



TOWN OF CONCORD

COMPREHENSIVE PLAN UPDATE

PREPARED BY:

WENDEL COMPANIES

SPONSORED BY:

ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING

FEBRUARY 2018

Updated 2021

TOWN OF CONCORD COMPREHENSIVE PLAN UPDATE

ACKNOWLEDGEMENTS

The Town of Concord Comprehensive Plan Update was made possible through the efforts of the following:

2018 Comprehensive Plan Advisory Committee

Clyde M. Drake	Current Supervisor
Gary Eppolito	Former Supervisor & Former Chairman Concord IDA
Mark Alianello	Town Engineer
Robin Sion	Zoning Board
Kenneth D. Zittel	Town Board
Kenneth Kassel	
Edwin F. Heary	Chairman, Zoning Board
Edwin R. Heary	
Bill Gugino	
Bruce Luno	Planning Board

Concord Town Board

James M. Krezmien	Deputy Town Supervisor
Philip Drozd	
William F. Snyder, III	
Kenneth D. Zittel	

Other Contributors

Mariely Ortiz	Erie County Department of Environment and Planning
Town of Concord Residents	
Village of Springville Residents	

Project Consultant

Andrew Reilly, AICP	Wendel (2018, 2021 Updates)
Leanne Voit, AICP	Wendel (2018, 2021 Updates)
Matthew Bowling	Wendel (2018 Update)
Wendy E. Weber Salvati	WWS Planning (2018 Update)
Carol Zimmerlin	Larsen Engineers (2018 Update)

Original Funding Generously Provided by the U.S. Department of Housing and Urban Development's Community Development Block Grant Program, and Update funding by Erie County

CONCORD COMPREHENSIVE PLAN UPDATE

- 1 Introduction1**
 - 1.1 Regional and Local Setting 1
 - 1.2 Previous Comprehensive Planning Endeavors..... 1
 - 1.3 Reasons for Preparing a Comprehensive Plan Update2
 - 1.4 How will the Plan be Utilized?3

- 2 Existing Conditions and Analyses5**
 - 2.1 Demographics6
 - 2.1.1 Setting and Background.....6
 - 2.1.2 Household Income7
 - 2.1.3 Poverty Levels.....7
 - 2.1.4 Age Distribution.....7
 - 2.1.5 Household Composition8
 - 2.1.6 Household Units.....8
 - 2.1.7 Educational Attainment 9

 - 2.2 Environment..... 10
 - 2.2.1 Topography 10
 - 2.2.2 Hydric Soils 10
 - 2.2.3 Stream Corridors and Watersheds..... 11
 - 2.2.4 Floodplains and Wetlands 12
 - 2.2.5 Wildlife 13
 - 2.2.6 Scenic Resources..... 14
 - 2.2.7 Historic Built Environment and Cultural Resources..... 14

 - 2.3 Land Use and Zoning..... 16
 - 2.3.1 Existing Land Use 16
 - 2.3.2 Zoning.....23

 - 2.4 Agricultural Lands25

 - 2.5 Housing and Neighborhoods28

 - 2.6 Multi-Modal Transportation Network29
 - 2.6.1 Major East/West Automobile Travel Routes..... 29
 - 2.6.2 Major North/South Automobile Travel Routes29
 - 2.6.3 NFTA Metro Bus Routes30
 - 2.6.4 Bicycle Routes30
 - 2.6.5 Walk Scores31
 - 2.6.6 Rail Service31
 - 2.6.7 Air Service31

 - 2.7 Utilities.....32
 - 2.7.1 Water..... 32
 - 2.7.2 Sanitary Sewer.....32
 - 2.7.3 Stormwater Management.....33
 - 2.7.4 Electrical Service.....33

2.7.5	Broadband	33
2.8	Community Facilities	35
2.8.1	Public Recreational Facilities.....	35
2.8.2	Public School Facilities	36
2.8.3	Public Police, Emergency Medical Service, Fire Protection	36
2.8.4	Health Care Facilities	37
2.8.5	Senior Services.....	38
2.8.6	Youth Services	38
2.8.7	Public Libraries.....	39
2.8.8	The Arts.....	39
2.9	Economic Development	40
2.10	Summary of Findings.....	44
2.10.1	Demographics.....	44
2.10.2	Environment	44
2.10.3	Utilities	45
2.10.4	Community Facilities.....	46
2.10.5	Economic Development	47
2.10.6	Other Findings.....	48
3	Goals and Objectives	49
3.1	Overview.....	49
3.2	Public Input.....	50
3.3	Vision Map	50
3.4	Goals and Objectives	51
4	Technical Investigations	55
4.1	Agriculture	55
4.2	Zoning.....	57
4.3	Mineral Extraction	63
4.4	Home Based Businesses	64
4.5	Food Systems Planning.....	65
4.6	Neighborhood Revitalization.....	68
4.7	Major Thoroughfares	68
4.8	Transportation	71
4.9	Watershed	74
5	Recommendations and Implementation	80
5.1	Introduction to Recommendations.....	80
5.2	Recommendations.....	80
5.3	Vision/Planning Areas Map	90
5.4	Implementation	90
5.4.1	First Steps	92
5.4.2	Moving Forward – Next Steps	93
5.4.3	Funding Sources	95
6	Environmental Analysis	96
6.1	Potential Significant Environmental Impacts.....	96
6.2	Short Term/Long Term and Cumulative Impacts	96

6.2.1	Impacts on Land	96
6.2.2	Impacts on Water	97
6.2.3	Impacts on Flora and Fauna	97
6.2.4	Impacts on Agricultural Land Resources.....	97
6.2.5	Impacts on Aesthetic Resources	97
6.2.6	Impacts on Open Space, Parks and Recreation	98
6.2.7	Impact on Critical Environmental Area.....	98
6.2.8	Impact on Transportation.....	98
6.2.9	Impact on Growth and Character of Community	98
6.3	Adverse Environmental Impacts that Cannot be Avoided	99
6.4	Growth Inducing Aspects of the Plan	99
6.5	Mitigation Measures	99
6.5.1	Impacts on Land	99
6.5.2	Impacts on Water	99
6.5.3	Impacts on Flora and Fauna	100
6.5.4	Impacts on Agricultural Land Resources.....	100
6.5.5	Impacts on Aesthetic Resources	100
6.5.6	Impacts on Open Space, Parks and Recreation	100
6.5.7	Impact on Critical Environmental Areas	101
6.5.8	Impact on Transportation.....	101
6.5.9	Impact on Growth and Character of Community	101
6.6	Evaluation of Alternatives	101

Appendices:

- Mapping
- December 2016 Working Paper by Carol Horowitz, AICP
- Public Meetings Information
- SEQR Documentation
- Sample Laws
- Applicable Recommendations from *Niagara River Watershed Protection Plan*

Mapping Numbers:

Map #1	Topography and Hydric Soils
Map #2	Environmental Features
Map #3	Community Features
Map #4	Existing Land Use
Map #5	Zoning
Map #6	Agricultural Districts and Farmland Soils
Map #7	Transportation
Map #8	School Districts
Map #9	Vision/Planning Areas
Map #10	County 2021 Map - Clusters of Parcels with High Agricultural Soils Value
Map #11	County 2021 Map – Agricultural Districts
Map #12	County 2021 Map – Agricultural Parcels and Cropland Coverage
Map #13	County 2021 Map – Agricultural Soils Ratings
Map #14	County 2021 Map – Natural Resources Rating
Map #15	County 2021 Map – Framework for Regional Growth Policy Areas
Map #16	County 2021 Map – Siting Study

CHAPTER 1: INTRODUCTION

This document represents the Comprehensive Plan update to the Town of Concord and Village of Springville 1999 Joint Comprehensive Plan. The project was funded through the Housing and Urban Development's (HUD) CBDG (Community Block Development Grant) funding program, which was acquired by Erie County. In 2015, the Village of Springville completed their own Comprehensive Plan, separate from the Town of Concord. The Town of Concord recognizes the value of the Village of Springville's plan and seeks to build upon that plan, expanding on those goals and objectives that are shared amongst the two communities, while at the same time maintaining a focus on those priorities that are unique to the Town. This plan is designed to be consistent with other regional planning documents including, but not limited to: One Region Forward and the companion Regional Framework for Growth; A New Way to Plan for Buffalo-Niagara (2014); Western New York Regional Sustainability Plan (2012); REDC: A Strategy for Prosperity in Western New York (2011) and their yearly updates. The overarching goal of this plan update is to both build upon the previous Comprehensive Plan completed for the Town of Concord and Village of Springville in 1999 and, more recently, the Comprehensive Plan completed for the Village of Springville in 2015. The plan was further updated in 2021 to address issues related to large scale renewable energy projects that were being proposed in the Town.

1.1 Regional and Local Setting

The Town of Concord is located in southeastern Erie County, approximately 25 miles southeast from downtown Buffalo. At approximately 70 square miles, it is the largest town in Erie County. In 2015, the U.S. Census Bureau estimated the population of the Town at 8,547 residents, with 4,328 (approximately 50.6%) of those residents living in the Village of Springville. The Town of Concord is a primarily rural/agricultural community that has some commercial development along U.S. Highway 219 and State Route 39, and some light development existing on the immediate outskirts of the Village of Springville's municipal limits. All of the Town of Concord, including the Village of Springville, is defined in the *Erie-Niagara Framework for Regional Growth* as a "Rural Area," which The Framework notes are among the least intensely developed lands in the region and include large tracts of open lands, forests and farmland. The Village of Springville serves as a critical hub of commercial services and civic institutions for the Town and its residents. Historically, the Town of Concord has been, much like it is today, an agricultural community, its agricultural roots dating back to the Town's founding in 1812. Today, over 50% of the Town's land area is part of Erie County Agricultural District #15 and is dedicated to farming. For the most part, the Town has avoided having large chunks of active farmland from being converted to low-density, residential subdivisions (exurban sprawl).

1.2 Previous Comprehensive Planning Endeavors

As stated previously, the Town of Concord last completed a comprehensive planning process in 1999, more than 17-years ago. The plan was completed by NUTTER Associates, Community Planners; Trowbridge & Wolf Associates, Landscape Architects; E&M Engineers and Surveyors, P.C.; and GIS Resource Group. It was titled "Town of Concord

and Village of Springville, Erie County, New York: Joint Comprehensive Plan." It identified goals by assigning specific objectives to one of the eight (8) following categories:

- The Environment,
- Economic Development,
- Residential Development,
- Urban Design and Historic Preservation,
- Parks and Recreation,
- Community Services,
- Transportation, and
- Infrastructure.

These goals and objectives ranged from broad to specific and were designed to be shared amongst both the Town of Concord and the Village of Springville. The "Development Vision" adopted by the two communities in 1999 was as follows:

The Concord/Springville community values and wishes to preserve the scenic beauty, farmland, hamlets, natural environment, historic architecture, sites and ambiance of the Town of Concord. It also wishes to enhance and strengthen the Village of Springville as the civic, cultural, and economic center of Concord and the surrounding nine-town area and maximize its location as the southern gateway to Erie County.

1.3 Reasons for Preparing a Comprehensive Plan

It is important for the community to have an effective Comprehensive Plan to guide future growth and development. New York State Law dictates that Town and Village planning, zoning, capital budgeting, and other decisions should be based on a comprehensive plan that represents the community's vision for its future.

The goal of the Comprehensive Plan update is to develop recommendations for future development in the Town, while recognizing the community's unique assets and considering the surrounding Towns and the overall Region. This Plan is intended to serve as a framework within which the community will be able to evaluate future land use and development issues. It examines the environmental, demographic, physical, and development aspects of the community and the regulatory setting guiding these factors. It addresses the issues and concerns specific to the community, based on input from residents through a variety of forums. The goals and objectives, recommendations and implementation steps included in this Plan are designed to address the community's individual concerns and reflect its unique and distinctive vision for its future.

It became clear that many issues couldn't be adequately addressed from a purely local perspective. They cut across jurisdictional boundaries and are best approached on an inter-municipal basis. Therefore, this plan update identifies overarching regional issues and opportunities in the Town of Concord and articulates goals, makes recommendations, and suggests implementation items that apply to the Town and

supports the Village of Springville, as functionally, they have an interdependent relationship with one another, and the Village has a separate Plan.

Goals and objectives were developed for the Town of Concord with a keen awareness of the goals and objectives specified in the Village of Springville's recently adopted Comprehensive Plan (2015). The plan was accepted, becoming a blueprint for the Town's continued growth into the 21st Century.

The 2018 Plan recommended that the Town should be proactive about evaluation and updating the Comprehensive Plan and evaluating progress towards implementation of recommendations on a yearly basis. The Town started an update in 2021 to address the completion of several Regional Plans, the changes and pressures on the Town's largest Industry- Agriculture, and a pending large-scale, green energy project (Solar) currently under consideration in the Town. Green energy projects of this scale were not previously envisioned in the Town. These green energy projects were aided by the recent passage of New York State laws aimed at incentivizing and accelerating the permitting process for renewable energy projects. This Plan represents that 2021 update, building upon the work completed for the 2018 Plan, and taking into account the regional planning, and legislative and physical changes that have occurred over the last 3 years, and anticipated changes that are pending. Especially important to this update is the continuing and growing importance placed on Agricultural Protection (see Erie County Agricultural and Farmland Protection Plan, September 2018), and the growth within the field of renewable energy. In 2021, Erie County made funds available for communities to perform updates to their Comprehensive Plans that focus on renewable energy projects.

1.4 How Will the Plan be Utilized?

In accordance with Section 272-a of Town and Section 7-722 of Village law, Towns and Villages have the power to undertake comprehensive planning, to accept a plan to help promote the health, safety, and general welfare of the Town or Village, and to give due consideration to the needs of the people of the region of which the Town or Village is a part.

Once accepted, the Town or Village would begin to implement the plan by amending its land use regulations to conform to the comprehensive plan and consider the plan in all of its land use decisions (site plans, subdivisions, and re-zonings). Yearly, the community would utilize the plan in determining its capital project plan and in helping to determine what projects and other implementation actions should be undertaken in the following year. Copies of the accepted comprehensive plan must be filed with County and State agencies and would be utilized by those agencies in planning projects and actions that could affect the planning community.

Section 284 of Town law and §7-741 of Village law allows communities to perform inter-municipal cooperation in comprehensive planning. Pursuant to these sections, the Town of Concord and the Village of Springville completed their previous comprehensive plan

jointly in 1999. The completion of this plan update, while separate from the Village of Springville's recently completed Comprehensive Plan, relied on intergovernmental partnership, resulting in increased cooperation and effectiveness of comprehensive planning and land use regulation and more efficient use of infrastructure and municipal revenues, as well as enhanced protection of community resources, especially where such resources spanned municipal boundaries.

There is no regional entity governing the acceptance of the Town of Concord's Comprehensive Plan update, and no individual Town or Village has any additional powers over any of its neighboring communities. However, it is hoped that in implementing the Comprehensive Plan update the Town of Concord, the Village of Springville, and their neighboring municipalities will continue to work together, especially on those actions determined to have cross-border influence or regional significance. Future agreements would cover forthcoming projects and, possibly in the future, a more permanent cooperative planning agreement could be put in place in the communities as a collective whole.

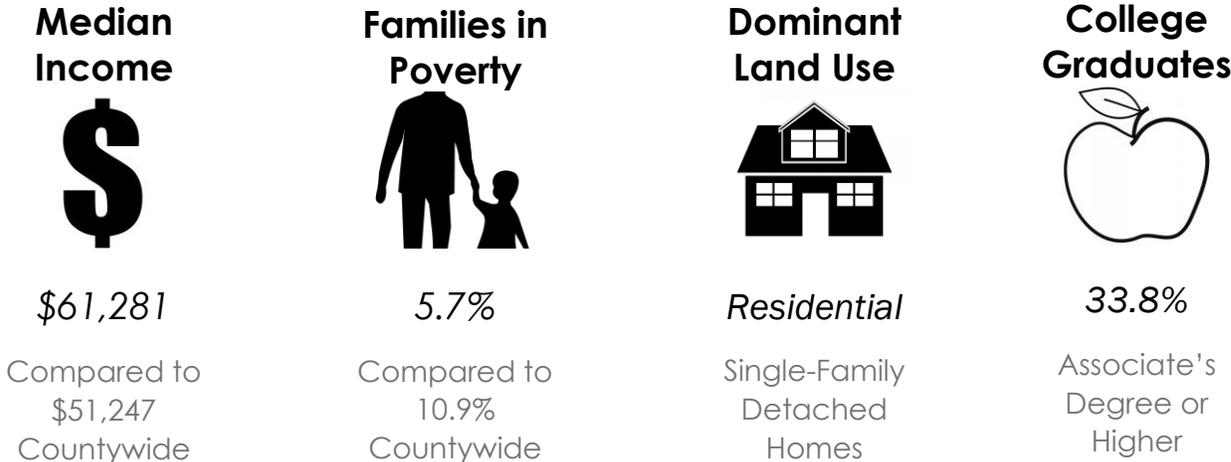
Comprehensive planning is a continuous process, and the Comprehensive Plan completed for the Town of Concord and the Village of Springville adopted in 1999, along with the recently completed 2015 Village of Springville Comprehensive Plan, should be used as a reference in association with this plan update.

CHAPTER 2: EXISTING CONDITIONS AND ANALYSIS

The primary source of data for the information presented below comes from the U.S. Census Bureau. Two primary U.S. Census Bureau datasets are utilized when aggregating data for comprehensive planning purposes: The Decennial Census and the American Community Survey (ACS). The Decennial Census has been conducted every ten years since 1790, as required by Article I, Section 2 of the U.S. Constitution. It counts every single U.S. resident and it is the primary instrument used to determine apportionment, the process of dividing seats up in the U.S. House of Representatives. In addition, the U.S. Census Bureau, through scientific sampling, selects households to complete surveys. The data collected from these surveys serve as a scientific sample for producing estimates for the entire population.

The ACS data is the most up-to-date information available on the community. Approximately 1 in 38 U.S. households per year receive an opportunity to participate in the ACS, either by completing it online or filling out a paper copy and sending it in by mail. The U.S. Census Bureau aggregates this data and publishes reports based on the information contained therein online. The Federal government then utilizes this information to aid with the decision-making process of allocating funds (approximately \$400,000,000,000 annually) back to individual communities for any number of projects such as school, road, and hospital improvements and/or construction.¹

In some instances, the data collected by the ACS is not 100% accurate. Although not intended to be, it represents what is widely regarded by social scientists as some of the best information available on a given community for gaining a generalized understanding of major demographic issues and topics. Some demographic highlights from the Town of Concord are illustrated below.



¹ U.S. Census Bureau, *How the American Community Survey Works for Your Community*, <https://www.census.gov/programs-surveys/acs/about/how-the-acs-works.html>

2.1 Demographics

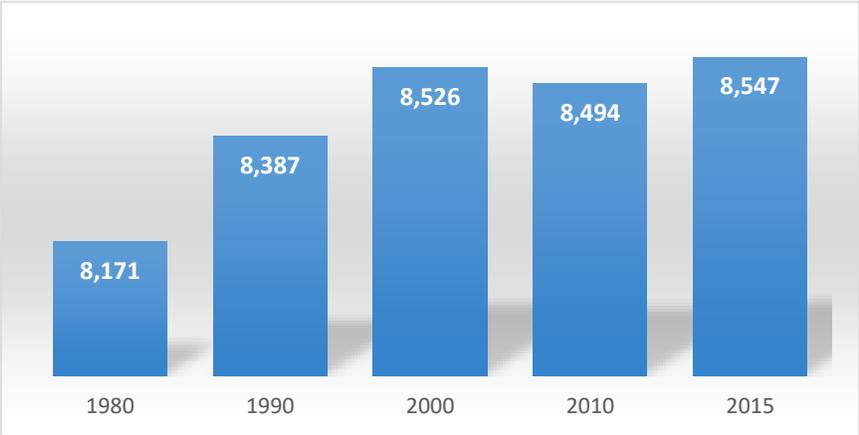
2.1.1 Setting and Background

With the current focus on regional planning, it is important to understand how the Town of Concord fits into the wider regional context. Situated approximately 25 miles southeast of downtown Buffalo, the Town of Concord is a rural, agricultural town, traditionally serviced by the Village of Springville. Approximately 50.6% of the Town of Concord's population resides in the Village of Springville. Much of the Town's labor force (which includes the Village of Springville) works outside of the Town. The population of the Town is dependent on the metropolitan economy, not only for labor force participation, but also for meeting many of their everyday needs. As such, the development policies of the Town must be crafted in full recognition of the Town and the Village of Springville's important roles in the regional economy and the Town's dependence on regional transportation networks, utilities, and employment opportunities.

The Town of Concord is seeking to maintain harmony between those qualities that drew residents there in the first place (e.g. rural quality of life, open space, excellent schools, great homes/building stock, etc.) and the increased demands and pressures that a growing population brings with it (e.g. traffic congestion, adequate fire/emergency services coverage, demand for public recreational facilities, etc.). This presents a challenge, as the Town of Concord is one of a handful of municipalities in Erie County that is currently growing in population (2015 ACS estimates).

The Town of Concord's population, including the Village of Springville, was 8,494 in 2010. The Town's population outside of the Village of Springville, the area defined as the

Concord Census Designated Place (CDP)² was 4,198. The 2015 American Community Survey (ACS) estimated that the Town's population showed signs of growth from 2010, with an estimated population of 8,547, an increase of approximately 53 persons since 2010.



Taking a longer-term perspective, from 1980 to 2010, the Town of Concord has grown in population, from 8,171 residents in 1980 to 8,494 residents in 2010, an increase of 355 persons.

² The Town of Concord outside of the Village of Springville is a CDP, or "Census Designated Place." For ease of reference, this document focuses on population of the Town of Concord, including the Village of Springville, as the two communities enjoy an interdependent socio-economic relationship with one another.

The Town's population trend is fairly consistent with Erie County as a whole, where some of the outlying Towns are growing, not because of higher birthrates or immigration rates, but rather due to second ring suburban development. Residents previously residing in the City of Buffalo or first-ring suburbs tend to move further out into Erie County often into low-density, residential subdivisions that have been built on lands that were previously agricultural/farmland.

Building permit data provided by the Town of Concord indicate that the Town is continuing to experience population growth. Based on this data, between 2010 and 2016, 42 new homes were constructed in the Town of Concord. From 2017 through 2020, an additional 23 homes were built.

2.1.2 Household Income

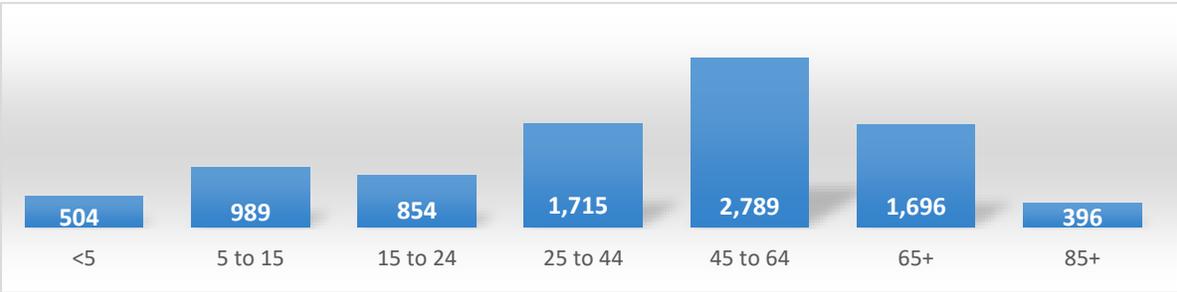
Median household income in the entire Town of Concord was estimated at \$61,281 in 2015. Median household income levels in Erie County were estimated at \$51,247, which is \$10,034 less than the Town of Concord. While Concord's household income levels are fairly characteristic of communities that serve as second ring suburbs within the Buffalo metropolitan area, they are generally higher. To provide some regional context, the median household income of residents in the City of Buffalo's municipal limits was estimated at \$31,918.

2.1.3 Poverty Levels

Poverty levels are estimated by the number of families and the number of people whose income over the prior 12 months was reported to be below the poverty level. From 2010 to 2015 poverty levels in the Town of Concord decreased for families, from 7.1% to 5.7%, and remained about the same for individuals from 9.3% to 9.4%. In comparison, Erie County's poverty levels in 2015 were estimated to be 10.9% for families and 15.0% for individuals.

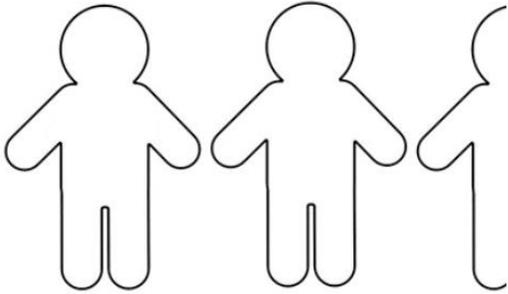
2.1.4 Age Distribution

In 2015, seniors, aged 65 and over the Town of Concord, accounted for an estimated 19.8% of the population, which represents a 4.7% increase since 2000 (15.1%) and 3.6% higher than the percentage of seniors (16.2%) found in Erie County's collective population in 2015. In 2015, the estimated percentage of Town residents under the age of 20 was 23.5%, nearly one-quarter of the Town's population base and approximately 3.7% greater than the percentage of seniors living in the Town.



2.1.5 Household Composition

The average household size in the Town of Concord in 2015 was 2.43 persons (ACS), while the average family size was 2.97 persons. The number of householders living alone (959) accounted for over one-quarter (28.2%) of the Town's populace. Family households (families) accounted for 66.9% of the types of households in the Town of Concord, while non-family households represented just over one-third (33.1%). Just over one-quarter of family households (27.6%) have children under the age of 18 living in the household.



2.43 Persons

Average Household Size

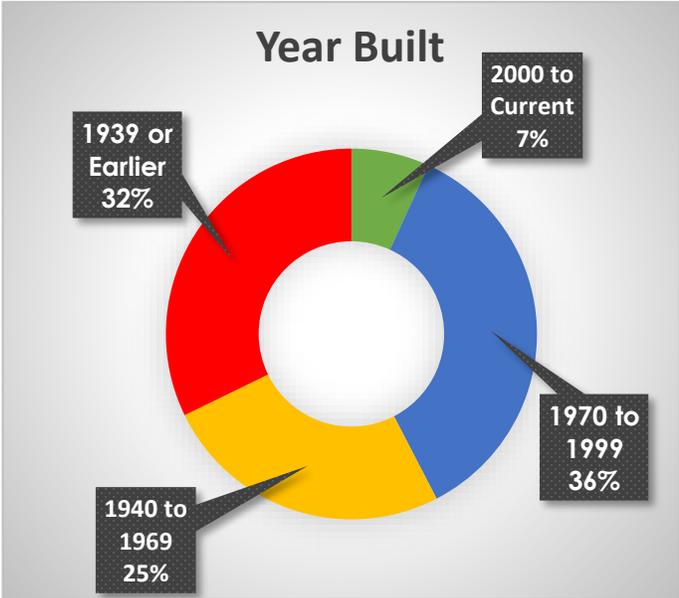
These household composition numbers are similar to what is found in Erie County as a whole, although there were some key differences. The Town of Concord has a slightly higher household size at 2.43 persons than the 2.32-person average household size found in Erie County. The percentage of persons living alone in the Town of Concord (28.2%), was less than the 33% reported countywide.

In addition, the percentage of family households and non-family households in the County, 60% and 40%, respectively, was

different than what was found in the Town. The County percentage for family households was less than the 66.9% found in the Town and the percentage of non-family households in the County was greater than the 33.1% found in the Town of Concord.

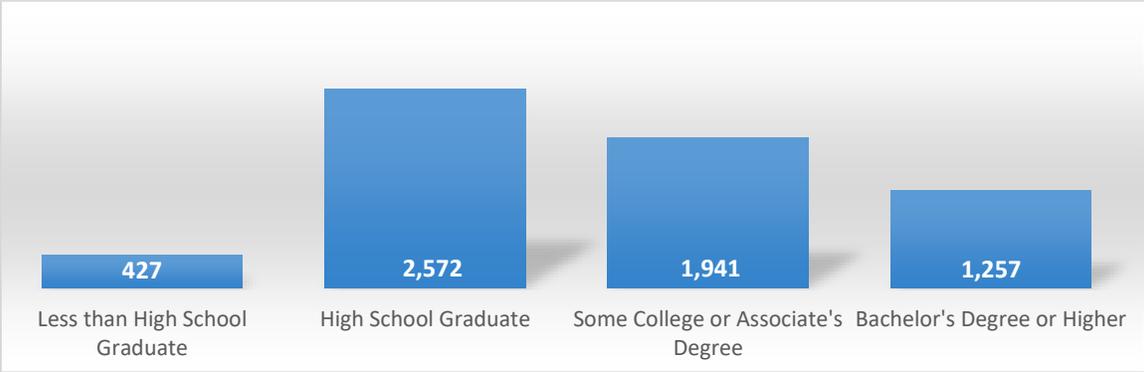
2.1.6 Household Units

In 2015, the Town of Concord had an estimated 3,936 housing units, of which 238 (6%) were estimated to be vacant. The majority of housing units were single-family, detached homes (2,781, 70.6%). Approximately 2,267 of the housing units in the Town were built prior to 1970 (57.5%) and approximately 32.2% (1,268) of the Town's housing units were constructed prior to 1940. The U.S. Census Bureau estimated that there were 149 buildings in the Town that contained 20 or more housing units in them (e.g. apartment buildings). An additional 207 housing units in the Town were mobile homes.



2.1.7 Educational Attainment

It was estimated that 93.1% of the Town of Concord's residents ages 25 and over were high school graduates (or have earned their GED) and approximately 20.3% of that same group hold a bachelor's degree. In comparison, 90.3% of Erie County's residents ages 25 and over were high school graduates and approximately 31.5% of persons within this age range held bachelor's degrees.



2.2 Environment

The natural environment of the Town consists of the physical characteristics of the land and ecology of the communities. This section of the plan considers the natural environment, focusing on the sensitive environmental features that require some degree of protection from development.

2.2.1 Topography

Topography is one of the prime physical characteristics determining an area's development potential. Relief and grade levels often dictate the extent and character of land development. Land that is nearly flat or has gentle slopes (0-5 percent), lends itself more advantageously to development than land characterized by greater slopes or variation in elevation. The Town of Concord is generally characterized by sloping topography, with some areas where there are steeper slopes, especially on the numerous stream valleys that are found in the north, south, east, and west quadrants of the Town. The Town's elevations run from approximately 950 feet above sea level at the floor of Eighteen Mile Creek Valley to 1750 feet above sea level at the peaks of Kissing Bridge.

Steep slopes can be found on the streams that serve as tributaries to Cattaraugus Creek including, but not limited to: Spooner Creek, Spring Brook, and Derby Brook. Additional steep slopes can be found on Cazenovia Creek (West Branch), Sprague Brook, Eighteen Mile Creek, and Eighteen Mile Creek (South Branch). The topography slopes at Cattaraugus Creek, which serves as the southern border of the Town, separating it from the Towns of Ashford and East Otto in Cattaraugus County. This area, known as Zoar Valley is noteworthy for its spectacular gorges and pristine beauty. It is a popular spot for fishing and white-water rafting during the spring.

Topography, therefore, sets some limits to the prospective pattern of development in the Town, although it does not prohibit development outright. *Map 1: Topography and Hydric Soils* shows the Town's topography.

2.2.2 Hydric Soils

Map 1: Topography and Hydric Soils shows the location of hydric soils in the Town. Hydric Soils are defined by the USDA as "...a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part." Essentially, hydric soils are those soils that may be wet during parts of the year. They are likely to contain wetlands.

Hydric soils are found in virtually every portion of the Town, although a preponderance of them are located on the stream corridors of Cattaraugus Creek, Derby Brook, Spooner Creek, Eighteen Mile Creek, and Cazenovia Creek.

2.2.3 Stream Corridors and Watersheds

The U.S. Environmental Protection Agency (EPA) defines watersheds as the area of land that catches rain and snow melt, which drains or seeps into a marsh, stream, river, lake or groundwater. In the Town of Concord, there are two sub-watersheds of the Niagara River Watershed (as delineated in the Buffalo Niagara Riverkeeper's *Niagara River Watershed Management Plan*), the Eighteen Mile Creek sub-watershed and the Buffalo River sub-watershed. By extension, both sub-watersheds are part of the larger Lake Erie Watershed.

Eighteen Mile Creek runs from the central north portion of the Town going through Towns of Boston and Hamburg prior to emptying into Lake Erie. Eighteen Mile Creek (South Branch) starts in the western portion of Concord and goes in a generally northwesterly direction, cutting through the Towns of North Collins and Eden prior to feeding into Eighteen Mile Creek in the Town of Hamburg. Sprague Brook is located in the northeastern corner of the Town of Concord and feeds West Branch Cazenovia Creek. West Branch Cazenovia Creeks leaves Concord and flows north through the Towns of Colden, Aurora, Elma, and West Seneca and the City of Buffalo prior to merging into the Buffalo River, which empties into Lake Erie.

In addition to the two sub-watersheds that are part of the Niagara River Watershed, another major stream corridor and watershed system, Cattaraugus Creek, is part of the



Lake Erie Watershed, forming the southern border of the Town and Erie County with Cattaraugus County to the south and following a generally northwesterly course through the Village of Gowanda before directly emptying into the lake in the Hamlet of Sunset Bay, New York. Spring Brook is located in the southern portion of the Town, flows southerly through the Village of Springville prior to emptying into Cattaraugus Creek south of the Village.

It should be noted that Cattaraugus Creek has been ranked among the top ten fishing sites in New York State for steelhead trout. Scoby Dam is also located on Cattaraugus Creek. The dam was built in the 1920's and up until 1998 it was used as an electrical power source for Springville. The dam is 182 feet long and 38 feet high. It is classified as a high hazard dam. The US Army Corps of Engineers and NYSDEC are currently conducting a feasibility study for a project that would lower the dam by 25 feet, to a height of 13 feet. Benefits of the project include enhanced dam safety and improvements to the fishery in the creek.

The NYSDEC provides a classification to water resource ranging from AA to D. Class AA or A waters are suitable as sources for drinking water, Class B waters are for swimming/recreation, Class C waters are suitable for fisheries and non-contact, and Class D waters are the lowest rated waters in New York State. Some waterbodies are further distinguished with a T (trout) or TS (trout spawning).

Cattaraugus Creek is a Class B waterbody, Eighteen Mile Creek is a Class A waterbody, South Branch Eighteen Mile Creek is a Class C(TS) waterbody, West Branch Cazenovia Creek is a Class B waterbody, Sprague Brook is a Class B waterbody, and Spring Brook is a Class B and Class C waterbody.

2.2.4 Floodplains and Wetlands

The region contains flood zones that have been designated by the Federal Emergency Management Agency (FEMA) as areas subject to flooding. These areas are depicted on FEMA Flood Insurance Rate Maps (FIRMs). The flood zones are established based upon the degree to which an area is susceptible to flood damage. The flood hazard areas (100-year floodplains) are depicted in general form on *Map 2: Environmental Features*, which should only be used for general planning purposes. Persons interested in determining the exact locations of the flood hazard areas should refer to the official maps on file at the Town of Concord, Town Clerk's office, particularly regarding the need for flood insurance for a property. Significant flood hazard areas in the Town of Concord are primarily found south of Genesee Road on the banks of Spring Brook, Spooner Creek, and Cattaraugus Creek.

There are both State and Federal wetlands located in the Town of Concord. Wetlands are defined by the New York State Department of Environmental Conservation (NYSDEC) as transition areas between uplands and aquatic habitats. They are identified by a variety of factors including the presence of standing water, vegetation, and soil type. The NYSDEC regulates any wetland area that meets their definition and measures 12.4 acres or larger. Federal wetlands are under the jurisdiction of the Army Corps of Engineers, who regulates development within wetland areas if they exceed 0.1-acre in size and are associated with a navigable waterway.



Wetlands are an extremely important environmental resource that perform numerous functions. The NYSDEC has listed some of these functions as flood and storm water control, surface and groundwater protection, erosion control, pollution treatment and nutrient cycling, and fish and wildlife habitat, as well as public enjoyment. Wetlands are

found in every portion of the Town, although a preponderance of them are located near the stream corridors of Derby Creek, Spooner Creek, and Spring Brook. These wetlands are depicted on *Map 2: Environmental Features*.

This Comprehensive Plan establishes basic Town policies for protecting the Town's important drainage features: the creeks, floodplains, and wetlands. These policies, carried out through effective regulation, are intended to protect the public interest from the adverse effects of development that disregards the drainage system. There are many benefits associated with protecting drainage features. By acting as a natural sponge to trap stormwater, snowmelt, and other surface waters, they reduce the volume and speed of runoff. This protects areas from negative impacts associated with flooding and helps reduce risk of erosion. They add natural beauty to the Town and provide important habitats for wildlife. Avoiding development in floodplains prevents risks associated with serious flood damage.

Too often the public at large bears the cost of development, which disregards the drainage system, by having to pay for engineering and public works measures to reduce the risk of flood damages. These costs and potential damages can be minimized by establishing proper natural resources policies to guide local development actions. These policies may best be utilized by providing the basis for establishing a Master Plan for drainage.

2.2.5 Wildlife

In addition to the wildlife that inhabit areas in and around the numerous creek/stream corridors and wetlands, Sprague Brook County Park (Erie County Parks, Recreation, and Forestry) and Scoby Dam Park (Erie County Parks, Recreation, and Forestry) both offer easy access to abundance of wildlife. Sprague Brook County Park is located in the northeastern part of the Town on Sprague Brook (a portion of the park is actually located in the neighboring Town of Sardinia). Scoby Dam Park is located on the southern edge of Concord on the banks of Cattaraugus Creek.

At Sprague Brook County Park visitors can encounter a variety of plants, birds, and mammals. Some of the mammals at Sprague Brook County Park include: porcupines, foxes, deer, hares, and raccoons. Birds include: bluebirds, woodpeckers, robins, herons, geese, and ducks. Scoby Dam Park was built with a hydroelectric dam as its centerpiece and is famous for its steelhead trout fishery below the dam (the dam is the furthest point east that trout can swim upstream on Cattaraugus Creek to spawn), as well as the rainbow and brown trout fishing above the dam. Other species of fish, including Salmon, can be found in and around Scoby Dam Park. *Map 3: Community Features* shows the location of both these parks.



The Zoar Valley Multiple Use Area is located directly to the west of the Town of Concord along both the north (Erie County) and south (Cattaraugus County) banks of Cattaraugus Creek. It is a New York State Watchable Wildlife site, visitors can see hawks, woodpeckers, woodchucks, foxes, turtles, deer, pheasants, squirrels, grouse, and newts. Zoar Valley is managed by the New York State Department of Environmental Conservation and is open to the general public year-round, from sunrise to sunset, free of charge.

2.2.6 Scenic Resources

In general, there are many scenic resources in the Town of Concord. Particular views of scenic interest include Scoby Dam Park and Sprague Brook County Park, Cattaraugus Creek, and any number of the working agricultural lands located throughout the Town.

2.2.7 Historic Built Environment and Cultural Resources

Nearly one-third (32%) of the Town of Concord's existing housing stock was built prior to 1939, indicating that there are many buildings in the community that exceed the 50-year-old threshold commonly utilized as a baseline for determining architectural or historical significance.³



The Scoby Hill Dam is the only structure listed on the National Register that is located in the Town of Concord (outside of the registered listings within the Village of Springville). The Concord Historical Society plays an active role in celebrating and preserving the rich architectural and cultural history of both the Town and the Village of Springville. The Concord Historical Society owns and maintains a number of buildings including: the

Warner Museum (of Pop Warner fame, Glenn "Pop" Warner was a native of the Village), the Carriage House and outbuildings, the Lucy Bensley Center Research Library (which houses extensive collection of genealogical records, cemetery records, photograph

³ It should be noted that a building or a site can be less than 50-years-old and still be considered for architectural or historical significance and listing on the State/National Registers, the 50-year-old threshold is simply a widely held, including in New York State, demarcation line utilized by architectural historians and historians to help organize the process for identifying architecturally or historically significant buildings and/or sites.

collections, and personal journals), and the Concord Mercantile/Heritage Building complex.

There are numerous State designated Archaeologically Sensitive Areas (ASA) located throughout the Town of Concord and Village of Springville. ASAs exist in the vicinity of Middle Road and Virginia Street; on both sides of U.S. Highway 219, near the intersection with State Route 39, extending south to the Cattaraugus County line; south of Main Street in the Village of Springville, north of Cattaraugus Creek; and in the vicinity of Trevett Road and Genesee Road. The State establishes ASAs as areas extending out a radial distance of 0.50-mile from the location of a known archaeological site.

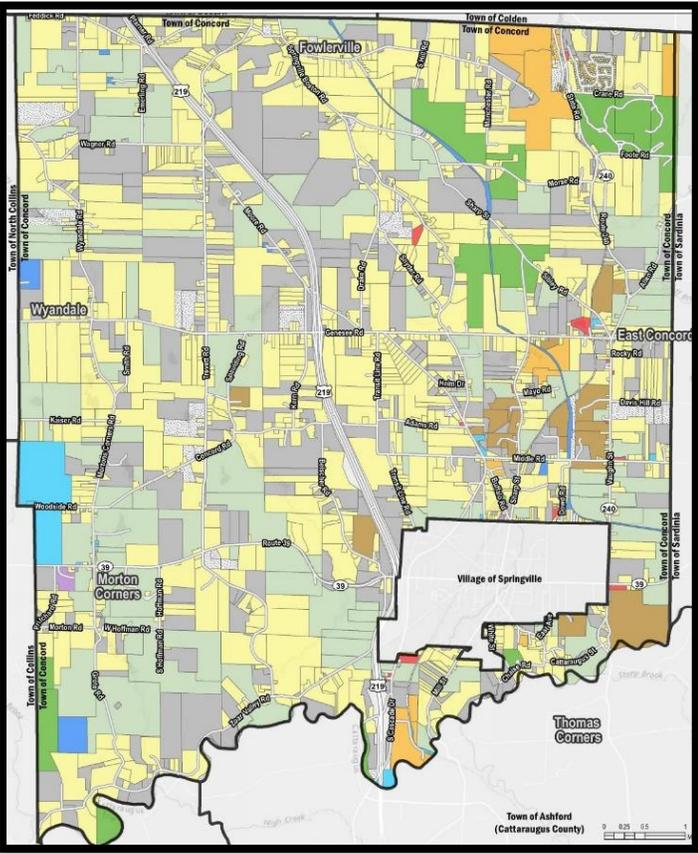
Archaeological surveys have been completed for sites in many parts of the Town in relation to both individual site development and transportation and infrastructure related improvement projects. Known archaeological sites are deliberately not mapped, to protect their integrity from vandalism, looting, and/or theft. The New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) should be consulted prior to conducting any site development activities in the Town or the Village.

2.3 Land Use and Zoning

The Town of Concord regulates land uses through the utilization of comprehensive planning and zoning provisions. The Comprehensive Plan informs the zoning regulations of the Town and serves as the legal basis for the zoning districts that are established within the Town's municipal limits. Land use is also impacted by the New York State Environmental Quality Review Act (SEQRA) and the requirements of the New York State Agricultural and Markets Law for those properties located within an agricultural district.

2.3.1 Existing Land Use

In total, there are approximately 2,700 unique parcels of land located in the Town of Concord. Lands in the Town and Village of Springville are generally organized into eleven (11) categories utilized for real property tax assessment that include: No Data, Agricultural, Residential, Vacant, Commercial, Recreation and Entertainment, Community Services, Industrial; Mine/Quarry, Public Services, and Wild, Forest, and Conservation Land. *Map 4: Land Use* shows the existing land use patterns in the Town of Concord.



As shown on *Map 4: Land Use*, the majority of lands in the Town are classified as either agricultural or residential. Some lands are utilized for both but are classified as either one or the other use by the assessor, which can lead to the under representation and over representation of certain land use categories in the Town. Additionally, a substantial amount of the land has been classified and assessed as Vacant Land, which could be misconstrued to mean that the land is un-buildable or un-farmable due to topographic or other constraints, or that these parcels are abandoned agricultural lands. Other land use categories that should be noted due to their preponderance include Wild, Forest and Conservation lands and Mine/Quarry lands. The inaccuracy of properly classifying lands in the Town to reflect their actual use can impact land use planning efforts, as well as assessment rolls.

The *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions*, which was prepared by Carol Horowitz, AICP, states that an understanding

of the community's existing land use patterns is an important component of the Comprehensive Plan. Since the use of land changes over time, knowledge of existing development patterns can be helpful in identifying trends and may help to ensure that proposed future land uses are compatible with the current use of an area.

To assess the existing land use patterns in the Town, an Existing Land Use Study was conducted. Initially, a draft Land Use Map, showing all of the approximately 2,700 parcels in the Town, was generated using GIS data provided by Erie County. This map shows the land use of each parcel taken from Real Property assessment records. The property type classification codes were organized into broad land use categories, such as agriculture, public, vacant, or residential. Then a windshield survey of all parcels visible from public roads was conducted to field evaluate the actual land uses and gain an understanding of the Town's overall development pattern, including the types and locations of various land uses.

Although the windshield survey was conducted during the first two weeks in December 2015, weather conditions were ideal, with dry roads, no snow cover, and no foliage on deciduous trees. To complement the field survey, the 2014 orthophotography map, available on the Erie County website, was consulted to assess the interior of some large parcels. The initial Land Use Map was updated based on information gathered during the windshield survey and the review of aerial photography records. The Land Use Map was further refined based on input from members of the Town of Concord Master Planning Committee.

Table 1: Existing Land Uses, 2015			
Type of Land Use	Calculated Acreage	Percentage	Rank
Residential	17,346	42.5	1
Agricultural	9,468	23.2	2
Vacant	8,921	21.9	3
Commercial/Commercial Recreation	1,169	2.9	4
Mineral Extraction	1,015	2.5	5
Private Forest	910	2.2	6
Public	783	1.9	7
Public Forest	707	1.7	8
Utilities	385	0.9	9
Industrial	111	0.3	10
Total	40,815	100.0	-
<small>Source: Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions by Carol Horowitz, 2016</small>			

Because the Existing Land Use Map is based on parcels, it assumes that only one land use is conducted on each parcel. However, there are many parcels that contain more than one land use, for example, parcels that have a single-family home and are also utilized for some type of agricultural activity. In those instances, the parcel is categorized according to the land use classification assigned by the assessor. Again, this methodology may under-represent or over-represent some types of land uses in some instances; however, overall, the existing land use survey provided a reasonable

representation of Concord's current development patterns, outside the Village of Springville.

Land uses in the Town of Concord are shown on Existing Land Use Map (Figure 1) and are summarized in Table 1. Almost one-half (43%) of the land area in Concord is devoted to residential development. Agriculture and vacant land each comprise about one-quarter of the Town's land area. The remaining twelve percent of land area is split among commercial, industrial and public land uses.

Since 2015, the Town has seen one 94c proposal for large-scale solar projects and other non-94c projects in the proximity of Genesee Road. These projects could potentially account for 100s acres of lands being converted to solar fields. The Town recently approved a solar law that addresses large-scale solar projects. This law provides parameters for the approval of large scale solar projects, especially in agricultural areas, as the Companies tend to focus on large parcels, which are typically found in the agricultural areas of a community. Refer to Section 2.4 Agricultural Lands for further discussion.

Residential Land Use

Approximately 43 percent of the land in Concord is residential. This category ranges from apartments to single family homes located on large and very large lots. Table 2 shows the variety of residential land use within the Town.

Single family homes comprise the majority of residential land usage. This is a broad category that encompasses a wide variety of housing types, ranging from homes on small lots in East Concord, Morton's Corners and other traditional hamlets, to homes on very large lots.

The category of two-family residences includes both traditional attached duplexes, such as those on Genesee Road, west of Route 219, as well as lots containing two separate residential structures. Similarly,

Table 2: Residential Land Uses, 2015		
Residential Land Use	Acres	Percentage
Single Family	16,041	92.5
Two-Family	106	0.6
Multi-Family	1,187	6.8
Mobile Home Parks	12	0.07
Total	17,346	99.97*
<small>Source: Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions by Carol Horowitz, 2016</small>		

multiple family residential includes both apartment buildings and lots with more than two residential structures. The two mobile home parks located in the Town, are found on North Street and at the corner of Vaughn Street and Middle Road.

Because the capacity of public water supply and sanitary sewer services is very limited in the Town, most residential development occurs on larger lots that can accommodate private wells and septic systems. Due to these infrastructure constraints, there are very few traditional subdivisions on smaller sized lots. Instead, the pattern has been to develop large lot subdivisions, on lots of five acres or more, with all lots taking access from existing public roads. The development on Townsend Road, south of Genesee Road, is an

example of this type of subdivision pattern. The Crane Ridge subdivision, in the northeast section of the town, is an example of a subdivision on smaller lots; this subdivision is served by its own, dedicated water supply and sewage disposal systems, which support the smaller lot size.

Commercial and Commercial Recreational Land Uses

There is some commercial development pressure near the U.S. Highway 219 interchange with State Route 39. The *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions* states that only 2.9 percent of Concord's land area is devoted to commercial and commercial recreational uses (See Table 1), and much of that area is devoted to commercial recreation. Still, the commercial and commercial recreational category ranks fourth in land usage.

Traditionally, the Village of Springville served as the retail center for the town, and Springville has continued to be the pedestrian-oriented, retail center of the community. More recently, highway-dependent, commercial development has occurred near the intersection of Route 39 and South Cascade Drive, in the vicinity of the U.S. Highway 219 interchange. Most of this development is located in the Village, but there is some commercial activity that extends into the Town on South Cascade Drive.

Because the Village is the commercial center of the community, there is no large center of commercial activity in the Town. However, there are pockets of commercial activity throughout the town. Many of these nodes of commercial activity are located in the town's historic hamlets, including East Concord and Morton's Corners. One of the largest commercial areas is located in the Hamlet of East Concord, which includes a post office, restaurant, inn, and other commercial activities. There is also a commercial area on Route 39, east of the Village, at the intersection of Vaughn Street.

Individual commercial parcels are also scattered throughout the Town. These businesses include the auto repair facility on Fowlerville Road, and Concord Amish village on the corner of Trevett Road and Route 39. While not apparent from the data shown in Table 1, there is a significant amount of commercial activity in the town that occurs as home occupations and professional residence offices on parcels that are primarily used as single-family residences. These home occupations include computer repairs, taxidermy, and private contractors.

A sub-category of commercial land use is commercial recreational activities, which are privately-owned facilities that are open to the public, or to members, for recreation. Concord is home to several large commercial recreational facilities. These include Kissing Bridge Ski Resort, Concord Crest Golf Course on Sharp Street, and Springville Country Club on South Cascade Road. This category also includes the Hogarosa Campground on Summit Lane and the commercial riding stable on Cattaraugus Street.

Between 2017 and 2020 a total of 7 commercial permits were issued.

Industrial Land Use

The *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions* states that there is not a significant amount of industrial land in Concord, and this category ranks tenth, and last, of the land use categories in the town. Similar to commercial land uses, industrial land is not concentrated in any one area. One example is a manufacturer of pre-cast concrete products located on Route 39, at Pritchard Road. Another industrial business is the milling company on Genesee Road in East Concord. Several other industrial parcels are scattered throughout the Town.

Mineral Extraction

The *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions* states that the extraction of topsoil, sand, gravel and similar resources ranks fifth in land use categories, constituting approximately 2.5 percent of the land area in the Town. The majority of sites currently being mined tend to be located in the eastern part of Concord, near Route 240. Some of the parcels designated as Mineral Extraction on the land use map also contain other land uses, such as agriculture, on part of the property.



Utilities

The *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions* states that this land use category includes several small, but important facilities. It includes parcels used to provide municipal water and sewer services, such as the Erie County Water Authority storage tank, near U.S. Highway 219, at the intersection of Trevett and Old Trevett Roads. Other examples include the Crane Ridge Subdivision Wastewater Treatment Plant, located on Route 240, and the Kissing Bridge water district on Abbot Hill Road.

This category also includes privately-owned utilities, such as the Niagara Mohawk transmission line, which runs generally north-south through the Town. There is also a National Fuel Gas facility on Genesee Road, at the municipal border with the Town of North Collins. Also included are telecommunications facilities and towers that are owned by various companies. The Buffalo and Pittsburg railroad right of way is also included in this category.

Public Land Uses

The *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions* states that approximately two percent of the land area of the town is classified as public. This category includes parks and publicly-owned recreational sites, as well as publicly-owned land used for other purposes. This category also includes quasi-

public land, such as cemeteries, churches, and fraternal organizations and other membership clubs.

The Town contains several large public parks owned by the Town and Erie County. The 17.5-acre Town of Concord Community Park is located on Buffalo Road. Sprague Brook County Park is a 974-acre park owned by Erie County, which offers a wide variety of year-



round recreational opportunities, including camping, fishing, picnic sites, baseball diamonds, and tennis courts. An extensive trail system is available for hiking and mountain biking and for sledding, cross country skiing and snowshoeing in the winter. There are also designated snowmobile trails. Other parks include Scoby Dam Park on Cattaraugus Creek, also owned by Erie County, which is a well-known steelhead trout fishing site. In the "Erie County

Parks Master Plan Update" completed in 2018, Sprague Brook Park is identified as a "Special Use Park" that "should meet the mandate of the County Parks system, for the protection of natural and cultural heritage resources, and provision of recreation activities in natural settings. The Plan defines Scoby Dam Park as a "Conservation Park" that is an undeveloped park whose "lands are to generally remain in a natural state". The Plan specifically calls for the preservation and enhancement of the natural tree stands along Cattaraugus Creek.

The public land use category includes municipal facilities, such as the Erie County Department of Public Works highway garage, located on Sibley Road in East Concord, and Town of Concord highway garage on North Central Avenue. Also included are volunteer Fire Companies, such as the Morton's Corners fire department and the East Concord fire department. Fraternal organizations, such as the Veterans Boston Post in Fowlerville and the Moose Lodge on Buffalo Road are included in this category. Private clubs, such as the Concord Horseshoe Club on Dowd Street and Springville Travelers Club on South Cascade Drive are also included.

Several cemeteries, some of which are quite old, are located throughout the Town. These include:

- the Griffith cemetery on Morse Road,
- the East Concord cemetery, located on the corner of Genesee Road and Vaughn Street (Route 240),

- the Sibley Cemetery on Sharp Street
- Wheeler Hollow Cemetery on Spaulding Road (near Wheeler Road,)
- Morton's Corners Cemetery on Morton's Corners Road,
- Lutheran Cemetery on Route 39 (Collins Springville Road), and
- Fairview Cemetery on Springville Boston road (at Middle Road).

Springbrook Springs is a water supply source. Mayer Brothers collects and stores water from Spring Brook at three sites in Concord. The water is bottled off-site and sold by Mayer Brothers. The water supply sites include 9130 Middle Road, a parcel on Sharpe Street, and a parcel at the intersection of Route 39 and Morton's Corners Road.

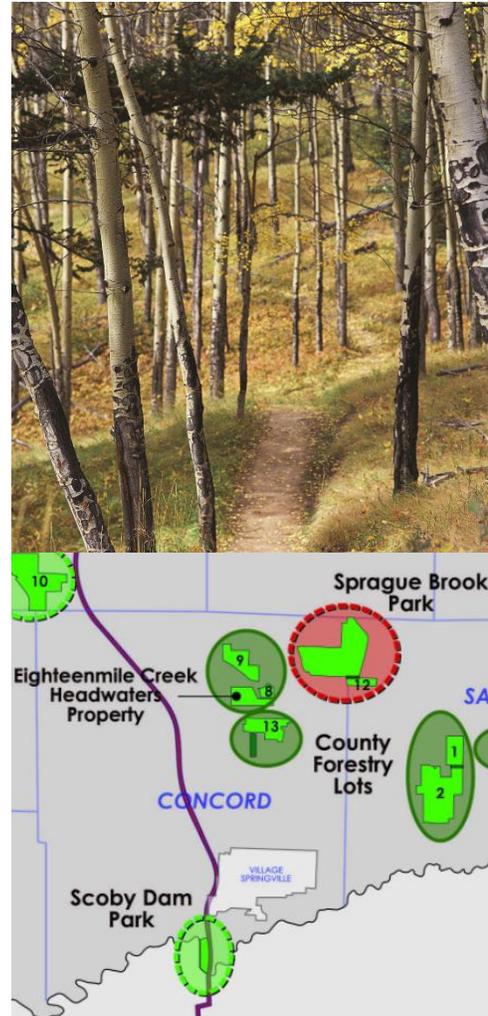
Public and Private Forests

The *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions* states that a significant amount of public forest land is located in the northeast section of the Town. There are several large parcels of land, owned by various private owners, which are classified as private forest land. Two of these parcels are located in the northeast part of town; several others are located in the southern part of the town. Private forestland includes the Springville Field and Stream parcel bounded by Chaise Road and White Street.

Erie County owns approximately 700 acres of reforestation land, in several non-contiguous parcels. This acreage is spread over 3 "Forestry Lots" or "Forest Management Areas" in the Northeast section of Town. The "Erie County Parks Master Plan Update" completed in 2018, states that the focus of these Forestry Lots is to "maximize resource management opportunities while preserving habitat and environment, and long term sustainability" and to focus on partnering with "Environmental-based and Conservation-based organizations that will preserve and enhance these natural settings."

In addition, the Eighteen Mile Creek Headwaters Property is in close proximity to the Forestry lots. This Property is a 223-acre community forest that the County wishes to preserve. Per the Parks Master Plan, "Preservation of this property is very important due to forests and wetlands on the property which provide critical habitat" and "Protecting this forest secures a key connection to over 1,000 acres of headwater forest, creating connected landscapes of open space to benefit the public."

It should be noted that the Forestry lots fall within a half-mile buffer of the electric transmission line that runs through the Town and are largely surrounded by vacant or undeveloped parcels (Refer to Map 16: Siting Study). This makes the area surrounding the parks a possible attractive location for solar arrays or other electricity-generating



infrastructure. In 2021, the Town anticipates reviewing one 94c solar project and other non-94c projects within a several mile radius of the forestry lands.

Vacant Land

The *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions* states that vacant land constitutes approximately one-quarter of all the land area in Concord, ranking third behind agriculture. Vacant parcels are located throughout the Town, and much of it is in blocks of relatively large parcels. Vacant land represents a substantial potential for future development.

2.3.2 Zoning

The Town of Concord Zoning Law (Chapter 150 of the Town of Concord Municipal Code) establishes zoning districts to regulate development within the community. The current zoning map for the Town is held in the office of the Town Clerk (see *Map 5: Zoning*). The Town of Concord has fourteen (14) zoning districts that are broken into one of the three general categories: Residence, Business, or Industrial. No changes to the zoning map have occurred since the previous update to this plan in 2018.

Residential zoning districts include Single-Family Residence-Estate District (R-E), Single-Family Residence District (R-1), General Residence District (R-2), General Residence-Mobile Home Court District (R-M), Residential-Agricultural District (R-AG), Residence-Restricted Business District (R-RB), and Cluster Housing (R-12).

The Town's Business zoning districts include Local Retail Business (C-1), General Commercial (C-2), Commercial Tourist (C-T), and Commercial-Recreation District (C-R). The industrial zoning districts in the Town include General Industrial (M), Mining-Reclamation (M-R), and Planned Industrial District (PID). These zoning districts are generally reflective of the Town of Concord's rural, agricultural setting. They are Euclidean, single-use districts that categorically include permitted uses within each of the established districts (e.g. public and private schools are permitted principal uses in the R-1, Single-Family Residence District).

The majority of land in the Town of Concord is zoned Residential-Agricultural (R-AG), which is illustrated on *Map 5: Zoning*. Commercial zoning districts (C-2 and C-R) are located south of the Village of Springville, on U.S. Highway 219. Additional commercial zoning districts (C-1, C-2, and C-3) are located near the Hamlet of East Concord. C-R (Commercial-Recreation District) zoned properties are located off Glenwood Road in the northeastern portion of the Town, near Sprague Brook County Park. There are a number of properties located in the Town that are zoned Mining-Reclamation (M-R); the greatest concentration of these properties is located in the vicinity of the former CSX railroad, in-between Middle Road (to the south) and Genesee Road (to the north). The actual boundaries of the mining areas that are zoned Mining-Reclamation are approved by the New York State Department of Environmental Conservation (NYSDEC) through a mining permit.

The Town of Concord has also established provisions in the Zoning Law for Planned Unit Development (PUD), which is a “procedure intended to permit diversification in the location of structures and improve circulation and other site qualities, while ensuring adequate standards relating to public health, safety, and welfare and convenience both in use and occupancy of buildings and facilities in planned groups.” PUDs are only permitted in the C-1 (Local Retail Business District) and in the C-T (Commercial-Tourist District). They require a minimum area of 30 acres of contiguous land, with 20% of the land serving as open space, with a minimum of 10% of the land devoted to public recreation.

The Town's zoning ordinance establishes uses that can be permitted by Special Use Permit. Special Use Permits are required for certain uses that may require additional regulations and/or restrictions. In addition, the zoning ordinance includes supplementary zoning regulations pertaining to wind energy conversion systems, automotive use areas, temporary structures or uses, and dwelling unit street frontage requirements, as well as regulations pertaining to fencing, signage, off-street parking, and site plan review.

Please see the appendix for a detailed zoning analysis contained within the *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions*, which was prepared by Carol Horowitz, AICP in December 2016,

The Town adopted a Solar Energy Systems law in March 2017 that addresses both small and large-scale or utility-scale solar energy systems. Rooftop-mounted solar energy systems are permitted in all zoning districts, while ground-mounted systems are permitted in all districts as accessory structures. Large-scale or utility-scale systems are permitted in Residential-Agricultural, General Industrial, and Mining Reclamation districts under a Special Use Permit. Large Scale Solar projects over 25 MW are presently being processed under NYS Article 10, and new regulations (94 C) for these facilities are now in place. A major criterion of compliance encouraged within these state-level laws aimed at incentivizing and accelerating the development of renewable energy resources, is consultation and communication with local affected communities and to meet their zoning regulations. NYS requires that zoning regulations be written in accordance with a Comprehensive Plan, hence the importance of this Plan update.

There have been no other major zoning changes in the Town, other than minor revisions to some sections of the Local Law.

2.4 Agricultural Lands

Historically, since the Town's founding in 1812, agriculture has been one of the cornerstones of Concord's economy and way of life. Today, the Town of Concord remains a community that prioritizes its agricultural uses and rural, exurban setting. In general, residential development in the form of subdivisions, comprised of single family, detached homes (sprawl) has yet to impact the character of the Town's agricultural lands.

Concord remains a town with focused commercial development in and around a rural village center, Springville. In the 2006 *Erie-Niagara Framework for Regional Growth*, all of the Town of Concord, to include the Village of Springville, was defined as a "Rural Area," which the *Framework* notes are among the least intensely developed lands in the region



and include large tracts of open lands, forests, and farmland. The Village of Springville is classified in the *Framework* as a "Rural Center," which is defined as "designated centers providing varying combinations of essential commercial and public services to surrounding rural areas."

The Town of Concord is a NYS "Right to Farm" Community which provides protections for farmers, demonstrating that agriculture is vital to the Town of Concord. Article 150-203 states that "It is the purpose of this article to reduce the loss to the Town of Concord of its agricultural resources by limiting the circumstances under which farming may be deemed to be a nuisance and to all agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction".

The Town of Concord has one designated agricultural district, Erie County Agricultural District #15, which encompasses much of

the undeveloped land in the Town (see *Map 6: Agricultural Districts and Farmland Soils*), especially along the stream corridors of Eighteen Mile Creek and the South Branch of the creek. The portions of the Town that are not included in the designated agricultural district roughly include the areas east and west of U.S. Highway 219, immediately north of Cattaraugus Creek; the Village of Springville; and the northeastern corner of the Town. Landowners voluntarily agree to have their lands placed into Agricultural Districts in exchange for a variety of protections and incentives designed to promote the continued

agricultural use of the land. The County administers the agricultural district program on behalf of New York State, officially reviewing the districts, and adopting them following state certification.

Agricultural districts allow landowners the opportunity to receive real property assessments based on the value of their land for agricultural production, rather than on its development value. In addition, these landowners gain protection from local regulations that would unreasonably restrict farming operations, protection from nuisance suits, and greater protection from development under the State Environmental Quality Review (SEQR) regulations.

Properties located in Agricultural Districts in Erie County are enrolled for 8-year periods. At the end of each 8-year time frame, the County conducts a review and landowners can opt to either remain in the district or have their property removed. The purpose of the Agricultural District is to encourage the land to remain in agricultural production and contribute to the agricultural economy of the area. As *Map 6: Agricultural Districts and Farmland Soils* illustrates, because it is a voluntary program, not all land being farmed falls within the protection of an Agricultural District. At the same time, not every parcel within an Agricultural District is currently in active agricultural use.

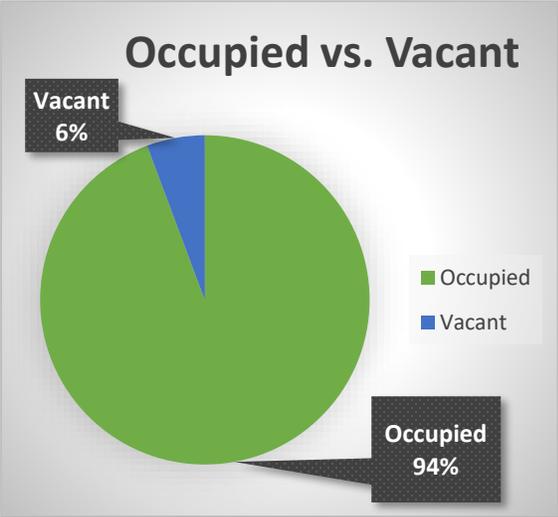
As displayed on *Map 6: Agricultural Districts and Farmland Soils* the Town of Concord has a variety of farmland soil classifications. Much of the Town has Prime Farmland soils and Soils of Statewide Importance. In many instances the lands nearest the stream corridors of Eighteen Mile Creek, the South Branch Eighteen Mile Creek, and Cattaraugus Creek are classified as Not Prime Farmland, as they are largely comprised of hydric soils (i.e. soils that support wetlands).

The *Erie County Agricultural and Farmland Protection Plan* notes that the Town of Concord contains large assemblages of highly rated soils (see *Map 6: Agricultural Districts and Farmland Soils* as well as *Map 10: Clusters of Parcels with High Agricultural Soils Value*), many of the agricultural lands in the Town have soils rated between 40.01 to 400.00 (the soil rating was based on the total acreage within the parcel of cropland in each of the soils categories, multiplied by a weighting factor of 2.0 for prime soils, 1.5 for prime soils when drained, and 1.0 soils of statewide importance). Many of the parcels with high soil value are within ½ mile of the electrical transmission lines that cross the Town (see *Map 16: Siting Study*).

Agriculture in the Town of Concord not only positively impacts the local economy, but also helps to continue the rural way of life that is valued by residents. Since the Town's founding over 200-years ago, farming – the working of the land – has been the centerpiece of day-to-day life. Changes to agriculture in the Town, in turn, change the community's collective character and psyche. Rural landscapes such as farm fields, woodlands, and picturesque farmhouses create an identity for the community, in addition to the supporting the local economy. By protecting the Town's remaining agricultural lands through the use of the Agricultural District program, a way of life is being preserved, an economic foundation remains structurally sound, and the ability of the Town to continue contributing to meeting the local food access and planning needs of the Town, the County, and the region is being sustained.

Maps 10-16 in the Appendices provide updated mapping for Agriculture in the Town of Concord and shows County lands and proposed solar locations in the Northeast section of the Town. Using these maps, you can see that the areas where solar is being proposed are within the Agricultural District, have parcels with solar ratings ranging from 40-400, and have existing cropland. However, you will also see that these are not areas that are considered to have clusters of parcels with high agricultural soil values or are within ½ mile of the Concord transmission lines. In addition, the current proposed solar projects are not adjacent to Erie County lands.

2.5 Housing and Neighborhoods



Housing and neighborhoods in the Town of Concord are reflective of the relatively rural nature of the community. In general, the Town's housing stock is characterized by farmsteads and single-family, detached homes that are set on larger tracts of land, which is consistent with the Town's dominant land uses (Residential and Agricultural) and zoning (Residential-Agricultural, R-AG). In 2015, the U.S. Census Bureau estimated that nearly 70.7% of the housing units (2,781 dwellings) in the Town were single-family detached homes. Of the approximately total of 3,936 housing units in the Town, it was estimated that 238 (or 6%) were vacant.

Neighborhoods and communities in the Town of Concord include the Village of Springville and the Hamlets of Concord, Morton's Corners, East Concord, Footes, Fowlerville, Woodside and Wyandale. The Village of Springville is located in the southern portion of the Town, just north of Cattaraugus Creek, flanking both the north and south sides of State Route 39. The Village is located due east of U.S. Highway 219.

The Hamlet of Concord is centrally located in the Town, near the intersection of Concord Road and Spaulding Road. Morton's Corners is in the southwestern portion of Concord, located directly off State Route 39. East Concord is located near the Town's eastern boundary with the Town of Sardina. Footes is located north of East Concord, in the vicinity of the intersection of Glenwood East Concord Road and Foote Road. Fowlerville is in northern Concord, close to the Town's northern border with the Town of Colden. Woodside is located north of Morton's Corners, at the intersection of Concord Road and Morton's Corners Road. The Hamlet of Wyandale is located west of U.S. Highway 219, at the intersection of Genesee Road and Wyandale Road.

2.6 Multi-Modal Transportation Network

2.6.1 Major East/West Automobile Travel Routes

There are two main thoroughfares for east/west automobile travel that provide access for Town of Concord, which include Genesee Road and State Route 39 (Main Street in Village of Springville). Genesee Road is classified as a major collector roadway that provides a continuous east/west access through Concord from the Town's eastern boundary with the Town of Sardina, to the Town's western boundary with the Town of Collins. Similarly, State Route 39 is classified as a minor arterial, and continues as such when it becomes Main Street in the Village of Springville. State Route 39 extends from the Town of Sardina to the east to the Town of Collins to the west. These east/west travel routes can be seen on *Map 7: Transportation*. In 2015, the New York State Department of Transportation estimated the volume of Annual Average Daily Traffic (AADT) in the Town of Concord for these east/west roads, as follows:⁴

Name	Where to Where (East to West)	2015 AADT
Genesee Road	Allen Road to Rocky Road	3,090
State Route 39	Buffalo Street to U.S. Highway 219	11,607

Source: New York State Department of Transportation

2.6.2 Major North/South Automobile Travel Routes

With downtown Buffalo located approximately 25 miles northwest of the Town of Concord, continuous, north/south automobile travel routes are more plentiful than those providing east to west access. These important travel routes include U.S. Highway 219, which is classified as a Principal Arterial – Freeway; Springville-Boston Road, which is classified as a Major Collector roadway; and State Route 240, which is classified as a Major Collector road. These north/south travel routes can be seen on *Map 7: Transportation*.

U.S. Highway 219 runs diagonally, roughly bisecting the Town, extending from the Town of Boston in the north to the Town of Ashford (in Cattaraugus County) to the south. At the interchange where U.S. Highway 219 meets State Route 39, just west of the Village of Springville in the southern portion of the Town, further commercial and industrial development is anticipated in the future.

Springville-Boston Road (County Road 228) is situated directly east of U.S. Highway 219, running roughly parallel to it,, extending from the Town of Boston in the north to just north of the Village of Springville, where it becomes Cascade Drive and continues further south into the Town of Ashford (in Cattaraugus County).

⁴ Annual Average Daily Traffic (AADT) is the estimated average daily traffic volume on a route segment at a particular count station location. Federal Highway Administration (FHWA) guidelines published in the Traffic Monitoring Guide indicate that the expansion of 'short' counts to AADT with properly designed adjustment factors will enable the user to be 95% confident that the estimated AADT is within +/- 10% of the actual value.

State Route 240 is located in the eastern part of the Town of Concord, running parallel to the Town's eastern municipal boundary. This highway begins in the Town of Colden to the north and extends to the Town of Ashford to the south.

In 2015, the New York State Department of Transportation estimated the volume of Annual Average Daily Traffic (AADT) for these north/south major travel routes in the Town of Concord and the Village of Springville, as follows:

Name	Where to Where (North to South)	2015 AADT
U.S. Highway 219	Genesee Road to Middle Road	11,134
Springville-Boston Road	Middle Road to Village of Springville	2,813
State Route 240	Genesee Road to Middle Road	2,581

Source: New York State Department of Transportation

2.6.3 NFTA Metro Bus Routes

The Town of Concord is not served by any of the current Niagara Frontier Transit Authority (NFTA) bus routes. The nearest NFTA bus route is located on Boston State Road in the Hamlet of North Boston, which is north of the Town and not within a reasonable walking distance (reasonable walking distance is generally regarded as being between 0.25 to 0.50 miles). Other bus routes are located further north in the communities of Farnham, Angola, Hamburg, and Orchard Park.

2.6.4 Bicycle Routes

The Greater Buffalo-Niagara Regional Transportation Council's (GBNRTC) Online Bicycle Map notes that there are no (0) marked bicycle lanes in the Town of Concord or the Village of Springville. The GBNRTC's Online Bicycle Map classifies Springville-Boston Road, Glenwood-East Concord Road, and Vaughn Street as all having "Suitable" levels of on-road bicycle service. Springville-Boston Road remains as a "Suitable" route once it becomes North Cascade Drive and crosses into the Village of Springville; although, once North Cascade Drive becomes South Cascade Drive, after it crosses Main Street, it becomes a "Caution Advised" route all the way to the Town of Concord's municipal boundary to the south.

The Online Bicycle Map notes that Allen Road is classified as a "Caution Advised" on-road route. Most of Genesee Road is classified as having a "Suitable" level of service, although the stretch between Allen Road and Sharp Street is classified as a "Caution Advised" on-road bicycle route, as is the portion of Genesee Road between Wyandale Road and the Town of Collins municipal boundary to the west.

Most of State Route 39 is classified as a "Caution-Advised" on-road bicycle route. This is of particular importance given the vital role State Route 39 plays in the transportation network once it crosses into the Village of Springville and becomes Main Street.

2.6.5 Walk Scores

The Walk Scores, which measures the distance between any selected address and nearby daily necessities by applying an algorithmic formula that increases and/or decreases the score based on a number of variables including distance. Walk scores for most of the Town of Concord (outside of the Village of Springville) were low when compared to those found in the Village of Springville. The scores can be seen on the table below:⁵

Hamlet/Village	Walk Score
Hamlet of Concord	0 (Car Dependent)
Hamlet of Morton's Corners	0 (Car Dependent)
Hamlet of East Concord	10 (Car Dependent)
Hamlet of Fowlerville	0 (Car Dependent)
Hamlet of Woodside	0 (Car Dependent)
Hamlet of Wyandale	0 (Car Dependent)
Village of Springville	60 (Some Errands Can Be Accomplished on Foot)

The ability to safely walk to accomplish day-to-day errands is not necessarily a priority in many parts of the Town of Concord, which remain largely rural, agricultural, and in many ways self-sustaining. Walkability becomes a greater factor for those Town residents that live in the immediate vicinity of the Village of Springville.

2.6.6 Rail Service

Residents of the Town of Concord and the Village of Springville have no access to passenger rail service, as service on the Buffalo, Rochester, and Pittsburgh Railway ceased years ago (there were stops at both Springville and East Concord). Erie Cattaraugus Rail Trail, Inc. is actively seeking to utilize the railroad right-of-way for a rails to trails project that would establish a multi-use trail that would run north/south through the Town, connecting to the Town of Orchard Park in the north and to Cattaraugus County in the south.

2.6.7 Air Service

The Buffalo-Niagara International Airport is located approximately 30-miles north of the Town of Concord. Cizsak Airport (35NY), a private airstrip, is located near the intersection of State Route 39 and Trevett Road. It has one turf runway that measures approximately 1,600 feet (487.7 meters) in length and 50 feet (15.2 meters) in width.

⁵ Walk Score is measured on the following scale: 0-24, Car Dependent (All); 25-49, Car Dependent (Most); 50-69, Somewhat Walkable; 70-89, Very Walkable; 90-100, Walker's Paradise. Walk Score's advisory board includes the Sightline Institute and the Brookings Institution. Funding for Walk Score's research has been provided by the Rockefeller Foundation and Robert Wood Johnson Foundation. Walk Score also has utilized similar algorithmic equations to develop a proprietary Bike Score and Transit Score systems of measuring bikeability and transit access.

2.7 Utilities

2.7.1 Water

There are three (3) “water districts” in the Town of Concord. Water District #1 (Formed in 1993) services the Kissing Bridge ski resort, which is located in the northeastern portion of the Town and includes the subdivisions of Kissing Bridge Lane and Bridge Top. Water District #2 services the northern portion of the Town. Water for Water District #2 is provided by the Erie County Water Authority via a line running in a southerly direction from the Town of Boston.



There are some residents (less than 10 homes) within the Town of Concord on Cattaraugus Street that receive their water from the Village of Springville. The Village of Springville has a policy that requires parcels that receive Village water to be annexed into the Village's corporate limits, although the current arrangement for the homes on Cattaraugus Street was created prior to establishment of this policy.

In addition, the subdivision of Crane Ridge, which is located near Kissing Bridge in the Town's northeastern corner, is serviced by a private well water system serving the residents of the subdivision (250 homes). The Crane Ridge Water Company, a private water company, owns and operates the system. This water company is regulated by the Public Service Commission as a public utility.

Those Town of Concord residents who do not have access to public water are primarily served by private well water.

2.7.2 Sanitary Sewer

There are two sanitary sewer districts in the Town of Concord. Sewer District #1 is located in the northeastern portion of the Town and services the subdivision of Crane Ridge. The sewage collected from this district is treated at the Sewer District's wastewater treatment plant (WWTP) prior to being discharged into the West Branch of Cazenovia Creek. There is reported to be limited additional capacity in this system. Sewer District #1 is managed by the Town of Ellicottville.

Sewer District #2 is also located in the northeastern portion of the Town and services the Kissing Bridge ski resort, including the subdivisions of Kissing Bridge Lane and Bridge Top. Sewage from Sewer District #2 is treated at the sewer district's WWTP prior to be released

into the West Branch Cazenovia Creek. This plant is also reported as having limited additional capacity to service additional development. Sewer District #2 is managed by the Town of Ellicottville.

There are no residents or businesses in the Town of Concord that receive public sewer service from the Village of Springville municipal sewer district. Like their policy regarding the municipal water district, property owners wishing to connect to the Springville district must be annexed into the Village's corporate limits.

The majority of property owners in the Town of Concord utilize privately-owned septic systems for the purposes of sanitary waste disposal and treatment. To protect groundwater quality, particularly for residents who utilize private well water, it is important for Town residents to properly maintain their septic systems.

2.7.3 Stormwater Management

The Town of Concord does not have a combined or dedicated stormwater management system (i.e., an enclosed system of drainage inlet basins, collection pipes and other appurtenances). Stormwater is collected and drained through ditches and culverts or engineered improvements made to individual properties (e.g. on-site management techniques like stormwater collection ponds, rain gardens, etc.).



2.7.4 Electrical Service

Most of the Town of Concord receives electrical service from the New York State Electric and Gas Corporation (NYSEG). There are portions of the Town abutting and adjacent to the Village of Springville that receive electric service from the Village (The Village of Springville Electric Municipality), which receives an electrical service

allocation from the New York State Power Authority (NYSPA) and the New York State Municipal Power Agency (NYSMPA). Those residents who receive their electrical service from the Village benefit from lower rates than those who do not.

Two large transmission lines run through the Town (Refer to Map 16: Siting Study). Vacant/undeveloped land within ½ mile of this transmission line would appeal to developers of solar arrays.

2.7.5 Broadband

Currently, Charter Spectrum (formerly Charter Communications and Time Warner Cable) is the majority provider of broadband to residents in the Town of Concord. Armstrong, a

cable company expanding in Cattaraugus County, covers a small portion in the southwest corner of the Town.

The 2017 *Erie County Broadband Feasibility Study* notes that neither Verizon nor Spectrum are "significantly expanding their infrastructure nor replacing aging copper and coaxial cable plant with fiber optics." This provided a challenge for the Town of Concord. The *Broadband Feasibility Study* noted that "in terms of access and completion, many of the rural areas of the County, which are the towns and villages to the south and east, are lacking and expected to fall further behind."⁶ Since the date of that report, broadband providers have increased their efforts in making improvements in the Town of Concord,

⁶ ECC Technologies, Inc., *Erie County Broadband Feasibility Study*, March 31, 2017, Page 8.

2.8 Community Facilities

2.8.1 Public Recreational Facilities

The Town of Concord Community Park is an approximately 17.5-acre park located at 12779 Buffalo Road, just north of the Village of Springville. The Community Park features three picnic shelters, manicured/maintained grounds and playing fields that include multiple baseball/softball diamonds.

In addition to the Town of Concord Community Park, there are two parks owned and operated by the Erie County Department of Parks, Recreation, and Forestry. These include Sprague Brook Park and Scoby Dam Park. Sprague Brook Park is approximately 1,000 acres in size and is located in the northeastern quadrant of the Town; it extends east into the neighboring Town of Sardina. This park features athletic facilities for baseball, basketball, softball, and tennis. It also has bike, hike, ski, snowmobile, and snowshoe trails, and opportunities for fishing and wildlife viewing. There are also playgrounds and public restrooms at Sprague Brook Park.



Scoby Dam Park is located in the southwestern quadrant of the Town, directly on Cattaraugus Creek. Once this facility ceased providing electrical power to the Village of Springville, the dam and the lands surrounding it were acquired by the Erie County Department of Parks, Recreation, and Forestry and converted to public parklands. The park is renowned for providing access to anglers seeking steelhead trout, kayakers, hikers, and picnickers. It also provides ample opportunities for wildlife viewing.

Erie Cattaraugus Rural Trail, Inc. is actively seeking to utilize the Buffalo, Rochester, and Pittsburgh railroad right-of-way for the construction of an 80-mile long trail project. This trail would run north/south through the Town, connecting to the Town of Orchard Park on the north and Cattaraugus County to the south. A “Southern Tier Trail Feasibility Study” was completed in February 2021 that envisioned a plan for the Southern Tier Trail. This study identified the portion of trail that crosses through the Town of Concord as a “high-priority” section.

2.8.2 Public School Facilities

The majority of the Town of Concord lies within the Springville-Griffith Institute Central School District (please see *Map 8: School Districts*) for a map displaying the school district boundaries within the Town). This district has two elementary schools, Colden Elementary and Springville Elementary; Springville Middle School; and Springville High School.

Colden Elementary is a K-5 school with approximately 192 students. It is located at 8263 Boston-Colden Road. Springville Elementary is located in the Village of Springville, at 283 North Street, and has an enrollment of approximately 544 students. Springville Elementary is a K-5 school. Springville Middle is a 6th grade through 8th grade school, located at 267 Newman Street. It has an enrollment of approximately 402 students. Springville High is 9th grade through 12th grade school, with an enrollment of approximately 595 students. Springville High is located at 290 North Buffalo Street in the Village of Springville.

Saint Aloysius Regional School is a private institution, offering K-8 schooling to children living in the Town of Concord. It is located at 186 Franklin Street in the Village of Springville. The Children's League is not-for-profit organization dedicated to providing education and therapy to children with developmental disabilities. It a subsidiary of The League for the Handicapped, Inc. The services are provided to children until they reach eight (8) years of age and are performed in the child's home or in their own uniquely designed facilities that maximize educational gains for the participating youths.

2.8.3 Public Police, Emergency Medical Service, Fire Protection

The Erie County Sheriff's Department provides police protection to the Town of Concord. Mercy Emergency Medical Service (EMS) provides 24-hour medical emergency coverage to the Town, with ambulances based in the Village of Springville.

There are currently three (3) fire departments providing Concord residents with fire protection services within the Town's municipal limits. The East Concord Volunteer Fire Company is located at 9413 Genesee Road, the Morton's Corners Volunteer Fire Company is located at Morton's Corners Road, and the Springville Volunteer Fire Department is located at 5 Franklin Street. The Town of Boston, located to north, is under contract to provide fire protection services to portions of the Town of Concord.

Using the International Standardization Organization's (ISO) Fire Suppression Rating Schedule), the ISO's Public Protection Classification (PPC) program helps insurance companies evaluate a community's fire protection services and determine insurance rates. ISO analyzes this information and assigns an advisory number from 1 to 10. Class 1 generally represents exemplary fire protection and Class 10 indicates that the community's fire suppression program does not meet ISO's minimum criteria. PPC Classes are assigned to communities based on the protection area of a fire department.

The Town is continuing to be proactive in making sure that ISO standards are being met and that changing interpretations are also being addressed.

2.8.4 Health Care Facilities

Bertrand Chaffee Hospital is located on Route 39 (East Main Street) in Springville. The hospital is a non-profit, community hospital that serves a primarily rural population in southern Erie, northern Cattaraugus, and western Wyoming counties. The facility's service area encompasses about 525 square miles in the three-county area, with a population of approximately 55,000.

Established in 1946, the hospital today is a regional health care facility that includes a 24-bed short-term, acute care unit. The facility includes an emergency room, and physical therapy, laboratory and imaging services. The hospital also operates a Primary Care Center and a Heart Center.



Bertrand Chaffee Hospital serves as a hub for Mercy Flight, a regional medical transportation service that transports patients by helicopter. Mercy flight has a hanger, which is staffed on a 24-hour basis, on hospital grounds.

In addition, the hospital operates the **Jennie B. Richmond Nursing Home**, an 80-bed facility that offers 24-hour skilled nursing care. The facility provides both short term rehabilitation services and long-term care.

Bertrand Chaffee Health Center opened on July 19, 2021. This new building houses primary care and provides specialty clinical space. They plan to acquire and install a permanent MRI machine, upgrade digital mammography, purchase a nuclear medicine camera to support the growing cardiology department and invest in a facility wide electronic health record system.



Fiddlers Green Manor Nursing and Rehabilitation Center, is an 82-bed, for-profit, 24-hour skilled nursing care facility located at 168 Main Street in the Village of Springville. The facility offers physical, occupational, and speech therapy, and also provides hospice care.

Bertrand Chaffee Hospital, the Health Center, and both nursing homes are important community assets, especially in light of the community's aging population. As one of the area's largest employers, the hospital also plays an important role in the local and regional economy.

2.8.5 Senior Services

The Town of Concord Senior Center is located at 40 Commerce Drive, Springville NY, and provides a wide range of opportunities, including informational classes, guest speakers, recreational /fitness activities, health fairs, etc. It is also home of the Erie County Nutrition site that serves lunches to senior citizens age 60 and above for a suggested donation or what the senior feels they can contribute.

The Town also operates the Concord Van Service for seniors age 60 and over as well as Veterans of any age. This van takes mobile seniors to appointments outside of the Town but within Erie County. Medical appointments receive priority with other travel available based on request and availability.

The Senior Club also meets at the Concord Senior Center twice per month. The Senior Club provides social engagement as well as the opportunity to travel on day trips several times a year for senior aged 55 and over. There is a \$5.00 per year membership fee and members are required to attend at least two meetings per year if they wish to be eligible to go on Senior Club sponsored trips.

The Erie County Rural Transit program also operates a van service within the Village of Springville. This van will take seniors shopping or to appointments within the Village of Springville.

2.8.6 Youth Services

The Boys and Girls Club and Springville Youth Incorporated (SYI) were merged and now "The Club of Springville" is a division of SYI. During the school year, The Club of Springville provides before and after school care to boys and girls living in the Town of Concord. This Club utilizes Springville Elementary and Colden Elementary for the before and after school care program. Participants can receive tutoring and homework assistance, access to computer labs, and enjoy recreational activities.

The Club of Springville also offers variety of recreational activities, leagues, camps, educational classes, arts/crafts programs, sports tournaments, and life skills to area youth seeking to participate.

Springville Youth Incorporated (SYI) is a not-for-a-profit that organizes youth recreational league sports (soccer, baseball, basketball, swimming, etc.) and arts and theater programs in the Town of Concord and the Village of Springville. It is provided funding through an Intermunicipal agreement between the Town and Village.

2.8.7 Public Libraries

The Hulbert Library is located at 18 Chapel Street in the Village of Springville. It is a part of the Buffalo & Erie County Public Library system. In addition to providing access to fiction and non-fiction books, periodicals, reference volumes, the Hubert Library provides offers computers, wireless internet, photocopiers, a radio receiver, a telesensory reader, a scanner and public meeting room.

2.8.8 The Arts

The Springville Center for the Arts is located at 37 North Buffalo Street in the Village of Springville. Performances are held in an adaptively-reused circa 1869 Gothic Revival style church (which is listed on the National Register of Historic Places). Art exhibits, theater performances, and community art/theater workshops are held at this venue. The Springville Center for the Arts is a not-for-profit organization.

2.9 Economic Development

The Town of Concord sits approximately 25-miles to the southeast of downtown Buffalo, playing an important role in the Buffalo-Niagara regional economy, a regional economy that, according to *A Strategy for Prosperity: 2017 Progress Report* by the Western New York Regional Economic Development Council (REDC) is continuing to grow, with both more jobs and higher wages. The Town of Concord is one of handful municipalities that is continuing to grow in overall population. In 2015, the Town's overall population, which includes the Village of Springville, was estimated at 8,547 residents, up from 8,494 in 2010 (an increase of 53 residents).

The REDC attributes the region's growing economy to WNY's continued emphasis on "the need to create job opportunities and build a quality of life desired by young people - reversing WNY's historic population loss driven by a decline in residents in their 20s and 30s. Since 2010, the number of young adults increased by 6.8%. For the first time since 1980, the region is beginning to see growth in the young population."⁷ This holds true in the Town of Concord, where young people (between the ages of 20 and 34) accounted for an estimated 24.2% of the Town's population in 2016, up from 14.6% in 2010.

Subject	Town of Concord, Erie County, New York			
	Estimate	Margin of Error (+/-)	Percent	Percent Margin of Error (+/-)
OCCUPATION				
Civilian Employed Population 16 Years+	3,996	215	100	(X)
Management, Business, Science, and Arts Occupations	1,308	170	32.7	3.5
Service Occupations	820	140	20.5	3.4
Sales and Office Occupations	888	140	22.2	3.3
Natural Resources, Construction, and Maintenance Occupations	451	113	11.3	2.7
Production, Transportation, and Material Moving Occupations	529	119	13.2	3.0

Traditionally, the Town of Concord was a rural, agriculturally-focused town and the Village of Springville served as the Town's rural service center, providing essential services to Town residents who were primarily engaged in farming activities. In 2015, it was estimated by the U.S. Census Bureau that 98.5% of the Town's labor force, which was comprised of approximately 4,219 workers, worked in industries other than agriculture, clearly indicating that both the Town and the Village (which has approximately 50.6% of the Town's population) are increasingly less reliant on agriculture as a mainstay of the localized economy. This stands in contrast to the Town's relatively undeveloped setting

⁷ Western New York Regional Economic Development Council, *A Strategy for Prosperity: 2017 Progress Report*, Page 3.

and “rural way of life,” both of which were repeatedly cited by residents as being priorities for preservation throughout this comprehensive planning process.

In 2016, it was estimated that 2,559 of the Town's residents were not actively engaged in the labor force, which accounts for approximately 30% of the Town's overall population - roughly one in three Concord residents were not in the labor force. Income levels in the Town of Concord are higher than those found in Erie County as a whole. Median household income was estimated at \$61,281, \$10,034 more than the average median household income for Erie County - \$51,247. Higher household incomes typically result in more liquid equity and, in turn, more spending power, to the benefit of the localized economy. From a macro perspective, the Town's economy is increasingly becoming linked to both the regional (WNY) and global economies, which is in line with the preferred strategies outlined by the REDC in the 2017 *Progress Report*. The REDC continues to principally focus on: “Placemaking,” “Workforce,” “Innovation,” and “Tradeable Sectors.”

“Placemaking” works to focus investment “near existing infrastructure to better connect people with jobs, creating the types of vibrant neighborhoods that attract a talented workforce, enhancing our waterways, and repurposing former industrial lands.”⁸ Examples of Placemaking in the Town of Concord include continued investment in and around major infrastructure, such as U.S. Highway 219, and reusing abandoned or underutilized industrial parcels for new, innovative purposes. In addition, the Village of Springville provides residents with a vibrant “main street” setting.

“Workforce” focuses on developing “the most flexible, inclusive and industry-driven workforce training environment to prepare workers for success and help businesses thrive.”⁹ The REDC's 2017 *Progress Report* indicated that while the majority of workforce training opportunities are in and around the City of Buffalo, they do exist within the Town of Concord, which is a strength that can continue to serve the Town's residents. Unfortunately, the REDC notes that the Town's workforce training center is currently only accessible by car, limiting its ability to maximize its reach and benefit to the area as a whole.

“Innovation” works to “facilitate and create investment in the support networks that attract entrepreneurs and ensure a healthy and diverse business climate.”¹⁰ The Town of Concord and the Village of Springville do benefit from a local chamber of commerce. The Springville Area Chamber of Commerce aggressively encourages continued economic development in the Town and Village and is determined to foster a healthy business operating climate for existing and new businesses.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

“Tradeable Sectors” are ensuring that the region’s economic sectors “are subject to the demand of the global economy, creating greater output and higher-paying jobs.”¹¹ The Town of Concord does have industries that play a role in the increasingly interconnected regional and global economy to include, but not be limited to agricultural products and a range of mineral/construction aggregates. However, employment in these fields is being overshadowed by jobs in other sectors of the economy, such as services, sales and office occupations.

Subject	Town of Concord, Erie County, New York			
	Estimate	Margin of Error (+/-)	Percent	Percent Margin of Error (+/-)
EMPLOYMENT STATUS				
Population 16 Years+	6,778	161	100	(X)
In Labor Force	4,219	206	62.2	3.0
Civilian Labor Force	4,212	206	62.1	3.0
Employed	3,996	215	59.0	3.1
Unemployed	216	78	3.2	1.2
Armed Forces	7	9	0.1	0.1
Not in Labor Force	2,559	225	37.8	3.0
Civilian Labor Force	4,212	206	100	(X)
Unemployment Rate	(X)	(X)	5.1	1.8
Females 16 Years+	3,355	140	100	(X)
In Labor Force	1,986	160	59.2	4.4
Civilian Labor Force	1,986	160	59.2	4.4
Employed	1,911	172	57.0	4.7
Own Children of the Householder Under 6	541	162	541	(X)
All Parents in Family in Labor Force	366	117	67.7	19.4
Own Children of the Householder 6 to 17	1,377	183	1,377	(X)
All Parents in Family in Labor Force	1,037	205	75.3	9.6

According to the REDC’s 2017 *Progress Report*, the private sector drove the region’s job growth and wage increases between 2010 and 2017. Most of the occupations in the Town of Concord were related to “Management, Business, Science, and Arts” and the smallest percentage of occupations in the Town were found in “Natural Resources, Construction, and Maintenance Occupations” sectors (please see Figure X.X for a complete breakdown of occupational categories).

It is estimated that the majority of participants (25.9%) in the labor force are working in the Educational Services, and Health Care, and Social Assistance industry, which would

¹¹ Ibid.

include professionals working at area schools, hospitals, and nursing homes, as well as those who work in these fields outside of the Town. The next two highest industries include service sector related occupations; approximately 14.3% of the labor force work in the Retail Trade industry and another 10.7% of the labor force work in the Arts, Entertainment, and Recreation, and Accommodation and Food Services industry (which is also directly related to the tourism sector).

In addition to the strategies outlined in the *2017 Progress Report*, the REDC specifically established threshold questions for any proposed project identified in the *2011 Strategic Plan*, including :

1. Does the project create, retain, or fill jobs?
2. Will the project maximizes the return on investment?
3. Is the project ready for implementation?¹²

All of the proposed and completed projects in the Town of Concord, between 2010 and 2017, answered these threshold questions with a "yes," which is a significant benefit to the Town and regional economy.

With the recent increase in requests for solar projects throughout the Town, we must explore the economic benefit of such projects. While the solar projects can (and do) produce a resource for affordable power, there are also benefits to the Town of Concord. Solar projects could add a revenue stream for the Town through Host Community Agreements and PILOTS.

¹² Western New York Regional Economic Development Council, *Strategic Plan: A Strategy for Prosperity in Western New York*, 2011, Page 6.

2.10 Summary of Findings

In general, the development policies of the Town must be crafted in full recognition of the Town and the Village of Springville's important roles in the regional economy, as well as the Town's dependence on regional transportation networks, utilities, and employment opportunities.

The Comprehensive Plan establishes basic Town policies for protecting important drainage features, including creeks, floodplains and wetlands. These policies are intended to protect the public interest from the adverse effects of development that disregard the drainage system.

2.10.1 Demographics (data includes the Village of Springville)

- Just over 50% of the Town of Concord's population resides in the Village of Springville.
- The 2015 American Community Survey (ACS) estimated that the Town's overall population was increasing (8,494 persons in 2010 vs. 8,547 estimated in 2015).
- The majority of the workforce, including residents from Springville, is employed outside of the Town.
- Median household income in the entire Town of Concord was estimated at \$61,281 in 2015, which is higher than estimates for Erie County.
- From 2010 to 2015 poverty levels in the Town of Concord decreased for families (from 7.1% to 5.7%) and remained stable for single-person households (about 9.4%).
- The majority of Town residents (just over 50%) are between 25 to 64 years of age.
- People aged 65 and over are estimated to be represented at almost 20% of the total population; this is a 4.7% increase since 2000, indicating that the Town is slowly aging.
- The average household size is 2.43 persons.
- The number of family households exceeds the number of non-family households 60% to 40%.
- The total number of dwelling units in the Town of Concord was estimated at 3,936, with a 6% vacancy rate (238 units).
- The majority of dwelling units (57.5%) were built prior to 1970; 32.2% were built prior to 1940.
- An estimated 70.7% of the housing units (2,781 dwellings) in the Town are single-family detached homes.

2.10.2 Environment

- The Town of Concord is generally characterized by sloping topography, with some areas with steeper slopes (elevations vary between 750 msl and 1,950 msl), especially in the numerous creek and stream valleys (Eighteen Mile Creek, Cattaraugus Creek, Cazenovia Creek, Spooner Creek, Derby Brook, Sprague Brook and Spring Brook).
- Topography, sets some limits on development patterns in the Town, but does not prohibit development outright.
- There are two sub-watersheds of the Niagara River Watershed in the Town of Concord - the Eighteen Mile Creek and the Buffalo River sub-watersheds, which are both part of the larger Lake Erie Watershed.

- To protect groundwater quality, particularly for residents who utilize private well water, it is important for Town residents to properly maintain on-site septic systems.
- Water quality in local creeks and streams (Class B or better) is suitable to support swimming/recreation and fishing/ fisheries, with the exception of the south branch of Eighteen Mile Creek, a noted trout stream that is classified Ct(s) and restricted to fisheries and non-contact recreation, and Spring Brook, which is classified B and C, depending on the location.
- Flood zones are mapped along the creeks and stream in the Town; significant flood hazard areas are primarily found south of Genesee Road on the banks of Spring Brook, Spooner Creek, and Cattaraugus Creek.
- Scoby Dam is located on Cattaraugus Creek. Built in the 1920's, the dam and up until 1998 it was used as an electrical power source for Springville. The dam is 182 feet long and 38 feet high and classified as a high hazard dam. A feasibility study is being conducted for a project that would lower the dam to a height of 13 feet to enhance dam safety and improve the fishery in the creek.
- There are numerous State and Federal wetlands located in the Town of Concord that provide flood and storm water control, surface and groundwater protection, erosion control, pollution treatment and nutrient cycling, and fish and wildlife habitat, as well as public enjoyment.
- The Town's policies for protecting creeks, floodplains and wetlands provide a basis for establishing a Town Master Plan for drainage, which could help avoid development practices that adversely impact these features and result in increased risks to the public.
- A variety of wildlife (plants, birds, fish, amphibians and mammals) inhabit areas in and around the numerous creek/stream corridors and wetlands, as well Sprague Brook County Park and Scoby Dam Park, which are prime locations for wildlife viewing.
- There are many scenic resources and views of scenic interest in the Town of Concord, including Scoby Dam Park, Sprague Brook County Park, Cattaraugus Creek, and any number of the working agricultural lands located throughout the Town.
- Proposals for solar farms could impact the environment, open space, and land use patterns in the Town.

2.10.3 Utilities

- There are three water districts that provide public water to Town residents and businesses.
- Town of Concord residents who do not have access to public water, including the residents of the Crane Ridge subdivision, are served by private wells.
- A small number of residents (less than 10 homes) on Cattaraugus Street receive their water from the Village of Springville. The Village of Springville has a policy that requires parcels that receive Village water to be annexed into the Village's corporate limits, although the current arrangement for these homes was created prior to the establishment of this policy.
- The majority of Town residents utilize private, on-site septic systems for sanitary waste disposal. Residents who have septic systems should understand the importance of regular maintenance for protecting water quality and extending the life of the system.
- There are two sanitary sewer districts in the northeastern portion of the Town of Concord that provide public sewer service to the private residential subdivisions

(Crane Ridge, Kissing Bridge Lane and Kissing Bridge Top). Wastewaters from these developments are treated at each District's own wastewater treatment facility prior to being discharged into the West Branch of Cazenovia Creek. There is reported to be limited additional capacity in these municipal systems to service additional development.

- There are no residents or businesses in the Town of Concord that receive public sewer service from the Village of Springville municipal sewer district. As with the Village's policy for municipal water, property owners wishing to connect to the Springville sewer district must be annexed into the Village's corporate limits.
- Because the capacity of public water supply and sanitary sewer services is very limited in the Town, most residential development occurs on larger lots that can accommodate private wells and septic systems.
- Stormwater in the Town is collected and conveyed through ditches and culverts to local creeks and streams or managed through other engineered improvements to individual properties (e.g. on-site management techniques like stormwater collection ponds, rain gardens, etc.).
- Electricity in the Town of Concord is provided to most residents by the New York State Electric and Gas Company (NYSEG). A small percentage of residents utilize the Village of Springville municipal power system, which offers lower rates.
- Broadband internet service is provided to Town residents by Charter Spectrum.
- The 2017 *Erie County Broadband Feasibility Study* notes that neither Verizon nor Spectrum are "significantly expanding their infrastructure nor replacing aging copper and coaxial cable plant with fiber optics", but this has changed since that report was published.
- Vacant/undeveloped land within ½ mile of the existing transmission lines would appeal to developers of solar arrays.

2.10.4 Community Facilities

- Park facilities in the Town of Concord include the Town's 17.5-acre community park, Sprague Brook County Park and Scoby Dam Park, which together provide a variety of recreational opportunities, as well as opportunities for the preservation and enhancement of natural resources.
- Erie Cattaraugus Rail Trail, Inc is exploring the possibilities to utilize the Buffalo, Rochester, and Pittsburgh railroad right-of-way for the construction of a 80-mile long "rails to trails" project that would run north/south through the Town, connecting to the Town of Orchard Park on the north and Cattaraugus County to the south.
- The Town of Concord lies within the Springville-Griffith Institute Central School District, which includes Colden Elementary and Springville Elementary Schools, Springville Middle School, and Springville High School.
- Private instruction is offered for students, grades K – 8, at Saint Aloysius Regional School; the Children's League provides educational services for developmentally disabled children in the Town.
- The Erie County Sheriff's Department provides police protection to the Town of Concord; Mercy Emergency Medical Service (EMS) provides 24-hour medical emergency service to the Town, with ambulances based in the Village of Springville.

- There are three (3) fire departments that provide fire protection services within the Town of Concord, including the East Concord Volunteer Fire Company the Morton's Corners Volunteer Fire Company, and the Springville Volunteer Fire Department. The Town of Boston, located to north, is also under contract to provide fire protection services to portions of the Town.
- The Town of Concord should continue to investigate Public Protection Classification (PPC) and ISO changes.
- Bertrand Chaffee Hospital is the primary medical facility in the Town of Concord, and for much of southern Erie County, northern Cattaraugus County, and western Wyoming County, serving as a hub for Mercy Flight.
- Nursing home services are provided in the Village of Springville.
- Services for the elderly include the Town of Concord Senior Center, which provides a variety of opportunities for seniors who reside in the Town.
- The Club of Springville provides and organizes a variety of services, educational classes, recreational programs and other opportunities for youth in the Town and Village.
- The Buffalo & Erie County Public Library system operates the Hubert Library, which a variety of services and opportunities to Town and Village residents.
- The Springville Center for the Arts provides art exhibits, theater performances, and community art/theater workshops at its facility in the Village of Springville.

2.10.5 Economic Development

- The Town's unemployment rate was reported at 3.2% in 2016.
- The Regional Economic Development Council (REDC) attributes the region's growing economy to WNY's continued emphasis on "the need to create job opportunities and build a quality of life desired by young people. For the first time since 1980, the region is seeing growth in the younger population." In the Town of Concord, residents aged 20 to 34 accounted for an estimated 24.2% of the population in 2016, up from 14.6% in 2010.
- 2015 census estimates show that 98.5% of the local labor force worked in industries other than agriculture, indicating that the Town and the Village (which accounts for 50.6% of the population) are becoming less reliant on agriculture as a mainstay of the local economy; which stands in contrast to the public's desire to preserve the undeveloped setting and rural character of the community.
- In 2016, an estimated 2,559 residents (30% of the Town's population) were reported as not actively engaged in the labor force.
- The Town's economy is becoming linked to the WNY regional and global economies, which is in line with the preferred strategies outlined by the REDC.
- According to the REDC's 2017 *Progress Report*, the private sector drove regional job growth and wage increases between 2010 and 2017, which is in line with occupations reported in the Town census that included jobs in management, business, science and arts.
- Census data show the majority of participants (25.9%) in the labor force working in educational services, healthcare, and social assistance, and 42.7% working in service, sales and office occupations, further illustrating the high percentage of residents working in the private sector.

- All of the proposed and completed projects in the Town, between 2010 and 2017, created, filled or retained jobs; maximized the return on investment; and were ready for implementation, which is a benefit to the Town's and region's economy.
- Solar projects could add a revenue stream for the Town through Host Community Agreements and PILOTS.

2.10.6 Other Findings

- Nearly one-third of the Town's existing housing stock was built prior to 1939, indicating that there are many buildings in the community that exceed the 50-year-old threshold commonly utilized as a baseline for determining architectural or historical significance.
- There are numerous State designated Archaeologically Sensitive Areas (ASA) located throughout the Town of Concord and Village of Springville.
- The Town of Concord has one designated agricultural district, Erie County Agricultural District #15, which encompasses much of the undeveloped land.
- Almost one-half (43%) of the land area in Concord is devoted to residential use.
- Agriculture and vacant land each comprise about one-quarter of the Town's land area, with the remaining twelve percent of land area split between commercial, industrial and public land uses.
- The majority of land in the Town of Concord is zoned Residential-Agricultural (R-AG).
- The Town of Concord includes the Village of Springville and the Hamlets of Concord, Morton's Corners, East Concord, Footes, Fowlerville, Woodside and Wyandale.
- There are no marked bicycle lanes along roadways in the Town of Concord or the Village of Springville.
- The Town of Concord is not served by any of the Niagara Frontier Transit Authority (NFTA) bus routes; the closest NFTA bus route is located to the north, off Boston State Road in the Hamlet of North Boston.
- Large scale solar projects need to be sited to minimize impacts to important environmental features of the Town and minimize impacts to important farmlands.

CHAPTER 3: GOALS AND OBJECTIVES

This chapter of the Comprehensive Plan update presents the goals and objectives that were updated for the Town of Concord under the guidance of the Comprehensive Plan Committee (CPC) and the community. This update sought to build upon and where necessary, amend, the goals and objectives outlined in the Town of Concord and Village of Springville 1999 Joint Comprehensive Plan, as they pertained to the Town of Concord.

In addition, this update was designed to expand upon the 1999 goals and objectives, ensuring consistency with both the recently (2015) completed *Village of Springville Comprehensive Plan* and regional planning documents including, but not limited to: *One Region Forward: A New Way to Plan for Buffalo Niagara* (2014), the *Framework for Regional Growth: Erie & Niagara Counties, New York* (2006), the *Western New York Regional Sustainability Plan* (2012), the *Regional Economic Development Council: A Strategy for Prosperity in Western New York* (2011), and the *Erie County Broadband Feasibility Study* (2017).

With the goals and objectives from the 1999 Comprehensive Plan in place, additional goals and objectives were created and, in some instances, the goals and objectives from the 1999 Comprehensive Plan were updated or removed altogether. For example, there were some goals and objectives from the 1999 Comprehensive Plan that did not pertain to the Town of Concord as they were geared specifically towards particular issues in the Village of Springville. It should also be noted that the Town's Goals and Objectives and the Village's new Goals and Objectives are very similar and support each other.

The goals and objectives focus on the major issues and concerns of the Town's residents and are aimed at helping to guide future growth and development in the Town of Concord. The recommendations that follow (in *Chapter 5: Recommendations*) include specific actions that the Town can implement to achieve the intent of these goals and objectives.

3.1 Overview – What are Goals and Objectives?

The goals of a Comprehensive Plan establish what is most important to a community. They represent local values and priorities and provide insight into what the community will focus on for its future. The objectives listed below each goal help to clarify that overarching goal by providing more detail to what the community is trying to accomplish. As such, goals and objectives are used to help guide future decisions about growth, development, budgets, etc. in the Town so that individual decisions are made with an understanding about how they relate to the community's preferred future. The goals and objectives also provide guidance for decision makers at the County and State levels. The goals and objectives are general in nature, so they can remain relevant over the long-term. These goals and objectives also form the foundation for the specific actions – the recommendations of the Plan – which the Town will undertake to achieve its vision. In general, goals and objectives are developed with a horizon of approximately 10-years.

3.2 Public Input

The Town of Concord Comprehensive Plan update was designed from the ground up with extensive public input. Public participation is the critical element of the planning process, as such, a variety of avenues were utilized to solicit public input.

There were three (3) public information meetings (6/28/17, 9/21/17, 1/18/18) with participatory features such as photo boards where attendees could leave comments and questions, traditional comment sheets, and formal and informal question and answer sessions. Additional public input was solicited through CPC meetings (the CPC was formed entirely by members of the community), electronic submission of comments via e-mail, press releases, etc. Within the Appendix of this Comprehensive Plan update there are examples of the materials that were utilized to solicit public input and the results of those meetings. The first meeting introduced the project (what issues are important to the community), the second meeting confirmed what we heard and allowed participants to build upon ideas, and the last meeting was used to present the ideas of the Plan and receive input.

The updated goals and objectives and newly developed recommendations as part of this Comprehensive Plan update were, thus, born from the input received from members of the general public, committee members, and elected officials. Nothing was decided on or created in a vacuum or behind closed doors. To do so would have been to jeopardize the integrity of the Comprehensive Plan itself. It is a planning document that is born from and dependent upon public input and feedback.

The 2021 Update to these Goals and Objectives included the public input received in 2018 to evaluate issues relating to the potential addition of large scale solar/green energy projects. Comments received on proposed solar projects were also used in formulating these updates.

3.3 Vision Map

The Vision/ Planning Areas Map was developed as a result of input from the Comprehensive Planning Committee and the feedback received from public. The Vision/ Planning Areas Map illustrates the Town of Concord's general vision for its future as it relates to the different areas of the Town. It is not a future land use map or zoning map and can only be utilized in conjunction with the entire Plan. It supplements the goals and objectives by adding a spatial concept to them. For more on the Vision/Planning Areas map see Section 5.

The goals and objectives serve as a yardstick the Town can use to determine whether a future action is consistent with its vision for the future. The following section outlines the goals and objectives for the Town of Concord, which serve as foundational elements of the Town's Vision/ Planning Areas Map.

3.4 Goals and Objectives

Protect the Environment

- Obj. #1 Preserve, protect and enhance sensitive environmental conditions, including woodlands, steep slopes, waterways, habitat areas, and scenic resources.
- Obj. #2 Encourage the preservation of prime and active farmland and support existing agricultural and farming operations.
- Obj. #3 Protect Agriculture and Farmland to retain opportunities for economic development and to provide opportunities for jobs.
- Obj. #4 Encourage retention of open space.
- Obj. #5 In conjunction with Erie and Cattaraugus Counties, advocate for environmental protection and enhancement of the Zoar Valley and the Town's other stream and creek valleys.
- Obj. #6 Integrate watershed protection strategies into Town plan and site development activities.
- Obj. #7 As gravel mining is an important activity in the Town, the Town should continue to require responsible control of gravel mining practices, including providing input on reclamation and restricting mining in areas more suited to development or conservation. The Town can zone where mining is allowed and not allowed. Once a property is zoned to allow mining, the NYSDEC and their regulations will be the controlling factors and rules for the approval of the mine (the NYSDEC will also be Lead Agency under SEQR).
- Obj. #8 Support the continued remediation and mitigation at the West Valley Demonstration Project.
- Obj. #9 Promote the myriad of recreational opportunities in the Town to help facilitate economic generating recreational tourism to the area.

Promote Economic Development: Commerce and Industry

- Obj. #1 In accordance with this Plan, build upon the economic development potential of the community's existing economic base, including its status as a regional gateway, its role as the business, medical, retail, service, and educational center of its nine-town region, and its growing attractiveness as an exurban bedroom community for residents of the Buffalo metropolitan area.

- Obj. #2 Acknowledge and help to strengthen downtown Springville as a center for specialty retail, restaurants, professional offices, medical services, and cultural and civic uses.
- Obj. #3 Concentrate larger, auto-oriented (drive to access) commercial establishments in appropriate areas of the Town.
- Obj. #4 Take advantage of business development of U.S. Highway 219.
- Obj. #5 Support existing industry, encouraging businesses to remain in the community.
- Obj. #6 Promote community assets, including low electric rates, good transportation access, excellent public schools, and small town quality of life, to attract new business to the area
- Obj. #7 Partner with adjacent communities to work on economic development, tourism, and transportation projects.
- Obj. #8 Promote and encourage expansion of high speed internet in all areas of the Town.
- Obj. #9 Encourage and promote opportunities for startup home-based businesses.
- Obj. #10 Allow for the development of Green Energy projects but in a way that does not adversely impact the environmental features, the agricultural economy and aesthetic/character qualities of the Town.

Ensure Proper Residential Development in Appropriate Areas

- Obj. #1 Ensure good housing conditions, and endeavor to upgrade those housing conditions which require it.
- Obj. #2 Maximize existing investment in utility infrastructure by developing new housing in areas already served by water and sewer.
- Obj. #3 Help to concentrate new single-family residential development in the appropriate areas of the Village of Springville and creatively in the Town's traditional hamlets and appropriate areas around the Village.
- Obj. #4 Encourage and Support additional multi-family residential areas in the Village of Springville, particularly for senior citizens. Establish programs that provide incentives for senior citizens who choose to age in place.
- Obj. #5 Encourage Rural Cluster Development design and small scale planned unit developments, utilizing these techniques to preserve steep slopes, stream valleys, wooded areas, farmland, scenic views, and other sensitive environmental conditions.

Obj. #6 Endeavor to provide housing affordable to all income and age groups.

Support, Maintain, Improve and Expand Parks and Recreational Opportunities in the Region

Obj. #1 Continue to maintain existing parks, improve and update lighting facilities at athletic fields, and encourage other recreation facilities and improvements as needed and available.

Obj. #2 Advocate for the use of Erie County Park at the Scoby Hill Dam, including preservation of historic, nature, and scenic resources, and improved access to Cattaraugus Creek for fishing and recreational use and encourage and develop economic activity from that visitor base. Work with Erie County to promote the use of the Erie County Parks Master Plan to preserve and maintain County parks and lands

Obj. #3 Continue to evaluate the potential for additional trails in the Town, including the proposal by the Erie Cattaraugus Trail, Inc. to use of the former B&P rail line, snowmobile trails, and other trails connecting stream valleys and natural and man-made points of interest.

Obj. #4 Large scale Green Energy projects shall not adversely impact the important parks and recreational components of the Town and when approved in the Town provide benefits to these features.

Provide Quality and Cost-Effective Community Services

Obj. #1 Continue to locate major civic and cultural institutions in the Village of Springville.

Obj. #2 Provide for increased sharing of facilities and services between the Village and the Town, and with other levels of government.

Provide, Encourage and Advocate for Quality Transportation

Obj. #1 Investigate potential for re-routing truck traffic from Main Street in downtown Springville.

Obj. #2 Increase the Town's multi-modal transportation network.

Maintain and Provide for appropriate Infrastructure in Targeted Areas

Obj. #1 Utilize the Village's water, sewer, and electric services to further economic development goals, including extension of facilities outside of the present Village limits, where appropriate to accomplish needed development.

- Obj. #2 Explore the possibility of extending the service area of existing water and sewer districts.
- Obj. #3 Explore the possibility of providing nature gas service to more areas.

Promote Quality Urban Design and Historic Preservation

- Obj. #1 Encourage and support preservation and sensitive rehabilitation of the historic sites and structures in the Town and Village.

CHAPTER 4: TECHNICAL INVESTIGATIONS

Based upon the Goals and Objectives of the Plan and the evaluation of the Existing Conditions of the Town, the following section completes technical investigations of specific targeted topics (as identified by the Town and Erie County in their original project planning) and provides overall Findings for the Existing Conditions topic areas, with an eye towards the community's Vision. For the Technical Investigations, the Plan provides a summary of the issue and conditions, how the issue was analyzed, and the results of that analysis. These Findings help from the Recommendations of the Plan.

4.1 Agriculture

Issues/Conditions/Data

Agriculture has and continues to be one of the centerpieces of life in the Town of Concord. The commercial development seen along U.S. Highway 219 and State Route 39 is a relatively recent phenomenon. For the 200-years prior, since the Town's founding, agriculture and a "rural way of life" were mainstays in the community and, based on the feedback received from the public during public meetings as part of this comprehensive planning process, agriculture remains an important part of and priority for the community.

Analysis Results

Today, over 50% of the Town's land is part of Erie County Agricultural District #15 and, as displayed on *Map 6: Agricultural Districts and Farmland Soils*, the vast majority of the Town's remaining agricultural parcels are classified as "Prime Farmland," "Farmland of Statewide Importance," or "Prime Farmland if Drained." According to the *Erie County Agricultural and Farmland Protection Plan*, the agricultural parcels located within the Town of Concord have some the highest soil ratings in Erie County, with the majority of agricultural lands having soils that rate between 40.01 and 400.00 (the soil rating is based on the total acreage within the parcel of cropland in each of the soils category multiplied by a weighting factor of: 2 for prime soils, 1.5 for prime soils when drained, and 1 soils of statewide importance).



The *Erie County Agricultural and Farmland Protection Plan* also noted that virtually all of the parcels within the Town of Concord that are classified as agricultural have at least some cropland located on them - meaning that they are being actively utilized for farming. It should be noted that in many instances, some of the lands that are currently

classified by the assessor as residential are actually both residential and agricultural. Approximately 9,468-acres of land in the Town of Concord is classified as agricultural - representing roughly 23.2% of the Town's land area, second only to lands classified as residential, which account for approximately 17,346-acres of land in the Town (42.5%).

Agriculture continues to play a vital role in the Town of Concord's economy, both directly through the active production of fruits, vegetables, grains, and livestock and indirectly/secondary through the sales of the machinery, tools, equipment, etc. that necessary for farmers to operate on a day-to-day basis.

Concord's farms not only provide the farmers and landowners with employment/livelihood, they also employ seasonal field hands, providing a source of income and employment.



Those farms in the Town that are located in Erie County Agricultural District #15 are offered a number of benefits that they otherwise would not normally receive. Landowners within the agricultural district are offered protection from any local government regulation that is deemed to be "overly burdensome" to agriculture. In addition, publicly funded/permitted construction activities that occur within an agricultural district are required to be formally reviewed for their impact on agriculture. Finally, farms operating within

the agricultural district are offered some protection from nuisance lawsuits, as long as their farming practices are deemed to by New York State to be "sound agricultural practice."

Farming also serves to protect two of the Town's defining characteristics: its pristine natural environment (rolling hills, forested lands, creeks/streams, etc.) and its rural character. Farming/agriculture has guided development in the Town of Concord throughout its history. Where farms exist -sprawling residential subdivisions with curvilinear streets and massive commercial developments characterized by in descript, box stores surrounded by large swaths of concrete and asphalt- do not and, based on the feedback received from the general public, this is a good thing.

Concord residents place a high value on their rural way of life, with many of them deliberately choosing to reside within the Town to avoid living in the typical suburban setting found further north/closer to the City of Buffalo.

Erie County Agricultural District #15, which encompasses much of the undeveloped land in the Town, includes large portions of the stream corridors of South Branch Eighteen Mile Creek and Eighteen Mile Creek. Rural landscapes such as farm fields, woodlands, picturesque farmhouses create an identity for the community. Taking steps to preserve and protect agriculture in the Town of Concord is, by extension, taking steps to ensure

that a way of life is being preserved, an economic pillar remains structurally sound, and the ability of the Town to continue to contributing to meeting the food access needs of the Town, the County, and the region is being sustained.

Direction for the Town

There are a number of financial incentives that could prove to be useful tools for the Town as it seeks to preserve existing agricultural lands including: PDR's (Purchase of Development Rights), PACE (Purchase of Agricultural Conservation Easement), TDR's (Transferrable Development Rights). The Town may desire to apply for a grant from NYS Agriculture and Markets for the preparation and adoption of a local (Town of Concord) agricultural and farmland protection plan.

The Town can also continue to find ways to tie the Town's agricultural production to services/markets in the Village of Springville. Finally, the Town should look into permitting certain commercial activities that may be compatible with agricultural uses, by special use permit and site plan review, within agricultural and residential zoning districts.

4.2 Zoning

From *Town of Concord Comprehensive Plan Working Paper: Inventory of Existing Conditions* by Carol Horowitz, AICP, December 2016. Please see appendix for zoning charts and full text of the document.

Introduction

There are currently 13 zoning districts (please see in the Town of Concord, which is a large number for a municipality of this size. These include four commercial districts, a manufacturing district, a mining district, and seven residential districts.

A review of the zoning map, which dates from 1998, indicates that many of the mapped districts, especially some commercial districts, are small in size and may encompass only one or two tax map parcels. In addition, the land use survey indicates that some of the areas that are currently zoned commercially have been converted to residential or some other non-commercial use.



These changed circumstances offer the opportunity to review the current zoning districts to determine if they are appropriate for the current land use patterns in the Town and to ensure that the current zoning districts are appropriate to meet the Town's needs in the future, especially in order to accommodate future development in the vicinity of the Zoar Valley connector road.

The analysis below reviews the permitted uses (those that are allowed within a given zoning district "by right") in each zoning district, in order to determine if some of the current zoning districts can be combined, modified or eliminated, in order to better serve the current needs of the Town.

Analysis Results

Residential Zoning Districts

There are currently seven residential zoning districts listed on the Zoning Map. These are:

- R-E Single-family residence - Estate (No Parcels Zoned R-E)
- R-AG: Residential Agricultural
- R-1 Single family residence
- R-2 General Residence
- R-M General Residence- Mobile Home court
- R-RB Residence- restricted business
- R-12 Single family - cluster housing

Chart A contains a table comparing the principal allowable land uses in each residential district. Although the R-E, Single-family residence - Estate Zoning District is listed on the Zoning Map and described in the Zoning Ordinance, no areas of the town are located in this zoning district.

R-AG: Residential Agricultural Zoning Districts

Most of town is located in this Zoning District, which is a mixed use district that allows a range of residential land uses, including single family homes, two family homes, and multiple family homes. A wide variety of agricultural uses are also permitted in this district. Quasi-public uses such as schools and charitable organizations are also permitted. A variety of commercial recreation facilities, such as campgrounds and seasonal cottages are permitted with a special use permit from the Town Board. Utility scale and small scale Wind Energy Conversion Systems (WECS) are permitted with a special use permit. As an accessory use, professional residence offices are permitted with a special use permit. Roadside farm stands and home occupations are permitted as accessory uses.

R-1 Single Family Residence Zoning District

The R-1 Zoning District is the most restrictive district, allowing only single family homes and several quasi-public uses, such as fire stations, churches, and schools. The R-1 Zoning District is the most commonly mapped residential district after R-AG. Areas that are zoned R-1 include the Crane Ridge Subdivision, residential areas to the west of Kissing Bridge Ski Resort, Trevett Road near Fowlerville Road, Genesee Road west of Boston Springville Road, Kern Road north of Concord Road, and an area on North Street, centered on Dowd Road.

R-2 General Residence Zoning District

The R-2 District is relatively restrictive in allowable land uses, which includes single family homes. However, two family homes, multiple family homes, and group homes are also allowed. Dwelling Groups, which appear to allow more than one single family home to be constructed on a lot, are allowed. Several types of quasi-public land uses are also allowed. Only one area, Helm Road, a private road between Snyder and Townsend roads, is zoned R-2. However, the land use survey indicates that there are many areas in town that contain two-family and dwelling groups that are not located in the R-2 zoning district.

R-M General Residence- Mobile Home Court Zoning District

The list of allowable land uses in the R-M District is identical to the R-1 District, except that mobile home courts are also allowed. The only two areas in Concord that are zoned R-M are the two mobile home courts, one on North Street and one on Middle Road at Vaughn Street.

R-RB Residence- Restricted Business Zoning District

The R-RB District is designed to be a mixed use district that allows a range of residential, quasi-public and office land uses. It could be a useful zoning district for the traditional hamlet areas in the Town, since it can accommodate the range of land uses that are typically found in the hamlets. However, only one parcel, in East Concord on west side of Vaughn Street, south of Genesee Road, is now zoned R-RB.

R-12 Single family - Cluster Housing Zoning District

This zoning district is quite restrictive. Only Single family homes, churches and schools are permitted. The district requires both public water and sewer services and a minimum lot size of 12 acres. Clustering of lots is permitted in this district, with subdivision approval granted by the Town Board. Only one area in Town, a townhouse development in Kissing Bridge Ski Resort is currently zoned R-12.

Commercial Zoning Districts

There are currently four commercial zoning districts mapped on the Zoning Map. These are:

- C-1 Local Retail Business
- C-2 General Commercial
- C-T Commercial Tourist
- C-R Commercial Recreation

Chart B contains a table that compares the principal permitted land uses in each commercial district. The C-1 and C-2 Districts allow a range of land uses, while the C-T and C-R Districts are special purpose commercial districts that allow limited land uses.

C-1 Local Retail Business and C-2 General Commercial Zoning Districts

Chart B demonstrates that there are not many differences in land uses allowed in the C-1 and C-2 Districts. Both districts allow a range of residential land uses (single family, two family, and multiple family); quasi-public land uses, such as philanthropic organizations and schools; nursing homes; some office uses; banks; theaters; restaurants; automotive sales and services; and gasoline stations.

The major difference between these two districts is that retail sales ("retail sales, but not including any use first permitted in any other C District or first permitted in any M District") are allowed only in the C-1 District, and the C-2 District allows a range of light industrial (custom shops, dairy, commercial dry cleaning plant) and commercial recreation (golf driving range, drive-in theater) that are not permitted in the C-1 District.

The C-1 District allows some office uses that are not allowed in the C-2 District. However, the distinctions between these types of offices appears to be arbitrary. For example, "optician, optometrist, ophthalmologist" is allowed in both districts, but "medical/dental buildings, clinics and laboratories" are only allowed in the C-1 District. "Real estate or insurance office" is allowed in both districts, but "administrative & professional offices" are only allowed in the C-1 Districts. All these office uses would appear to be similar.

There are several small areas of both C-1 and C-2 Districts distributed throughout the Town. Looking at the zoning map, more commercial land is located in the C-2 District. The largest concentrations of the C-2 District are located in East Concord on Route 240 in two locations, one along Allen Road north of Genesee Road and the other on the west side of Vaughn Street, north and south of Davis Hill Road. There is a strip of C-2 on South Cascade, south of the village. There is a small C-2 District on Route 39 west of the Village, which contains a small pocket of commercial development. A small area on Route 39 at Morton's Corners Road is zoned C-2. Several small areas zoned C-2 are scattered throughout the Town, including a single parcel on Cattaraugus Street and a small district on the Springville-Boston Road.

Areas zoned C-1 are located throughout the Town, although not as widely distributed as the C-2 District. A C-1 District is located in East Concord, on Genesee Road. A small C-1 District is located on North Street. Other areas zoned C-1 include small districts on Heim Drive and in Fowlerville.

C-T Commercial-Tourist Zoning District

The C-T District allows a very limited list of land uses. The only permitted use is gasoline stations. Single family and two family homes, restaurants, and hotels and motels are permitted with site plan approval from the Town Board. Only one small area is currently zoned C-T. This is a parcel on Springville-Boston Road that is currently residential in use.

C-R Commercial-Recreation Zoning District

The C-R District also has a very limited list of allowable land uses. Golf course, golf driving range, mini-golf facilities, downhill ski centers, commercial stables and campgrounds are

allowed with site plan approval from the Town Board. No residential uses are permitted in the district, although it appears that there are some residential units at Kissing Bridge that are included in the C-R district. There are two areas that are zoned C-R, the Springville Country Club golf course on South Cascade Drive and the Kissing Bridge Ski Resort.

Industrial Zoning Districts

M General Industrial Zoning District

The allowable land uses in this District are restricted to industrial manufacturing, research and development, and adult uses. Only two areas of Concord are located in this district. One is a lot on Route 39 at Pritchard Road, which contains a manufacturer of pre-cast concrete products. The other is in East Concord on Genesee Road.

M-R Mining Reclamation Zoning District



There are several active mines in the Town that are located in this Zoning District. In the Appendix (Carol Horowitz 2016 Working paper – Appendix C in that report), there is a listing of the gravel mining related sites. The Town should complete this research and ensure that the 1998 Zoning Map is updated and accurately reflects current zoning for the properties that are zoned M-R.

Direction for the Town

When developing zoning districts and drawing zoning district boundary lines, there are several overarching principles that the Town may want to consider during its review of the current zoning districts. Each Zoning District should have a brief statement of purpose, which will provide a focus for the uses that are permitted in that District. The permitted uses in each Zoning District should be carefully considered to implement the purpose of the zoning district, whether that is to designate areas that are restricted for single family home development or to designate mixed use areas where a range of compatible land uses are allowed.

District boundary lines should reflect both existing land uses and the range of land uses that the Town would like to promote in the future. Wherever possible, zoning district boundary lines should follow tax map parcel boundaries. To the maximum extent

feasible, the Town should avoid zoning districts that encompass only one or two parcels, since this could be construed to be spot zoning.

Dimensional regulations are another consideration; in some circumstances it may be appropriate to develop zoning districts that have similar permitted land uses, but different minimum lot size, minimum lot width, and setbacks, depending upon existing conditions. Minimum lot size is also dependent upon whether or not municipal water supply and sanitary sewer services are available, which would allow smaller lot sizes.

Below are several conclusions from the preceding analysis of the Town's current Zoning Districts, which the Town may want to consider during its review.

Residential Districts

Because there is no land currently zoned R-E Single-family residence - Estate Zoning District, it appears that this zoning district would be a good candidate for elimination. In addition, only one small area is currently zoned R-RB. Further review may indicate that this Zoning District can be applied to other areas, but if not, the Town could consider deleting this district. The list of uses that area allowed in the R-2 District make it a useful tool, one which appears to have been underutilized.

The R-AG district appears to be fairly broad and does not really represent a rural – agrarian district. The number of allowed uses and special uses should be reduced to provide greater focus. As Home Based businesses are growing in popularity, the Town should consider the adoption of law for home based businesses/ home occupations. This law can be broken into two categories; those that are allowed by right (difficult to regulate) and those that would require an approval/permit from the Town. The law would include the requirements for these types of home based businesses. Samples are provided in the Chart.

Commercial Districts



Because the C-1 and C-2 Districts are both effectively mixed use districts, the list of permitted uses within these districts should be re-examined. These districts potentially could be combined into one commercial District. The list of permitted uses in the C-R district could potentially be expanded to include some types of residential development; alternatively, commercial recreation could be allowed in a

different commercial zoning district. The C-T district currently is the only zoning district in which hotels and motels are allowed. However, these uses could easily be allowed in a different commercial district, and the C-T District could be eliminated.

Industrial District

The current M District is a very traditional heavy manufacturing district. However, many of the land uses in the Town fit more readily into a light industrial category. The list of permitted uses in this district could be potentially expanded to include some of the uses that now are only permitted in the C-2 District, such as custom shops. *Many modern zoning codes allow this, as it accommodates the changing economies of the region and country. The Code could also include some design issues to ensure that they fit into the character of the area and not impact adjoining uses.*

4.3 Mineral Extraction

Issues/Conditions/Data

The Town's current policy toward mining activities is to rezone specific properties to allow mineral extraction on a case-by-case basis as applications are made.

Analysis Results

Gravel mining is long-standing part of the Town's way of life. It was reported prior to the Comprehensive Plan starting that members of the general public and some public officials wished to see the Town do more to regulate future mining activities in the Town. Therefore, the scope for the Comprehensive Plan Update included investigating this issue. During the Comprehensive Planning public input process though, no one found this as an important issue.

While the New York State Mined Land Reclamation Law (MLRL) does supersede the Town's jurisdictional authority, it does not prohibit Concord from passing legislation that establishes permitted and non-permitted uses (e.g. mining) within a given zoning district. The Town can determine in what zoning districts mining may be allowed by right, allowed by special use permit, or not allowed at all.

Direction for the Town

The Town has multiple options for better regulating mining activities in the Town and it could chose to employ one or more techniques as it moves forward. First, the Town could continue the current process of rezoning properties as applications are received. The only difference is that the Town would now utilize the Comprehensive Plan in evaluating this rezoning request. Zoning must be in accordance with a Comprehensive Plan. The Town, based on the Plan and other evaluations would either rezone the property or deny the rezoning.

Another technique would be the evaluation of all zoning districts in the Town, determining where mining could be an appropriate use, and then zoning it as such, but requiring a Special Use Permit. However, it must be understood, that NYS law greatly restricts what can be regulated under a SUP for mining operations so this might not be an ideal approach.

Another option would be a slight variation to the “rezoning” process and would involve allowing mining under incentive zoning. This type of zoning would identify what could be allowed and what the needs of the Town are, and the processes and requirements needed to obtain such a “rezoning.” An incentive zoning law would need to be created and adopted by the Town (a sample of an Incentive zoning law is included in the Appendix).

4.4 Home Based Businesses

Issues/Conditions/Data

The Town is primarily a residential and agricultural community, with residences and farming occurring throughout the Town, and sometimes both occurring on the same parcel. It is not entirely uncommon, for example, an agricultural property to also feature a small stand or structure where fresh produce is sold. In addition, the rapid advancement of advanced telecommunication technology (i.e. cell phones and reliable internet) has made it more possible than ever before for residents to operate businesses out of their own homes. This trend is consistent with trends seen at the regional, state, and national levels.

It is generally agreed that as long as a given home based businesses is unobtrusive and does not adversely affect adjoining properties, it would be allowed as an acceptable use, as the Town of Concord's homes tend to be on larger lots and separated from their neighbors with adequate buffers. Supporting home based businesses will continue to offer opportunities for farmers to have small, non-agricultural related businesses operating within their home to help supplement their income.

Analysis Results

The Town currently does not have sufficient regulations to properly address home based businesses, although other municipalities in New York State do, and they could provide an example for the Town of Concord to follow. They tend to break these types of businesses into one to three categories, with different regulations and requirements for each. Certain uses are so inconsequential to the residential use that they are allowed by right. Other uses that may have an impact require a permit from the municipality. Uses that are determined to be major require site plan approval and/or a special use permit.

Many municipalities in the State have good regulations to address these types of home based businesses. They tend to break these types of businesses into one to three categories, with different regulations/requirements for each. Certain uses are so inconsequential to the residential use that they are just allowed by right. Some uses that may have an impact would require a permit from the Town. The highest level would require site plan approval or a special use permit.

Direction for the Town

The Plan will recommend that the Town adopt similar legislation as some other communities in New York State, and samples will be provided.

4.5 Food Systems Planning

Issues/Conditions/Data

Food systems planning is a critical component to this comprehensive plan update, as food production and access are increasingly looked at as indicators of healthy, sustainable community.

The recommendations made within this section rely heavily on the information provided in One Region Forward's *Growing Together: Ensuring Healthy Food, Strong Farms, and Prosperous Buffalo Niagara*, which was published in February 2015.

Designed to be a technical report, *Growing Together* was authored by the University at Buffalo Food Systems Planning and Healthy Communities Lab and is, in part, highlighted by a series of 38 "Ideas for the Future," which are intended to be "familiar and novel ways to strengthen Buffalo Niagara's food system and to make the most our regions assets."¹

The Town of Concord is an Erie County "Right-to-Farm" municipality. The "Right-to-Farm" law was passed to ensure that an explicit legal basis was established for farming/agriculture to remain a by-right use in areas in which there was risk of farmland being converted to other uses or instances in which farmers were at risk for private nuisance suits being filed against them.

Farming and agriculture are priorities in the Town of Concord. Over 50% of the Town's land area is part of Erie County Agricultural District #15 and is dedicated to farming. The majority of lands in the Town of Concord have been classified by the tax assessor as either residential or agricultural. In some instances, the reality of the situation is that the parcels may be both, with a residential use (i.e. farmhouse) being surrounded by an agricultural use (i.e. barns and crop fields). So under representation and over representation of what lands are actually being farmed are issues that should be taken into account.

It also should be noted that the Erie County Agricultural and Farmland Protection Plan identifies Concord as having one of the few areas in the County with "Clusters of Parcels with High Agricultural Soils Values" (see Erie County Plan).

Analysis Results

Animal farming in the Town of Concord includes, but is not limited to: dairy, poultry, and beef. Crops grown in the Town of Concord include, but are not limited to: corn, beans,

¹ University at Buffalo Food Systems Planning and Healthy Communities Lab, *Growing Together: Ensuring Healthy Food, Strong Farms, and Prosperous Buffalo Niagara*, 2015, 89.

and, more recently, hops. All of these products provide vital links in the regional food system.

Roadside stands and the Village of Springville's Gentner Auction are currently the only opportunities afforded to buy local manufactured food products and local produce within the Town of Concord. The Gentner Auction is open every Wednesday from 7:00 A.M. to 3:00 P.M. The Village of Springville once served as a vital link of critical services to farmers living in the Town, while at the same time, providing those farmers with a market to distribute their products.



Regional and local sportsmen and sportswomen seek out the numerous hunting and fishing opportunities available in the Town of the Concord. Both hunting and fishing are regulated by the New York State, licenses are required, and, with regard to hunting, a training course must be completed. The Town of Concord offers several opportunities for anglers, primarily within Cattaraugus Creek and its watershed, with the Scoby Power Plant and Dam serving as a particularly popular destination. Both Salmon and Trout are prevalent species, with Cattaraugus Creek being located within the world renowned "Steelhead Alley."

The nearby Zoar Valley Multiple Use Area (MUA) provides hunters and trappers excellent opportunities. Hunters utilize the Zoar Valley MUA for deer, pheasant, squirrel, and grouse. Trappers use the MUA for beaver.

Both hunting and fishing play an important role in the Town of Concord's overall food system by both giving residents access to freshly caught food and being an important economic driver, as tourists and visitors seek out the Town of Concord to engage in the hunting and fishing opportunities that are located there and not available in other parts of Erie County and the Buffalo-Niagara region as a whole.

The Town of Concord recognizes the important roles hunting and fishing play in their local economy and have been working with Federal, NYS, and Erie County officials to lower the height of the Scoby Dam and construct a fish ladder that will allow fish to move further upstream for spawning. In November 2017, it was announced that federal, state, and local officials had reached an agreement to see the height of the Scoby Dam lowered and, pending further federal approval from the U.S. Fish and Wildlife Service, a fish ladder installed to allow the fish the opportunity to spawn further upstream (the dam currently prohibits fish for going any further upstream).

The project is a \$7 million dollar endeavor and is scheduled to be completed by 2021. Upon completion, the project will connect both sections (upper and lower) of Cattaraugus Creek for the first time in nearly 100-years.

There are several grocery stores located within the Town of Concord including: Aldi, Tops, and Walmart. All three of these grocery stores are located within the Village of Springville near the U.S. Route 219 interchange with State Route 39. In addition to traditional grocery stores, there are numerous convenience stores located throughout the Town, some inside service stations, others as standalone stores. These convenience stores provide residents with “essential” food items such milk, eggs, bread, and water.

Direction for the Town

The Town of Concord is blessed to be an area that has rich agricultural soils and to have large amounts of land dedicated to food production. Many of the Town’s needs, in terms of food production (especially fruits and vegetables) could be met through locally sourced products. In addition, the Town provides agricultural products to the County and the greater Buffalo Niagara region, helping sustain the food system at large.

The Town could continue to support farmers by keeping the Town a “Right-to-Farm” community and look to expand the existing Agricultural District (Erie County Agricultural District #15). Establishment of a purchase/conservation easement program and a transfer of development rights program could be suitable mechanisms for protecting farmland in the Town. Currently, there is no street farmer’s market in downtown Springville. One could be established to both attract visitors to the Village’s downtown and provide another opportunity for Town farmers to sell their products to local residents.

Concord could also continue to work with its partners at the federal, state, and county levels to see a fish ladder constructed at Scoby Power Plant and Dam. Additional food system partnerships could include the local schools: ensuring Concord youths are educated in farming and agriculture best practices, exploring the opportunity to source school meals with locally grown fruits and vegetables, and establishment of school gardens, creating experiential nutrition and farming education.

Understanding weaknesses and deficiencies in the Town’s food system is of critical importance for elected officials. Similarly, elected officials need to have a firm grasp on how self-reliant the Town of Concord is in terms of fruit and vegetable production (i.e. what percentage of the Town’s fruit and vegetable needs could be met with only those fruits and vegetables grown within the Town). Elected officials and appointed board members should look to encourage grocers and markets that sell and/or market locally produced products and look at zoning laws to ensure that, for example, roadside farm stands are permitted by-right within certain zoning districts located in the Town.

Representatives from “One Region Forward” will be able to provide the Town with additional ideas regarding food planning and to best implement a strong food system within the community.

4.6 Neighborhood Revitalization

Issue/Condition/Data

The Town of Concord remains largely rural, with single-family detached homes interspersed throughout the community. There is only one suburban style subdivision being Crainridge, which is located in the northeastern corner of the Town, near Kissing Bridge and Sprague Brook Park. In addition, there are four (4) areas that have been identified as hamlets: East Concord, Morton Corners, Wyandale, and Fowlerville. These hamlets are primarily crossroads, albeit with a little more development density in and around the intersections.

Analysis Results

The Town of Concord does not have specific neighborhoods that are in need of revitalization. There are some areas located throughout the Town that are in need of increased property maintenance. Fortunately, based on data provided by the Town, there is not an abandoned property issue. "Zombie homes" do exist, but there are not many. The Town does have areas that are defined by the federal government as being "low-income," making them eligible for HUD (United States Department of Housing and Urban Development) grants and Community Development Block Grant (CDBG) monies.

Direction for the Town

There are really no specific neighborhoods in the Town, but some areas are referred to by their historic names. General recommendations for neighborhood revitalization should not be specifically tied to one area. Although, some areas of the Town do have common issues that should be addressed. For example, some areas may specifically meet the federal definition of a "low-income area," which allows for the use of community development monies through HUD.

There are historic structures (e.g. barns) and buildings located in the Town and financial incentives offered at the local, state, and federal levels could be utilized to encourage protection, rehabilitation, and reuse of these resources. Existing building stock could be revitalized through tax incentives offered by the state, such as the 485 b program and through updated property maintenance laws passed at the local level.

4.7 Major Thoroughfares

Issues/Conditions/Data

All of the major thoroughfares discussed in this section can be seen on *Map 7: Transportation*.

Major East/West Routes

Genesee Road and State Route 39 are the two major east/west automobile travel routes in the Town of Concord. State Route 39 is Main Street in the Village of Spring. Genesee

Road extends from the Town of Sardina in the east to the Town of Collins in the west. It is classified by the NYSDOT as a “Major collector.” It passes through East Concord and intersects U.S. Highway 219, where it features both northbound and southbound entry/exit lanes.

State Route 39 is located in the southern section of Concord and is classified by NYSDOT as a “Minor Arterial.” It extends from the Town of Sardina in the east to the Town of Collins in west, passing right through the heart of the Village of Springville. State Route 39 intersects U.S. Highway 219 and features both northbound and southbound entry/exit lanes.

In 2015, NYSDOT estimated the Average Annual Daily Traffic (AADT) for Genesee Road and State Route 39 as follows:

Name	Where to Where (East to West)	2015 AADT
Genesee Road	Sharp Street to NY240	3,090
State Route 39	N. Cascade Drive to CR82 (Buffalo Street)	11,607

Residents noted that the interchange of State Route 39 and Zoar Valley Road (west of U.S. Highway 219) was in need of improvement/maintenance. Village residents pointed out that there has been a decrease in the amount of traffic traveling through the Village since the completion of the U.S. 219 extension. Some Village residents also indicated that they would like to see truck/heavy vehicle traffic prohibited from using Main Street in the Village (State Route 39).

Major North/South Routes

U.S. Highway 219 is classified by NYSDOT as a “Principal Arterial - Freeway,” running from the Town of Boston in the north to the Town of Ashford (Cattaraugus County) in the south. There are two interchanges located off of U.S. Highway 219, one at State Route 39 and one at Genesee Road. Commercial development has occurred off of the State Route 39 interchange. The same does not hold true for the Genesee Road interchange, which has a few, primarily residential, uses located nearby, but no significant commercial development. Both the Town and the Village of Springville anticipate future commercial development west of U.S. Highway 219 near Zoar Valley Road (business park). If this were to occur, it would be the first significant commercial development in the Town located west of the highway.

Springville-Boston Road, Erie County Road 228, is located to the east of U.S. Highway 219, running parallel to it, from the Town of Boston in the north to the Town of Ashford (Cattaraugus County) in the south. In the Village of Springville, County Road 228 becomes Cascade Drive, where there is significant development off of it.

In 2015, NYSDOT estimated the Average Annual Daily Traffic (AADT) for U.S. Highway 219 and County Road 228 (Springville-Boston Road) as follows:

Name	Where to Where (North to South)	2015 AADT
U.S. Highway 219	Genesee Road to NY39	11,134
Springville-Boston Road	Middle Road to Village of Springville Line	2,813
State Route 240	Genesee Road to Middle Road	2,581

Other Routes and Issues Examined

Buffalo Road/Sharp Street and Vaughn Street were both identified by public meeting participants and the Comprehensive Planning Committee (CPC) as needing improvements and general maintenance. Concord residents and the CPC also identified all Erie County roads located within the Town as needing general maintenance. Gateway signage (i.e. "Welcome to Concord") is non-existent/lacking.

Analysis Results

Most of the major roads in the Town are level of service "A" (not having any volume problems). Localized road condition/maintenance problems and intersection problems seem to be the only major thoroughfare issues in the Town. Residents repeatedly noted that County-owned roads, in particular, were in need in of maintenance and improvements.

The Highway 219 extension has not created any traffic problems, although it has diverted traffic away from the Village of Springville. Over the long term this could impact Town and Village businesses that once depended on high traffic counts brought by visitors utilizing the highway.

The Town does not have adequate zoning controls in place to effectively manage the development patterns around the U.S. Highway 219/Genesee Road interchange. Increased development pressure could lead to the commercialization of this area without the Town having a strategy in place to help guide development.

Direction for the Town

Develop a plan for the future of the U.S. Highway 219/Genesee Road interchange and zone it accordingly. The nature of this interchange (located in the northern portion of the Town, closer to Buffalo) and a major thoroughfare, in U.S. Highway 219, make it attractive for development within The Town, working jointly with the Village, could form a committee to study how the reduction of through traffic has impacted the retail and business environment on Cascade Drive and on Main Street in the Village. Another joint venture between the Town and the Village would be the creation of gateway signage on access thoroughfares between the two communities. The Town could also look at the creation of gateway signage on the major north/south (U.S. Highway 219, Springville-Boston Road, and State Route 240) and major east/west (Genesee Road and State Route 39) corridors leading to and from the Town. The Town needs to continue to engage Erie County on the maintenance and repair of County-owned roadways.

4.8 Transportation

Issues/Conditions/Data

Bus

The Town of Concord is a car-dependent community. It is not served by any existing Niagara Frontier Transit Authority (NFTA) bus routes, with the nearest NFTA route located in the neighboring Town of Boston to the north. Residents at the public information meetings expressed their desire to see a park and ride facility constructed within the Town.

Rail

There is no passenger rail service in the community and the former Buffalo, Rochester, and Pittsburgh rail bed is currently being looked at by Erie Cattaraugus Rural Transit Inc, as a possible rails to trails project for the creation of a multiuse trail, extending from Cattaraugus County in the south to the Town of Orchard Park in the north.

Air

There is one (1) private airstrip located in the Town, located near the intersection of Trevett Road and State Route 39. It has one turf runway. The nearest major airport is the Buffalo-Niagara Airport located 30-miles to the north in the Town of Cheektowaga.

Walking

The Walk Scores for the hamlets located within the Town were largely not favorable for walking, with the lone exception being the Village of Springville. This was to be expected, as the Town remains predominantly a rural, agricultural community. Furthermore, residents and the CPC repeatedly noted that these essential characteristics of the Town (rural and agricultural) should be preserved and proactively protected.

For any given point in the Town, Walk Score measures the distance between that point and nearby daily necessities by applying an algorithmic formula that increases and/or decreases the score based on a number of variables including distance.

Hamlet/Village	Walk Score
Hamlet of Concord	0 (Car Dependent)
Hamlet of Morton's Corners	0 (Car Dependent)
Hamlet of East Concord	10 (Car Dependent)
Hamlet of Fowlerville	0 (Car Dependent)
Hamlet of Woodside	0 (Car Dependent)
Hamlet of Wyandale	0 (Car Dependent)
Village of Springville	60 (Some Errands Can Be Accomplished on Foot)

Biking

There are no marked or protected bicycle lanes in the Town of Concord or the Village of Springville (the Village does have bicycle sharing signs), but residents and the CPC noted that they want to seek expanded opportunities for biking and walking, with more connections between the Town and the Village being desired. The lack of marked bicycle lanes does not prevent visitors from utilizing the Town's excellent cycling topography for recreational opportunities.

The GBNRTC's Online Bicycle Map classifies Springville-Boston Road, Glenwood-East Concord Road, and Vaughn Street as all having "Suitable" levels of on-road bicycle service. Springville-Boston Road remains as a "Suitable" route once it becomes North Cascade Drive and crosses into the Village of Springville; although, once North Cascade Drive becomes South Cascade Drive, after it crosses Main Street, it becomes a "Caution Advised" route all the way to the Town of Concord's municipal boundary to the south.

The Online Bicycle Map notes that Allen Road is classified as a "Caution Advised" on-road route. Most of Genesee Road is classified as having a "Suitable" level of service, although the stretch between Allen Road and Sharp Street is classified as a "Caution Advised" on-road bicycle route, as is the portion of Genesee Road between Wyandale Road and the Town of Collins municipal boundary to the west.

Most of State Route 39 is classified as a "Caution-Advised" on-road bicycle route. This is of particular importance given the vital role State Route 39 plays in the transportation network once it crosses into the Village of Springville and becomes Main Street.

Scenic Byway

The Western New York Southtowns Scenic Byway (WNYSSB) has four (4) routes that go through the Town of Concord. The entire portion of U.S. Highway 219 that runs through the Town is part of the WNYSSB. Similarly, the full segments of State Route 240 and Springville Boston Road that extend through the Town are part of the WNYSSB. Main Street in the Village of Springville is also part of the WNYSSB. The WNYSSB is an attractive tourism destination for regional cyclists.

Analysis Results

Residents throughout the Town and Village expressed varying opinions regarding the extension of rails to trails within the Town, although there was general consensus by those attending the meetings that more bicycle and pedestrian connections between the Town and Village were needed, along with additional trails, walkways, and bicycle paths throughout the Town. Commuters expressed the desire for a park and ride to be established within Town limits. There was consensus that the NYSDOT and Erie County should consider the impact that any proposed projects involving state and/or county roads might have the ability to safely and effectively bike throughout the Town and how any proposed projects might impact any existing or proposed bike lanes.

Direction for the Town

In order to increased biking and walking opportunities, the Town could partner with the GBNRTC, Erie County, and NYSDOT to determine which roadways would be most suitable for marked and/or protected bike lanes, especially in those instances in which Erie County and the NYSDOT are already performing road improvement activities within the Town. The Town could work with Erie County and NYSDOT to explore the potential for the integration of Bikeable and walkable connections between the Town and the Village should be further explored. The recreational area in the Town's northeast corner would potentially be an excellent destination for a trail connecting the Town and the Village.

In addition, the Town should seek to resolve the rails to trails issue, where there is still a lack of consensus on whether or not the former BRP rail bed should be converted to multiuse trail, as part of the larger Erie Cattaraugus Trail system. Similar rails to trails projects have generally been regarded as quite successful (see the Buffalo/Tonawanda multiuse rails to trails project for regional example of successful example). Although, opponents to the proposed project are concerned with loss of community character, costs of construction/maintenance, and invasion of privacy.

If a suitable location for a park and ride facility could be identified, the Town should collaborate with NFTA to establish such a facility within municipal limits. The Western New York Southtowns Scenic Byway has the potential to increase economic generating recreational and heritage tourism in the Town of Concord and should continue to be promoted as important asset.

4.9 Watershed

The following provides a general overview on some of the critical issues surrounding the Town of Concord's watershed. For more detail on the watershed, please see the full watershed description and analysis contained in the appendix.

Issues/Conditions/Data

The Town of Concord is within the Niagara River Watershed part of the larger Lake Erie Watershed. Sub-watersheds include (as delineated in the Buffalo Niagara Riverkeeper's Niagara River Watershed Management Plan): the **Eighteenmile Creek** sub-watershed, the **Cattaraugus Creek** sub-watershed, the **Headwaters Cattaraugus Creek** sub-watershed, and the **Buffalo River** sub-watershed.

Eighteenmile Creek (a sub-watershed of the Niagara River) runs from the central north portion of the Town of Concord going through the Towns of Boston and Hamburg prior to emptying into Lake Erie. The South Branch of Eighteenmile Creek starts in the western portion of Concord and goes in a generally northwesterly direction, cutting through the Towns of North Collins and Eden prior to feeding into Eighteenmile Creek in the Town of Hamburg. (See Environmental Features Map of the Town of Concord).

Cattaraugus Creek is a Class B protected waterbody, Eighteenmile Creek is a Class A (suitable as a drinking water source) protected waterbody, South Branch Eighteenmile Creek is a Class C (TS – trout spawning) waterbody, West Branch Cazenovia Creek is a Class B (suitable for primary and secondary contact recreation and fishing) waterbody, Sprague Brook is a Class B waterbody, and Spring Brook is a Class B and Class C waterbody.

Steep slopes can be found in the streams that serve as **tributaries to Cattaraugus Creek** including, but not limited to: Spooner Creek, Spring Brook, and Derby Brook (see Environmental Features Map of the Town of Concord). The topography slopes at Cattaraugus Creek, which serves as the southern border of the Town, separating it from the Towns of Ashford and East Otto in Cattaraugus County. This area, known as Zoar Valley is noteworthy for its spectacular gorges and pristine beauty. It is a popular spot for fishing and during the spring for white-water rafting.



Sprague Brook is located in the northeastern corner of the Town of Concord and feeds the West Branch Cazenovia Creek. West Branch Cazenovia Creeks leaves Concord and flows north through the Towns of Colden, Aurora, Elma, and West Seneca and the City of Buffalo

prior to merging into the **Buffalo River** (sub-watershed of the Niagara River), which empties into Lake Erie. (See Environmental Features Map of the Town of Concord).

Analysis Results

Local governments regulate and oversee land development. The following municipal tools, many of which are currently employed by the Town of Concord, can be used to address a wide variety of environmental issues, which includes the protection and conservation of water resource. Municipalities can have a long lasting impact on protecting and improving the surrounding watershed by incorporating water quality goals and strategies into their comprehensive plans. Some of the planning tools and regulatory mechanisms that can continue to be employed at the local level, by the Town, are as follows:

- Comprehensive plans
- Land use and zoning, such as site plan review
- Subdivision regulation
- Erosion and sediment control ordinances
- Special use permits

Direction for the Town

How effective the site plan review process will be in reducing development impacts to water quality and natural site features is dependent on the reviewing body (planning board or other administrative agency) and how strictly they apply review criteria. It is important for zoning regulation language to be clear and specific so the reviewing body has distinct authority to modify site plans or place additional conditions on permits.

The following are additional tools that the Town of Concord could utilize to ensure protection and conservation of their water resources:

1. Local Laws, Practices, and Programs that affect Water Quality:
 - Preservation of open space and conservation planning – can be an effective way of preserving water quality by limiting development in certain areas, such as in riparian buffers, wetlands, floodplains.
 - This can be done in a number of ways, such as, conservation easements, the transfer of development rights, or purchase. For example, the Buffalo-Niagara Riverkeeper organization helped facilitate the purchase of a property for inclusion into County Forest, creating 1000 acres of headwater forest in the Town of Concord protected in perpetuity.
 - Encourage collaboration amongst municipalities and agencies to develop zoning codes to encourage conservation and best management practices across waterways that span municipalities.

2. Sewer and Water Infrastructure:

- Because there are very limited public water supply and public sanitary sewerage disposal services in the Town, most residential development occurs on larger lots that can accommodate private wells and septic systems. Due to these infrastructure constraints, there are very few traditional subdivisions on medium sized lots. Instead, the pattern has been to develop large lot subdivisions, on lots of five acres or more, with all lots taking access from existing public roads. The development of Townsend Road south of Genesee Road is an example of this type of subdivision pattern. The Crane Ridge subdivision, in the northeast section of the town, is an example of a subdivision on smaller lots; this subdivision is served by its own, dedicated water supply and sewage disposal systems, which support the smaller lot size.
- Upgrades to existing infrastructure are important because replacement or upgraded sewer systems can improve water quality (general maintenance/replacement of aging infrastructure).
- Sometimes though, new sewer and water infrastructure expansion may lead to inappropriate growth, development, and sprawl. Communities should carefully plan future land use and determine where infrastructure will be allowed to expand.

3. Onsite wastewater systems, such as septic systems:

- The majority of property owners in the Town of Concord utilize privately-owned septic systems for the purposes of sanitary sewerage collection. Encourage the upkeep of septic systems and work with the Erie County Health Department to ensure that all applicable septic laws are followed.

4. Environmentally sensitive areas – floodplain management:

- The region contains flood zones that have been designated by the Federal Emergency Management Agency (FEMA) as areas subject to flooding. These areas are depicted on FEMA Flood Insurance Rate Maps (FIRMs). These maps should only be used for general planning purposes. Persons interested in determining the exact locations of the flood hazard boundary areas should refer to the official map on file at the Town of Concord, Town Clerk's office, particularly in regard to the need for flood insurance for a property.
- Significant flood hazard areas in the Town of Concord are primarily found south of Genesee Road on the banks of Spring Brook, Spooner Creek, and Cattaraugus Creek. Because these creeks are subject to flooding, development is discouraged from these areas by floodplain regulations. If any development is allowed in the floodplain the regulations ensure that predevelopment rates are maintained or improved. The Town should

continue to enforce these regulations.

- The Community should work with FEMA to update flood maps.
- Floodplains are located near or adjacent to water courses. The floodplain stores stormwater. When a floodplain's storage capacity is reduced is when the risk of property and infrastructure damage can occur.
- Drainage features like creeks, floodplains and wetlands need to be protected from development. These natural drainage features act as a natural sponge to trap stormwater, snowmelt, and other surface runoff; they reduce the volume and speed of runoff. They protect areas from the negative impacts associated with flooding and help reduce the risk of erosion.
- Local officials need to enforce flood prevention ordinances; these ordinances should be integrated into zoning laws and site plan review.

5. Environmentally sensitive areas: wetlands and riparian areas:

- There are both State and Federal wetlands located in the Town of Concord. Wetlands are found in every portion of the Town, although a preponderance of them are near the stream corridors of Derby Brook, Spooner Creek, and Spring Brook.
- Wetlands and riparian areas have important functions that protect water quality. Wetlands can purify water, recharge groundwater, assist in flood control, and improve shoreline stability.
- Many smaller unmapped wetlands are not protected under state or federal laws.
- Riparian areas are lands adjacent to water features and contribute greatly to the health and function of the water features they surround. They can stabilize banks, reduce erosion and sedimentation, lower water temperatures, slow flood waters, filter runoff, aid groundwater infiltration, and support wildlife habitat.
- Municipalities should protect wetlands and riparian buffers from vegetative clearing and development. Environmental overlay districts can help with this.
- The Town may consider developing a boardwalk/ trail system around the forever wetland; this system could be linked with other wetlands in the Town.

6. Stormwater management and drainage:

- The Town of Concord does not have a combined or dedicated stormwater collection system. Stormwater is collected and drained through natural remediation (e.g. ditches, culverts, etc.) and/or engineered improvements made to individual properties (e.g. on-site remediation techniques like stormwater collection ponds, rain gardens, etc.).

7. Erosion and sediment control:

- Soil erosion impacts water quality in many ways. Work with NYSDEC to ensure that all applicable erosion and sediment control laws are followed.

8. Junk yards & waste storage:

- If waste is not stored properly, hazardous liquids can leak into soil and groundwater. The Town should consider a formal review of its existing municipal junk yard law to ensure that it adequately addresses potential impacts of such uses to groundwater.

9. Mining & drilling wells:

- In Concord, the extraction of topsoil, sand, gravel and similar resources ranks fifth in land use categories, constituting approximately 2.5 percent of the land area in the Town. The majority of sites currently being mined tend to be located in the eastern part of Concord, near Route 240. These existing mines are regulated by the NYSDEC and are important to the economy of the Town and the region.
- Note: Presently oil and gas well development are regulated at the state and federal levels.
- The Town needs to update the zoning map to reflect the lands currently zoned for mining.
- The land reclamation plans for these mines should consider recreational uses (Town needs to work with the mines to determine possibilities).

10. Agriculture:

- Agricultural land currently occupies 23% of all land in the Town. Agriculture can have significant impacts on water quality. Runoff can carry pesticides, fertilizers, and animal waste into waterways and can cause nutrient loading. Most agricultural land use issues are regulated at the state level by the Departments of Agriculture and Markets, and the NYS DEC. The NYS DEC also oversees State Pollution Discharge Elimination System (SPDES) for farming facilities identified as Concentrated Animal Feeding Operations (CAFOs). Farms are required to develop and maintain Comprehensive

Nutrient Management Plans under the SPDES general permit.

- Local awareness and encouragement of BMPs is also helpful. Municipalities should encourage farmers to access the resources offered by the Natural Resources Conservation Service and County Soil and Water Conservation Districts.

11. Forest Management:

- A significant amount of public forest land is located in the northeast section of the Town. Erie County owns approximately 700 acres of reforestation land, in several non-contiguous parcels. There are also several large parcels of land, owned by various private owners, which are classified as private forest land. Two of these parcels are located in the northeast part of town and several are located in the southern part of the town. Private forestland includes the Springville Field and Stream parcel bounded by Chaise Road and White Street.



Chapter 5: RECOMMENDATIONS AND IMPLEMENTATION

5.1 Introduction to Recommendations

This chapter breaks down the action items, or recommendations for the community into "High" priority actions, "Medium" priority actions, and "Low" priority actions for the purposes of establishing a basic framework and foundation for moving towards implementation of the established goals. These recommendations are based on the information gleaned from the technical investigations (Chapter IV of this plan), the input of the Comprehensive Planning Committee, the feedback received through the public information meetings, and recommendations from the previous Comprehensive Plan. The recommendations are designed to help the Town of Concord achieve the goals and objectives outlined in Chapter III of this Plan update.

The timeframes assigned to "High," "Medium," and "Low" actions are further delineated as follows:

Low:	5-10 Years
Medium:	3-5 Years
High:	1-3 Years

Priorities will change from year to year depending on changing circumstances. What is an urgent matter today, might not be next year. The first, and most critical recommendation of this Plan is to form a committee dedicated to monitoring the implementation of the goals contained in the Comprehensive Plan Update (see Implementation).

5.2 Recommendations

Protect the Environment

Agriculture (the protection of agriculture also helps the economy)

- Form an Agriculture Committee that can help with researching and exploring the ideas for agricultural protection. They can also take the lead on developing/directing grant applications for agricultural protection.
Priority: Medium
- Seek a grant from NYS Agriculture and Markets to develop an Agricultural Protection Plan for the Town of Concord (building off of the Erie County Agricultural Protection Plan).
Priority: Medium
- Once the Agricultural Protection Plan is completed, consider the use of PDR's (purchase of development rights), TDR's (transferable of development rights), and PACE (purchase of agricultural conservation easement). These will be

dependent upon the results of the Agriculture Protection Plan. The PDR tool may not be suitable due to costs, and the TDR tool requires development pressures and locating areas where denser development is desired.

Priority: Medium

- Other ideas that may come out of the Agricultural Protection Plan may include changes to the Residential-Agricultural zoning district (more focused on agricultural and agricultural related uses, allow, allow agri-business, agri-tourism and other support businesses), tougher subdivision regulations, an Agricultural Protection Overlay zoning district, etc. These changes could also include restricting the subdivision of land, increasing lot sizes and eliminating some other uses allowed in the district. This should be done in conjunction with the Agricultural Protection Plan and with a lot of input from local farmers.

Priority: Medium (dependent on Agricultural Protection Plan)

- Proactive tools such as agricultural easements (tax breaks for providing easements), assistance to farmers in identifying markets, grant application assistance, farm transition planning, etc. could also come out of the Agricultural Protection Plan.

Priority: Medium (dependent on Agricultural Protection Plan)

- Update the Town's zoning law or create new laws as related to large scale projects that could impact large acreages of farmlands. One specific law is the development of a solar law which must reflect not only the protection of Agricultural soils but also farms, farm related businesses and any tourism activities in the Town.

Priority: High (as of October 2021, this is complete)

Mining (mining is also an important component of the local and regional economy)

- Form a special committee to explore the options for regulating mining that may include:
 - Allow mining under incentive zoning. Incentive zoning would identify what could be allowed and what the needs of the Town are, and the processes and requirements needed to obtain these "re-zonings." The process is still a re-zoning and the elements of this Plan should be considered in the process.
 - Keep mining as a separate zoning district, requiring re-zoning each time a new application is received (as currently done), but using the Comprehensive Plan as the basis for determining whether or not a given location is a suitable one for mining (refer to the *Map 9: Vision/ Planning Areas*, the *Goals and Objectives*, *Map 2: Environmental Features* and the other recommendations of the Plan).
 - The Town should maintain the zoning map to ensure an accurate record of those properties that are zoned M-R (Mining Reclamation).
 - Reclamation of the mines are important to the future of the Town. Some mines are slated to be small lakes/ponds as part of existing mined land

reclamation plans, which could lead to increased recreational opportunities within the Town.

Priority: Medium

- Update the status of existing mine related properties that were included in Carol Horowitz's report.

Priority: High

Watershed Management (recreational use of the watershed helps the economy)

- Town should consider amending zoning ordinance to include provisions that encourage project designs that limit the expansion of impervious surface (build upon the NYSDEC regulations and the recommendations in the watershed reports).

Priority: Low

- Establish dimensional riparian buffer areas on all watercourses. Establish adjacent areas to riparian buffer areas and limit the uses and types of construction allowed within the adjacent areas.

Priority: Medium

- Partner with Erie County and non-profit organizations such as the Buffalo-Niagara Waterkeeper to purchase land outright, establish conservation easements on land, and to add existing parcels to parkland.

Priority: Low

- Work with FEMA to regularly update floodplain mapping.

Priority: Low

- Review and implement the other recommendations included in the *Niagara River Watershed Plan* and the analysis presented in this Plan (see Appendices).

Priority: Medium

- See the Infrastructure recommendations for additional recommendations on protecting the Town's watersheds.

Other Town and Regional Resources

- Complete an Open Space/Scenic Resources Inventory and an accompanying plan to help protect these resources. Funding for such an inventory could be provided by seeking grants.

Priority: High

- Create a Scenic Overlay zoning district along the designated Scenic Highways in the Town.

Priority: Low

- Investigate the possibility of a new scenic overlook in the southern part of the Town near the Springville Country Club.
Priority: Low
- Create Environmental Protection Overlay Districts (EPOD's) to protect the important major stream corridors and natural resources in the Town (see *Map 2: Environmental Features* in this Plan or, when created, the Open Space/ Scenic Resources Inventory and Plan). These overlay districts will establish a boundary for these areas and other requirements for any potential development in these areas. The Town could also create a conservation area law (sample provided in Appendices).
Priority: Medium
- To support the overarching goal of protecting the environment, the Town should continue to improve and in some cases promote the green energy laws of the Town. The Town should not only have laws to allow for different smaller forms of solar and wind energy, but also laws that allow other forms of green energy: CNG and electrical charging stations, thermal units, etc. Laws would have to be created and allowable areas established for larger scale solar and wind projects. An energy committee of the Town could investigate these issues further and utilizing the many sources of information available, develop recommendations for the Town (grants may be available for this work).
Priority: Medium
- Investigate the use of renewable forms of energy in all Town Facilities
Priority: Medium
- Continue to work with Erie County to preserve, protect and maintain the County parkland and forestry lots, particularly considering the increasing interest in large-scale solar projects and other renewable energy that could potentially consume 100s of acres of vacant land in the Town.
Priority: High

Promote Economic Development: Commerce and Industry

- The Town and the Village of Springville need to work together to establish mutually beneficial goals for the Zoar Valley Road Commercial Area (annexation of this area into the Village of Springville has been expressed as a possibility in the Village's Comprehensive Plan). This area is a long term growth area that needs to be properly planned. It should not be an area to compete with the development along Cascade Drive or within the Village, but provide different economic opportunities. Agricultural related or agricultural support businesses could be included as some of the allowed uses in the future of this area.
Priority: Medium

- Monitor the potential for other development patterns. Work towards establishing a plan for the future of the Route 219/Genesee Road interchange.

Priority: Low

- The number of home based businesses continue to grow (projections are that this will continue) and these types of businesses are becoming an important part of the economy. The Town should create/update the home based business law to be a three level law:
 - Allow some home based business by-right in the Town.
 - Allow some higher level home based business by permit.
 - Allow the final level of home based businesses by Special Use Permit.
 - Proper definitions would be needed for these different level home businesses.
 - Sample laws are included in the Appendices.

Priority: High

- Establish 485-b program for eligible commercial and industrial facilities within the Town (pursuant to NYS Real Property Tax Law Section 485-b). This law allows for property owners to make improvements to their properties and their assessment is raised over an extended period of time. For targeted areas (areas needing improvements/reinvestment), create an enhanced 485-b program (extends the period of reduced assessments).

Priority: High

- Implement the recommendations of the Agricultural Protection Plan to be completed by the Town. If this is not completed, the Agricultural Committee, also recommended by this Plan, should work with the farming community to determine their needs. One such tool would be to develop a listing of farmers seeking agricultural land rental opportunities and those with lands available, to encourage local land owners to place land back into production (connect land owners with those looking for land).

Priority: High

- Form a Cascade Drive Committee with the Village (and active economic groups) to focus on the needs of that corridor. With the reduction of traffic on that road (and changes in the retail economy), action by the Town (and Village) may be necessary to help with the continued success of that corridor. Recently, there has been completed an inventory of available properties in the Town (Cascade Drive), and this inventory should be kept up to date and utilized by the communities in marketing these sites. Continuous work with the property owners will be needed to determine issues and help create solutions to identified problems.

Priority: High

- Support the creation of an Incentive zoning law that could be utilized for mining and other land uses. The Town should also be more proactive in determining the end use of gravel mines (could be economic activity).

Priority: Medium (need study first)

- Build upon the growing arts and cultural community and interests in this, by investigating the creation of a local amphitheater area that would support local performances and shows. This can also help with drawing more people to the Town for the other tourism elements of the community.

Priority: Medium

- Help to promote and build off of the existing tourism areas of the Town (including Scoby Dam). Support the fish ladder at the Scoby Dam and promote fishing opportunities on Sprague Brook and also kayaking and canoeing on Cattaraugus Creek.

Priority: Medium

- Investigate creative housing alternatives that could allow the Town's aging population to stay in the community. These alternatives could include multi-generational housing, improved accessibility and grants for these, allowing in-law apartments and potentially a secondary house on a property, etc. (see Erie County presentation on these types of actions and alternatives). Some development could take place as in-fill development in the Village.

Priority: Low

- Implement the zoning recommendations for commercial and industrial zoning that are discussed in the working paper completed by Carol Horowitz in December 2016 (see Appendices). For example, revise the Industrial zoning district to allow light industry and some business uses.

Priority: Medium

- Continue to support and take actions that do not negatively impact the Business District in the Village. Work with the Village to help promote hospitality/lodging businesses in the Community.

Priority: High

Ensure Proper Residential Development in Appropriate Areas

- Develop incentives for building rehabilitation/reinvestment
 - Utilize the Erie County: Housing Rehabilitation program, Lead Paint Remediation program, and Rental Rehabilitation program to the fullest extent allowable.
 - Take advantage of and advocate for the use of financial incentives offered through New York State for the rehabilitation of historic barns and historic buildings.
 - Investigate potential for use of federal historic preservation tax credit program for eligible income producing buildings located in the Town.

Priority: Medium

- Make text amendments to R-AG zoning district to restrict residential uses, but allow other non-residential uses to support agriculture. This should be done in conjunction with the other recommended changes to the R-AG zoning district.
Priority: High
- Update the Town's subdivision law and discourage subdivisions in those areas identified in this Plan and on *Map 9: Vision/Planning Areas*. Work to limit the sprawl of frontage developments in rural areas of the Town. This can be done by changing existing zoning laws.
Priority: High
- For any rezoning requests that would result in greater residential densities, follow the goals and objectives and recommendations of this Plan.
Priority: High
- Amend the zoning ordinance to include a rural cluster development law that would allow in some cases the clustering of lots to allow for the protection of important resources and the character of the Town.
Priority: Medium

Support, Maintain, Improve and Expand Parks and Recreational Opportunities in the Region

- Work with public and private entities to promote Sprague Brook County Park, Kissing Bridge, and Cattaraugus Creek as recreational destinations.
Priority: High
- Continue to support the Springville Youth Incorporated (SYI)/ the Club of Springville. The funding and support of this organization is currently done in lieu of the Town taking on the fiscal responsibility of providing such programs to residents.
Priority: High
- Continue to support and advocate for continued improvements (access, fishing, etc.) at the Scoby Hill Dam and other municipal and county parks. The Town should build upon this important asset and tourism center; creating economic opportunities for the Town.
Priority: High
- Identify other Town assets that could be utilized for economic generating recreation-based tourism. Work with local groups (such as snowmobile clubs) to increase marketing efforts.
Priority: Medium

- Engage, support, and promote local businesses that depend on recreational tourism as a revenue stream.
Priority: Medium
- Recommend additional public meetings to further discuss the proposed rails to trails project (former Buffalo and Pittsburgh Rail Road). Further investigate the feasibility, costs, and impacts of this proposed project.
Priority: Medium (research and public input needed prior to any action)
- Continue to make improvements at the Town Park; modern accessible restrooms, drinking fountains, and other amenities.
Priority: High
- Continue to improve and potentially expand quality services for seniors and children.
Priority: Medium

Provide Quality and Cost Effective Community Services

- Build upon the grass roots organizations (Springville Center for the Arts) to explore the potential for promoting the local arts community and identifying partnerships (see recommendation for amphitheater).
Priority: Medium
- The Town needs to evaluate the buildings and facilities owned by the Town. To make these facilities more efficient and cost effective they may need to be renovated or in some cases, new structures considered. These facilities include the Town Hall (given to the Town in 1902), the Highway garage (which has numerous problems and deficiencies), and the Bensley Center (this 1897 structure is on the Historic Registry – and is in need of repairs to make the building safe and functional). The Hulbert Library is owned by the Town and the County runs the library. This building and its parking lot are also in need of repairs.
Priority: Medium to High
- As the Town continues to grow and change, the Town needs to continue to focus on public safety and law enforcement. The Town will need to continue to monitor and evaluate options to make sure that the citizens of the Town are provided adequate protection.
Priority: Medium

Provide, Encourage and Advocate for Quality Transportation

- The Route 240/Genesee interchange; recent plans to construct a roundabout near the interchange were opposed by local residents and abandoned. The intersection operates now with Stop signs. The Town and County should continue to monitor this intersection's performance.
Priority: Low
- The Town and Village need a new (removed when Route 219 extended) park and ride facility. The Town should also support improved bus service to the Village.
Priority: Medium
- The Town and Village should work together to investigate whether a truck bypass can be created around the Village without adversely affecting the Town.
Priority: Medium
- The senior van service that exists in the community should be maintained and possible ways to improve this vital service should be encouraged.
Priority: Medium
- In appropriate areas around the Village and the Town, promote and support complete streets (accommodating pedestrians and bicycles).
Priority: Medium
- To help accommodate other bikeways within the Town, the Town should work with the GBNRTC, Erie County, NYSDOT, and biking organizations, in identifying the existing routes that are designated bike paths or just utilized by bikers. Once these bike roadways and routes are better identified, the Town should work with the same group to put together short term, medium term, and long-term plans for these roads/bike routes. In accomplishing this, the Town should emphasize connections from the Recreation/Tourism area to the Village, connection to other important Town assets, and most importantly the safety of these roadways.
Priority: Medium
- Gateways are very important features to add to the roads leading in and out of the Town. Utilizing the *Map 9: Vision/Planning Areas*, the Town should begin to investigate these areas for potential gateway improvements. These gateways will also add to the character of the Town and also the attractiveness of the Town to visitors.
Priority: Low

Maintain and Provide for Appropriate Infrastructure in Targeted Areas

- The areas of the Town adjoining the Village are the area's most appropriate for infrastructure expansion. The Zoar Valley Business Park area would need to be carefully studied and an acceptable infrastructure service plan developed (shared services are extremely important between the Town and Village). The Town may also want to re-look at obtaining water supply from the ECWA (Trevett Road District).

Priority: Medium

- The Town will continue to support, promote and negotiate for the extension of broadband/high speed internet service throughout the Town.

Priority: High

- Consider adopting a “dig once” law that would require private and public infrastructure projects occurring in or adjacent to the public right of way to potentially install conduit for future infrastructure.

Priority: Low

- The Town has two wastewater treatment plants and associated pump stations. The town should investigate and possibly eliminate one of the treatment plants (Kissing Bridge Plant) and pump the wastewater to the other plant (Crane Ridge Plant). The Town to continue to reduce costs should also evaluate the elimination of one of the Crane Ridge district's pump stations and replace with a gravity feed system.

Priority: Medium

- The Town has 270+ culverts and several bridges that are being impacted by the effects of climate change. To solve some of these problems and make the Town's drainage system more sustainable, the Town should investigate, find funding mechanisms and then begin a systematic improvement to their drainage system.

Priority: Medium

Promote Quality Urban Design and Historic Preservation

- Work with Village of Springville and surrounding municipalities to design and determine appropriate locations for gateway signage to be placed on prominent routes

Priority: Medium

5.3 Vision/Planning Areas Map

As discussed in the Goals and Objectives section of this Plan, another tool that was developed to help the Town in making decisions about future actions in the Town is the *Vision/Planning Areas Map*. This map, when used in conjunction with the entire Comprehensive Plan, can help with future Town actions that relate to geographical areas of the Town. It is not a future land use map or a map that directly relates to zoning, but can help with decisions like rezoning requests. Like the Goals and Objectives, it represents big picture planning concepts, but as they relate to certain areas of the Town. The following represents those planning concepts for the noted specific areas of the Town:

VILLAGE IMPACT AREA

This area of the Town surrounds the Village of Springville and represents an area of about ½ to 1 mile from the Village boundary. This area has a tremendous influence over the Village and the Village also directly impacts this area of the Town. Decisions concerning this area of the Town should include the following concepts:

- Connectivity to the Village.
- The potential for infrastructure service and some denser development patterns.
- Reference to the Goals & Objectives articulated in the Village of Springville's Comprehensive Plan.
- An understanding of the types of uses that could negatively impact the Village.
- The importance of the Scoby Dam site and its surrounding park lands.

THE TOURISM/RECREATION AREA

This area, which is located in the northeast sector of the Town, includes some very important regional and local tourism and recreation features; Kissing Bridge and Sprague Brook County Park. These attractions bring people to the Town, who need to be accommodated and built upon in planning decisions. This area attracts tourists, but also includes part time and full time residents. In making decisions and developing actions for this area, it must be understood that this area has a certain ambiance, should maintain its rural character and respect the citizens living in the area.

EAST CONCORD HAMLET

This hamlet represents the primary hamlet of the Town and includes agricultural lands, residential, mining and other uses. It provides a connection between the tourism/recreation area of the Town and the Village of Springville.

Although shown as a large area, it is a quaint, small hamlet. It is not planned for major growth and any development in this area must maintain the community's character. Connection to the tourism area and the Village are important to this Hamlet. Pressures from growth and economic opportunities will have to be prepared for and planned for.

OTHER HAMLETS

The other Hamlets of the Town are illustrated on the map; Morton Corners, Wyandale and Fowlerville, but are not considered “Growth Areas.” These are minor hamlets that provide historical value and character to the Town.

GENESEE ROAD ACCESS AREA

This area is called out on the Vision/Planning Areas Map for the purposes of monitoring the activities there. It is not planned as a growth area but due to its nature (access to a major roadway – Route 219), may be affected by development process.

FUTURE BUSINESS AREA

This map also illustrates the area referred to as the Zoar Valley Road Commercial Area, which is a potential future business area in the Town. This area was included in the previous Town and Village joint Comprehensive Plan and is discussed in the Village’s current Comprehensive Plan. As discussed in this Plan, this area should remain as a potential future business area that would accommodate economic development needs of the Town that would not conflict or compete with the existing commercial areas in the Town and Village. The development should respect and reflect the rural agrarian nature of the area.

HIGH VALUE AGRICULTURAL SOILS AREA

This area depicts the high value agricultural soils identified in the Erie County Agricultural Protection Plan. Once an Agricultural Plan is completed for the Town, this area may be augmented. It should be noted that agriculture is important to the Town and farms are spread throughout the Town, and must be accommodated in any planning objectives.

COMMUNITY FACILITIES/ASSETS

The Vision/Planning area map illustrates some of the other important elements of the Town; most importantly the parks and the scenic byways of the Town. It also shows the location of the potential Rails to Trails project but as the Plan indicates, this trail may or may not proceed.

The remainder of the Town, not colored or highlighted, is considered the Rural- Agrarian part of the Town. These areas of the Town are not “growth areas” and agricultural lands, significant environmental features, and its rural character should be protected.

5.4 Implementation

The effectiveness of any Comprehensive Plan update rests on how well the community implements its recommendations. A primary function of a community’s Comprehensive Plan is to provide guidance for how to deal with future land use decisions and actions, and the discussion in this document clearly outlines where the Town intends to promote growth and reinvestment, and where growth is not encouraged. However, the Plan is

also a foundation for future decision-making on a range of actions. The Plan provides Town leadership with direction for addressing major priorities and issues. The recommendations also suggest a number of projects/activities or actions for the community to undertake to appropriately direct growth and redevelopment, preserve the character of the Town and improve the local quality of life.

5.4.1 First Steps

The first steps in beginning to implement the Comprehensive Plan Update involves official adoption of the document, and its distribution to local decision-makers. The following outlines an implementation framework for the Town over the next year and beyond.

Adoption:

The Town Board of Concord will pass a resolution to formally adopt the Comprehensive Plan update. This action gives the Comprehensive Plan the force of law.

Distribution:

Copies of the final Comprehensive Plan should be distributed to municipal leaders as Town Board members; Department Heads; Planning Board and Zoning Board of Appeals members; and members of other relevant Committees or organizations. This action ensures that all decision-makers are informed about the community's goals and vision.

Coordination:

There must be coordination with other governmental agencies, such as Erie County, and the adjoining municipalities and, especially, the Village of Springville. It is also important to maintain open lines of communication with various State agencies, as they will be important partners, either organizationally, and/or financially, for implementation. For example, recommendations for improvements along the State highways will necessarily involve the State Department of Transportation. Strong communication with the local legislative delegation can also be helpful in generating support for specific projects.

Comprehensive Plan Implementation Committee:

It is recommended that the Town establish a designated committee that is tasked with oversight of the implementation process. This Committee will put together an Action Plan, and meet on a periodic basis to evaluate progress toward the goals of this Plan. Committees can compile and organize necessary information. They can bring a fresh range of perspectives and expertise to a problem, and they enable the Town to tap the assistance of committed individuals.

Annual Action Plan:

It is recommended that a first step entail the development of an Action Plan for the next year. The Comprehensive Plan contains many recommendations, and not everything can be accomplished at once. The Implementation Committee should recommend to the Town Board a targeted list of activities to be accomplished in the first year. This list should reflect the current priorities of the Town, and it should be based on a realistic assessment of existing capacities in terms of budget and personnel. The goal is to select a few issues where the Town can make significant progress. The Action Plan should also include a few items that can be easily accomplished to help build a sense of momentum and a list of successes.

Assignments:

In developing the Action Plan, the Board should decide how to best allocate assignments. For each item in the Action Plan, the Board should assign a sponsor or "champion" who will take responsibility to keep the issue moving forward. This can be a Board member, a staff person, a Planning Board member or a local citizen. Having an assigned "champion" greatly increases the likelihood of success.

5.4.2 Moving Forward – Next Steps

After adoption and distribution of the Update, the next step is to ensure there are adequate resources behind the implementation of the plan.

Budgeting:

The Town Board should establish a budget for implementing the Comprehensive Plan. The budget should address funds for capital expenditures on specific projects, the funding of implementation activities such as studies, and administrative costs associated with implementation, such as legal assistance or match requirements for grant programs. Many recommended actions can be accomplished with little to no cash investment, but there needs to be a realistic assessment of actions that do require resources, particularly capital investments. Strategic phasing of certain projects may be required. Proactively budgeting for these activities helps ensure progress is made.

Partnering:

The Town Board should identify potential partners to help accomplish their goals. These can be private organizations who are championing a specific cause, partner municipalities, such as the Village of Springville, or the County, or State agencies, depending on the nature of the activity. For example, the Historical Society would be a valuable partner for any activities associated with the historic resources located throughout the Town.

Communication:

The Town Board is the central clearinghouse for issues in the Town. The Board should seek out ideas and recommendations from Town residents and staff, and, as noted above, actively coordinate with and other organizations and groups that are addressing similar issues.

Tools:

The Town should consider reviewing existing procedures ensure their consistency with the Comprehensive Plan Update. It may be beneficial to develop forms, checklists or other tools to help guide local decision making.

Monitoring:

On an annual basis, the Town Board should assess progress toward implementation actions and develop a new Action Plan allocating priorities and assignments for the upcoming year. This monitoring helps the Town keep track of progress made – or not made, and revalidates that the list of activities on the Action Plan remains the most important issues to address. It is likely that the Action Plan items will need readjustment periodically to reflect available resources, interests of active volunteers, local priority issues, etc.

Milestones:

It is important to recognize and celebrate successes on a regular basis. This recognition helps maintain momentum and enthusiasm, and provides a sense of accomplishment. The Board should establish milestones to help maintain accountability. Large projects may need to be broken into achievable components to help make them more manageable. These targets help keep the plan on track.

Advocacy:

The Town Board has standing to advocate for the projects recommended in the Comprehensive Plan. The Town Board's advocacy of the Plan and its recommendations demonstrates commitment which can be very helpful in applying for grants and other support. Continued advocacy with County, regional and State representatives will keep them aware of the Town's priorities and vision, and may lead to assistance toward achieving the Town's goals.

Intergovernmental Relations:

As stated in New York State Town Law, if any other governmental agency has plans for a capital project within the Town, it must take the Town's Comprehensive Plan into consideration in its planning. This provides the Town with greater leverage in seeking to guide actions by other agencies in a manner that best supports its goals.

Comprehensive Plan Updates:

The Town should be proactive about evaluating and updating its Comprehensive Plan. This policy should be continued into the future.

5.4.3 Funding Resources

The Town will need to seek outside resources to accomplish all the recommendations in the Comprehensive Plan. It is important to stay informed about potential funding sources for implementation efforts. There are a number of federal and state programs that offer funding for planning, design and/or capital projects. Funding programs have different protocols and criteria, and proposed projects should be structured to target the grantors priorities and requirements. Identifying and taking advantage of funding opportunities can be a very effective means of implementing the Plan and achieving the Town's goals for the future. The following outlines some available funding resources.

Federal

- Community Development Block Grants
- Federal Highway Administration Funding Program
- Historic Preservation Tax Credits
- National Scenic Byways Program
- Rural Transport Toolbox
- TIGER Discretionary Grant Program

New York State

- Affordable Housing Commission (AHC)
- Brownfield Opportunity Areas
- Community Impact Grants
- Consolidated Funding Application (CFA)
 - >Community Development Block Development Grants
 - >Environmental Facilities Corporation Green Innovation Grant Program
 - >Main Street Program
 - >Municipal Grant Program
 - >New York State Council for the Arts
 - >Wastewater Infrastructure Engineering Planning Grants
- Drinking Water State Revolving Fund
- Environmental Restoration Program
- Household Hazardous Waste Disposal
- Municipal Landfill Gas Management
- Municipal Waste Reduction, Recycling
- New York State Child and Adult Care Food Program
- New York State Rehabilitation Tax Credit (Historic)
- New York State Historic Barns Tax Credit
- New York State Historic Homeownership Rehabilitation Tax Credit
- Recreation Trails Program (RTP)
- Solid Waste Municipal Landfill Closure
- Technical Assistance Grants
- Transportation Alternative Programs
- Zero Emission Vehicle and Infrastructure Rebates

Erie County

- Cultural Funding Application
- Fair Housing Program

- Housing Accessibility Program
- Housing Rehabilitation Program
- Lead Paint Remediation Grant Program
- Rental Rehabilitation Program
- Utility Connection Program

CHAPTER 6: ENVIRONMENTAL ANALYSIS

A Comprehensive Plan is categorized as a Type 1 action under the State's Environmental Quality Review (SEQR) Act. As such, the Town, as Lead Agency, is required to examine the potential environmental impacts of the plan. To facilitate this requirement, the comprehensive plan itself can be set up to represent the components of a GEIS (see §272-a.8 of Town Law). The Introduction provides the project description, and Chapter 2 provides the existing conditions. This format enables the reviewers, the Lead Agency, all involved and interested agencies, and the public to review one comprehensive document that outlines plans for the future and the potential environmental implications of these plans. The inclusion of this chapter is intended to help in the environmental evaluation.

The 2021 Plan includes only minor amendments and this section remains almost identical to the 2018 section.

6.1 Potential Significant Adverse Environmental Impacts

The underlying purpose and a major goal of a Comprehensive Plan is to promote appropriate land use and avoid significant adverse environment impacts in the community that it covers. The Part 2 of the EAF does not identify any potentially moderate to large impacts and no significant environmental impacts. However, it is important here to acknowledge and discuss potential adverse impacts.

6.2 Short term/long term and cumulative impacts

Based on the environmental setting of the Town of Concord, the following potentially significant adverse environmental impacts could occur if the community does not plan adequately and provide the proper tools for the management of growth and development. The comprehensive plan is designed to properly guide growth in the Town to lessen the negative impacts of land use and development decisions.

6.2.1 Impacts on Land (see Map 2: Environmental Features and Map 6: Agricultural Districts and Farmland Soils)

- The Town of Concord is rural in nature, a characteristic that is valued by area residents. Inappropriate planning and development actions could negatively impact the land resources of the Town.
- The Town of Concord has areas of hydric soils, and some wetlands and floodplains. There are also some areas in the Town with slopes greater than 15 percent. Improper development of these areas could result in drainage, flooding and/or erosion problems within the Town and in downstream areas.
- There are large areas in Concord where the soils are categorized as prime farmland, or prime farmland when drained. There are extensive areas covered under agricultural districts and many farms. Development of these areas could displace irreplaceable resources.
- Some of the vacant lands within the Town are classified as prime farmland and are also located within 0.5 miles of electric transmission lines. Without updates to

the Town's solar law, the community is at risk of losing prime farmland. Refer to Map 16.

- Some locations in the Town of Concord contain significant areas of wooded lands. Inappropriate development of these areas could have a negative impact on the rural character of the Town and important open space.

6.2.2 Impacts on water (See Map 2: Environmental Features)

- Eighteenmile Creek, South Eighteenmile Creek, Cattaraugus Creek, and Sprague Brook and numerous other tributaries of these waterways run through the Town of Concord. Floodplains surround some portions of these waterways. Inappropriate development could lead to flooding or drainage problems, and hazards to public safety. These creeks are also important for environmental protection, open space preservation, drainage, wildlife habitat and aesthetics.
- Much of the Town is dependent upon groundwater resources for their water supply. Many residences in the Town also use groundwater for the discharge of sanitary waste (septic systems).
- There are areas of wetlands and hydric soils. Inappropriate development in these areas could lead to flooding and drainage problems, and adversely impact groundwater resources.

6.2.3 Impacts on Flora and Fauna

- The Town's expansive areas of non-developed lands, fields, and woodlands, steep slope areas, as well as the wetlands and creek corridors, support many non-threatened and non-endangered plant, avian, and animal species. These areas provide important habitat for many resident species, and are an important element of the rural character of the Town. Over-development and poor site planning decisions could adversely impact these resources.

6.2.4 Impacts on Agricultural Land Resources (See Map 6: Agricultural Districts and Farmland Soils)

- A large portion of the Town is located in a State designated agricultural district. One of the predominant land uses and economic activity in the Town is agricultural, and most of the Town is zoned Residential-Agricultural (R-AG).
- Agricultural uses have some decline over the past decade, although agriculture remains important in the Town.
- Some of the vacant lands within the Town are classified as prime farmland and are also located within 0.5 miles of electric transmission lines. Without updates to the Town's solar law, the community is at risk of losing prime farmland. Refer to Map 16 for updated information on farmland.

6.2.5 Impacts on Aesthetic Resources

- The aesthetic resources of the Town of Concord include significant views (especially in areas around the creek corridors), open spaces, parks, and historic

buildings. These resources contribute to the atmosphere and character of the Town and could be negatively affected by inappropriate development.

6.2.6 Impact on Open Space, Parks and Recreation

- Parks and recreation resources in the Town of Concord are identified in Chapter 2.
- The Town also has important open space resources, with large portions of the Town including undeveloped woodlands and meadows.
- Inappropriate development, including increased demands caused by population increases, could have an adverse effect upon these resources. Present population statistics show a large number of seniors, and children under the age of 18 compared to county averages.

6.2.7 Impact on Critical Environmental Area

- There are no designated critical environmental areas in the Town.

6.2.8 Impact on Transportation

- The transportation system in the Town of Concord is heavily based upon roadways and automobiles. Public transportation is very limited.
- The major roadway corridors in the Town are described in Chapter 2.
- Travel for pedestrians and bicyclists can be difficult in the Town.
- Poorly planned development in the Town has the potential to adversely impact the transportation network. Although the roads are mostly level of Service A, localized problems could occur if development is not planned and designed properly. Development within the Town also affects the traffic in the Village. Development in the surrounding communities may also have impacts on the Town's transportation system.
- Additional development may also increase potential conflicts between automotive and non-automotive modes of transportation.

6.2.9 Impact on Growth and Character of Community or Neighborhood

- The population of the Town of Concord has been relatively stable. While there was population growth between 1990 and 2000, recent Census data indicate population has increased slightly.
- The growth in number of households has been strongest in the Town outside the village, which saw an 8 percent increase between 1990 and 2010, compared to a 4 percent decline within the Village. This small growth in households as continued.
- The Comprehensive Plan supports directing residential growth mainly toward the areas of Town in or adjacent to the Village and west of the Village.
- The Village of Springville serves as the central business district and service center for the Town of Concord. The Town recognizes the importance of the Village and wishes to provide support for these businesses.

- The Town supports non-retail commercial and industrial growth in certain designated areas of the Town in order to support tax base and employment opportunities.
- With targeted, well planned growth, the Town's character should not be adversely affected.

6.3 Adverse Environmental Impacts that Cannot be Avoided

With or without the adoption and implementation of a Comprehensive Plan, the region will continue to have new development that will impact the environment. The adoption of this plan and implementation of the suggested actions will allow the Town to better manage growth and development, and reduce potential environmental impacts. All development actions taking place after the completion of this study will still be subject to the State Environmental Quality Review (SEQR) process on a site specific basis. This plan can assist with the review of those future development actions.

6.4 Growth Inducing Aspects of the Plan

Most of the implementation actions outlined in this study will help to control and moderate growth within the Town, and encourage growth in specific areas where it can be best supported. Specifically, redevelopment in and around the Village of Springville and East Concord, and within targeted areas around the Village will be encouraged.

6.5 Mitigation Measures

It is the objective of any comprehensive plan to help to reduce the potential impacts that could be caused by the present development trends in the planning community. This can be accomplished by providing techniques for changing the development trends of a community, such as amending zoning or other development regulations, or by providing tools to help mitigate the possible impacts of those development trends, such as providing for improved infrastructure, increased/improved standards for development, etc. A good comprehensive plan will supply techniques for modifying or clarifying the direction of the community, and the tools for reducing the impacts of development that themselves do not create other adverse environmental impacts. The following section discusses the study's recommendations and the logic as to why and how they help mitigate the potential impacts of future growth.

6.5.1 Impacts on Land

- The plan recommends a number of measures to protect the land and environmental resources of the community.
- The plan supports the protection of agricultural lands in the Town. Techniques include completing an Agricultural Protection Plan, strengthening the economic viability of farms, encouraging agricultural support services, a new solar law, etc.

6.5.2 Impacts on Water

Surface Water

- The plan supports directing development away from the designated stream corridors, and recommends an overlay zone to protect these resources.
- The plan supports increased drainage standards and avoidance of poor soil areas to further reduce impacts to surface waters from development. It also supports the implementation of recommendations from the watershed management plan.
- New requirements, when necessary, will also help to protect these resources.

Groundwater

- Directing growth to areas with public infrastructure will help in the protection of groundwater resources in the Town of Concord. Any growth planned outside these areas will have to be provided with sewer service from the Village of Springville.

6.5.3 Impacts on Flora and Fauna

- As discussed previously, the Concord community will be taking efforts to protect and preserve the stream corridors and open spaces in the community. By targeting these important habitats for protection, the Town is minimizing impacts to the flora and fauna of the region.
- The plan also identifies important features like floodplains, wetlands and unique environmental features, so that they can be incorporated into designs and/or preserved.

6.5.4 Impacts on Agricultural Land Resources

- As previously discussed, the Town will be coordinating activities to protect and preserve agricultural land and agricultural operations.
- Other programs and ideas will be attempted as needed to try and assist farmers to stay in business. If the economics of farming (related to Agriculture) can be helped, farming may continue which will assist with the agricultural land preservation.

6.5.5 Impacts on Aesthetic Resources

- The preservation of community character is one of the major goals of this Plan. Community character includes the aesthetic resources of the community such as significant views, open spaces, farmland, important structures and the Town's overall rural character. The community has identified these resources and the plan identifies actions to be taken by the community to protect these features. Development guidelines will help to maintain the rural character of this community.

6.5.6 Impacts on Open Space, Parks and Recreation

- The plan identifies these resources and provides methodologies to protect and preserve them during development.
- Major features are identified in the Plan and some are incorporate into the Planning Areas and are considered an integral part of the Town's future.

6.5.7 Impacts on Critical Environmental Areas

- There are no CEA's in the Town of Concord.

6.5.8 Impacts on Transportation

- Transportation in the community is heavily based on roadways and automobiles. Generally, traffic counts are low and there is not significant congestion.
- One of the other issues of transportation relates to the region's accommodation of pedestrians and bicycles. The plan recommends continuing to improve pedestrian and bicycle access around the Village, but in a safe way.
- Public transportation in the region is minimal and Concord will continue to work with the County and Niagara Frontier Transportation Authority in trying to improve public transportation.

6.5.9 Impact on Growth and Character of Community

- Population trends suggest that the growth rate in the Town of Concord will remain modest.
- Economic development and local jobs has become a larger issue, and the plan attempts to proactively support additional locations for job supporting development.

6.6 Evaluation of Alternatives

Throughout the planning process, alternatives for helping the Town achieve its goals and objectives were evaluated. These recommendations and implementation alternatives were evaluated for not only their desired results, but also their impact to the environment, the needs of local residents, private property rights, and the vitality of the community.

It must be noted that long term recommendations were not thoroughly evaluated in this section since these actions are only to be considered in extenuating circumstances where the Town is seeing greater levels of growth pressure or where short term recommendations are not achieving the desired results.

Under the present growth conditions in the Town, the "No Action" alternative was considered. However, to enable the Town to properly plan for its chosen future, to prepare for potential development activity over the next 15 years, and to better direct and manage such growth and development, this alternative was deemed

inappropriate. Furthermore, the chosen action plan will provide greater protection to the environment than the present course of action.