



TOWN OF

VILLAGE OF

NEWSTEAD AND AKRON

JOINT COMPREHENSIVE PLAN UPDATE

PREPARED BY:

WENDEL COMPANIES

SPONSORED BY:

ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING

AUGUST 2018

TOWN OF NEWSTEAD AND VILLAGE OF AKRON JOINT COMPREHENSIVE PLAN UPDATE

ACKNOWLEDGEMENTS

The Town of Newstead and Village of Akron Joint Comprehensive Plan Update was made possible through the efforts of the following:

Comprehensive Plan Advisory Committee

Kevin Shanley	Akron Central School District
Edmund Burke	Town of Newstead Board
Carl Klingenschmitt	Town of Newstead
John Potera	Town of Newstead Planning Board
David Cummings	Town of Newstead Supervisor
Dan Shonn	Village of Akron
Brian Murray	Village of Akron Planning Board
Michael Middaugh	Village of Akron Trustee
Carl Patterson	Village of Akron Mayor

Newstead Town Board

Joe Dugan
John Jendrowski
Jeannine Morlacci

Village of Akron Board of Trustees

Darrin L. Folger
E. Peter Forrestel
Brian T. Perry

Other Contributors

Wendy E. Salvati, AICP	WWS Planning
Carol Zimmerman	Larsen Engineers
Debra Liegl	Erie County Department of Environment & Planning
Town of Newstead Residents	
Village of Akron Residents	

Project Consultant

Andrew Reilly, AICP	Wendel
Leanne Voit, AICP	Wendel
Matthew Bowling	Wendel

**Funding Generously Provided by the U.S. Department of Housing and Urban
Development's Community Block Development Grant Program**

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CHAPTER 1: INTRODUCTION

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This document represents the Comprehensive Plan update to the Town of Newstead and Village of Akron's 2001 Comprehensive Plan. This project was funded through the Housing and Urban Development's (HUD) CBDG (Community Block Development Grant) funding program, which was acquired by Erie County. Both communities recognize the value of cooperation and continue to pursue collaborative solutions to their shared goals and objectives, while at the same time maintaining a focus on those goals and objectives that are unique to each individual community. 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. In addition, this plan builds upon the previous Comprehensive Plan.

1.1 Regional and Local Setting

The Town of Newstead and the Village of Akron are located in northeastern Erie County, approximately 20 miles from downtown Buffalo. In 2015, the U.S. Census Bureau estimated the combined population of the two communities at 8,594 residents, with 2,860 of those residents living within the Village of Akron. The Town of Newstead is primarily a rural residential/agricultural community that has some commercial development along State Route 5 and some denser development around the Village. The Village of Akron has a commercial village center concentrated on Main Street. Most of the Town of Newstead is defined in the *Erie-Niagara Framework for Regional Growth* as "Rural Area," which The Framework notes is among the least intensely developed lands in the region and includes large tracts of open lands, forests and farmland. The Route 5 corridor, in the western part of the Town, is defined as a "developing area." The Village of Akron is noted in the Regional Plan as a Rural Center, which is defined as "a designated center providing varying combinations of essential commercial and public services."

Historically, the Town of Newstead has been an agricultural community, dating back to its founding in 1823. At this time, over 40% of the Town's land use is shown by the tax assessor to be agriculture (see Land Use map). In some parts of the Town, farming has given way to open land and rural residential growth.

1.2 Previous Comprehensive Planning Endeavors

As stated previously, the Town of Newstead and the Village of Akron last completed a comprehensive planning process in 2001, more than 15 years ago. The plan was completed jointly by Peter J. Smith & Company, Inc. and Pratt & Huth Associates, LLP and was titled "Town of Newstead and Village of Akron: Combined Comprehensive Plan." The previous comprehensive plan identified nine (9) goals, one for each of the following categories:

- Population,
- Housing,

- Land Use,
- Environment,
- Agriculture,
- Community Facilities,
- Infrastructure,
- Transportation, and
- Economy.

Supporting the nine (9) identified goals were a series of 24 specific policies formulated to guide implementation of the goals. The goals were relatively broad, and they were designed to be shared amongst the two municipalities. There were no exclusive goals created to meet the unique challenges facing the Town of Newstead and the Village of Akron.

1.3 Reasons for Preparing a Comprehensive Plan

It is important for each 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 Village and the Town, while recognizing each community's unique assets, considering the surrounding Towns and the overall region. This Plan is intended to serve as a framework within which each community will be able to evaluate future land use and development issues. It examines the environmental, demographic, physical, and development aspects of each community and the regulatory setting guiding these factors. It addresses the issues and concerns specific to each 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 each community's individual concerns and reflect its unique and distinctive vision for its future.

At the same time, , it is clear that the two communities share many of the same goals and face many of the same challenges and opportunities. 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 identifies overarching regional issues and opportunities in both communities and articulates goals, recommendations, and implementation strategies that apply to both municipalities.

Goals and objectives were developed for both communities as a collective, and as individual communities. Many of the recommendations and issues addressed in this Plan are specific to an individual municipality; others are for the both communities. It is the intent of this Plan that it not be accepted as an aggregation of two individual comprehensive plan updates, but as a Plan with common principles agreed to by all. Once accepted by both communities, the Plan will become a blueprint for their continued growth into the 21st Century.

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 and to adopt a plan to help promote health, safety, and general welfare and to give due consideration to the needs of the people of the region of which the Town or Village is a part.

By law, (Sections 272-a and 7-722) the adoption of a comprehensive plan has the following effect:

- a. All Town or Village land use regulations must be in accordance with a comprehensive plan adopted pursuant to §272-a.11.(a) or 7-722.11.(a).
- b. All plans for capital projects of another government agency on land included in the Town or Village comprehensive plan, adopted pursuant to Section 272-a or 7-722, shall take such plan into consideration.

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 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 should be filed with County (Erie County DEP) and State agencies (such as the NYSDOT, NYSDOS, and NYSDEC) 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 Newstead and the Village of Akron completed this comprehensive plan update. The joint completion of this plan update has promoted an intergovernmental partnership, resulting in increased cooperation and effectiveness of comprehensive planning and land use regulation, more efficient use of infrastructure and municipal revenues, as well as enhanced protection of community resources, especially where such resources spanned municipal boundaries.

The purpose of the intergovernmental agreement was to complete a joint comprehensive plan, but per §284-4(c) of Town law and §7-741-4-(c) of Village law, the plan will be accepted independently by each partnering community. There is no regional entity governing its adoption, and no individual community has any additional powers over any of the other communities. The agreement between both the communities ends at the completion of this comprehensive planning process. However, it is hoped that in implementing the comprehensive plan update the communities will continue to work together, especially on those actions determined to have a 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.

Comprehensive planning is a continuous process, and the comprehensive plan completed for the Town of Newstead and the Village of Akron adopted in 2001 should be used as a reference in association with this plan update.

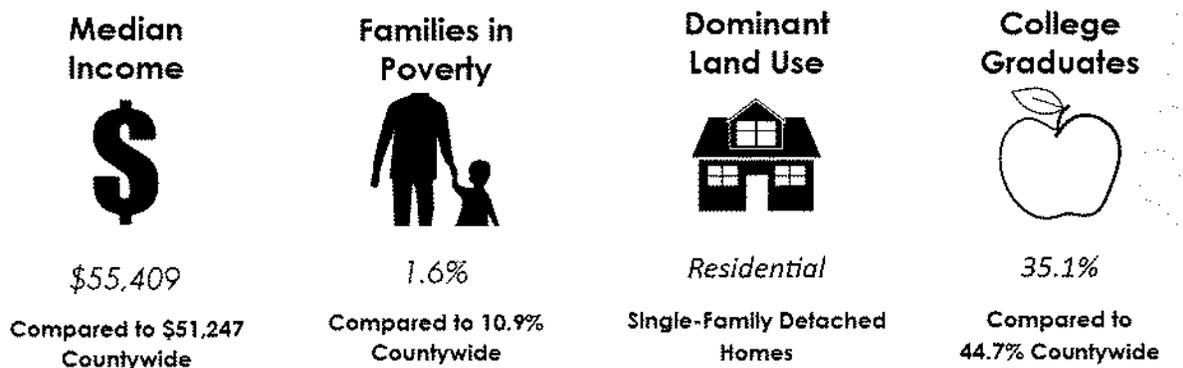
CHAPTER 2: EXISTING CONDITIONS AND ANALYSES

CHAPTER 2: EXISTING CONDITIONS AND ANALYSES

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 designating seats 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 online based on the information contained therein. 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 represent 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. Additional demographic information, collected by the area elementary and secondary schools, was provided and utilized for this report. Some demographic highlights from the Town of Newstead (**which includes Village of Akron in its datasets**) 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>, 2017.

2.1 Demographics

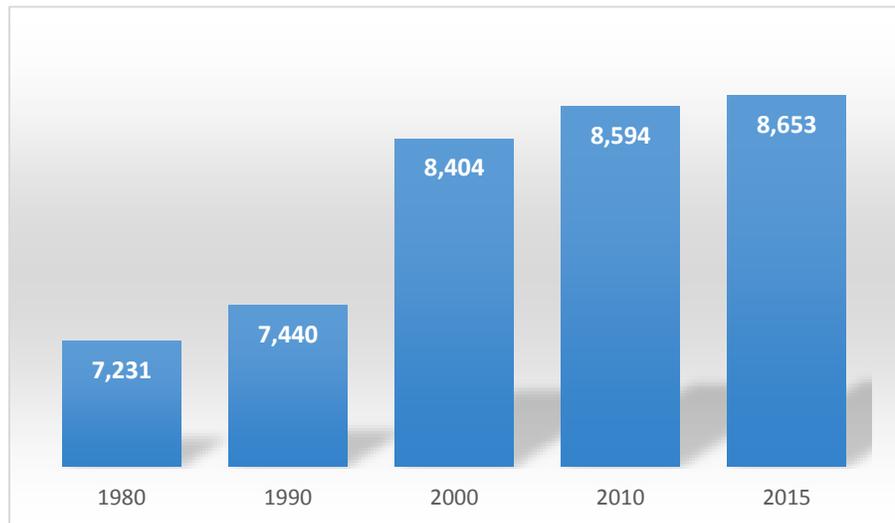
2.1.1 Setting and Background - Town of Newstead

With the current focus on regional planning, it is important to understand how the Town of Newstead and the Village of Akron fit into the wider regional context. Situated approximately 20 miles northeast of downtown Buffalo, the Town of Newstead is a rural, agricultural town, traditionally serviced by the Village of Akron. Much of the Town's labor force (to include the Village of Akron's) works outside of the Town. The respective populations of the Town and the Village are dependent on the metropolitan economy, not only for labor force participation, but also for meeting their everyday needs. As such, the development policies of the Town and Village must be crafted in full recognition of their important role in the regional economy, as well as their dependence on regional transportation networks, utilities, and employment opportunities.

The Town of Newstead and Village of Akron are seeking to maintain harmony between those qualities that drew residents there in the first place (e.g. open space, excellent schools, great neighborhoods, etc.) and the increased demands and pressures that a growing population bring with it (e.g. traffic congestion, adequate fire/emergency services coverage, demand for public recreational facilities, etc.). This can present a challenge, as the Town and Village combined are part of a handful of municipalities in Erie County that is currently growing in population (2015 ACS estimates).

The Town of Newstead's population, including the Village of Akron, was reported at 8,594 persons in 2010. The Town's population outside of the Village of Akron, or the Newstead Census Designated Place (CDP)² was reported at 5,726 persons. The 2015 American

Community Survey (ACS) estimated that the Town's population (including the Village) continued to show signs of growth with an estimated population of 8,653, an increase of approximately 59 from 2010. Taking a longer-term perspective, from 1980 to 2010, the Town of Newstead/Village of Akron grew in population, from 7,231 residents to the 8,594 residents, an increase of 1,363 persons.



² The Town of Newstead outside of the Village of Akron is a CDP, or "Census Designated Place." For ease of reference, this document focuses on population of the Town of Newstead, including the Village of Akron, because this report is a joint comprehensive plan update focusing on both communities.

The Town/Village population trend is consistent with Erie County as a whole, where some of the outlying Towns are growing. This is not necessarily because of higher birthrates or immigration rates, but more likely due to second ring suburban development, as residents previously residing in the City of Buffalo or first-ring suburbs move further out into Erie County.

Based on building permit data provided by the Town of Newstead, it is anticipated that the Town will continue to experience population growth. In 2015 and 2016 (post collection of the data for the 2015 ACS), 24 new single-family detached homes were constructed in the Town.

2.1.2 Household Income – Town of Newstead

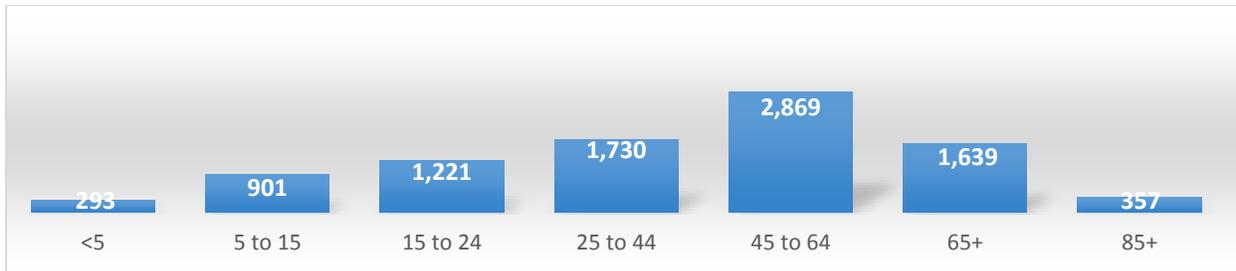
Median household income in the entire Town of Newstead (including the Village of Akron) was estimated at \$55,409 in 2015. Median household income levels in Erie County were estimated at \$51,247, which is \$4,162 less than the Town. Newstead's household income levels are characteristic of communities that serve as second ring suburbs within the Buffalo metropolitan area, tending to be 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 in 2015.

2.1.3 Poverty Levels – Town of Newstead

Poverty levels are estimated by the number of families and the number of people whose income during the prior 12 months was reported to be below the poverty level. From 2010 to 2015, poverty levels in the Town of Newstead (including the Village of Akron) decreased for both families (5.9% to 1.6%) and one-person households (8.6% to 3.9%). In comparison, Erie County's poverty levels in 2015 were estimated to be 10.9% for families and 15.0% for individuals living alone.

2.1.4 Age Distribution – Town of Newstead

In 2015, seniors in the Town of Newstead (including the Village of Akron), aged 65 and over, accounted for an estimated 18.9% of the population, which was 2.7% higher than the percentage of seniors (16.2%) found in Erie County. The number of seniors in the Town of Newstead has increased by 2.1% since the year 2000, when this segment of the population accounted for 16.8% of the Town's population. In 2015, the percentage of Town residents under the age of 20 was 23.0%, nearly one-quarter of the Town's population base, and approximately 4% greater than the percentage of seniors living in the Town.



Although the Census data show a greater percentage of persons under 20 years of age in 2015, as compared to those over 65, the overall trend shows the Town slowly aging. The median age was 39.4 years old in 2000, 43.8 in 2010 and 46 in 2015. During that same time period, the total percentage of persons under 20 years old declined from 26.2% in 2000 to 23.0% in 2015, compared to 16.8% and 18.9%, respectively, for persons over 65 years of age.

2.1.5 Household Composition – Town of Newstead

In 2015, the average household size in the Town of Newstead (including the Village of Akron) was 2.39 persons (remaining stable since 2010, but slightly decreasing since in 2000, when it was reported at 2.49). The average family size was reported at 2.97 persons



in 2015, a slight drop from 3.02 reported in 2000. The number of persons living alone (1,021) accounted for over one-quarter (28.4%) of the Town's populace. Family households accounted for 65.9% of all households in the Town of Newstead, while non-family

households represented just over one-third (34.1%). Approximately one-quarter of family households (25.5%) have children under the age of 18 living in the household.

These household composition data are similar to what is found in Erie County, although there were some key differences. The Town of Newstead has a slightly higher average household size, 2.39 persons, when compared to Erie County's average of 2.32 persons. The percentage of householders living alone in the Town, 28.4%, was less than the 33% reported countywide.

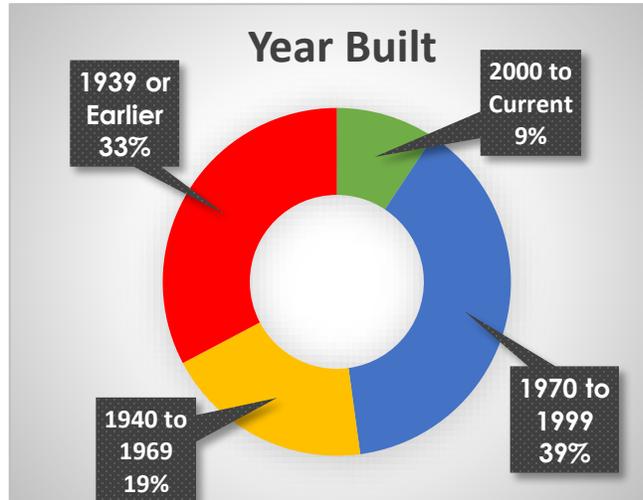
In addition, the percentage of family households and non-family households in the County, 60% and 40%, respectively, were different than what was found in the Town. The 60% of family households in the County was less than the 65.9% found in the Town and the 40% of non-family households in the County was greater than the 34.1% found in the Town of Newstead.

In 2010, the total number of households was reported at 3,597. This is an increase of 226, over the 3,371 total households report in 2000. During that same timeframe, total Town population increased by 190 persons, but household size decreased from 2.49 persons in

2000 to 2.39 persons in 2010, which indicates that overall household composition is slowly starting to change.

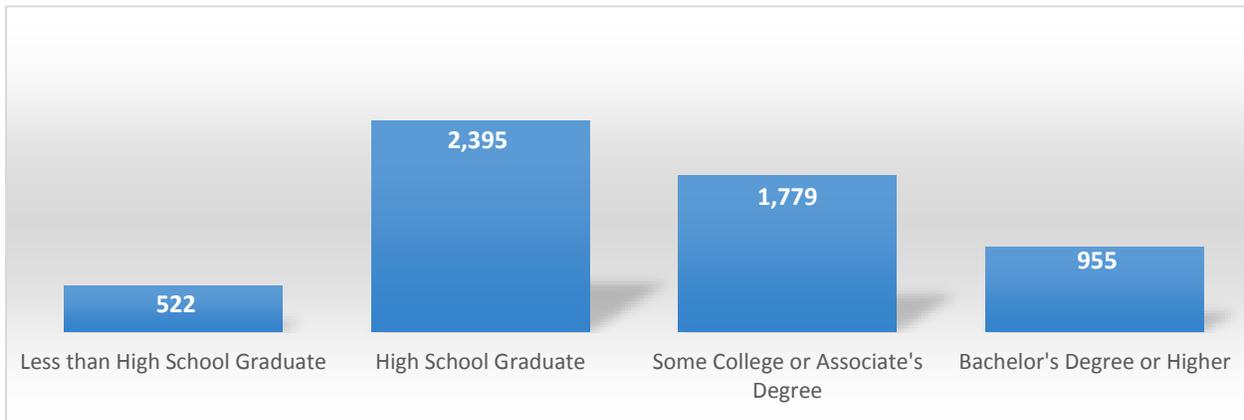
2.1.6 Housing Units – Town of Newstead

In 2015, the Town of Newstead (including the Village of Akron) had an estimated 3,785 housing units and an estimated 164 of those units (4.3%) were vacant. The majority of housing units in the Town were single-family detached homes (2,572 or 68%). An additional 565 housing units were mobile homes. Approximately 2,132 of the housing units were built prior to 1970 (56.3%) and approximately 30.3% (1,147) were constructed prior to 1940. The U.S. Census Bureau estimated that there were 25 buildings in the Town that contained 20 or more housing units (i.e., apartment buildings located in the Village of Akron).



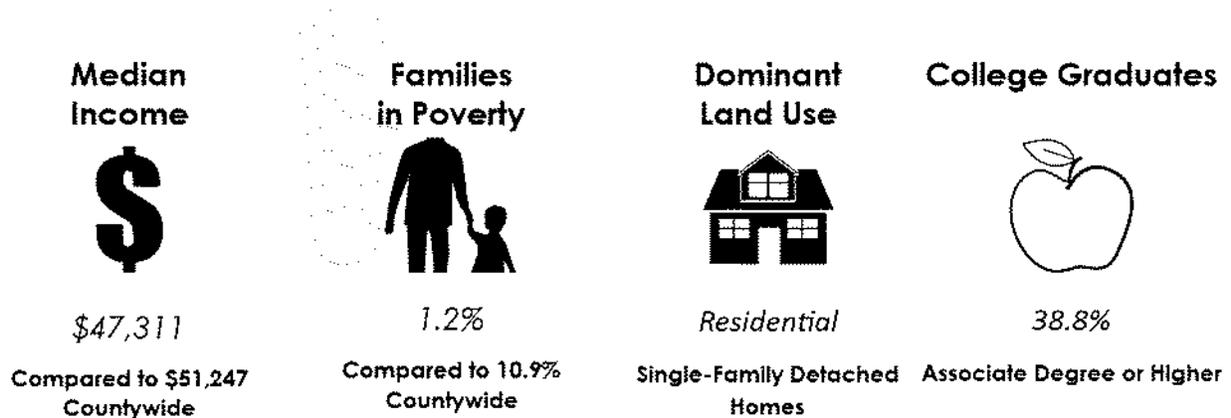
2.1.7 Educational Attainment – Town of Newstead

It was estimated that 91.6% of the Town of Newstead (including the Village of Akron) residents ages 25 years and over were high school graduates (or have earned their GED) and approximately 24.7% 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.

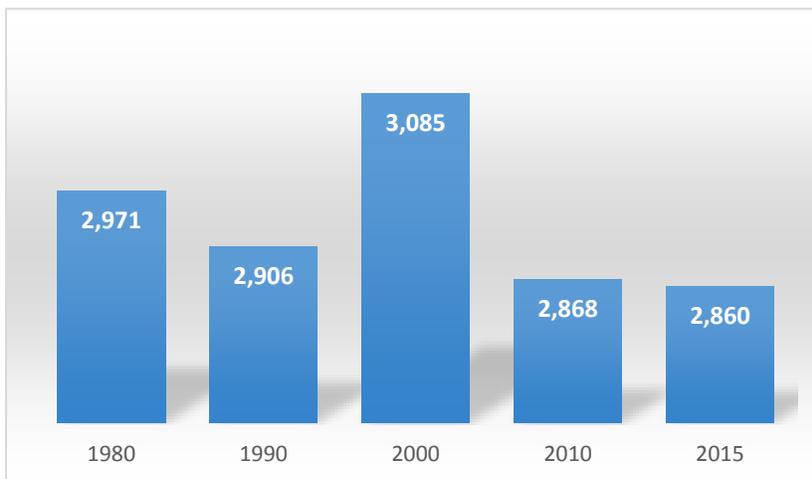


2.1.8 Setting and Background - Village of Akron

The Village of Akron is located within the Town of Newstead and, ostensibly, the two communities enjoy a mutually beneficial, and reliant, relationship. The demographics for the Village of Akron are similar in some respects to those of the Town as a whole, but enough differences exist to warrant further analysis and discussion. Some demographic highlights from the Village of Akron are illustrated below.



The Village of Akron's population peaked in 2000 at 3,085 persons. Since 2000, the Village has lost approximately 225 residents, but the population loss has slowed considerably since 2010, losing an estimated 8 residents between 2010 and 2015. From 1980 to 2010, the Village's population trend line remains relatively unchanged, from 2,971 in 1980 to 2,860 in 2010, a decrease of 111 residents.



These population trends are consistent with Erie County as a whole. A leveling out of population in the villages as family sizes shrink and populations continue to age, with the outlying Town's growing, not because of birthrate, but rather due second ring suburban development as people move out of the City of Buffalo and its immediate first-ring suburbs.

2.1.9 Household Income – Village of Akron

The Village of Akron's median household income was estimated at \$47,311 in 2015. This number is \$3,936 lower than the Town (\$55,409) and County number of \$51,247, but poverty levels in the Village were slightly lower than the Town (1.6%) and 9% lower than those found in Erie County as a whole (see 2.1.13 Poverty Levels below). The Village was

behind the County in median household income levels, but its number was consistent and characteristic of communities that serve as second-ring suburbs within the Buffalo Metropolitan area. To provide some regional context, the median household income of residents in the City of Buffalo was estimated at \$31,918. It should be noted that between 2010 and 2015 the median household income in the Village decreased by \$2,575.

2.1.10 Poverty Levels – Village of Akron

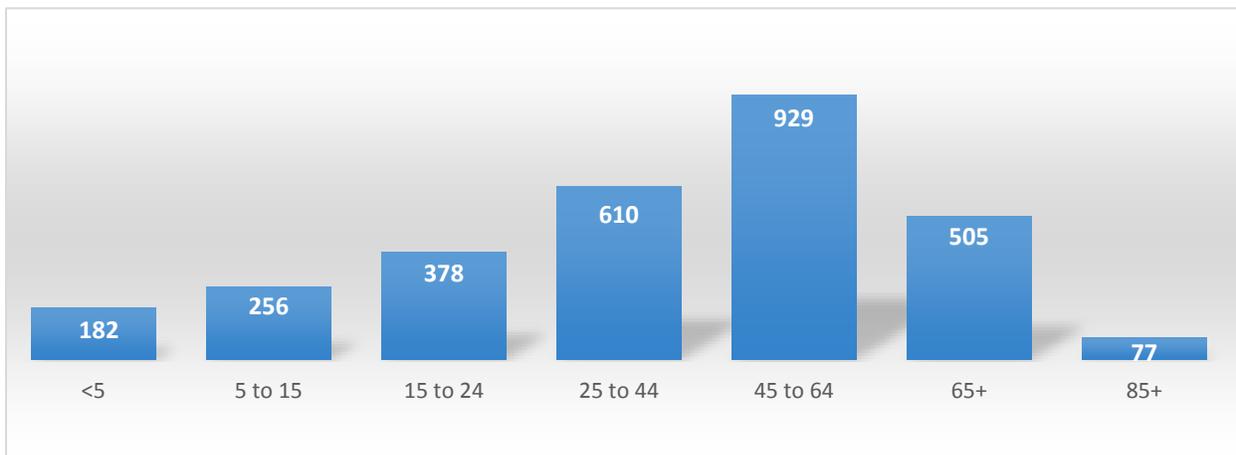
Poverty levels are estimated by the number of families and the number of people whose income during the prior 12 months was reported to be below the poverty level. From 2010 to 2015 poverty levels in the Village of Akron decreased for both families (7.5% to 1.2%) and for individuals (10.7% to 4.9%, which is in line with the decrease reported in the Town during the same time period). In comparison, Erie County's poverty levels in 2015 were estimated to be 10.9% for families and 15.0% for people.

2.1.11 Age Distribution – Village of Akron

The Village of Akron's senior population (ages 65 and over) accounted for 17.7% of the total population, which was 1.5% higher than the percentage of seniors (16.2%) found in Erie County. The number of seniors in the Village has decreased by 2.2% since the year 2000, when seniors accounted for 18.4% of the population, compared to 16.2% in 2015.

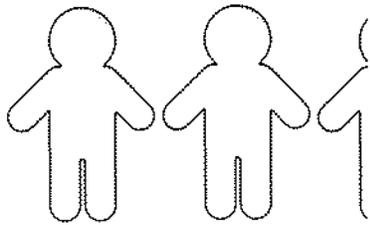
In 2015, the percentage of Village residents under the age of 20 was 23.2%, nearly one-quarter of the Village's population base and approximately 6% greater than the percentage of seniors living the Village.

Although the Census data show a greater percentage of persons under 20 years of age in 2015, as compared to those over 65, the overall trend shows the Village slowly aging. The median age was 39.1 years old in 2000, 42.3 in 2010 and 45.1 in 2015. During that same period, the total percentage of persons under 20 years old declined from 25.4% in 2000 to 23.2% In 2015, compared to 18.4% and 17.7%, respectively, for persons over 65 years of age (there was a slight decrease in the percentage over age 65 in 2015, but the trend still indicates a slowly aging population).



2.1.12 Household Composition – Village of Akron

The average household size in the Village of Akron is 2.21 persons, while the average family size is 2.86 persons. The number of householders living alone (444) accounted for just over one-third of the Village's populace (34.3%). Family households (families) accounted for 59.6% of the types of households in the Village, while non-family households represented approximately 40.4%. Just over one-quarter of family households (25.1%) have children under the age of 18 living in the household.



2.21
Persons
Average Household Size

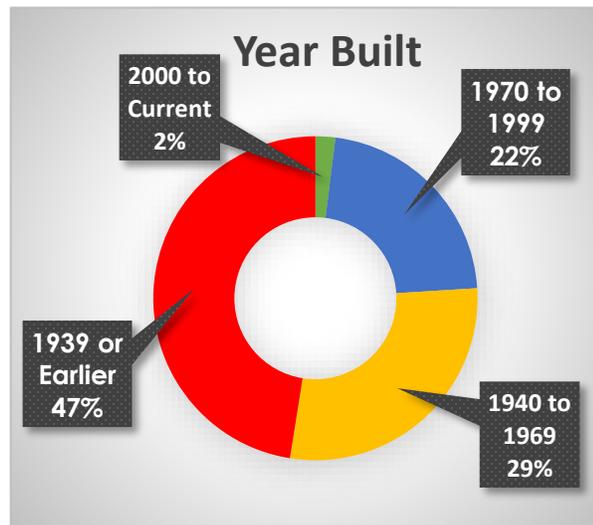
These household composition numbers are similar to what is found in Erie County as a whole, although there were some key differences. The Village of Akron has a slightly lower average household size, 2.21 persons,

when compared to Erie County's average of 2.32 persons. The percentage of householders living alone in the Village, 34.3%, was a little more than the 33% countywide. In addition, the percentage of family households and non-family households in the County, 60% and 40%, respectively, were different than what was found in the Village. The 60% of family households in the County was almost identical to the 59.6% found in the Village and the 40% of non-family households in the County was greater than the 25.1% found in the Village of Akron.

In 2010, the total number of households was reported at 1,293. This is a slight decrease of 20, below the 1,313 total households report in 2000. During that same timeframe, total Town population increased by 217 persons, but household size decreased from 2.34 persons in 2000 to approximately 2.22 persons in 2010, which indicates that overall household composition is slowly starting to change (similar to the Town).

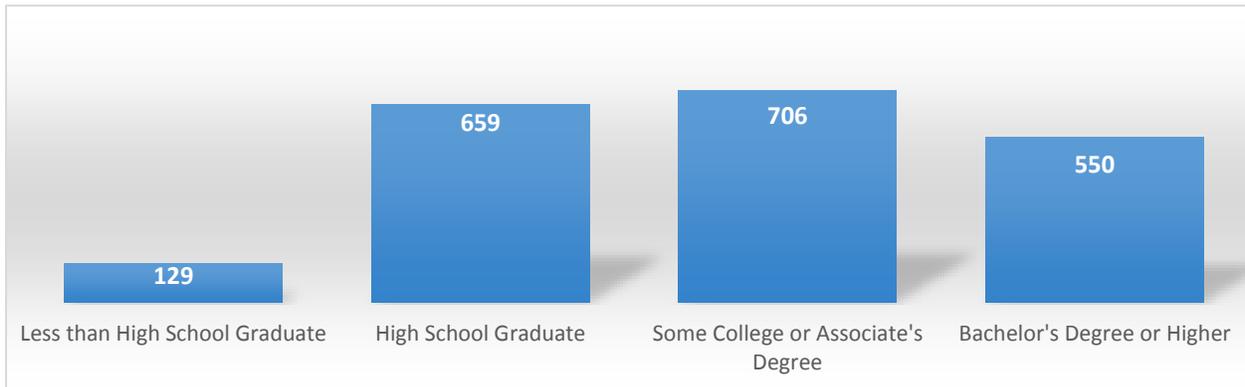
2.1.13 Housing Units – Village of Akron

In 2015, the Village of Akron had an estimated 1,312 housing units and an estimated 45 of those units were vacant (3.4%). The majority of housing units in the Village were single-family detached homes (780, 59.4%). At 47.4% (623), almost half of the housing units in the Village were constructed prior to 1940. Approximately 75.9% (997 housing units) in the Village were built prior to 1970. The U.S. Census Bureau estimated that there were 25 buildings in the Village that contained 20 or more housing units in them (e.g. apartment buildings). An additional 78 housing units in the Village were mobile homes.



2.1.14 Educational Attainment – Village of Akron

It was estimated that 93.7% of the Village of Akron's residents ages 25 and over were high school graduates (or have earned their GED) and approximately 26.9% 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. It should be noted that the Town's residents had generally lower levels of educational attainment than their peers in the Village, but had higher median household incomes, a reverse correlation than what is typically found in comparable communities.



2.2 Environment

The natural environment of the Town of Newstead and Village of Akron consists of the physical characteristics of the land and natural features found throughout 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 steeper slopes or greater variations in elevation. The Town of Newstead and the Village of Akron are generally characterized by flat to gently sloping topography and have limited areas with steep slopes. Areas with steeper slopes include the banks of Murder Creek and Tonawanda Creek and the Onondaga Escarpment, which runs east/west and roughly splits the Town of Newstead in half. Topography, therefore, sets very few limits to the prospective pattern of development in the Town.



2.2.2 Hydric Soils

Hydric Soils are defined by the USDA as "...a soil that was 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 (*Map 1: Environmental Conditions* shows the location of wetlands in the Town and in the Village). Hydric soils are found in every portion of the Town, although a large percentage of them are found in the northern portion of the Town, near Tonawanda 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. Murder Creek and Tonawanda Creek, are two sub-watersheds of the Niagara River Watershed (as delineated in the Buffalo Niagara Riverkeeper's *Niagara River Watershed Management Plan*), that are located in the Town of Newstead and the Village of Akron.

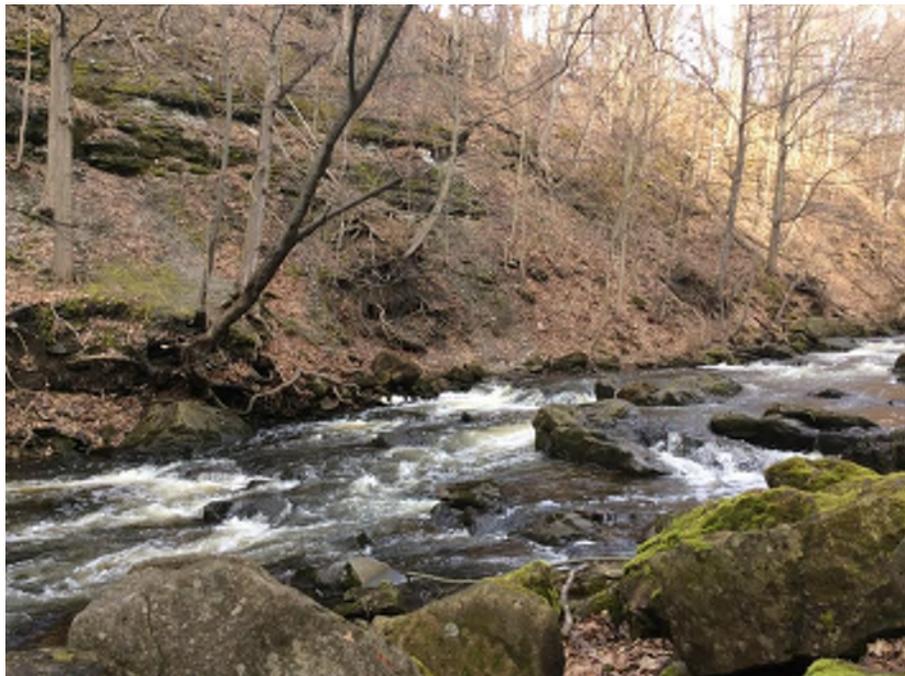
Murder Creek follows a course from the southeastern portion of the Town to Tonawanda Creek to the north. Murder Creek's watershed drains large portions of the Village and the Town, and it encompasses a myriad of land uses including: agricultural, residential, forested lands, commercial and industrial, and others.

Tonawanda Creek is located in the northern portion of the Town, running east from the Tonawanda Indian Reservation to the Town of Clarence in the west, forming the northern border of the Town of Newstead with the Town of Royalton. The lands draining to Tonawanda Creek are primarily agricultural lands, representing some of the finest farmland in northern Erie County. These lands account for roughly 50% of the Clarence-Newstead Agricultural District and contain some of the highest rated soils, as defined in the *Erie County, New York Agricultural & Farmland Protection Plan*.

Ledge Creek follows a generally northerly course to where it feeds into Tonawanda Creek near New York State Route 93. Other creeks in the communities include: Beeman Creek, Ransom Creek, and Dorsch Creek, which all flow into the Town of Clarence to the west.

2.2.4 Floodplains and Wetlands

The Newstead community contains flood zones that have been designated by the Federal Emergency Management Agency (FEMA) as areas subject to flooding. These flood hazard 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 1: *Environmental Conditions*, but should only be used for general planning purposes. Persons interested in determining the exact location of flood hazard areas should refer to the official maps on file at



the Town of Newstead Town Clerk's office and/or Village of Akron, Village Clerk's office, particularly with regard to the need for flood insurance for a particular property.

Flood hazard areas in the Town of Newstead and the Village of Akron are primarily found along the banks of Murder Creek, Ledge Creek, and Tonawanda Creek. As Ransom Creek, Murder Creek and Ledge Creek are tributary to Tonawanda Creek, large portions of the northwestern quadrant of the Town contain significant flood plain areas.



Regulated floodways are also found in certain locations along these creeks. Regulated floodways include areas within the creek channels and certain lands adjacent to creeks that accommodate base flood discharges and help control flooding in the adjacent floodplain area. For this reason, development should be prohibited in regulated floodways to ensure that there are no increases in upstream flood elevations. There are large areas of both State and Federal wetlands located throughout the Town and in the northeastern portion of the Village (see *Map 1: Environmental Conditions*). While a large percentage of wetlands are found in the

northern portion of the Town in association with Tonawanda Creek and its tributary creeks, other significant areas of State and Federal wetlands can be found in other areas to the south, particularly in relation to Beeman Creek, Dorsch Creek and the upper reaches of Murder Creek.

State 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 is 12.4 acres or larger in size. Federal wetlands are under the jurisdiction of the Army Corps of Engineers, who regulates development within federal wetlands if they are larger than 0.1-acre 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 stormwater control, surface and groundwater protection, erosion control, pollution treatment and nutrient cycling, and fish and wildlife habitat, as well as their secondary use for public enjoyment.

This Comprehensive Plan sets basic Town policies for protecting the Town's important drainage infrastructure of creeks, floodplains and wetlands. The policies, carried out through effective regulation, are intended to protect the public interest from the adverse effects of development that can result from significant impacts to the drainage system. As noted above, there are many benefits associated with protecting drainage resources. By acting as a natural sponge to trap stormwater, snowmelt, and other surface waters, they reduce the volume and velocity of runoff. This protects areas from flooding and helps reduce the risk of erosion. Creeks, floodplains and wetlands add natural beauty to the Town and provide important habitat area for wildlife.

Too often the public at large bears the cost of development that 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 and enforcing natural resources policies to properly guide local development actions. These policies may best be utilized by providing the basis for establishing a Master Plan for managing drainage town-wide.

2.2.5 Wildlife

In addition to the wildlife found in and around the numerous stream corridors and wetlands, Akron Falls County Park features easy access to Murder Creek and an abundance of wildlife including squirrels, opossums, deer, raccoons, skunks and a variety of birds and amphibians.

Map 1: Environmental Conditions shows the location of the Onondaga Escarpment Unique Area, a wooded escarpment that serves as a wildlife habitat that has rare plants and supports more commonly found animals including deer, turkeys and squirrels. The Onondaga Escarpment Unique Area is managed by the New York State Department of Environmental Conservation (NYSDEC) and is open to the public year-round, free of charge. The escarpment offers approximately 1.4-miles of hiking, snowshoeing, and cross-country skiing trails to visitors. The Onondaga Escarpment Unique Area is located in the Town of Newstead, just north of the Akron Airport.

The nearest wildlife management area is the Tonawanda Wildlife Management Area, which is located north of Tonawanda Creek in the Town of Royalton. Other nearby areas of wildlife interest located nearby, include two in the neighboring Town of Alabama, the John White Wildlife Management Area, located north of Judge Road on either side of Route 77/63, and the Iroquois National Wildlife Refuge. Another Wildlife Management Area, Tillman Road, is located to the west, in the neighboring Town of Clarence.

2.2.6 Scenic Resources

In general, there are many scenic resources in the Town of Newstead and Village of Akron. Particular views of scenic interest include the Onondaga Escarpment, Akron Falls County Park and any number of working agricultural lands located throughout the Town. The Village of Akron has a NYS Unique Botanical Area on Scotland Road.

2.2.7 Historic Built Environment and Cultural Resources

Much of the Town of Newstead's and the Village of Akron's existing housing stock was built prior to 1939 (approximately 30.3% in the Town and approximately 47.4% in the Village), indicating that there are many buildings in these communities that are over the 50-year-old threshold commonly utilized as a baseline for determining architectural or historical significance.³

There are two buildings in the Village of Akron listed on the National Register of Historic Places, which include the Rich-Twinn Octagon House and the U.S. Post Office building. The Rich-Twinn Octagon House is operated as a museum by the Newstead Historic Society, with their office at the Knight-Sutton museum.

There are a number of historically and/or architecturally significant buildings/places located throughout the Town and the Village. These buildings/places include, but are limited to: Russell Park, vernacular farmsteads and accompanying outbuildings, Colonial



Revival institutional buildings (various churches and Denio Memorial Building), Folk Victorian homes, Italianate homes, Queen Anne homes, American Foursquare homes, and early 20th century storefronts. Limerick Hall, a former one-room schoolhouse at the corner of Clarence Center and Cummings Road, is a late nineteenth century building.

The Newstead Historical Society also has the Century House and Place Registry to mark places of historic interest in the Town and Village with suitable monuments and markers. The registry is strictly honorific and does not carry any additional regulations or design review processes. There are currently more than 100 homes and buildings on the registry.

There are numerous State designated Archaeologically Sensitive Areas (ASA) located in areas of the Town of Newstead and Village of Akron. Virtually all of the Village of Akron is included in an ASA and almost all of the northernmost portion of Town of Newstead,

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, 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.

near the Tonawanda Indian Reservation, including all of the area along Tonawanda Creek lie within an ASA. Known archaeological sites are deliberately not mapped to protect their integrity from vandalism 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.

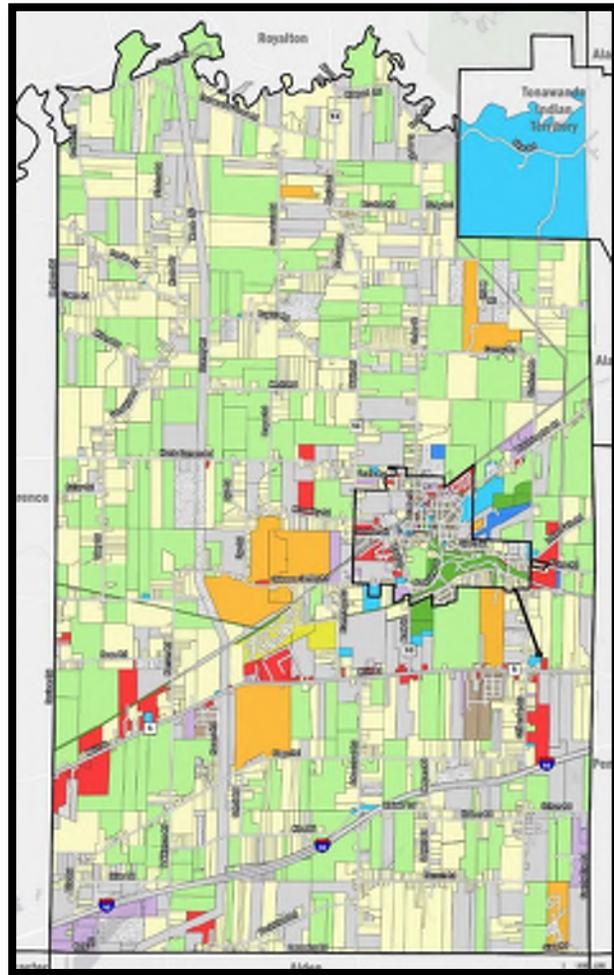
2.3 Land Use and Zoning

The Village of Akron and the Town of Newstead both regulate land use through the comprehensive planning and zoning regulations. The Comprehensive plan, informs the zoning regulations of the Village and Town, serving as the legal basis for the established zoning districts. 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 Land Use

Lands in the Town of Newstead and the Village of Akron are generally categorized into nine (9) unique categories that include: agriculture, residential, commercial, industrial, recreation and entertainment, community service, public services, wild, forest, conservation lands and parks, and vacant land.

Map 2: Land Use shows the existing land use patterns in the Town of Newstead and the Village of Akron. In general, the majority of lands in the Town are in either agricultural or residential. The Town does have some commercial development located on the north and the south sides of State Route 5 (Main Road). The Village of Akron has markedly different land use patterns, with a mixture of residential, industrial, commercial, and significant areas of wild, forest, conservation lands, and parks, amongst others found within the Village's municipal limits. Agricultural lands represent only a small fraction of land found in the Village.



2.3.2 Zoning – Village of Akron

The zoning laws within the Village of Akron (Chapter 165 of the Village of Akron Municipal Code) and the Town of Newstead (Chapter 450 of the Town of Newstead Municipal Code) establish zoning districts to regulate development within the communities. The current zoning for the Town of Newstead and the Village of Akron can be seen on *Map 3: Zoning*.

The Village of Akron has eight (8) zoning districts including: Single-Family Residence District (R-1), Two-Family Residence District (R-2), Multifamily Residence District (R-3), Local Business District (B-1), Central Business District (CBD), Limited Industrial District (I-1), General Industrial District (I-2), and Land Conservation District (L-C). These districts are generally reflective of a rural, Village setting and are Euclidean, single-use districts categorically, including 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 Village also allows for cluster residential development in any of the Village's residential districts (R-1, R-2, or R-3), given that the development meets established dimensional restrictions including, but not limited to, a minimum of 10-acres of land, with minimum lot areas of 8,000 square feet for R-1 district, 8,000 square feet for R-2 district, and 7,000 square feet for R-3 district.

The Village of Akron's zoning law establishes bulk regulations ("Schedule A") that govern required lot size, street frontage, yard setbacks, height, and lot coverage for properties located in the R-1, R-2, R-3, CBC, B-1, I-1, and I-2 zoning districts (L-C district properties are devoid of dimensional requirements). For residential structures, *Schedule A* lists minimum lot sizes, lot widths, and yard setbacks for front, side, and rear yards. These standards vary depending on the zoning district.

The Village has a historic core that is centered on the north and the south sides of Main Street, which is zoned Central Business District (CBD), and General Industrial (I-2) properties on either side of the now defunct West Shore Railroad line (which is now utilized as a popular multi-use trail). Residential zoning districts (R-1 and R-2) encompass the largest portions of the Village, with the preponderance of the residential districts being zoned R-2 (Two-Family Residential). Multifamily Residence Districts (R-3) are located in the southeast corner and the northeast corner of the Village. Land Conservation Districts (LCD) encompasses Akron Falls Park and the entire length of f Murder Creek that runs from the Village's southeast corner to the northwest.

The Village zoning law also establishes which uses are permitted by Special Use Permit. Special Use Permits are required for certain uses that may require additional regulations and/or restrictions. In addition, there are some uses that are subject to additional criteria set forth in supplementary regulations in the zoning law. Examples of uses/types of construction governed by supplementary regulations in the Village's zoning law include fencing, swimming pools, service stations, cluster residential developments, mobile home parks, parking, and signs.

2.3.3 Zoning – Town of Newstead

The Town of Newstead has eleven (11) similar Euclidean-styled zoning districts. These include: Rural-Agricultural District (R-A), Residential District (R-1), Residential District (R-2), Residential District (R-3), Restricted Commercial District (R-C), Commercial District (C-1), Commercial District (C-2), Industrial District (I-1), Industrial District (I-2), Manufactured Home Park (MHP), and Recreational Vehicle and Campground Park District (RVP).

The vast majority of land in the Town of Newstead is zoned Rural Agricultural (R-A, approximately 29,174 acres), which is illustrated on *Map 3: Zoning*, Commercial zoning

districts (C-2, approximately 805.7 acres)) are located on both the north and south sides of Main Road (State Route 5). There are some areas of Industrial (I-2, approximately 758 acres) land located throughout the Town, primarily along the former West Shore Railroad corridor that cuts diagonally across the town from southwest to northeast. The Town of Newstead also has an overlay district – the Route 5 Zoning Overlay District – that was established in February of 2005, roughly bounding the Route 5 corridor in the Town. The



overlay was created with the intent of establishing standards and guidelines for the development, redevelopment, signage, parking, landscaping, stormwater drainage, traffic circulation, and architectural design issues associated with the development of businesses along Main Road (State Route 5). The overlay is also to improve the “visual quality” and enhance “the overall character of the area.”

The Town of Newstead has also established provisions in the zoning law for both Cluster Development (CD) and Planned Unit Development (PUD). CDs are permitted in any zoning district the permits residential use, requiring a minimum of 10-acres. The intent of CDs is “promote the development of imaginative, well-designed subdivisions that preserve open space, respect the physical qualities of the site and reduce overall development costs.” PUDs are permitted in any of the Town's zoning districts, but it is dependent upon the applicant to demonstrate that the characteristics of their development comply with the stated purpose of the PUD regulations, which is to encourage “the most appropriate use (uses) of land; a more efficient and economical arrangement of streets, utilities, buildings, and open space; and the utilization of topography and other natural features to the best advantage both in creative design and conservation practices and to integrate all elements into one cohesive and compatible unit.”

The Town zoning law also establishes which uses are permitted by Special Use Permit. Special Use Permits are required for certain uses that may require additional regulations and/or restrictions. In addition, there are some uses that are subject to additional criteria set forth in supplementary regulations in the zoning law. Examples of uses/types of construction governed by supplementary regulations in the Town's zoning law include roadside stands, fencing and walls, bed-and-breakfasts, swimming pools, visibility at intersections, kennels, mobile home parks, and parking.

2.4 Agricultural Lands

Agriculture has and continues to be one of the centerpieces of life in the Town of Newstead. Historically, since the Town's founding in 1823, agriculture has been the cornerstone of both the Town of Newstead's economy and its way of life. Today, the Town of Newstead remains an agriculturally focused community, but there is increasing commercial development pressure on State Route 5 (Main Road) and pressure for denser development surrounding the Village of Akron. Similarly, the Village of Akron has historically been a rural village and for the most part, it remains so, with a commercial village center concentrated on Main Street. The commercial development seen along NYS Route 5 and the increasing number of single-family detached homes being constructed are both relatively recent phenomena. Since the Town's founding, agriculture and a "rural way of life" were the mainstay in the community and, based on the feedback received from the public as part of this comprehensive planning process, agriculture remains an important part of, and a priority, for the community.



Agriculture continues to play a vital role in the Town of Newstead's economy, both directly through the active production of fruits, vegetables, grains, and livestock. Crops grown and agricultural products produced in the Town provide vital links in the regional food system. Additionally, roadside stands and on-site (farm) sales are currently the only opportunities afforded to Newstead and Akron residents to buy locally produced food products within municipal limits. Although, JamminJoes Farm Market and the Clarence Hollow Farmers Market are both located within in relatively close proximity to the west (in the Town of Clarence). An example, of large-scale agri-business in the Town of

Newstead is Kreher Family Farm. Kreher Family Farm is headquartered in Newstead and is on the largest farming operations in the County, specializing in eggs, organic fresh vegetables, and field crops. In the *Erie-Niagara Framework for Regional Growth*, published in 2006, most of the Town of Newstead is 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.

A small portion of the Town, along the western portion of the Route 5 corridor, is defined as a "Developing Area." Rural residential development continues to apply pressures to the Town's agricultural lands and in some parts of the Town, farming has given way to open land and rural residential growth. In 2001, it was estimated that approximately 51% of Town's land was dedicated to agriculture (assessed as such). Today, it is estimated that Town's agricultural lands have fallen to approximately 40%.

The Village of Akron, in its entirety, is classified in the *Framework* as a "Rural Center," which the *Framework* defines as "designated centers providing varying combinations of essential commercial and public services." In 2001, the Village of Akron had approximately 115 acres of agricultural land (representing 10% of the Village's land).

The Town of Newstead has two designated agricultural districts, Erie County Agricultural District #14, which encompasses virtually all of the northern portion of the Town (north of the Village) and Erie County Agricultural District #1, which encompasses nearly all of the southern portion of the Town (south of the Village). No part of the Village of Akron is located in either of these agricultural districts. Landowners voluntarily agree to have their lands placed into Agricultural Districts in exchange for a variety of protections and incentives that are designed to promote continued agricultural use of the land. The County administers the 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 reduced 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 they receive greater protection from development under the State Environmental Quality Review (SEQR) process. However, farms outside of the Agricultural Districts are still afforded the opportunity for tax credits and protection under the State's agriculture laws.

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 be 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 4: Agriculture* 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 4: Agriculture*, most of the Town's soils are classified as either prime farmland or prime farmland if drained. Although certain areas with prime soils have been developed, extensive areas still exist that should be protected. There are also significant portions of the Town (and even the Village) that has soils classified as being of statewide importance.

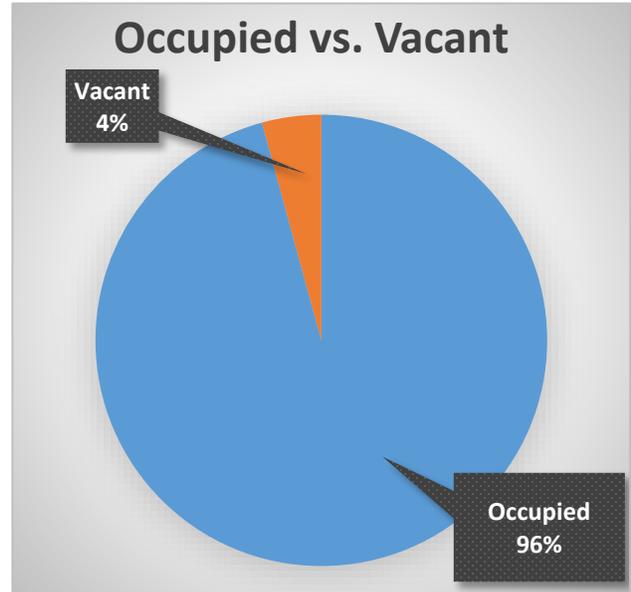
The 2012 *Erie County Agricultural and Farmland Protection Plan* notes that the Town of Newstead contains some of the highest rated soils in northern Erie County (see *Map 4: Agriculture*), almost all of the Town has soils rated between 40.01 to 400.00 (the soil rating was based on the total acreage within the parcel of cropland in each of the soils category multiplied by a weighting factor of 2.0 for prime soils, 1.5 for prime soils when drained, and 1.0 for soils of statewide importance). Please see the maps from the 2012 *Erie County Agricultural and Farmland Protection Plan* included in the *Appendices: Reference Documents*.

The availability of rich agricultural soils and large amounts of land dedicated to food production could enable the Town to meet the need for locally sourced products. In addition, the Town provides agricultural products that are marketed to the County and the greater Buffalo Niagara region, helping sustain the food system at large. Agriculture in the Town of Newstead not only impacts the local economy, but also the way of life. Since the Town's founding nearly 194-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 farmhouse create an identity for the communities in addition to the supporting the local economy. By protecting the remaining agricultural lands in the Town and the Village through the use of the Agricultural District program, a way of life is being preserved.

2.5 Housing and Neighborhoods

Housing and neighborhoods in the Town of Newstead and the Village of Akron are reflective of the rural nature of these communities. In general, the Town of Newstead's housing stock is defined by farmsteads and single-family homes set on larger tracts of land. In 2015, the U.S. Census Bureau estimated that nearly 68% (2,572) of the housing units in the Town were single-family detached homes. Of the 3,875 housing units in the Town, it was estimated that 164 were vacant.

Neighborhoods and communities in the Town of Newstead include the Tonawanda Reservation, a portion of which is located near the northeast corner of the Town and the Hamlets of Swift Mills, Sand Hill, Murrays Corner, and South Newstead. Swift Mills is located in the northern portion of Newstead on Swift Mills Road. Sand Hill is in the northwestern part of the Town near the intersection of Fletcher Road and Rapids Road. Murrays Corner is located southeast of the Village of Akron, north I-90, at the intersection of Main Road (State Route 5) and Crittenden Road. South Newstead is located south of I-90 near the intersection of Buckwheat Road and South Newstead Road.



The Village of Akron's housing stock is similarly comprised primarily of single-family detached homes. A key difference being that the homes are, in general, more densely concentrated around the Village's center and are set on small lots. In 2015, the U.S. Census Bureau estimated that over 59% (780) of the housing units in the Village were single-family detached homes. Of the 1,312 housing units in the Village, it was estimated that 45 were vacant.

The Village of Akron has grown to include communities and neighborhoods including Falkirk, which once an autonomous community located east of the Village of Akron near the intersection of what is today Front Street and East Avenue.

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2.6 Multi-Modal Transportation Network

2.6.1 Major East/West Automobile Travel Routes

There are two main thoroughfares that provide east/west automobile transit through the Town of Newstead. . These include Interstate-90 (I-90) and New York State Route 5 (Main Road). Main Road is a Principal Arterial that cuts through the southern portion of the Town, providing direct access between the Town of Clarence to the west and Town of Pembroke to the east.

The I-90, which is a Principal Arterial Interstate, runs diagonally through the southwestern portion of the Town, but there are no access points to this highway from within the Town. The nearest I-90 exit is located to the east, in the Town of Pembroke (New York State Thruway Exit 48A). Each of these east/west automobile transportation corridors can be seen on *Map 5: Transportation*.

2.6.2 Major North/South Automobile Travel Routes

Continuous, north/south automobile transportation corridors are more limited in the Town of Newstead and the Village of Akron. Crittenden Road (Major Collector) is located near the eastern edge of the Town and runs north/south from New York State Route 33 to Skye Road, becoming Scotland Road north of East Avenue in the Village of Akron. New York State Route 93 (Maple Road) carries significant truck traffic from I-90 to Niagara County. Access to the Village of Akron from points west is provided by a number of local roads, including Hunts Corners Road, Clarence Center Road, and Lewis Road; from the north by Maple Road, Cedar Street, and Bloomingdale Road; from points east along Bloomingdale Road, Indian Falls Road, and Knapp Road f; and from the south along Crittenden Road, Buell Street, and Cummings Road (see *Map 5: Transportation*).

In 2015, the New York State Department of Transportation estimated the number of Annual Average Daily Traffic (AADT) in the Town of Newstead and the Village of Akron for the following roads on as follows:⁴

Name	Where to Where	2015 AADT
Interstate-90	West of Transit Road (Town of Cheektowaga) to Genesee County	39,750
NYS Route 5	Barnum Road to Buell Street	11,269
Buell Street	Main Road to Cedar Street	7,024
Crittenden Road	Main Road to Skyline Drive	4,188
Maple Road	Hunts Corners Road to Niagara County	3,100
Bloomingdale Road	Scotland Road to Wesley Drive	2,890
Lewis Road	Hake Road to John Street	2,635
Clarence Center Road	East of Hake Road to Buell Street	2,577

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, 2015.

2.6.3 NFTA Metro Bus Routes

Neither the Town of Newstead nor the Village of Akron are located along major bus routes and serviced by public transportation. The nearest NFTA Metro Bus routes are located on Broadway (U.S. Route 20) to the south, in the Town of Alden, and Transit Road (NYS Route 78) in the Town of Amherst to the west. These bus routes are not within a reasonable walking distance (between 0.25 and 0.50-miles) of either the Town of Newstead or the Village of Akron.

2.6.4 Bicycle Routes

The Akron-Newstead multi-use path provides residents and visitors with a walkable and bikeable transportation and recreational corridor. This pathway was constructed on the bed of the former West Shore Railroad line. The bike path starts in the Village of Akron and runs southwest to its terminus at Wehrle Drive in the Town of Clarence. There is another multi-use pathway, which terminates at the West Shore multi-use trail at Akron Junction (just north of Leisurewood retirement community). This trail follows the former Peanut rail line in a generally northwesterly direction, into the Town of Clarence.

The Greater Buffalo-Niagara Regional Transportation Council's (GBNRTC) online Bicycle Map notes that there are no marked bicycle lanes along any roadways within the two communities. This Bicycle Map classifies Main Road (New York State Route 5) and Buell Street as having "Caution Advised" levels of bicycle service. Maple Road, Cedar Road, and Lewis Road have a "Suitable" level of bicycle service rating.

2.6.5 Walk Scores

The Walk Scores, which measure the distance between any 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. The Walk Score for the Village of Akron falls right near the middle of the range, at 54 (Somewhat Walkable), meaning that some day-to-day errands can be accomplished in the area on foot.

The Walk Scores for the Town of Newstead are significantly lower. For example, in the Hamlet of Swift Mills, the Walk Score was 0 (Car Dependent), meaning that a car is needed to complete virtually all day-to-day errands. Similarly, the Walk Score for the Hamlet of Murray's Corner was 9 (Car Dependent).⁵

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.

2.6.5 Air Travel

The Akron Airport (Federal Aviation Administration Location Identifier - 9G3) is located east of the Village of Akron, on John Street. It sits at an elevation of approximately 839.7 feet. The airport is a privately-owned, public airport and its main runway (asphalt) is 3,268 feet long by 75 feet wide. The airport provides a range of services including airframe repairs, power plant repairs, and re-fueling. It conducts approximately 50,900 operations per year, including 900 air taxi operations, 40,000 local general aviation operations, and 10,000 itinerant general aviation operations. There are 44 single engine aircraft based at the Akron Airport and one (1) multi-engine aircraft. The airport is open from 8:00AM to sunset, 365 days a year.⁶



2.6.7 Rail Service

Residents of the Town of Newstead and the Village of Akron have no access to passenger rail service. The closest passenger rail station, which is operated by Amtrak, is located to the west in the Village of Depew. There are no active commercial freight rail service lines in either the Town of Newstead or Village of Akron.

⁶ United States Department of Transportation, FAA, *Airport Master Record Form 5010: Akron Airport (9G3)*.

2.7 Utilities

Residents of the Town of Newstead and the Village of Akron benefit from the availability of municipal utilities. Village residents, and a limited number of historical customers outside of the Village, have the added benefit of the Village's municipal electric service. At this time, new customers outside of the Village's municipal limits are not being accepted into the Village's electric district. This system is part of the Municipal Electric Utilities Association (MEUA) and is regulated by the New York State Public Service Commission.

2.7.1 Water – Town of Newstead

There are ten (10) water districts and one consolidated water district in the Town of Newstead. Most Town residents (nearly 100%) receive public water. Water is supplied from the Erie County Water Authority. To accommodate those portions of the Town that do not have access to the public water system, expansion of the public water system is being considered, but no definitive plans have been at this point in time. Those residents who do not have access to public water are served by private well water.



2.7.2 Water - Village of Akron

Residents in the Village of Akron are serviced by the Village of Akron's municipal water system. The Village's drinking water is supplied by the Murder Creek Reservoir (Town of Bennington) and the E.P. Forrestel Water Treatment Plant (Town of Darien Center) which treats the water before it is conveyed to the Village. The Village's system services approximately 3,085 people, 13 industrial accounts, and 35 customers who hold easements along the transmission line. In 2015, approximately 152.7 million gallons of water was used by Village residents.⁷

2.7.3 Sanitary Sewer – Town of Newstead

All residents and most businesses in the Town of Newstead use privately-owned septic systems for sanitary waste treatment and disposal. Three businesses located in close

⁷ The E.P. Forrestel Water Treatment Facility – and – The Akron Water System, *Annual Water Quality Report for the Year of 2015*, page 2.

proximity to the Village receive service through the Village of Akron's municipal sewer system. One user is the ADESA automotive auction site is located, which is serviced by Town Sanitary Sewer District #1.

The Town of Newstead also has two smaller sewer districts, Sewer District #2 and Sewer District #3, that provide service to specific businesses located within the Town. Sewer District #2 is located off Bloomingdale Road and provides service to Whiting Door Manufacturing Corporation. Sewer District #3 provides service to Niagara Label Company, which is located off Lewis Road.

2.7.4 Sanitary Sewer – Village of Akron

The Village of Akron is the owner and operator of a municipal sanitary sewer sewage collection and treatment system. The sewer district boundaries match the municipal boundaries of the Village. The Village's sewer lines are located in the public-right-of-way and are connected to individual residences and businesses via lateral extensions. Wastewater is collected from these residences and businesses, and conveyed through the sewer lines to the Village of Akron Wastewater Treatment Plant for treatment. For more information on the Village's Wastewater Treatment Facility, see the Engineering report completed in 2017 by Clark Patterson Lee (please see Appendices). Sanitary wastewater generated in the Town of Newstead Districts 1, 2 and 3 is also conveyed to the Village of Akron wastewater treatment plant.

2.7.5 Stormwater – Town of Newstead

The Town of Newstead does not have 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.).



2.7.6 Stormwater – Village of Akron

The Village of Akron has a dedicated stormwater collection system (Municipal Separate Storm Sewer System – MS4), but the age of the lines associated with the system and the age of the system as a whole is unknown. In addition, the system is not mapped, so the extent of which it serves the Village is unclear.

2.8 Community Facilities

2.8.1 Public School Facilities

The Town of Newstead and the Village of Akron are serviced by the Akron Central School District, the Alden Central School District, and the Clarence Central District. Students living in the Village of Akron, who wish to attend public schools, have full access to the Akron Central District. Although the majority of students in the Town of Newstead fall



within the boundaries for the Akron Central District, a significant portion of the southwestern corner of the Town are located within the boundaries for the Clarence Central School District and small areas in the southern portion of the Town are located within the boundaries for the Alden Central School District.

The Akron Central School District operates a large campus on Bloomingdale Road that includes Akron Elementary School, Akron Middle School and Akron High School (please see *Map 6: Community Facilities*). The Akron Central School District projects a slightly downward trend in total enrollment (data provided by the Akron CSD). The current enrollment (2018) is 1,358. In 2021, it is projected to be 1,271, a decrease of approximately 6% (87 students).

The Clarence Central Schools district has four elementary schools, Clarence Middle School and Clarence High School. The Alden Central School District has Alden Primary School, Alden Intermediate School, Alden Middle School and Alden High School.

2.8.2 Public Police and Fire Protection

The Akron Fire Company and Police Department are located on Main Street, in the Village of Akron. The New York State Police maintain a sub-station at the Town Hall on Clarence Center Road. The Erie County Sheriff's Department also services both communities.



The Akron Fire Company serves both the Village and the eastern portion of the Town of Newstead. The

Newstead Fire Company is located on the east side of Cummings Road in the Town of

Newstead and serves the western portion of the Town of Newstead. The Newstead Fire Company also has a sub-station on Rapids Road that services the northern portions of the Town. The locations of these police and fire stations within the Town and Village can be seen on *Map 6: Community Facilities*.

2.8.3 Public Recreational Facilities – Town of Newstead

Skyline Park (formerly Akron Falls Sports Complex) is located to the south of the Akron Falls County Park, on the south side of Skyline Drive. It includes athletic fields and four (4) baseball diamonds.

Veteran's Park is located southeast of the intersection of Skyline Drive and Buell Street. It has several athletic fields and a playground.

2.8.4 Public Recreational Facilities – Village of Akron

Akron Central School District campus includes athletic courts, various playfields, and playground areas. It is located on Bloomingdale Road. The School District allows for its recreational facilities to be utilized by community organizations, but a use authorization form is required to be filled out prior to utilization.



Encompassing over 280-acres of land, Akron Falls County Park provides visitors with numerous recreational opportunities including biking, hiking, cross-country skiing, snowshoeing, fishing, playgrounds, athletic courts and playfields. Akron Falls County Park also has picnic grills and shelters that can be reserved by the public for a fee. Akron Park offers numerous opportunities for scenic and wildlife viewing.

Russell Park is an approximately 2.1-acre park located in the heart of the Village of Akron. It was bequeathed to the Village in 1852 by Mr. John Russell and serves as the Village green and gathering space. A large gazebo is located near the center of the park. Russell Park has dedicated picnic facilities, a fountain, and a playground, along with a Civil War memorial and cannon.

Wilder Park is a triangular-shaped park located northeast of the intersection of Bloomingdale Avenue and Hoag Avenue. There is a memorial dedicated to firefighters

on Bloomingdale Avenue, several benches, open space and several large, deciduous trees and a memorial tree that was dedicated to Indigenous Day.

2.8.5 Public Libraries

The Newstead Public Library is located at 33 Main Street in the Village of Akron. It is a part of the Buffalo & Erie County Public Library system. In addition to providing access to fiction and non-fiction books, periodicals and reference volumes, the Newstead Public Library provides access to computers, a public meeting room, photocopiers, microfilm readers, a tele-sensory reader, a scanner, and a fax machine. The basement of the library also serves as the location for the Town of Newstead Cultural Center and the offices of the Town Historian.



and non-fiction books, periodicals and reference volumes, the Newstead Public Library provides access to computers, a public meeting room, photocopiers, microfilm readers, a tele-sensory reader, a scanner, and a fax machine. The basement of the library also serves as the location for the Town of Newstead Cultural Center and the offices of the Town Historian.

2.8.6 C. Dee Wright Community Center

The C. Dee Wright Community Center is located within the former Newstead Town Hall at 11 Church Street. The building is currently owned by the Akron First United Methodist Church. The center serves as a host location for a number of community organizations and community meetings including, but not limited to Boy Scouts, Girl Scouts, Hearts and Hands, Grandparents as Reading Partners, Narcotics Anonymous, Parents of Children with Special Needs and the Alzheimer Association.

2.9 Economic Development

The Town of Newstead and the Village of Akron are located approximately 20 miles east of downtown Buffalo, and play an important role in the Buffalo-Niagara regional economy. According to “A Strategy for Prosperity: 2017 Progress Report” prepared by the Western New York Regional Economic Development Council (REDC), the regional economy is continuing to grow, offering more jobs and higher wages. The Town of Newstead is one of a handful of municipalities in Erie County that is continuing to grow in overall population. In 2015, the Town's overall population, which includes the Village of Akron, was estimated at 8,653 residents, up from 8,594 in 2010, an increase of 59 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 that was driven by a decline in residents in their 20s and 30s. Since 2010, the number of young adults increased in the Town by 6.8%. This is the first time since 1980 that the region is beginning to see growth in its young population.”⁸ This holds true in the Town of Newstead, where young people (between the ages of 20 and 34) accounted for an estimated 23.0% of the Town's population in 2015, up from 14.4% in 2010.

Subject	2015 - Town of Newstead, Erie County, New York			
	Estimate	Margin of Error (+/-)	Percent	Percent Margin of Error (+/-)
OCCUPATION				
Civilian Employed Population 16 Years+	4,710	263	100	(X)
Management, Business, Science, and Arts Occupations	1,374	225	29.2	4.6
Service Occupations	811	187	17.2	4.0
Sales and Office Occupations	1,064	218	22.6	4.4
Natural Resources, Construction, and Maintenance Occupations	599	178	12.7	3.7
Production, Transportation, and Material Moving Occupations	862	234	18.3	4.8

Traditionally, the Town of Newstead was a rural, agriculturally-focused town and the Village of Akron served as the Town's rural center, providing essential services to the Town's residents who were primarily engaged in agrarian-based subsistence. However, in 2015, it was estimated by the U.S. Census Bureau that 98% of the Town's labor force, which was comprised of approximately 4,841 workers, worked in industries other than agriculture, clearly indicating that both the Town and the Village (which has approximately 33% 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

⁸ Western New York Regional Economic Development Council, *A Strategy for Prosperity: 2017 Progress Report*, Page 3, 2017.

undeveloped setting and rural way of life, both of which were repeatedly cited by residents as being priorities for preservation throughout this comprehensive planning process. In addition, agricultural lands represents have decreased to just over 40% of the land use in the Town of Newstead and Village of Akron, which could be another indication of the key importance for the protection of rural character.

In 2016, it was estimated that 2,523 of the Town's residents aged 16 and over were not actively engaged in the labor force, which accounts for approximately 29.1% of the Town's overall population. Hence, a little less than one in three Newstead residents are not participating in the labor force. Some of the residents not participating the labor force could be retirees, 18.9% of the Town's population are over the age of 65. In the 2016, the ACS estimated that 37% of Newstead residents not in the labor force had a disability. Income levels in the Town of Newstead are higher than those found in Erie County as a whole. Median household income was estimated at \$55,409, \$4,162 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 local 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."⁹ Examples of Placemaking in the Town of Newstead include continued investment in and around major infrastructure, such as the vicinity of Main Road (NYS Route 5) and Buell Street, in and around the Village of Akron, reusing abandoned or underutilized industrial parcels for new, innovative purposes. In addition, placemaking includes efforts to strengthen the historic Village of Akron and its quaint Main Street setting, to provide residents with a more vibrant community and village center.

"Workforce" focuses on developing "the most flexible, inclusive and industry-driven workforce training environment to prepare workers for success and help businesses thrive."¹⁰ The REDC's 2017 *Progress Report* indicated that the majority of workforce training opportunities are in and around the City of Buffalo. The REDC notes that the nearest workforce training center is located to the west, in the neighboring Town of Clarence. Furthermore, the REDC identifies the Village of Akron as being a location with a high number of "workers with potential training needs." Therefore, greater emphasis needs to be placed on providing access to job training, which could help improve local participation in the workforce.

⁹ Ibid.

¹⁰ Ibid.

“Innovation” works to facilitate and “create investment in the support networks that attract entrepreneurs and ensure a healthy and diverse business climate.”¹¹ The Town of Newstead and the Village of Akron do benefit from a local Akron Chamber of Commerce, which is seeking to encourage continued economic development in the Town and the Village, and is determined to foster a healthy operating climate for existing and new businesses.

“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.”¹² The Town of Newstead does have industries that play a role in the increasingly interconnected regional and global economy to include, but not limited to agricultural products, food production, and manufacturing.

Subject	2016 - Town of Newstead, Erie County, New York			
	Estimate	Margin of Error (+/-)	Percent	Percent Margin of Error (+/-)
EMPLOYMENT STATUS				
Population 16 Years+	7,364	127	100	(X)
In Labor Force	4,841	280	65.7	3.7
Civilian Labor Force	4,841	280	65.7	3.7
Employed	4,710	263	64.0	3.5
Unemployed	131	84	1.8	1.1
Armed Forces	0	16	0.0	0.4
Not in Labor Force	2,523	282	34.3	3.7
Civilian Labor Force	4,841	280	100	(X)
Unemployment Rate	(X)	(X)	2.7	1.7
Females 16 Years+	3,615	210	100	(X)
In Labor Force	2,149	183	59.4	4.7
Civilian Labor Force	2,149	183	59.4	4.7
Employed	2,127	185	58.8	4.7
Own Children of the Householder Under 6 Years	446	117	446	(X)
All Parents in Family in Labor Force	336	101	75.3	15.6
Own Children of the Householder 6 to 17 Years	1,155	134	1,155	(X)
All Parents in Family in Labor Force	854	160	854	12.0

¹¹ Ibid.

¹² Ibid.

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 Newstead (29.2%) were related to "Management, Business, Science, and Arts" and the smallest proportion of occupations in the Town were dedicated to "Natural Resources, Construction, and Maintenance Occupations." This could explain the trends and data that show less agricultural activity in the Town (a reduction in the amount of active agricultural land, a majority of residents working outside of the Town and the local economy becoming less reliant on agriculture). This is further supported by the figure on the following page, which indicates that only 2% of residents are employed in the fields of "Agriculture, Forestry, Fishing and Hunting, and Mining" in the Town.

It is estimated that the majority of participants (21.3%) in the labor force are working in the Educational Services, and Health Care, and Social Assistance industry, which would include professionals working at area schools, or in educational facilities, and hospitals, nursing homes and other health-related facilities outside of the Town. The next two highest industries for work force participation were Manufacturing (19.3%) and Retail Trade (12.2%), where some employment opportunities exist in the Town and Village, with many more found outside of the Town. The 2016 ACS estimated that 17.7% of workers 16 and over who did not work at home, had a commute of less than 10 minutes, possibly indicating that they worked within the Town or the Village.

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

1. Does it create, retain, or fill jobs?
2. Will it maximize return on investment?
3. Is the project ready for implementation?¹³

All of the proposed and completed projects, which were undertaken in the Town and Village between 2010 and 2017, answered these threshold questions with a "yes," to the benefit of the Town, the Village, and the WNY regional economy.

¹³ Western New York Regional Economic Development Council, *Strategic Plan: A Strategy for Prosperity in Western New York*, 2011, Page 6.

2.10 Summary of Key Findings

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

2.10.1 Demographics

- a. The Town's population exhibits signs of growth with an estimated population of 8,653, an increase of approximately 59 from 2010.
- b. The Village population has remained stable since 2010, at around 2,860 persons.
- c. Median household income in the entire Town of Newstead was estimated at \$55,409 in 2015 (median income in the Village alone was \$47,311); both exceed County levels.
- d. From 2010 to 2015, poverty levels in the Town of Newstead and Village decreased for both families and individuals living alone, indicating that the population in the community is becoming more economically stable (affluent).
- e. In 2015, the percentage of Town residents under the age of 20 was 23.0%, nearly one-quarter of the Town's population base, and approximately 4% greater than the percentage of seniors (18.9%) living in the Town. However, trends show that the Town is slowly aging, as the overall percentage of person under 20 has declined since 2000, while the overall percentage of persons over 65 has increased. These same trends were found for the Village of Akron.
- f. In 2015, the average household size in the Town and Village was 2.39 and 2.21 persons, respectively; while the average family size was reported at 2.97 and 2.86 persons, respectively. These data illustrate a slight decline in household size in the community since 2000.
- g. The number of persons living alone accounted for 28.4% of the Town's population.
- h. Family households accounted for 65.9% of all households, while non-family households represented just over one-third (34.1%).
- i. Approximately one-quarter of family households include children under the age of 18 years of age.
- j. In 2015, the Town had an estimated 3,785 housing units, of which 1,312 are located in the Village of Akron.
- k. Housing vacancy in the Town was reported at about 164 units or 4%; 45 of which are located in the Village.
- l. The majority of housing in the Town is comprised of single-family detached homes (68%); 25 residential structures, containing 20 or more housing units, are located in the Village.
- m. Approximately 30.3% of the Town's housing units were constructed prior to 1940; almost 50% of the homes in the Village were built before 1940.
- n. Approximately 91.6% of Town residents were high school graduates; approximately 24.7% hold a bachelor's degree.

2.10.2 Environment

- a. The Town of Newstead and the Village of Akron are generally characterized by flat to gently sloping topography, which presents minimal limitations for development.
- b. A higher percentage of hydric soils are located in the northern portion of the Town, near Tonawanda Creek.
- c. Murder Creek and Tonawanda Creek are two sub-watersheds of the Niagara River Watershed found in the Town and Village.
- d. Flood zones are mapped along the creeks and stream in the Town and Village; significant flood hazard areas are primarily found the banks of Murder Creek, Tonawanda Creek and Ledge Creek.
- e. The Town includes significant areas of State and Federal freshwater wetlands, which offer a number of benefits.
- f. The Town could benefit from the development of a Master Drainage Plan to better manage development and reduce or eliminate flooding, as well as potential impacts to creeks, floodplains and wetlands.

2.10.3 Transportation

- a. Travelers on NYS Route 5 (Main Road) should be made aware of the Village and its central business district with use of improved signage and gateway features at the intersection of Route 5 and Buell Street (Route 93).
- b. There is a concern with the volume of truck traffic that flows through the Village's central business district.
- c. There is no public transportation service available in the Town or Village.
- d. Improved public transportation opportunities and connectivity will help with the revitalization of the Village and its central business district.
- e. The quality of the NYS Route 5 corridor through the Town required better management and design to enhance its use and aesthetic quality (e.g, access management and aesthetic design strategies).
- f. The construction of a new exit for Interstate 90 in the Town is not supported by the Town or the public.
- g. Although bicycle service in rated for certain roads in the Town and Village, there are no designated on-road bicycle lanes in the community.

2.10.4 Utilities

- a. Public water supply is provided to most areas of the Town by the Erie County Water Authority. Those areas not included in existing water districts utilize private wells for potable water. The Town is considering future service expansions to accommodate these areas.
- b. Public water is provided to the Village of Akron by the Village's municipal water system.
- c. The Village of Akron operates a municipal wastewater collection and treatment system that services all residents and businesses in the Village, as well as certain areas and businesses in the Town.
- d. The Village's municipal wastewater treatment plant has capacity to support future growth and potential service extensions.

- e. Residents and businesses that are not provided public sewer service by the Village utilize on-site septic systems for sanitary waste treatment and disposal.
- f. Residents who have septic systems should understand the importance of regular maintenance for protecting water quality and extending the life of the system.
- g. The Village of Akron has a municipal stormwater collection system, which is not mapped, so the full extent of the system, the age of the lines and the age of the system as a whole, is unknown.
- h. Stormwater in the Town is collected and conveyed through ditches and culverts to local creeks and streams or managed through engineered improvements to individual properties (e.g. ponds).
- i. Expansion of broadband internet service is needed in the Town and Village.

2.10.5 Community Facilities

- a. Newstead and Akron are primarily serviced by the Akron Central School District. A small number of residents are enrolled in the Clarence Central School District or the Alden Central School District, which extend into the western and southern portions of the Town, respectively.
- b. The Akron Central School District has capacity and can accommodate future growth in the community.
- c. The community has adequate police and fire protection, including local police, State police and Erie County Sheriff's coverage and two fire companies.
- d. A small number of parks and recreational facilities are located in close proximity to the Village, including a multi-use trail that extends west into the Town of Clarence.
- e. Akron County Park needs maintenance and improvement.
- f. Other community services include a local branch of the Buffalo and Erie County Public Library system and a local community center.
- g. Ensure that community facilities keep pace with multigenerational population needs.

2.10.6 Economic Development

- a. Greater emphasis needs to be placed on providing access to job training, which could help improve local participation in the workforce.
- b. The Town and Village need to focus on the rehabilitation of existing structures and buildings in the central business district as a means of improving the vitality and economic prosperity of this area.
- c. The general maintenance of property throughout the Town should be a primary focus.
- d. The amount of agricultural land in the Town has fallen to around 40% of total land use in the Town but farming and farmland protection remains a priority in the community.
- e. Farms in the Town provide farmers and landowners with employment/livelihood, they also employ seasonal field hands, providing a source of income and employment.
- f. Although agricultural activity in the Town has decreased, the protection of agricultural lands is still important. There are still a number of active parcels, particularly those that have prime farm soils; some are utilized to support Kreher Family Farms operations in the Town.
- g. A high percentage of residents are employed in service sector occupations and working outside of the Town.

- h. There are a few areas identified for future commercial development in and around the Village, including the intersection of NYS Route 5 and Buell Road.
- i. There is a need to balance development that is occurring along NYS Route 5 with revitalization of the central business district in the Village to protect and support the economic vitality of the Village.
- j. 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.

2.10.7 Other Findings

- a. Although there are only two structures in the Village of Akron that are listed on the National and State Registers of Historic Places, there are numerous buildings that are considered of local historic significance.
- b. The Town needs to focus on the rehabilitation of existing structures and buildings, in particular, historic structures.
- c. Identification of those properties located throughout the Town that are in need of general maintenance and repair should continue to be a primary focus for community revitalization.
- d. Although certain areas in the Town with prime farm soils have been developed, extensive areas still exist that should be protected. There are also significant portions of the Town (and even the Village) that has soils classified as being of statewide importance.
- e. There is an existing farm in the Village that should be kept in active production.
- f. Rural landscapes such as farm fields, woodlands, and picturesque farmhouse create an identity for the communities in addition to the supporting the local economy.
- g. The zoning for NYS Route 5 needs to be re-evaluated to recognize that land areas along this corridor differ and should not be developed in a consistent manner (consider an appropriate type and scale of development based on the area).

CHAPTER 3: VISION, GOALS, AND OBJECTIVES

CHAPTER 3: VISION, GOALS, AND OBJECTIVES

3.1 Vision

The following Vision Statement was developed as a result of the input from the Committee and the public. It outlines the two communities' vision for their shared future. A Vision Map is included in the *Chapter V: Recommendations and Implementation* section to provide further guidance.

"The Town of Newstead and Village of Akron will work together towards enhancing and promoting the quality of life for residents while finding a balance between maintaining the existing character of the communities, and attracting new people and businesses"

This will be achieved through focusing on the following:

- Directing growth to specific, strategic areas
- Providing additional housing options
- Exploring opportunities for additional transit options
- Addressing needs of the aging infrastructure
- Managing the physical, social and financial resources as the communities prepare for the future.
- Planning for "spin-off" growth from developments within neighboring communities
- Preserving and protecting agricultural land and farming operations

This Vision is supported by the communities' goals, which articulate the values and priorities of the Town and the Village. The goals serve as a yardstick each community can use to determine whether a future action is consistent with their vision for the future. The following section outlines the goals and objectives for the Town of Newstead and the Village of Akron.

3.2 Goals & Objectives

Goal 1: *Maintain and Enhance Rural Character*

Objectives:

- A. Ensure that future development in the Town and Village is in conformance with the vision of the Town, Village and region.
- B. Adhere to smart growth policies.
- C. Identify the areas of the community that are defined as Developed (Rural Center), Developing and Rural in accordance with the *Regional Framework for Growth*.

- D. Maintain agriculturally viable lands and important open spaces in the Town and Village.
- E. Ensure new development is attractive and enhances our character in accordance with the communities' regulations and codes.
- F. Minimize land use conflicts as new development occurs.
- G. Existing building styles and visual attributes such as barns, stone walls, and vegetation should be incorporated into proposed development.
- H. The Village should continue to build upon its central business district and its "Main Street, USA" ideals.
- I. Improve upon and create gateway features that promote the character of each community or hamlet and that tie them together.
- J. Create laws, ordinances, and policies that support the goal of enhancing rural character and these objectives.
- K. Encourage, enhance, and help coordinate the regional and local parks, trail way systems, and natural resources in and around the community.

Goal 2: *Preserve, Protect and Enhance the Viability of Agriculture in our Community*

Objectives:

- A. Establish an agricultural preservation strategy at the municipal level to maintain the viability of local farming operations that acknowledges the changing conditions, trends, and operations occurring in the community and region.
- B. Strengthen the economic viability of Farming within the Town and Village.
- C. Help to promote sustainable management systems for agriculture.
- D. Maintain the existing agricultural districts and help implement the *Erie County Agricultural Protection Plan*.
- E. Promote education of agriculture and its importance in the community, the region, and the country.

- F. Strengthen the collective food system of the Town and the Village by implementing applicable recommendations included in One Region Forward's *Growing Together: Ensuring Healthy Food, Strong Farms, and Prosperous Buffalo Niagara*.

Goal 3: Provide an Efficient Distribution of Public Services that improves the Quality of Life for All

Objectives:

- A. Target the expansion of municipal sewer services to specific development areas within the Town as denoted in this Plan. Build upon the Village's recent *Wastewater Facility Report*.
- B. Maintain and enhance the water distribution system in the Town of Newstead and Village of Akron.
- C. Ensure that our residents have adequate stormwater/drainage facilities that are sustainable and meet the requirements of New York State, the region and our local laws.
- D. Recognize the importance of the utilities provided by the Village/Town.
- E. Build upon the successes of the Village's electric system and cooperatively investigate other alternative and sustainable forms of energy.
- F. Facilitate the expansion of natural gas service to as many residents and businesses as possible.
- G. Building upon *Erie County's Broadband Internet Study*, support the expansion of this service to all residents of the community.

Goal 4: Capitalize on our Resources, Assets, and Advantages to Promote Economic Opportunities

Objectives:

- A. Maintain and promote expansion of existing businesses and industries in appropriate locations in Newstead and Akron.
- B. In accordance with regional planning initiatives, support the continued revitalization of the Akron central business district.
- C. Continue to attract new, appropriate businesses and industries to the community.

- D. Promote and support agriculture and the businesses that support agriculture.
- E. Promote and support innovative businesses that complement existing businesses in the community and region.
- F. Create an atmosphere that spurs entrepreneurial activity in accordance with the regional economic development strategy.
- G. Continue to create great places within our community that attract people to live, work, and play here.
- H. Recognize the needs of the aging population and its effects on the economy.
- I. Support innovative energy projects, especially those that encourage economic development.

Goal 5: *Protect Significant, Locally Important Scenic and Natural Resources*

Objectives:

- A. Minimize negative impacts to the natural environment as new development occurs
- B. Promote a regional focus on the communities' resources, such as the different watersheds that transect the communities.
- C. Recognize the importance of the Onondaga Escarpment and continue to incorporate it into the codes and regulations of the community.
- D. Establish a program to identify, prioritize and protect or preserve the locally and regionally important scenic and natural resources of the community.
- E. Recognize and support the importance of agriculture to the environment of the community and assist farmers with understanding their potential impacts on the environment.
- F. Implement recommendations of the *Niagara River Watershed Management Plan* to help with drainage and water quality in the community and the region.
- G. Protect and promote the parks, conservation lands and trails in the Town and Village.

- H. Enhance and promote the significant historic and cultural resources within Newstead and Akron.

Goal 6: *Provide High Quality Community Services (Schools, Emergency Services, and Recreation)*

Objectives:

- A. Continue to support the provision of cost-effective emergency services to Newstead and Akron residents, acknowledging the changing conditions and the need for creative solutions.
- B. Ensure a recreational system in Newstead and Akron that is safe, attractive, easily accessible, and linked to an overall local/regional plan.
- C. Continue to cooperate with the school districts in providing important community services (particularly the Akron Central School District).
- D. Understand the impacts and plan for multigenerational facilities.

Goal 7: *Ensure a Safe, Efficient, and Multi-Faceted Transportation System for Residents and for Visitors in the Communities*

Objectives:

- A. Determine specific transportation corridors that are in need of improvement and prioritize them in accordance with regional goals and community needs.
- B. Communicate with the GBNRTC, State agencies, and surrounding communities to monitor changes in transportation systems and needs throughout the communities and region.
- C. Promote alternative and diverse forms of transportation in the Town and Village that connect people within the community and to areas outside of the community.
- D. Maintain and enhance the bike and trail systems in the community.
- E. Support the re-routing of truck traffic from the Village “downtown.”

Goal 8: *Achieve Orderly and Manageable Growth in the Community*

Objectives:

- A.** Control growth to be able to maintain a high quality of life in the Town and Village for all existing and future residents.
- B.** Help to provide residents with the necessary services to maintain and improve their quality of life in a fiscally responsible manner.
- C.** Grow the communities based on the goals, objectives and recommendations set forth in this Plan and the regional plans referenced herein.
- D.** Modernize the Town and Village regulations in accordance with the guidance provided in this Plan.

Goal 9: *Provide Diverse, Attractive, and Safe Housing*

Objectives:

- A.** Ensure that new housing is located in areas that can be supported by existing transportation and infrastructure while protecting the natural environment.
- B.** Promote alternative, multi-generational housing opportunities while protecting the character of our community.

CHAPTER 4: TECHNICAL INVESTIGATIONS

CHAPTER 4: TECHNICAL INVESTIGATIONS

Based upon the goals and objectives of the plan and the evaluation of the existing conditions of the Town and Village, the following section provides technical investigations of specific targeted topics (as identified by the Town, Village, and Erie County in their original project planning) and provides overall findings for the existing conditions topic areas with an eye towards the vision of the communities. For the technical investigations, the Chapter provides a summary of the comments received on these topic areas, how the issue was analyzed, and the results of that analysis. These findings help to frame the recommendations of the plan.

The “**Comments/Feedback**” section found under each topic heading below were derived from extensive communication with the Comprehensive Planning Committee (CPC) and through the feedback provided by the public, primarily through public information meetings, but also through letters/e-mail correspondence that was received as a part of this process.

4.1 Neighborhood Revitalization

Comments/Feedback

1. Comments Received (Village):

- The Village is not really divided into different neighborhoods.
- The Central Business District has different characteristics from the rest of the Village and the Town.
- Are there specific funds available for improvements in the Village and Central Business District?
- The Plan for the Village should focus on clean-up and maintenance of existing structures, facilities, and infrastructure.
- The Village performed a Central Business District study, but it is very outdated.
- The number of cars on private property is a concern.
- Travelers on Route 5 should be made aware of the Village and its CBD (signage at the intersection of Route 5 and Route 93).
- Improved public transportation opportunities and “connectivity” will help with the revitalization of the Village and CBD.

2. Comments Received (Town)

- The Town has some historically referenced neighborhoods, but none of which the community currently references. These are South Newstead, Murrays Corners, Sand Hill, and Swift Mills.
- The Plan for the Town needs to focus on rehabilitation of existing structures and buildings.
- The general maintenance of property throughout the Town should be a primary focus.
- A specific recommendation would be the maintenance of historic buildings and

structures.

- Improvements to infrastructure (roads, drainage and potentially sewer additions) could help with revitalization.

3. Comments Received (Both)

- Keep the recommendations and ideas simple.

Analysis Results

The Town and the Village do not have specific neighborhoods that are in need of revitalization. However, both the Town and Village had individual properties that are suffering from deferred property maintenance and need economic re-investment. The Village should focus on those buildings located within the Central Business District. A vibrant Central Business District will help compliment and support the surrounding areas of the Village and the Town.

The Town and the Village do not have a lot of “zombie” homes (homes that have been abandoned by their property owners, whether those owners are individuals or financial institutions/banks). Vacancy rates are below local, state, and national averages. Of 1,312 housing units in the Village of Akron, it is estimated that 45 of those units are vacant. In the Town of Newstead, of the 3,785 residential housing units, it is estimated that 164 are vacant.

The Town has some small areas that would qualify, under the federal definition, as “low-income” areas and the Village is completely located in a census tract that is identified as meeting HUD criteria. These areas could potentially qualify for Housing and Urban Development grants/monies.

Recommended Direction (Village)

- The Village should build off (and update) the recommendations for the Central Business District that were in their previous Central Business District study.
- The Village should consider the need for improved design standards in the Central Business District.
- The Central Business District needs to be targeted for grant monies for improvements.
- Connections to the Central Business District need to be expanded.
- Gateway features at entrances to the Village/Central Business District and the Village itself are very important and should be added (see Planning Areas Map).
- Incentives and enforcement methodologies (carrot and stick approach) for building improvements/property maintenance within the Central Business District should be investigated and implemented. An example of an incentive could an expanded 485-b program, which would allow for target areas to receive additional tax incentives (greater period of time in which to increase assessments) for re-investment in buildings. An example of enforcement would be adoption and subsequent enforcement of a more stringent property maintenance laws.
- Pursue residential revitalization and growth in the immediate vicinity of the Central

Business District, which will support local businesses.

- Connectivity within the Village and with areas outside the Village is important to the community's vitality.

Recommended Direction (Town)

- There are no specific neighborhoods in the Town, though some areas are referred to by their historic names. General recommendations for neighborhood revitalization should not be specifically tied to one area. Some areas of the Town do have common issues that should be addressed. For example, some areas may meet the criteria, under the federal guidelines, for "low-income areas" that allows for use of community development monies through Housing and Urban Development.
- The Town should investigate and evaluate programs for the protection and rehabilitation of historic structures.
- The historic neighborhoods will be shown on the Planning Areas Map to help with community/neighborhood pride and to provide geographic context to some of the recommendations. Neighborhood outreach could help to establish specific needs for these areas.
- Incentives and enforcement methodologies for building improvements for the Town's existing commercial and residential building stock could be explored. For example, incentives such as property tax credit for the rehabilitation of a structure or the establishment of a façade improvement program could be explored. Also, enforcement methods could include the adoption and subsequent enforcement of more stringent property maintenance regulations.

4.2 Major Thoroughfares

Comments Received

- Residents and Village officials are concerned about the volume of trucks using Route 93 through the Village.
- A potential Thruway interchange was discussed many years ago, but this issue has not been raised recently. Questions were raised as to whether the Town should plan for this potential interchange, oppose it in the Plan or just state that if it was proposed again, the Town and the Village would need to update their Comprehensive Plan accordingly?
- Concerns were raised about the volume and speed of vehicles on NYS Route 5.
- The appearance/aesthetics and future land uses along NYS Route 5 are a major concern.
- There were questions raised over what roads were considered major thoroughfares and do they have any concerns? Some intersections were noted as needing improvements.
- A park and ride facility could help the community.

Analysis Results

There are two main thoroughfares for east/west automobile travel for the Town of Newstead and the Village of Akron. These include Interstate-90 (I-90) and New York State Route 5.

Route 5 in the Town of Newstead is a NYS highway that is categorized as a Principal Arterial. It has AADT (Annual Average Daily Traffic) of between 5,997 and 11,260 vehicles. This section of NYS Route 5 is not considered to have traffic exceeding the capacity of the road. Review of the Greater Buffalo Niagara Regional Traffic Council's TIP (Traffic Improvement Program) does not show any planned improvement projects. Some intersections along Route 5 corridor have problems, but none have the level of problems, per NYSDOT, that warrant "mitigations" or improvements.

NYS Route 5 is connected to the Village of Akron by Route 93, a major north/south route. This is the most convenient route for trucks to travel from the north to Main Street. Due to the lower speed limit and narrow roads in the Village, this causes a dangerous situation for drivers and pedestrians. Residents in the village support a re-routing of truck traffic out of the Village, and into the Town. There have been no studies undertaken to identify an ideal route. Coincidentally, a 2018 bridge repair project will re-route traffic from Route 93 into the Town, but the specific route is still being discussed. This project will offer the opportunity for the NYSDOT and the Town and Village to observe new traffic patterns and potentially develop a new truck route around the Village.

Main Street in the Village runs through the heart of the central business district (CBD) and, not only represents a major transportation feature, but also an important multi-modal and aesthetic component of the Village.

I-90 (Principal Arterial Interstate) runs diagonally from Newstead's southwest corner to the Town's southeast corner. The nearest I-90 exit is located to the east, in



the Town of Pembroke (New York State Thruway Exit 48A). The nearest interchange to the west is Transit Road, in the Town of Cheektowaga. With no interchanges in the Town, the I-90 has only a small impact. However, for years NYSDOT has discussed the possibility of adding a thruway interchange in Newstead. This could drastically alter the character

and economics of the Town and Village. While this has not recently appeared in local plans, the Town and Village should be prepared to respond if this issue is raised again.

Recommended Direction (Village)

- Support re-routing trucks on Route 93 out of Village.
- Main Street in the Village needs investment.
- Major roadways within the Village should accommodate all standard forms of transportation (pedestrians, bikes and cars). The concept of "Complete streets" is needed to ensure connectivity for citizens and visitors.

Recommended Direction (Town)

- NYS Route 5 is an extremely important component of the Town (and Village). There is a need to protect this roadway through the implementation of access management improvements, aesthetic/design requirements, etc.
- The Town needs to encourage, direct, and regulate how development takes place along the Route 5 corridor.
- Streetscape improvements and other features are needed.
- Uses on NYS Route 5 in the vicinity of Route 93 must not compete with the Village CBD.
- The public, the Town, and the Village generally do not support a Thruway interchange off the I-90 in the Town; continue to voice this perspective to the NYSDOT.

Recommended Direction (Both)

- Work with NYSDOT to identify a preferred route for traffic during the proposed 2018 bridge work on Route 93.
 - Continue to observe this re-routed traffic during construction.
 - Ensure that the studies are being performed to determine the appropriate route for future discussions regarding any permanent re-routing of truck traffic.

4.3 Zoning

Comments Received (Both)

- Character of community is a major priority in the Town and the Village.
- There should be targeted development areas.
- The development and use of NYS Route 5 versus new development on Main Street in the Village has been, and continues to be, a point of concern.
- The protection of agricultural lands is important to the future of the community.
- Explore the transition of uses between the Town and Village.
- Zoning should support continued targeted and controlled growth at NYS Route 5 and Route 93 area.
- Need to properly control residential development.
- More diverse housing is needed (young adults, seniors, etc.). This needs to be

carefully planned to protect the character of the community.

Analysis Results

The Town has completed the following zoning actions over the course of the last 10-years:

- Adoption of wind energy conversion systems (WECS) law.
- Adoption of solar systems law.
- Adoption of "Right to Farm" law.
- Amendment of existing subdivision law.
- Adoption of home-based business and daycare law.
- Amendment of C-1 zone and C-2 zone laws (eliminated single-family residential uses, multiple-family residential uses are a principal permitted use).
- Adoption of accessory building provisions.
- Adoption of new sign law and amendments to Route 5 overlay.
- Amendments to the RA district.

It appears the Town's Zoning Code is still primarily focused on uses and bulk requirements (Euclidean in nature). Zoning in the Town also needs to focus on community character, the protection of resources and other goals and objectives of the Town.

Zoning in the Town has led to development being focused on strip frontage residential development, particularly in areas without sanitary sewer service). Most lands are zoned "Rural Agricultural", and mainly focus on the development of single-family homes.

Almost all of the frontage along NYS Route 5 is zoned Commercial (C-2). NYS Route 5 has many different characteristics across the Town, which should be treated differently. This could be accomplished through an improved Zoning Overlay district (with different requirements for different areas) or through the creation of new districts for certain areas.

Industrial areas of the Town are located in a few areas off NYS Route 5 and around the Village (where utility service is available). The Industrial area that extends out of the northeast corner of the Village, along the railroad line, should be readjusted, as the focus should not be on the rail line. Continued Industrial development to the north of the Perry's Ice Cream facility is limited by environmental restrictions. Continued cooperation between the Town and Village in the Clarence Center Road Industrial



Continued cooperation between the Town and Village in the Clarence Center Road Industrial

areas also will be necessary. Please see Appendices: Reference Documents for an acreage breakdown of parcels in the Town of Newstead.

The Village has completed some minor zoning updates over the course of the last 10 years. The Village's zoning code is a fairly standard "Euclidean zoning code" with zoning districts including allowable uses and bulk requirements. The residential districts allow for residential uses and some uses by special use permit. There is a fairly standard B-1, local business district, and a specific Central Business District (CBD). The CBD district allows a myriad of commercial uses and specifically prohibits certain uses (including residential usage of ground floors – but does not list mixed use buildings as being allowed). The CBD also includes a list of seven uses allowed by SUP (this list seems to include uses that may not fit within the CBD). The Village also has two standard Industrial districts and a "Land Conservation District" that was created in 1975.

Some more unique aspects of the Village zoning code include general provisions that require the preservation of natural features (including the restriction of building within 50 feet of a stream), cluster development regulations, Home occupation requirements and a Property Maintenance law (focused on "junk cars" and solid waste).

Like many Villages, Akron is fairly built-out and zoning amendments will not make a large impact to the Community. Focus for any zoning updates should be on the Central Business District (design oriented) and in the western end of the Village (Industrial/Business growth areas and transition areas into the Town).

Recommended Direction (Village)

- Clarification of areas for businesses/industrial development in the western part of the Village.
- Continued improvements of community character design issues for Main Street.
- Some minor clean-up of the Codes (see previous comments).

Recommended Direction (Town)

- The Town needs additional subdivision controls. Addressing road frontage developments and adding requirements concerning the protection of important features and rural character. This could be augmented by Rural Development Guidelines. The subdivision update should also address soil conditions and septic systems.
- Community character issues throughout the Town (new construction) need to be addressed through regulation improvements (overlays and/or general site plan regulation updates).
- Continue to rezone properties along Route 5 to bring them into conformance with the community's vision. Consider the creation of new zoning districts (East end of Route 5, west end, area around Route 93 intersection, etc.).
- There is a need for additional protection techniques for agricultural lands. These can be as simple as creating a new Agricultural District, an Ag Overlay or as complicated as Incentive zoning or TDR's.
- Need to amend the zoning map to target appropriate development areas

(Industrial and denser residential areas).

- Environmental Protection Overlay Districts (EPOD) should be created.

4.4 Transportation

Comments Received

- Remove trucks from the Village (Route 93 from the north).
- Some residents expressed the need for public transportation (also a Park and Ride).
- Sidewalks should be provided in specific/targeted areas.
- New paths/trails need to be continued/expanded to connect community facilities and surrounding areas.
- Existing bike path should be extended to Akron Falls Park (Note; this is in progress).
- Some roads and intersections are in need of improvements (County roads are especially in poor shape).
- Route 5 needs focus; traffic, intersections, access, etc.

Analysis Results



The NFTA no longer provides a regular bus route to the Town of Newstead and Village of Akron, and many residents expressed a desire for a route to be re-established. There was also discussion of other options such as a shuttle, bus service, or other public/private ventures. Community officials need to establish a committee to evaluate public transportation and alternative transportation needs and options. This committee will need to work with NFTA officials and County representatives to determine demand, whether improved transit or para-transit can be achieved, or how other services could meet the needs of the community

The Town and Village should continue to work together on improvements and expansions to multi-use paths, trail ways and bike paths in the community. Connecting features, such as Akron

Falls Park, local parks, recreation areas and the CBD, should be a focus.

The Village should update their sidewalk conditions inventory and identify other areas of the Village in need of sidewalks. The Village could use Community Block Grant monies for these projects.

With respect to roadway conditions, the Town and Village should work together to identify problem areas and work with the Legislative Boards to petition the County and State to make improvements.

Recommended Direction (Village)

- Update inventory of existing sidewalk conditions, identifying priority areas for seeking Community Block Grant monies
- Establish complete streets criteria for certain roadways within the Village and work towards creating a complete street law.

Recommended Direction (Town)

- Sidewalks should only be targeted in specific areas close to the Village and connect to important features.
- Additional connections to the bike path should be considered (potential striping of roadways, etc.).
- Form a Route 5 committee to work with the NYSDOT on assessing this important roadway within the Town and addressing access management issues, signage, intersection improvements, long term visioning of this highway, and specific needed improvements.

Recommended Direction (Both)

- Establish a committee to evaluate public transportation options
- Continue to support the extension of NFTA routes to the Town/Village
- Work with Erie County officials to improve pedestrian and bicycle connections to Akron Falls Park

4.5 Watershed Based Planning

Comments Received

- Drainage problems in areas of the Town.
- Culverts and ditches are not properly maintained.
- Protecting environmental resources will protect our streams and creeks.
- Dredging of existing waterbodies, e.g. Akron Falls County Park, is long overdue.
- Additional green infrastructure needed to aid with drainage/stormwater issues.



Analysis Results

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

The Village of Akron is located within the Town of Newstead and the Town of Newstead is within the Niagara River Watershed. Sub-watershed include:

Middle Tonawanda Creek - Tonawanda Creek is located in the northern portion of Town, running east from the Tonawanda Reservation to the Town of Clarence in the west. The lands draining into Tonawanda Creek are primarily agricultural lands.

Murder Creek - flows from the southeast portion of the Town up to Tonawanda Creek. Murder Creek's watershed drains large portions of the Village and Town and encompasses a myriad of land uses including: agricultural, residential, forested lands, commercial and industrial, and others.

Lower Tonawanda Creek and **Ellicott Creek** are both sub-watersheds of the Niagara River Watershed.

Murder Creek and **Tonawanda Creek** are Class B State protected streams (suitable as primary and secondary contact recreation uses and fishing), the majority of the other streams in the Town are unprotected Class C (best suited for fishing) streams. Ransom, Ledge and Dorsch Creeks are protected C(T) streams (C(T) streams are capable of supporting trout and a permit is needed to disturb the bed or banks of the stream). (Comprehensive Plan from 2003 and NYSDEC website).

Recommended Direction (Both)

Local governments regulate and oversee land development. The following municipal tools, many of which are currently employed by the Town of Newstead and Village of Akron, 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 and the Village, are as follows:

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

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.

An additional tool could be the creation of Environmental Protection Overlay Districts, which are a type of zoning overlay designed to address environmental concerns. The overlay tool means it overlaps the underlying zoning districts to provide additional regulations specific to the goals of the community. An example of a protected land conservation district is zoned land that encompasses Akron Falls Park and the entire length of the portion of Murder Creek that runs from the Village's southeast corner to the northwest.

- 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.
 - Develop setback ordinances for new developments in riparian areas. Establish buffer standards to help protect streams of significance.
 - Encourage collaboration amongst municipalities and agencies to develop zoning codes to encourage conservation and best management practices across waterways that span municipalities.

- Sewer and Water Infrastructure:
 - Residents/businesses in the Town of Newstead primarily utilize privately-owned septic systems for sanitary sewer collection, although a small number do receive service through the Village of Akron's sanitary sewerage collection system, and a small portion of the Town, where the ADESA automotive auction site is located, is serviced by Town Sanitary Sewer District #1.
 - The Village of Akron is the owner and operator of its own sanitary sewer treatment and distribution system. The sewer district's boundaries match the boundaries of the Village.
 - Upgrades to infrastructure are important because new or upgraded sewer systems can improve water quality.
 - Sometimes new sewer and water infrastructure may lead to inappropriate growth, development, and sprawl. Communities should carefully plan future land use and determine where infrastructure will be allowed to expand.

- Onsite wastewater systems, such as septic systems:
 - Residents/businesses in the Town of Newstead primarily utilize privately-owned septic systems for sanitary sewer collection. Septic systems are often not properly maintained or may be installed in soils that are not optimal. Failing septic systems can discharge significant pollutants including phosphorus and nitrogen which can impair waterways and private wells.
 - Creating an additional layer of regulation (other than NYS Health Laws or County laws) to ensure systems are operating properly – regular inspections can be required prior to sale of property.
 - Require upgrades of old septic systems.

- Environmentally sensitive areas – floodplain management:
 - 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.
 - The Town of Newstead should continue to minimize development that occurs in the Beeman Creek, Rapids Creek, and Dorsch Creek floodplain areas. 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.
- Environmentally sensitive areas, wetlands and riparian areas:
 - 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.
- Stormwater management and drainage:
 - If poorly designed or improperly maintained, public drainage infrastructure can cause erosion and sedimentation in waterways.
 - Improving system construction, operation, and maintenance can be done by training Highway Superintendents in best management practices.
 - Municipalities can create special drainage tax districts to assist with the financial costs of stormwater infrastructure.
- Erosion and sediment control:
 - Soil erosion impacts water quality in many ways.
 - Municipalities should limit the impact of development activities through effective erosion and sediment control laws and proper enforcement of Stormwater Pollution Prevention Plans (SWPPPs).
- Road maintenance:
 - Maintenance of local roads has a big impact on the health of the surrounding watershed. For example road de-icing and other winter road

maintenance negatively affects water quality when materials get into waterways via runoff. Pre-salting before a storm can reduce the amount of de-icer need by up to 70%.

- Municipalities should follow BMPs as outlined in the latest version of the *Highway Superintendent Roads and Water Quality Handbook* and should attend Cornell Local Road trainings.
- Junk yards & waste storage:
 - If waste is not stored properly, hazardous liquids can leak into soil and groundwater. Municipal code should go beyond basic NYS environmental permitting to limit junk yards to less environmentally sensitive areas or prohibit them altogether. The NYS Department of State has a model junk storage law that provides a good starting point for local regulation.
- Mining & drilling wells:
 - Municipalities can limit or completely prohibit mining operations from within their jurisdiction. If the municipality chooses to allow mining operations, local knowledge and awareness of mining activities and their impacts are important for developing effective regulations. Larger mines are subject to the DEC permitting process. The Town has gravel mining that makes up 490 acres of industrial uses in Newstead per the 2003 Comprehensive Plan.
 - Presently oil and gas well development are regulated at the state and federal levels.
- Agriculture:
 - Agricultural land currently occupies 50% of all land in the Town and Village. Approximately 12,000 acres of land are actively farmed. The leading agricultural activities in the Town per the 2003 Comprehensive plan were the production of corn, wheat and oats for grain, cattle, beef and dairy operations, egg production, fresh vegetables, and the production of hay / alfalfa. 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 with over a certain number of livestock are required to develop and maintain Comprehensive Nutrient Management Plans under the SPDES general permit.
 - Local awareness and encouragement of Best Management Practices (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.

- Forest Management:
 - Local municipalities can regulate harvesting practices to limit erosion and sedimentation.



4.6 Food Systems Planning

Comments Received

- Desire for a new supermarket/grocery store located within the Town.
- Is a local farmers market needed?

Analysis Results

Food systems planning is a critical component to this comprehensive plan update, as food production and access are increasingly looked at as indicators of a 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 of our regions assets."¹

The Town of Newstead 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 where 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. Since the Town's founding in 1823, agriculture has been the cornerstone of Newstead's economy and, perhaps more importantly, its rural way of life. Similarly, the Village of Akron has served as a rural village, primarily serving the residents of Newstead for nearly 200-years.

Farming and agriculture are priorities in the Town of Newstead. Agricultural lands within the Town of Newstead account for roughly 50% of the Clarence-Newstead Agricultural District and contain some of the highest rated soils (as defined in the *Erie County, New York Agricultural & Farmland Protection Plan*). In 2001, it was estimated that approximately 51% of the Town's land was dedicated to agriculture (assessed as such). In the subsequent 16years, that number has fallen to approximately 40% as commercial development pressures on NYS Route 5 and rural residential growth have increased. The Town has two designated agricultural districts, Erie County Agricultural District #14, which encompasses virtually all of the northern portion (north of Village) of the Town and Erie County Agricultural District #1, which encompasses nearly all of the southern portion (south of the Village) of the Town.

The majority of lands in the Town of Newstead 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). Therefore, under representation and over representation of what lands are actually being farmed are issues that should be taken into account. The assessed Land Use Classifications can be seen on the Land Use Map. It also should be noted that the *Erie County Agricultural and Farmland Protection Plan* identifies Newstead as having clusters of parcels with high agricultural soils values (this can be seen on the Soils Map found within the County's plan).

What's Grown and Where to Buy?

Crops grown in the Town of Newstead include, but are not limited to: corn, beans, and grains. Animal farming in the Town includes, but is not limited to: dairy, poultry, and beef. All of these products provide vital links in the regional food system.

Roadside stands and on-site (farm) sales are currently the only opportunities afforded to Newstead and Akron residents to buy locally produced food products within municipal limits. Although Jammin' Joe's Farm Market and Clarence Hollow Farmers Market are both located within relatively close proximity to the west in the Town of Clarence.

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

Historically, the Village of Akron would have served as a critical component of the Town's food distribution network, providing the farmers with the critical services they needed on a day-to-day basis, while at the same time, providing those farms with a market to distribute their products. This relationship began to change during the second half of the 20th century, as the economics of the region dictated that many Town and Village residents seek employment opportunities in and around the City of Buffalo

There is one grocery store located in the Village of Akron.) Pixley's Shur Fine Food Mart is located at 81 Buell Street. There are numerous convenience stores located throughout the Town and the Village, some inside service stations, others as standalone stores. These convenience stores provide residents with "essential" food items such as milk, eggs, bread, and water.

The Town of Newstead 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 that are marketed to the County and the greater Buffalo Niagara region, helping sustain the food system at large.

Recommended Direction (Town and Village)



- Many food needs, in terms of food production, could be met through locally sourced products. The Town and the Village should seek to make these products available within municipal limits.
- Continue to support farmers by keeping the Town a "Right-to-Farm" community;
- Seek opportunities to expand the existing Agricultural Districts (Erie County Agricultural Districts #1 and #14).
- Work to establish a purchase of Development Rights Program (PDR), expand the conservation easement program, and investigate a transfer of development rights program to protect prime farmland.
- Coordinate with the Village of Akron to establish a downtown (Akron) farmer's market to provide further opportunities for farmers to sell their products to local residents. Farmers markets have been shown to increase interest in farming efforts and helping to preserve agriculture (much like large roadside farm stands have).
- Work with elected officials to identify weaknesses and deficiencies in the Town's food system to include food production and food access.
- Educate Newstead youths in farming and agricultural best practices to ensure that existing farms will have access to an educated workforce going forward.
- Evaluate the level of fruit and vegetable self-reliance within the Town of Newstead (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).

- Look at zoning laws to ensure that roadside farm stands are permitted by-right on properties zoned for agricultural use.
- Encourage, and consider providing incentives, to grocers and markets within the Town that sell locally produced products and/or market locally produced products in a unique way (i.e. specially designed displays, signage, etc.).
- Work with local school districts to source school meals with fruits and vegetables grown locally and look at providing school districts that participate a financial incentive.
- Work with local school districts to establish experiential nutrition and farming education in the classroom through the establishment of school gardens.

4.7 Agricultural Planning

Comments Received

- Agriculture is extremely important to the community.
- The *Erie County Agricultural and Farmland Protection Plan* identifies Newstead as having important agricultural lands.
- Town has been actively planning for agricultural “preservation” for over the last 20 years; various reports have been completed by the Town.
- Agriculture is important to the economy of the Town and Village, it represents an important component of the rural character, and it helps to protect the environmental features of the Town.
- There is a farm in the heart of the Village and it should be protected.

Analysis Results

Agriculture has been, and continues to be, one of the centerpieces of life in the Town of Newstead. The commercial development seen along NYS Route 5 and the increasing number of single-family detached homes being constructed are both relatively recent phenomena. For nearly 200 years agriculture and a “rural way of life” were mainstays in the community. Based on the feedback received from the public during the public meetings that were held as part of this comprehensive planning process, agriculture remains an important part of, and priority, for the community.

Good Land

Today, over 50% of the Town's land is located in either Erie County Agricultural District #1 or #14 and, as displayed on Agriculture Map, the 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 Newstead 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 and the total acreage within the parcel of cropland in each of the soils category

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).

The *Erie County Agricultural and Farmland Protection Plan* also noted that virtually all of the parcels within the Town of Newstead 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. The distribution of land use types can be seen on the Land Use Map, which illustrates that agricultural and residential are the two most dominant land use types in the Town of Newstead.



An Economic Pillar

Agriculture continues to play a vital role in the Town of Newstead's economy, both directly through the active production of fruits, vegetables, grains, and livestock and indirectly/secondary through the sales of the machinery, tools and equipment that are necessary for farmers to operate on a day-to-day basis. Farms in Newstead not only provide the farmers and landowners with employment/livelihood, they also employ seasonal field hands, providing a source of income and employment.

The farms in the Town that are located in Erie County Agricultural District #1 and #14 are offered a number of financial incentives that they otherwise would not receive. The agricultural district designation allows landowners the opportunity to receive reduced real property assessments based on the value of their land for agricultural production rather than on its value for development. Participating in the agricultural district program is completely voluntary. These tax incentives put more economic capital back into the hands of the farmers, strengthening their ability to continue farming and putting more money directly back into the Town of Newstead's local economy.

Environmental/Rural Character Protection

Farming also serves to protect two of the Town's defining characteristics. This includes its pristine natural environment (wide-open landscapes, numerous uninterrupted views of the Onondaga Escarpment, forested lands, creeks/streams, etc.) and its rural character.

Farming/agriculture has guided development in the Town of Newstead throughout its history. Where farms exist -sprawling residential subdivisions with curvilinear streets and massive commercial developments characterized by box stores surrounded by large swaths of concrete and asphalt- do not. Based on the feedback received from the public, this is a good thing Newstead 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 west, and closer to the City of Buffalo. In fact, the types of development that residents noted above is what they don't want in their community.

Erie County Agricultural Districts #1 and #14, which encompass much of the undeveloped land in the Town, includes large portions of the of the Murder Creek and Tonawanda Creek stream corridors. 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 Newstead 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 contribute toward meeting the food access needs of the Town, the County, and the region is being sustained.

Recommended Direction (Town)

- The Town should apply to NYS Agriculture and Markets for a grant to complete an agricultural protection plan (to build upon the County Farmland and Agricultural Protection Plan).
- This Plan would help with identifying the tools needed to successfully help protect agricultural land and the farming taking place on that land (e.g., Purchase of Development Rights, Purchase of Agricultural Easements, Transfer of Development Rights, etc.). This Plan will help to identify impediments to farming in the Town and help farmers with the marketing and planning necessary to keep their lands in active use.
- A voluntary Agricultural easement program could be investigated (would need State Legislation to accomplish).
- The Town can investigate zoning revisions that would allow certain commercial activities that may be compatible with agricultural uses, by special use permit and site plan review, within the Rural Agricultural zoning district. Agricultural tourism could be formally allowed by this zoning update.
- An Agricultural Protection Overlay District may also be needed to protect agriculture from incompatible adjoining uses.
- The Town and County could help investigate grant programs and opportunities for farmers.

Recommended Direction (Village)

- Continue to find ways to link the Town's agricultural products to the services/markets located within the Village, as well as the region.
- Protect and promote the existing Farm in the Village (work with the farm owner to help devise ways to keep this farm in active production).

4.8 Vacant Parcels/Development Patterns

In reviewing information and mapping for the Town and noting that the Town has investigated vacant lots within the Town, it was determined that this Plan should further evaluate this issue.

Issues/Conditions/Data

- The Plan includes a parcel size map which shows large vacant parcels, which are spread through the Town and Village. Most vacant lands in the Town are zoned Rural Agricultural. Most vacant lands in the Village are zoned for residential use.
- Many areas of environmental constraints (wetlands, floodplains, etc.) are associated with these vacant lots.
- Residents want to retain rural character and not have "suburban sprawl".
- Pressures for residential development are coming from the Town of Clarence and may, in the future, come as the result of industrial development in the Town of Alabama (to the east).
- Sanitary sewer service is available in very few areas of the Town. The Village's recent wastewater study states that sewer service could be extended into the Town.
- Most of the residential development occurring in the Town is large lot, road frontage-type development.
- NYS Route 5 is also under development pressure and many different forms of development has taken place in areas along the corridor. .

Analysis Results

- There are a large number of large lots (greater than 10 acres in size) within the Town that are vacant, farmed or have only a single-family home located on them. Those lots would be available for residential subdivision and could result in a large increase in the number of houses in the Town (most are located in areas that are zoned RA and are not sewered).
- When evaluating the environmental constraints and Agricultural Districts locations, as they relate to these large lots, and understanding the desires of the Town to remain rural, there are very few areas that should be targeted for new development. Those areas planned for new development would logically be located in areas near the Village, but not in areas that have environmental restrictions, are being farmed, or would conflict with the existing development patterns.
- Residential road frontage development will continue to rise and its affects will alter the character of the Town.

- Frontage properties along NYS Route 5 will continue to be targeted for development and the Town will need to amend regulations to better manage the type and appearance of this development.
- Those areas in the Town, and around the Village, that would be appropriate to target for new development must be incentivized to ensure such development takes place in those areas and in the form desired by the Town. Investments will be needed in infrastructure (such as sanitary sewers) to support this new development.
- Development in the Village is very limited (typical for Villages). Most development activity should be focused on existing developed sites and include expansions and rehabilitation of those sites. In those vacant areas that may be suitable for development, the Village will need to ensure that this development does not adversely affect surrounding properties or community character. One large parcel is located at the western side of the Village and was proposed for dense residential development in the past. The large farm located within the Village also adds to the character of the community and should be encouraged to remain in active use.

Recommended Direction for the Town

- The Planning Areas map, along with the concepts of this plan, help to articulate the Town and Village's recommendations for future land use in the community. Zoning decisions should carefully consider the results of this planning process and this Plan.
- Create laws (zoning overlays districts, updated environmental restrictions, agricultural protection regulations, etc.) that restrict development in places not suitable for development and/or that do not meet the Goals and Objectives of the Town. These areas include the agricultural districts and the areas with environmental constraints.
- One of the biggest issues in the Town is the availability of lands that could be subdivided into road frontage lots. The continued development of road frontage lots will adversely affect the character of the Town, create adverse impacts to the environment and is not sustainable, The Town will need to amend the Town's subdivision regulations and/or create an Overlay District to restrict and regulate the creation of new road frontage lots. Protection of agricultural lands, environmental protection overlays, no re-zonings in non-targeted areas and these other law amendments will help to limit these road frontage subdivisions.

Recommended Direction for the Village

- Encourage revitalization of the CBD.
- Protect the existing farm in the Village from development (work with landowner).
- Guide the development of the vacant lands in the western portion of the Village in accordance with the Comprehensive Plan.

CHAPTER 5: RECOMMENDATIONS AND IMPLEMENTATION

CHAPTER 5: Recommendations and Implementation

5.1 INTRODUCTION TO RECOMMENDATIONS

The preparation and adoption of the Comprehensive Plan update is a continuation of the planning process. The Comprehensive Plan update is an active document and should continually be updated. The Town of Newstead and Village of Akron must take the necessary steps to ensure that the recommendations of this Plan update are implemented. This chapter of the Plan update outlines the recommendations and an implementation strategy for accomplishing the Plan's goals.

This chapter breaks down the recommendations for each 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. 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

Although priorities can change from year to year, as conditions change in the community, region and NYS, the higher priority items should be considered each year for action (unless the Plan is amended). Some recommendations appear under several goals and therefore are higher priorities as they can help accomplish more than one goal.

5.2 GOALS AND RECOMMENDATIONS

Goal 1: Maintain and Enhance Rural Character

Village:

- Update the Village zoning ordinance to reflect the Goals and Objectives and recommendations of this Plan. This includes a continued focus on maintaining and enhancing the character of the Village. This first step involves putting a plan in place to accomplish these zoning updates; who can help accomplish, budget, prioritization, etc. This may require a sub-committee made up of a legislative board member, the Village attorney, a Planning Board representative and possibly a consultant (**Objective 1.F, 1.H, and 1.J**).

Responsibility: Village Board, Planning Board
Priority: High

- Develop a gateway at the southern Village border along NY Route 93. Being one of the most used entries into the Village, this

area should be enhanced with signage, landscaping, special paving, etc. to welcome people into the Village. The gateway should be completed along with improvements that are planned for the Town Park on Buell Street. The Village should work with the Town on this gateway. In conjunction with this specific project, the Village should also begin investigating the other potential gateways identified on the Vision Map (**Objective 1.I**).

Responsibility: Village Board, Town Board
Priority: Medium

- Develop a plan and budget for a terminus and Farmers Market on the Village property at Eckerson and Cedar. This can be a kick-off point to the Bike Path.

Responsibility: Village Board, Town Board
Priority: Medium

- Develop, and codify, design guidelines/style manual that incorporates architectural design elements seen in CBD. These Codes would also have landscaping and tree replacement requirements (for example; a 3 for 1 replacement plan). The Village could develop a tree nursery on their watershed property to be used in these re-planting scenarios.

Responsibility: Village Board, Planning Board
Priority: High

- Work with the existing farm parcel owner in the Village to develop a plan, acceptable to the Village and property owner, to incorporate this "Ag parcel" into the long term future of the Village (provides a unique character to the Village).

Responsibility: Village Board, Planning Board
Priority: High

Town:

- Develop design guidelines/style manual that incorporate vernacular architectural design elements seen in existing barns and outbuildings, stone walls, buildings, and site design elements in Commercial, Industrial and Overlay zones. (**Objectives: 1.A, 1.E, and 1.G**).

Responsibility: Town Board, Planning Board
Priority: High

- Consider updating the Town zoning ordinance and laws of the Town to reflect the Vision Map. The Implementation committee or a separate sub-committee will need to develop a plan for these revisions; prioritizing those that help to accomplish several goals. These ideas include the following:
 - Focus on maintaining the rural character (Rural Development Guidelines)
 - Consider clustering medium density residential development in appropriate areas near the Village; in areas of potential sewer extensions
 - Update laws to Restrict Subdivisions in areas outside designated growth areas
 - Focus future industrial development in or near Akron as designated on the Vision Map
 - Focus development in the existing and proposed industrial areas to include a mixture of industrial and commercial uses (no residential)
 - Continue focusing commercial development on Route 5 and Route 93 south of the Village. Extra emphasis should be created along Route 5 to preserve rural character, reduce the appearances of strip commercial development and take into consideration the existing features along the corridor and adjacent to it. For example, a mixed use business district should be considered for the western end of Route 5 (offices, antique stores, agricultural support businesses - also take into consideration the proximity to Clarence Hollow) and a non-retail, rural - small scale business district on the eastern end of Route 5. See the Vision map for further direction on these commercial areas
 - Encouraging agriculture and low density residential uses in appropriate areas of the Town
 - Creation of an Agricultural Protection Overlay and some Environmental Protection Overlays (EPOD's)
 - Require mandatory access management techniques (shared curb cuts, access roads) and appropriate setbacks along NY Route 5 to avoid suburban strip development patterns (work with NYSDOT). Create an Access Management law developed around the NYSDOT guidance document **(Objectives: 1.F and 1.J)**

Responsibility: Town Board, Planning Board
 Priority: Plan High; Implementation Medium to High

- Develop gateways into Newstead along NY Route 5 at the Clarence/Newstead and Newstead/Pembroke municipal boundaries, and along NY Route 93 at Newstead/Royalton

border and at the NY Route 5/NY Route 93 intersection area. These gateways should include attractive signage, landscaping, special paving, etc. to welcome people into the Town, Village and to Erie County (Newstead/Pembroke) **(Objectives 1.I)**.

Responsibility: Town Board, Village Board, Town of Clarence
Town Board, Town of Pembroke Town Board
Priority: Medium

- Better regulate any new single-family housing developments to minimize the potential for poorly planned growth to occur. This will help in the protection of the agricultural operations in the Town and minimize land use conflicts between farming operations and residential uses. For all new subdivisions, the Town should require land-owners to submit appropriate plans outlining how prime agricultural land, natural resources, and the Town's character will be protected and possibly illustrate the clustering of housing units. In addition, pedestrian linkages (sidewalks, trails) should be clearly outlined in the plan. Monitor trends occurring and map strategies for subdivision regulation revisions and/or the addition of zoning overlays in particularly sensitive areas **(Objectives: 1.C, 1.D, 1.F, and 1.J)**.

Responsibility: Town Board, Planning Board
Priority: High

Joint Action:

- Engage the assistance of a grant writer to seek funding for many of the recommendations made in this plan. The Town has presently hired a grants consultant and is outlining needs. The grant writer could seek funding for updating the land use regulations, economic initiatives, parks/open space improvements, etc. and assist the two communities in securing the necessary funding **(Objectives: 1.A, 1.B., 1.C, 1.F, and 1.J)**.

Responsibility: Town Board, Village Board
Priority: High

- Refer to their respective Planning Boards the need to update their subdivision regulations **(Objective: 1.J)**.

Responsibility: Town Board, Village Board, Planning Boards
Priority: Low

- Work with Erie County on their Master Plan for the County Park.

Responsibility: Town Board, Village Board, Planning Boards

Priority: High
Goal 2: Preserve, Protect, and Enhance the Viability of Agriculture in our Community

Town:

- The Town needs to apply for a grant from NYS Agriculture and Markets, to complete an Agricultural Protection Plan. This Plan will help to identify tools for protecting Agricultural lands and to help farmers stay in business. It will also help in prioritizing the appropriate tools (some of them listed in this Plan) and potentially opening up other grant opportunities.
- Some of these proactive approaches to farmland protection include such things as permanent protection easements on prime agricultural land, purchasing development rights, or transferring development rights (**Objective: 2.A**).

Responsibility: Town Board
Priority: High

- Work with the local primary and secondary schools and local community and 4-year colleges to promote and educate students on the importance of agriculture in the community (**Objective: 2.E**).

Responsibility: Town Board, School Districts, ECC, GCC
Priority: High

- Consider the creation and adoption of an Agricultural Protection Overlay Zoning District.

Responsibility: Town Board, Planning Board
Priority: High

- Consider updating the Town's Rural Agricultural Zoning District or create a new Agricultural District that focuses zoning on Ag uses and not residential uses. This revised or new district would also allow other business uses including Agricultural Tourism uses to allow the farmer to better make ends meet (offering other ways to make a return on their property without having to sell it for development).

Responsibility: Town Board, Planning Board
Priority: High

- Consider the creation of a voluntary agricultural easement program. If created, the Town would need to create a marketing plan for this and a way to recognize farmers who provide easements.

Responsibility: Town Board, State legislative representative
Priority: High

Joint:

- Work together on creating a Farmers Market to be located in the Village.

Responsibility: Town Board, Village Board
Priority: High

Goal 3: Provide an Efficient Distribution of Public Services that Improves the Quality of Life for All

Village:

- Continue the program of upgrading the Village's water distribution system, in an economical fashion, to ensure adequate pressure and supply for fire protection to all areas of the community served by the system (**Objectives: 3.B and 3.D**).

Responsibility: Village Board
Priority: High

- Develop long range plans for all utilities it provides to the residents of the community and to potential future users (**Objective: 3.D**).

Responsibility: Village Board, DPW
Priority: High

- Implement the recommendations of the Engineering Report for the Wastewater Treatment Facility (seek grants for this work).

Responsibility: Village Board
Priority: High

Town:

- Continue conducting a Town-wide drainage analysis and developing a stormwater management plan. Existing stormwater problem areas include ditches that cannot be maintained because the Town lacks working easements and therefore does not have access. The Town should obtain the necessary easements, allowing crews to perform maintenance functions and consider drainage district formation. Include the consideration of the recommendations listed for Newstead in the Niagara River Watershed Management Plan- see Appendix (**Objective: 3.C**).

Responsibility: Town Board, DPW
Priority: Medium

- Work with natural gas companies to encourage them to expand their services throughout the Town (**Objective: 3.F**).

Responsibility: Town Board, DPW
Priority: High

- Work with broadband providers and Erie County to expand the existing network to more Town residents (**Objective: 3.G**).

Responsibility: Town Board
Priority: High

- See the watershed report created for this Plan and the Niagara River Watershed Management Plan (both in the appendix) for recommendations and actions that can be taken by the Town.

Joint Action:

- The Town and Village should work together to promote areas surrounding the Village for more dense development (residential, commercial, and industrial). These areas may be offered sewer service (in accordance with the Village wastewater plan and this Comprehensive Plan); adding to the attraction of these sites. This would not require sewer expansion into more rural areas of the Town (**Objectives: 3.A, 3.B, 3.C, and 3.D**).

Responsibility: Town Board, Village Board
Priority: High

- Develop an emergency water plan that would help if either system went down.

Responsibility: Town Board, Village Board
Priority: High

Goal 4: Capitalize on our Resources, Assets, and Advantages to Promote Economic Opportunities

Village:

- Update the zoning code to include design guidelines for their CBD area to ensure the character is protected in the future; this should include an analysis of parking needed in the CBD. The Village CBD is an attractive asset that draws people into the two communities. By developing design guidelines for architectural and streetscape improvements that would occur over time, the Village will ensure this asset is protected long term. Architectural, streetscape and parking design guidelines, focusing on window coverage, building colors, signage/awnings and street furniture, should be developed for the CBD. Once streetscaping guidelines area established, any project proposed by the NYSDOT along Route 93 in the CBD should include these elements (**Objectives: 4.B, 4.C, and 4.G**).

Responsibility: Village Board, Planning Board, Erie County DEP, Grant Writer

Priority: Medium

- Promote continued enhancement and improvement of Village utilities to entice clean industries into the community. The cost of electricity is a major advantage to conduct business in the Village should be promoted (**Objectives: 4.A, 4.C, 4.E, 4.G, and 4.I**).

Responsibility: Village Board

Priority: Low

- Promote the Central Business District as a place for small, retail establishments that fill a specific need for residents for both Akron and Newstead. The Village could complete a market analysis to assist the CBD businesses in identifying potential deficiencies that could be filled as building vacancies become available. This would help ensure the vibrancy and health of the CBD into the future. Potentially, Community Development Block Grant funds could be used for this project; the Village should contact Erie County to determine its eligibility (**Objectives: 4.A, 4.B, 4.C, and 4.G**)

Responsibility: Village Board, CBD Businesses, EC DEP, Akron Chamber of Commerce

Priority: Medium

- Support and encourage activities that utilize the Town and County parks, walking and biking, and promote "life on Main Street."

Responsibility: Village Board
 Priority: Low

- Create an enhanced 485b program for the Central Business District to encourage investment in these properties and buildings. In conjunction with this, the Village should look for seed monies to establish a façade program for the CBD.

Responsibility: Village Board
 Priority: Medium

Town:

- Recognize the importance of agriculture as a primary industry in Newstead. As such, the Town should support incentives that protect prime agricultural land. In addition, an agricultural development plan (the recommended Agricultural Protection Plan would be the foundation for this) could be developed that would assist farmers with the economic aspects of their operations; this could be tied to the plan recently completed for Genesee County. The agriculture development plan could assist for **(Objectives: 4.D, 4.F, and 4.G):**

- Developing a capital network that could link regional investors with agricultural entrepreneurs
- Identify alternative financing available for agriculture and agricultural related businesses
- Expanding, retaining, and recruiting new agricultural business to the Town
- Integrating business support services
- Exploring labor needs and training
- Developing supporting infrastructure (i.e. high speed internet access)
- Developing educational courses

Responsibility: Town Board, Planning Board, EC DEP
 Priority: High

- Work with local primary and secondary schools to ensure that their graduates are equipped with the skills necessary to fill roles at local, major employers **(Objective: 4.C).**

Responsibility: Town Board, School Districts

Priority: High

Joint Action:

- Work with existing industries to promote their expansion, retention, and recruitment of new employees. These industries are essential to the economic vibrancy of the two communities and discussions should take place to ensure their continued success (**Objective: 4.A**).

Responsibility: Town Board, Village Board

Priority: High

- Many of the industries in the Town and Village have indicated that they have a difficult time filling positions with skilled laborers. The Town and Village should work with these industries, the Eire County Industrial Development Agency, the GBNRTC and the NFTA to determine if a designated bus route could be established to transport potential employees from the surrounding region to these industries. The industries would not only fill vacancies and increase production, but they would provide employment to currently unemployed WNY residents (**Objectives: 4.A and 4.E**).

Responsibility: Town Board, Village Board, EC IDA, GBNRTC, NFTA

Priority: Low

Goal 5: Protect Significant, Locally Important Scenic and Natural Resources

Town:

- Consider developing a boardwalk/trail system in conjunction with the existing wetlands land bank area. This system could be linked with other wetlands in the Town through a comprehensive trail system that links with the existing trail. This boardwalk would allow people to interpret and learn about the wetland ecosystem while still protecting this very important resource (**Objectives: 5.A, 5.D, 5.F, and 5.G**).

Responsibility: Town Board, NYS DEC
Priority: Low

- Consider working with the NYS DEC and the Nature Conservancy to investigate access into the Onondaga Escarpment State Unique Area and/or the Counterfeiter's Ledge State Unique Area that allows people to experience these sites without destroying the vegetation within the area; this could include acquiring the property that could link these two unique resources. This could include a trail system for pedestrians and limiting access for all motorized vehicles. In addition, the CAC could investigate the possibility of extending the boundaries of the Onondaga Escarpment State Unique Area and work with DEC towards this end (**Objectives: 5.A, 5.C, and 5.D**).

Responsibility: Town Board, CAC, Nature Conservancy, NYS DEC
Priority: Low

- In the past, several "impairments" have been identified in Tonawanda, Ledge and Dorsch Creek in the Town of Newstead. One of the primary causes appeared to be barnyard runoff and improper barnyard management. The Town needs to determine if these impairments still exist and if so, the Town should work with the NYS Department of Environmental Conservation on determining ways to improve the quality of these three water bodies. This could include the requirement of buffer strips along creeks and encouraging best management practices (work with NYS Ag and Markets) on all agricultural lands (**Objectives: 5.A, 5.B, 5.D, and 5.F**).

Responsibility: Town Board, NYS DEC, EC SWC District
Priority: Low

- Develop guidelines to protect the Onondaga Aquifer when updating the Town's land use regulations. The aquifer is an important regional resource and its protection is essential to maintaining the quality of the water supply (**Objectives: 5.A, 5.B, 5.C, 5.F**).

Responsibility: Town Board
 Priority: Low

- Begin to implement the recommendations of the watershed management plans that have been completed. These actions could help address the NYS priority waterbody impairments and protect local creeks in the two communities (**Objectives: 5.A, 5.B, 5.C, 5.F**).

Responsibility: Town Board, NYS DEC
 Priority: Low

Joint Action:

- Develop a master plan for the various publically-owned parks, conservation lands, and trails located within each of their respective municipal limits (**Objective 5.G**).

Responsibility: Town Board, Village Board, Planning Boards, Erie County
 Priority: Medium

- Improve municipal infrastructure by exploring opportunities for the utilization of solar, wind, and other alternative energy fixtures and facilities, where feasible, for municipal building and system upgrades to improve efficiency and save money. The Town and the Village could also explore a Community Distributed Generation project where a solar array is built jointly through a public/private partnership (tax benefit for private investor(s)).

Responsibility: Town Board, Village Board, Planning Boards, DPWs
 Priority: Low

- An advantageous approach to finding grant funding for future solar energy and other energy efficiency projects could be for the Town and Village to start by taking the steps to become a NYSERDA Clean Energy Community and a NYS DEC Climate Smart Community. By doing this the Town and the Village will be eligible and strategically placed to apply for grants through the NY State 2018 Consolidated Funding Application (CFA).

Responsibility:
Priority

Town Board, Village Board, Planning Boards
Low

Goal 6: Provide High Quality Community Services (School, Emergency Services, and Recreation)

Village:

- The County Park should be integrated into the physical form of the Village through the use of trails, sidewalks, and street linkages. **(Objective: 6.C).**

Responsibility: Village Board, EC Department of Parks
Priority: Medium

Town:

- Explore improvements such as active and passive recreational facilities for multi-generational use, including such things as baseball fields, basketball courts, pickle ball facilities, walking trails, bird/nature viewing centers, nature gardens, etc.

Responsibility: Town Board
Priority: High

- Continue to implement the Master Plan being completed for the Town Park on Buell Street and Skyline Park. Improvements that should be made include landscaping, signage, and the addition of park furniture. In addition, the Town should continue to link the new park with Akron Falls Park and establish a greenway trail among all parks **(Objective: 6.C).**

Responsibility: Town Board
Priority: High (Begin to Investigate Funding)

- Consider purchasing property south of NY Route 5 and developing this area as a park. This area lacks play lots and because most parks are centered in or near the Village, this area shows some deficiencies in park acreage **(Objective: 6.C).**

Responsibility: Town Board
Priority: Low

- Develop a facilities master plan to help determine the highest and best use for the various publically-owned buildings located within municipal limits **(Objectives 6.A and 6.C).**

Responsibility: Town Board, DPW
Priority: Low

Joint Action:

- Work and partner with the C. Dee Wright Community Center (7 Church Street) to offer additional programming and community engagement activities that are designed to meet the needs of underserved residents in the collective community.

Responsibility: Village Board, Town Board, C. Dee Wright Community Center

Priority: High

- The number of children according to the 2015 ACS figures represent about 23% of the overall population. Services to this age group will be important to ensure the communities remain an attractive place for young families. The Town and Village should commit jointly to maintaining and improving the services for young children. This includes providing appropriate recreation programs, and possibly encouraging new businesses to provide day care services and helping to maintain the quality of the school system(s) (**Objectives: 6.C, 6.D, and 6.E**).

Responsibility: Town Board, Village Board, & School Districts

Priority: Medium

- Each of the respective municipal websites should be regularly updated and linked to other appropriate County agencies and school districts to promote the communities (**Objectives: 6.B, 6.C, and 6.D**).

Responsibility: Town Staff, Village Staff

Priority: High

- Work with the school districts to determine if additional programming could be made available for teens, seniors, pre-school children, and other special need groups. This could include use of athletic fields/courts, cafeteria/meeting rooms, etc. In addition, the schools should be encouraged to promote their buildings as "community centers" that serve all ages and are open year-round. The Town and Village should continue to cooperate with the schools by sharing data and information (**Objective: 6.D**).

Responsibility: School Districts, Town Board, Village Board

Priority: High

- Work with the Newstead Historical Society with assisting in any mutually beneficial endeavors relating to historical issues **(Objective: 6.A)**.

Responsibility: Town Board, Village Board, Newstead Historical Society
 Priority: Medium

- Encourage the fire departments to continue to work together to promote cost saving. This includes continuing to develop a long-term plan where the two departments coordinate long-term investment in equipment and other significant purchases. This Plan must acknowledge the changes occurring and react to other trends. In addition, the current mutual aid agreement should be continued with the surrounding communities **(Objective: 6.B)**.

Responsibility: Fire Departments, Town Board, Village Board
 Priority: Medium

- Consider ways to promote and enhance additional cooperation among the police entities that serve the two communities. This would help maintain the quality of life and sense of security for people in the Town and Village **(Objective: 6.B)**.

Responsibility: Police Departments, Town Board, Village Board
 Priority: Low

- Continue working with the County to develop an overall plan for Akron Falls Park. An access to the park should be promoted from Main Street in the Village, to increase the profile of the park in the Village. A walkway should be developed along Buell Street to link the Park with East Avenue. Directional signage should be incorporated in and around the park **(Objective: 6.C)**.

Responsibility: Town Board, Village Board, EC DEP, EC Department of Parks
 Priority: Medium

- Continue developing an overall Parks and Recreation Master Plan to determine a long-term vision and improvement plan for the entire system. The Plan should develop a matrix of open spaces and recreation resources and determine the most appropriate ways to link the resources. This comprehensive approach will consider ways to link all facilities in the Town and Village to create a system of open spaces that helps define the two communities. The Parks and Recreation Master Plan should

also examine uses and users of various facilities to determine deficiencies that may exist in the two communities (**Objective: 6.C**).

Responsibility: Town Board, Village Board, EC Department of Parks, GBNRTC
Priority: Medium

Goal 7: Ensure a Safe, Efficient, and Multi-Faceted Transportation System for Residents in the Community and for Visitors

Village:

- Expand where necessary sidewalks in the municipality. This would help to ensure that pedestrians have safe passage (**Objective: 7.C**).

Responsibility: Village DPW
Priority: Medium

Town:

- Work with the NYSDOT in developing an access management plan for Route 5. Once the Plan is completed, develop and adopted appropriate access management regulations.

Responsibility: Town Board with PB assistance
Priority: High

Joint Action:

- Improve road signage to improve public safety for all users of the existing bicycle trail. The Town and Village should consider road striping to highlight crosswalks along the bicycle paths. An immediate action would be to send a letter to the County Commissioner of Public Works to request assistance with this task (**Objectives: 7.C and 7.D**).

Responsibility: Town Board, Village Board, EC DPW
Priority: High

- In general, traffic problems within the Village include truck traffic passing through the Village on Route 93, and some traffic related to the businesses and industries located in the Village that have to utilize Village streets to access their properties. The Village and the Town should request that the NYS DOT conduct a study to

determine the feasibility of developing a bypass route on the west side of the Village. A detailed feasibility analysis would be required to evaluate that concept and consider various alternative routes and configurations. A bridge closure planned for 2018 that will result in relocating traffic patterns could be utilized as a sample project for relocating truck traffic (**Objectives: 7.A, 7.B, and 7.E**).

Responsibility: Town Board, Village Board, NYS DOT, EC DPW, GBNRTC

Priority: High

- Work with GBNRTC, NYS DOT, NYS Thruway Authority, and surrounding communities to determine the need and impacts of a new interchange (if discussions arise again on this project) from the NYS Thruway. At present, the Town and the Village do not fully support any new interchange in the Town. A new interchange will greatly change the character and form of the Town and Village. Impacts that must be considered include the regional transportation network, land use, economy and environment. If proposed, the Town and Village would issue a moratorium to allow for the update of this Comprehensive Plan (**Objective: 7.B**).

Responsibility: Town Board, Village Board, NYS DOT, NYS Thruway Authority, GBNRTC, Surrounding Communities

Priority: Low

- To better address transportation issues and monitor the growing impact on the transportation network, the communities could establish a Transportation Committee that could be responsible for (**Objectives: 7.A and 7.B**):
 - Coordinating with the Erie County DEP and GBNRTC to voice community concerns and have input into the *2020 Transportation System Plan* for the Erie and Niagara region.
 - Monitoring other regional transportation initiatives/studies including the NYS Thruway Authority's toll barrier relocation study and the NYSDOT *Multi-Region Corridor Study*.
 - Initiating the viability of establishing a north-south transportation corridor that could address issues such as a truck route that by-passes the Village, and access to future industrial developments.

Responsibility: Town Board, Village Board

Priority: Medium

- Monitor and interface with NFTA to consider the establishment of rural bus routes to link the community to major regional destinations such as commercial districts, shopping centers, and employment centers (**Objectives 7.A, 7.B, and 7.C**).

Responsibility: Town Board, Village Board
Priority: Low

Goal 8: Achieve Orderly and Manageable Growth in the Community

Town:

- Update the Town's zoning ordinance to encourage new, denser housing is located in or near the Village; high density housing should only be allowed on lots near the Village once sewer is established. This is important to promote the open, rural character of the Town of Newstead. The Town should utilize "smart growth" techniques to address issues of building design, siting and massing, vehicular and pedestrian circulation, densities, landscaping and parking (**Objectives: 8.A, 8.B, and 8.C**).

Responsibility: Town Board, Planning Board
Priority: High (Coordinate with Possible Sewer Extension)

- Update the zoning ordinance to include design guidelines to control new development along NY Route 5. New development along NY Route 5 should be controlled through the use of these design guidelines. Development can take place along the entire length of Route 5 in the Town, but should be developed differently in the different areas along Route 5. The Town should investigate access management techniques and appropriate setbacks to mitigate the effects of strip development along NY Route 5. These access management techniques could include shared curb-cuts or the development of a service road with limited access points on NY Route 5 (**Objectives: 8.A, 8.B, 8.C, and 8.D**).

Responsibility: Town Board
Priority: Medium

- Prohibit the establishment of any new junk yards in the community. An improved definition of junk yard will help to discourage smaller junk yard related uses. The regulations will also prohibit the expansion of any existing junk yard type uses. The Town will work with any existing junk yards to help determine how they can best be "closed" and operations discontinued in the future (**Objective: 8.D**).

Responsibility: Town Board
Priority: Low

- Update the Town's zoning regulations to potentially increase the commercial lot size requirement along Main Street for new subdivided lots. The larger size could better allow for the development of cross connected driveways and better layouts of the lots. (**Objective: 8.D**).

Responsibility: Town Board, Planning Board
Priority: High

- Update the Route 5 Overlay to include different standards and requirements for the different identified areas along this corridor (see Vision Map).

Responsibility: Town Board, Planning Board
Priority: High

Joint Action:

- Engage residents in decision making impacting their quality of life. This could include additional advertising of Board, Planning Board, and Zoning Board meetings, regularly scheduled informational meetings or appointing community liaisons for various Town and Village functions; this could include website ads or utilizing the local newspaper (**Objective 8.A**).

Responsibility: Town Board, Village Board, Planning Board, & ZBAs
Priority: High

- Sponsor discussions with surrounding communities and other interested parties to discuss identified issues that impact all. Regional issues are affecting and will affect all of these communities to identify ways to address these issues and develop a united way of addressing future opportunities and constraints (**Objectives: 8.A, 8.B, 8.C, and 8.K**).

Responsibility: Town Board, Village Board, Planning Board, & Erie County DEP
Priority: Low

- Monitor activities at the STAMP site in Alabama. If large projects are proceeding, update the priorities of this Comprehensive Plan.

Responsibility: Town Board, Village Board, Planning Board, & Erie County DEP
Priority: High

Goal 9: Provide Diverse, Attractive, and Safe Housing

Village:

- The number of elderly is increasing in both the Town and Village. Many of these residents are interested in staying within the community as they sell their homes and move into rental properties; this could include downsized homes within the Village. The Village should prepare an inventory of potential areas that could be used for senior housing. The Village is targeted because of the proximity of services and businesses; seniors would not require an automobile to access these services. Once the inventory is complete, the Village should begin marketing to potential developers that would construct the housing. The Village must ensure that the scale of the development is appropriate with existing character (two stories) so any potential visual impacts are mitigated (**Objective: 9.B**).

Responsibility: Village Board, NYS Office of the Aging
Priority: Medium

- Provide incentives to ensure future housing developments occur in or near Akron. As the "hub" of services for the two communities, the Village should entice people to live in their community to be close to services and conveniences (**Objective: 9.A**).

Responsibility: Village Board, Planning Board, and ZBA
Priority: High

Town:

- Work with Erie County to determine if the Town would be eligible for the proposed mobile home rehabilitation program. The Town has identified the rehabilitation of mobile homes as a specific housing need within its borders and should take advantage of these funds when they become available (**Objective: 9.B**).

Responsibility: Town Board, Building Inspector, and Erie County
DEP
Priority: High

5.3 PLANNING AREAS MAP

As discussed in the Goals and Objectives Section of this Plan, another tool that was developed to help the Town and Village in making decisions about future actions in the Communities is the Planning Areas Map. This Map, when used in conjunction with the entire Comprehensive Plan, can help with future Town and Village actions that relate to geographical areas of the Town and Village. 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 Influence Area

This area represents approximately one half of a mile from the Village boundaries into the Town, or to a specific important area in the Town close to the Village. This area is influenced tremendously by the Village, and development in this area will impact the Village. Within this area there are areas of the Town that are already seeing development pressure and are indicated by arrows on the map. It also denotes the potential development pressure that could come from the Town of Alabama if the STAMP site is developed.

In making decisions about this area, the community must consider the other planning areas denoted on the plan, and the following issues:

- Connectivity/Walkability
- Infrastructure (availability and practicality)
- Adjoining Land Uses
- Environmental Restrictions
- Agricultural Resources
- Impacts to the adjoining municipality

This entire area is not a Growth Area, but some growth will be accommodated and will occur in this area, if infrastructure, when needed, is provided. This area requires special focus and will have to be planned strategically between the Town and Village.

Clarence Impact Area and High Value Agricultural Soils Area

The Clarence impact area of the Town is under direct growth pressures coming from the west and the Town of Clarence. Route 5, which is a growth corridor of the Town, runs through this area and adds to the development pressures.

This area also contains high value agricultural soils and environmentally restrictive areas. The high value agricultural soils area represents the area denoted in the Erie County Agricultural Protection Plan as having high value agricultural soils (if the Town completes an Ag Plan, this area could be revised). These two sub-areas are areas that should be

restricted or limited from development, except in targeted areas like the Route 5 corridor.

In general, special attention needs to be paid to the Clarence Impact area to prevent negatively impacting the rural-agrarian character and components of this area.

Environmentally Restrictive Areas

These areas of the Town have high concentrations of environmentally sensitive or restrictive components; Federal and NYS wetlands and their check zones, floodplains, and stream corridors.

These areas are not growth areas and should be considered for "protection/preservation" elements (Environmental protection Overlays, Conservations Areas and areas, etc.). Special attention needs to be paid to environmental impacts when any type of development is proposed in these areas.

Commercial Development Areas

These areas represent existing or growing areas of Commercial/Business development. These are primarily located in and around the Village of Akron. Careful consideration needs to be given to future Commercial/Business growth in these areas. Although noted the same way on the map, they each have their own unique characteristics. For example, the area at Route 5 and Route 93 is very different than the areas within the Village. As discussed in other sections, the Route 5 and 93 area should not compete with the commercial uses in the Village, and are very automotive (car traffic is needed) dependent uses.

Route 5 Commercial/Mixed Use

The Route 5 Corridor is not only a major transportation corridor that brings people to and through the Town, it also represents a Commercial/Business/Mixed Use development area.

This area is presently primarily zoned Commercial, but includes vacant lands, agricultural, residential, commercial and industrial uses.

The western area of the corridor is demarcated on the map with a wider area than the eastern area. It is a recommendation of this Plan to treat the eastern and western end of this corridor differently (could also include sub-areas of difference). The area at the Route 93 intersection also has its own designation and unique properties.

The western area of the corridor is within the Clarence Influence area and has some varied commercial and industrial type uses. This area needs its own zoning requirements to ensure that development is occurring at the scale desired, with the appropriate uses and representing the character of this area. The eastern end of Route 5 is more rural in

nature and is dominated by agriculture, but also includes commercial and industrial businesses and residential uses. This area should also have its own unique requirements.

Other Features of the Map

This map illustrates the Central Business District of the Village, the important farmland in the Village and other important community facilities and land uses. The map includes the “Rails to Trails” bike paths and its proposed extension. It is important to consider these features when making land use and other legislative decisions.

The map also includes the historical hamlet areas of the Town. These are illustrated because they add to the character of the Town and should be considered in land use and planning decisions.

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 for the two municipalities. 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 involve official adoption/acceptance of the document, and its distribution to local decision-makers. The following outlines an implementation framework for the Town and the Village over the next year and beyond.

Adoption:

The Town Board of Newstead and the Village Board of Akron will pass resolutions to formally adopt or accept the Comprehensive Plan update.

Distribution:

Copies of the final Comprehensive Plan should be distributed to municipal leaders such as Town/Village 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. 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 and Village 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 Town Board and the Village should formulate a targeted list of activities to be accomplished in the first year. This list should reflect the current priorities of the Town and the Village, 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 and the Village can make significant progress. The Action Plan should include the items that each of the respective boards feel most strongly about, because there is more likely to be progress on items that are priorities. The list 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 Town Board and Village Board should decide how to best allocate assignments. For each item in the Action Plan, the boards 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 and Village 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 and Village Board should identify potential partners to help accomplish their goals. These can be private organizations who are championing a specific cause, partner municipalities, 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 and the Village Board are the central clearinghouses for issues in their respective municipalities. These boards should seek out ideas and recommendations from their respective residents and staff, and, as noted above, actively coordinate with and other organizations and groups that are addressing similar issues.

Tools:

The Town and the Village 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 and the Village 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 and the Village 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 boards 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 and the Village Board has standing to advocate for the projects recommended in the Comprehensive Plan. 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 and Village's priorities and vision, and may lead to assistance toward achieving the Town's and the Village's goals.

Intergovernmental Relations:

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

Comprehensive Plan Updates:

The Town/Village 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 and the Village 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

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). 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.

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 Newstead and Village of Akron, the following potentially significant adverse environmental impacts could occur if the communities do 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 and Village to lessen the negative impacts of land use and development decisions.

6.2.1 Impacts on Land *(See Map 1: Environmental Conditions and Map 4: Agriculture)*

- The Town of Newstead 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 Village of Akron is a rural center with areas of dense development and some undeveloped and less dense areas.
- The Town of Newstead has areas of hydric soils, and wetlands and floodplains. There are also some areas in the Town with slopes greater than 15 percent. The Village also includes floodplains, wetlands and areas of steep slopes. Improper development of these areas could result in drainage, flooding and/or erosion problems within the Town and Village and in downstream areas.
- There are large areas in Newstead 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.
- The Onondaga Escarpment runs through the Town and Village.

- Some locations in the Town of Newstead contain significant areas of mature woods. 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 1: Environmental Conditions)

- Tonawanda Creek, Beeman Creek, Ledge Creek, Murder Creek, and numerous other tributaries of these waterways run through the Town of Newstead and some impact the Village of Akron. 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.
- Many residences in the Town discharge of sanitary waste (septic systems) into the ground (potentially affecting ground waters). The Village's wastewater treatment plant discharges is treated waste into Murder Creek, just north of the Village.
- 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.
- Some of the streams are considered to be higher Class streams.
- The Onondaga escarpment provides some unique habitat areas.

6.2.4 Impacts on Agricultural Land Resources (See Map 4: Agriculture)

- Large portions of the Town are located in designated agricultural districts. One of the predominant land uses and economic activity in the Town is agricultural, and most of the Town is zoned Rural Agricultural.
- Agricultural uses have had some decline over the past decade, although agriculture remains very important in the Town (noted as significant in the Erie County Agricultural Protection Plan).

6.2.5 Impacts on Aesthetic Resources

- The aesthetic resources of the Town of Newstead and Village of Akron 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 and Village are identified in Section III.
- 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.

6.2.7 Impact on Critical Environmental Area

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

6.2.8 Impact on Transportation

- The transportation system in the Town of Newstead and Village of Akron is heavily based upon roadways and automobiles. Public transportation is very limited.
- The major roadway corridors in the Town and Village are described in Section III.
- Travel for pedestrians and bicyclists can be difficult in the Town, except for the designated bike path. Access is easier in the Village but could be improved.
- Poorly planned development in the Town and to a smaller extent in the Village has the potential to adversely impact the transportation network. Although the roads are mostly of acceptable levels of Service, 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 and Village has been relatively stable.
- The Town saw a total of 24 new homes built in 2015 through 2016.
- The Comprehensive Plan supports directing residential growth mainly toward the areas of Town in or adjacent to the Village and in other designated areas and corridors.
- The Village of Akron has a central business district and is a service center for the Town of Newstead. The Village also includes an area that has Industrial uses. The Town recognizes the importance of the Village and wishes to provide support for these businesses.
- The Town supports additional commercial and industrial growth in certain designated areas of the Town, including along Route 5, in order to support tax base and employment opportunities.

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 Akron and Route 5, and within targeted areas within the Village, will be encouraged. Extensions of infrastructure outside of the Village has the greatest potential to induce growth.

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/redirection 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, and maintenance of policies, such as the Town's Right to Farm legislation, that support farmers.

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 Newstead.

6.5.3 Impacts on Plants and Animals

- As discussed previously, the Newstead 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 Towns' overall rural character and the Village's rural center 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 map and are considered an integral part of the Town and Village's future.

6.5.7 Impacts on Critical Environmental Areas

- There are no CEA's in the Newstead/Akron community.

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.
- Actions such as access management plans are being suggested to minimize potential impacts from traffic.
- 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 and in the Village.
- Public transportation in the region is minimal and the Village will continue to work with the County and Niagara Frontier Transportation Authority in trying to improve public transportation.
- The rails to trails project is extremely important to the communities and will continued to be enhanced and expanded.

6.5.9 Impact on Growth and Character of Community or Neighborhood

- Population trends suggest that the growth rate in the Town and Village will remain modest, but could be influenced by surrounding communities.
- 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 and Village 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 and Village, the "No Action" alternative was considered. However, to enable the Town and Village 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.