharge.

An update of the three significant watershed areas, the boundaries of which were initially identified in the 1991 Master Plan, is recommended because current technology can produce a more accurate boundary delineation. Up-to-date data will more accurately identify the lands in the watershed. The goal is to protect the quality of water for Eaton Brook and Tuscarora as well as the Nelson Unique Swamp Area. The protection of water quality (and quantity through groundwater recharge) influences which land uses and the amount of impervious coverage allowed in certain areas. For example, the Nelson Unique Swamp has been impacted by the development and land use activities in the Nelson Heights -Thomas Road area simply because this area is located in the Nelson Swamp Watershed. Understanding the Nelson Swamp watershed boundaries is important to the management of future residential growth or agricultural activities in that area. The same is true with the Tuscarora Lake Watershed and the Eatonbrook Watershed. Recently there has been an increase in the intensity of residential land uses along the shorelines of Eatonbrook and Tuscarora. This however, is not the only change in activity that may be negatively impacting the lakes. Various land uses and associated activities throughout the respective watersheds either directly or indirectly influence the quality of lake water. Not only should the activities

immediately adjacent to the shoreline be managed, so should all land activities within the respective watersheds. Thus, the importance in updating the watershed boundaries. Once updated the town should review its watershed overlay district to ensure it is effectively protecting the water quality and quantity for each area.

Recommendation #7: Create guidelines for shoreline treatment to encourage best practices by landowners with shorefront property.

The longterm health of Eatonbrook Reservoir and Tuscarora Lake is critical to the economic value of waterfront property, and indirectly to the town. The health of the waterbodies is directly connected with the health and treatment of their respective shores (as well as their watersheds). Specific treatment measures for shorelines with different environmental conditions have been identified as best practices for such conditions. These best practices should be instituted in guidelines to manage shoreline treatment along Eatonbrook and Tuscarora waterfront. Once developed a brief educational session should be provided for all impacted property owners.

Recommendation #8: Establish an inspection program for all septic systems that may directly influence either Tuscarora Lake or Eatonbrook Reservoir.

In an effort to protect the quality of water in Tuscarora Lake and Eatonbrook Reservoir, the town should adopt a local regulation that requires periodic inspection of all septic systems that may have a direct influence on either body of water.

C. Hamlets

Recommendation #8: Establish commercial design standards for the Hamlets of Nelson and Erieville.

As previously discussed, the two hamlets serve as community centers. As such, all future commercial and residential development should be encouraged to compliment their existing character. The Hamlet of Nelson continues to be perceived as the center of the town due to its location at the intersection of U.S. Route 20 and Erieville Road. For travelers, this is the first concentration of commercial and residential activity, with the town hall just down the road. Commercial uses occur along Route 20 while residential uses are more evenly distributed in the hamlet. This Hamlet has the important responsibility of representing the town as it is typically the first “community image” experienced by travelers and tourists. As such, its character is important to the entire town. It will be important to enhance the Hamlet character while managing economic growth. This can be achieved with the establishment of commercial design standards for development at this intersection and along U.S. Route 20. Additionally, minor streetscape improvements, such as the addition of street trees along U.S. Route 20 will carry through the “community center” image for all to recognize and enjoy (See concept sketch illustrating streetscape enhancements in Nelson).

The Hamlet of Erieville is different from Nelson. The Hamlet center is not as defined, there are fewer commercial uses even though it has the only grocery store in town. The hamlet also has a post office, the Methodist Church and the Erieville Fire House. The lack of commercial development in this hamlet is probably due to its location off of the main road (U.S. Route 20) and the continued existence of the natural constraints that have always restricted commercial growth in this hamlet. The parking limitations continue to be severe with limited options for parking solutions that would not alter the quaint character of the hamlet.

The seasonal residential use around the two lakes has increased and may support modest commercial growth in the hamlet. It is recommended that specific yet simple design standards be applied to Erieville to encourage architecture that

is complimentary to its rural character and that alternative parking requirements are established so that future commercial growth is encouraged with a creative approach to parking needs, such as shared parking or temporary on-street parking during the weekends.

Recommendation #9: Study the feasibility of establishing a sewer district for the Tuscarora/Erieville area.

Currently this area is not serviced by public sewers. The installation of a public sewer would have its benefits in terms of managing wastewater treatment; however, it would also “open up” the potential for additional residential growth which may be detrimental to the entire lake watershed. It is recommended that the town undergo a study to determine the feasibility of establishing a sewer district for the Tuscarora/Erieville area. This study should include the potential location for the sewer line(s) as well as the associated costs and cost/benefit analysis regarding the impact on growth in the area.

D. Transportation Network

Recommendation #10: Develop a Highway Maintenance Plan

It is Town policy to maintain and improve the existing network system without widening any existing roads. Although the town has experienced an increase in population, there has not been enough growth to warrant the creation of new roadways. Traffic flow through the town is at a high functioning level with few accidents and minimal delays that are usually temporary in duration.

A significant concern facing the town is the management of development in areas that are currently served by unimproved roads. Potential degradation of the functionality of a roadway, caused by stormwater runoff generated by new development should be addressed during site plan or subdivision review stage.

The challenge for the town is the continuous maintenance of its roads. It is recommended that that Town Highway Department in collaboration with the County Highway Department establish a transportation maintenance plan that identifies the maintenance requirements for each town and county road, a prioritization schedule for the maintenance with an associated budget. This will help the town plan for any necessary capital improvements in addition to the ongoing costs associated with highway maintenance. Another consideration for the Town Highway Department is to incorporate best management and maintenance practices that do not compromise the quality of the town’s environmental resources. In this regard, a best practices section could be included to the maintenance plan to identify where such “environmentally friendly” practices can occur.

E. Economic Development

Recommendation #11: Study the Feasibility of distributing water to Trush Park and surrounding businesses.

With respect to economic development, the goal is to increase the town tax base, encourage sustainable economic growth without losing active farmland, and create potential new job opportunities. The most probable and best opportunity for economic growth of any significance in Nelson is in Trush Park and surrounding business area along U. S. Route 20. However, significant growth will only occur if there is distribution of public water along U.S. Route 20 from either the Hamlet of Nelson or (and most likely) from the Village of Cazenovia. The concept of distributing public water to the top of the hill to Trush Park and surrounding area has been discussed for over two decades but not acted upon because it is

a complex and expensive proposition (See Water Feasibility Study, May 2002). Currently the businesses access water from private wells in the area. Despite limited water options, the Marquardt company has recently expanded its operations. However, future opportunity for additional growth may not be realized unless adequate infrastructure can be provided.

Recommendation #12: Encourage sustainable economic growth in Hamlets

Hamlet scale retail commercial and professional offices should be encouraged to locate within either of the two Hamlets to provide services to the many seasonal residents and recreational tourists. Commercial growth would bolster the community aspect of each hamlet. All new commercial structures and associated parking should follow the established development standards for each hamlet.

Recommendation #13: Encourage sustainable agricultural practices.

The town should support growth in the various cottage industries and diversification in farming activities and agricultural production. The local farming practices have become more diverse. Consequently, there may be a change in demand for agricultural services necessary to support different agricultural producers. The impact such changes have on the health and beauty of local landscape is an important factor to consider when inviting new and different agricultural practices into the area. The town has seen an increase in equestrian activities from bordering horsemanship to breeding and raising horses for competition. The potential effects of equine farming are manageable when best practices are used by all. All farming practices should be encouraged to institute best practices while striving for sustainable growth. This collective approach will ensure that growth in the industry will have positive effects on the local economy while complimenting the town's agrarian character.

F. Town Facilities

Recommendation #14: Prepare a facilities capacity and maintenance plan.

The Town Highway Department is utilizing the current site at full capacity. When it needs to expand there may not be adequate space at its current location. To avoid last minute solutions, the town should conduct a capacity analysis to predict its future needs and whether its current facility should be relocated or whether a second facility site should be established. The existing town hall adequately houses the necessary town departments and provides ample meeting space for the various town boards and for community events.

G. Community Services

Recommendation #15: Identify and delineate the watershed for each aquifer that provides drinking water for the community of Nelson and prepare a wellhead protection plan for the Erieville water district.

The community services currently provided by the town adequately meet the needs of the community. The projected growth of the community is expected to be moderate thus, the town will not need to increase its services, nevertheless it should continue to understand how best to improve the services provided. It is recommended that the town facilitate a study to accurately identify the aquifer(s) and respective watersheds, that are the source of the community's drinking water. The Town should also facilitate the development of a wellhead protection plan and wellhead protection regulations for the Erieville wells. It is noted that the Wellhead Protection Plan prepared for the Village of Cazenovia identified the watershed area for the wellheads and a portion of this area does fall into the Town of Nelson along U.S. Route 20

(Wellhead Protection Plan, 2007). The importance of this watershed area should be taken into consideration whenever the town revises its land use regulations for that area. The importance of protecting the quality of community drinking water does not stop at municipal boundary lines.

Recommendation #16: Facilitate a study of the emergency and fire safety needs of the community and the future capacity of the local fire departments to meet these needs.

There is some concern regarding the trend in reduction in volunteer firefighters. This is of concern as the Erieville fire department is primarily serviced by volunteer firefighters. To avoid an understaffed unit, the town should facilitate meetings with neighboring fire departments to investigate methods of sharing these emergency and fire safety services so that all communities are adequately serviced.

V. Sources

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