

Town of Deerpark

Orange County, New York



Comprehensive Plan

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Town of Deerpark Town Board
Town of Deerpark Planning Board
Shepstone Management Company



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Upper Delaware Council, 211 Bridge Street, PO Box 192
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Copies available at: www.shepstone.net/DeerparkPlan

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Foreword

This Plan was prepared by the Town of Deerpark Planning Board with the support of the Town of Deerpark Town Board. We are particularly appreciative of the support of Town Supervisor Jim Chandler in this endeavor and the contributions of the Orange County Water Authority. Shepstone Management Company guided us in the preparation of this document.

This Comprehensive Plan, updates and replaces the original Comprehensive Plan prepared in the late 1980's. It is intended to offer a concise description of the Town of Deerpark and its needs as of 2002. It is also, of course, designed to provide a policy framework for the Town as it faces the future. The Town is fairly very rural in some respects but is also situated in the middle of great deal of activity with major consequences for the County and the region. Among the purposes of this Plan is taking a long range view of this activity as it impacts upon Deerpark.

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1.0 Background Studies

1.1 Regional Location and History

1.1.1 Regional Setting

The Town of Deerpark is roughly triangular in shape, with two of those three sides shaped by natural landforms. The southeastern boundary, dividing the Town of Deerpark from the Towns of Greenville and Mount Hope, follows the ridge line of the Shawangunk Mountains, the highest point of which is 983 feet above sea level. The southwestern boundary, dividing the Town from the Towns of Lumberland (NY) and Westfall (PA), is composed of the Mongaup River, which drains the Rio Reservoir (water source for a hydroelectric generating station of what is now or formerly Orange & Rockland Utilities, and the Upper Delaware, a National Scenic and Recreational River. The third side of the triangle, the northern boundary, is a straight line political boundary between Orange County and the Towns of Forestburgh and Mamakating in Sullivan County.

1.1.2 Historical Resources

The Town of Deerpark has a rich and colorful history well documented in several histories of the County and the region. Historical communities and sites abound. The following is supplied by Town of Deerpark Historian Norma Schadt:

The Town of Deerpark is nestled among lakes, streams, rivers and mountains and is bounded by the Delaware and Mongaup Rivers and the Shawangunk Mountains. The wetlands of the Basha Kill and the Neversink River are also prominent features located within or near the Town. Geography has been a major factor in the Town's growth and development, this land having been the frontier of early America. Covered wagons carrying pioneer stock trundled westward from the Hudson River to settle here. A settler named McDaniel enclosed a small tract of land with a fence made of brush. Some of his neighbors called it McDaniel's "Deerpark" and soon the entire area was known by that name.

Seven hamlets, Cahoonzie, Cuddebackville, Godeffroy, Huguenot, Rio, Sparrowbush and Westbrookville make up the Town of Deerpark. The origins of these names reflect the history of the town.

- Cahoonzie is located on land where the Cahoonshee Indians lived and where Chief Cahoonzie is buried.
- Cuddebackville is named for William Cuddeback, a colonel in the War of 1812 and a

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descendant of one of the first families.

- Godeffroy is named for Adolphus E. Godeffroy, an active participant in the Port Jervis & Monticello Railroad. He built an extensive estate in the area which now bears his name.
- Huguenot originally was called "Sindeaquan" by the Lenni Lenape Indians. The earliest settlers called this area "Peenpack." Later the hamlet was named in honor of the early Huguenot refugees who came here seeking religious freedom.
- Rio was known as "Quarry Hill." Bluestone from local quarries was mined and shipped via the D & H Canal to New York City for its sidewalks. When the town requested a post office, they were notified that there was another town named Quarry Hill in New York. The citizens then decided to name their hamlet Rio in honor of Ben Ryal, a post master who had been instrumental in organizing the post office. Apparently, when his name was spoken, the letter "I" was dropped so that his name sounded like "Rio".
- Sparrowbush originated from Henry L. Sparrow, owner of a large tract of timberland near the D & H Canal. This land had been called Sparrow's "Bosh", meaning Sparrow's slope or Sparrow's "Bosk" meaning Sparrow's thicket or woods. Over the years it changed to its present name, Sparrowbush.
- Westbrookville was named for Dirck Van Keuren Westbrook, an early settler. Fort Westbrook, dating back to the American Revolution, still stands.

The peaceful Lenni Lenape Indians were the first inhabitants. Chief Penhorn and his tribe inhabited about 780 acres of fine natural meadow land on the east side of the Neversink River. In 1690, William Tietsoort, the first European inhabitant in the valley, was asked to move here by the Lenni Lenape to build a blacksmith shop to make much needed tools.

A 1,200 acre patent of land was granted in 1697 to Jacques Caudebec, Thomas Swartwout, Anthony Swartwout, Bernardus Swartwout, Jan Tyse, Peter Germar (Gumaer) and David Jamison. They were sturdy Dutch and French Huguenot farming families and lived peacefully with the Lenni Lenape.

With the early rumblings of the French and Indian War, the local residents were asked to form a militia in preparation for the possibility of war. This broke the trust of the Lenni Lenape who subsequently moved west to the Ohio Territory.

Many families traveled along the Old Mine Road, America's oldest 100 mile road, to settle in this fertile valley watered by pristine rivers. They were not, however, to live in peace. The boundary line between New York and New Jersey was still undetermined. Both states wanted

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the best farm lands along the disputed boundary line, which at that time cut across the entire town. Residents on both sides fought and kidnaped each other and destroyed each other's homes and property during "The New Jersey-New York Border War." Finally, on September 1, 1773, the present boundary line was established by England.

The state legislature, in 1798, created Sullivan and Rockland Counties from the lands of Orange and Ulster Counties. Five towns from Ulster County were incorporated into Orange in order to maintain the size of Orange County. Deerpark was formed from the Town of Mamakating in Ulster County.

On October 13, 1778, during the American War of Independence, Colonel Joseph Brant and his raiders approached by way of an old trail from the Mongaup River to Huguenot. The order of attack went from south to north ending at Fort DeWitt in Cuddebackville. Brant returned again on July 20, 1779 bringing with him twenty-seven Tories and sixty Indians to fight against the settlers. It was this raid that led to the major battle at Minisink Ford where many local militiamen lost their lives. It also was the source of "The Painted Apron Story" at the Black Rock School, a local folk tale, which has become a part of our history.

When the War of Independence ended, the pioneer spirit took hold again and some residents left this valley to follow the westward dream. The abandoned land enabled those who remained to enlarge their holdings and build bigger farms and mills.

The construction of the D & H Canal (1828-1898) changed the Town of Deerpark. Primarily, it was constructed to provide much needed Pennsylvania anthracite coal to New York City. Other goods, such as bluestone, cement and lumber, were shipped as well. The route of the canal through Deerpark was determined by the relative ease of construction through this valley. New industries were created and old ones expanded. Quarries, tanneries, lumber mills, boat yards, supply stores, blacksmith shops, carpenter shops were busy places along the canal. Homes were built making schools, churches and public buildings necessary. Many of these buildings remain throughout the Town.

The Town's make up changed once again with the advent of the railroad. In 1868, the Monticello & Port Jervis Railroad Company started to bring people to Deerpark for vacations and to enjoy the natural beauty of the rivers and mountains. A thriving resort industry arose. The railroad also was instrumental in making commercial dairying in the Neversink Valley a viable occupation. Each farm within a convenient distance of a railroad had a "milk stop" to pick up cans of milk to ship to New York City. Most of these farms began to disappear in the middle of the 20th century as it became necessary to increase farm sizes to be profitable.

The automobile brought even more people to the town. Among them was D. W. Griffith. Between 1909 and 1915, he made many films using the majestic mountains and flowing rivers as

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natural backdrops. The Neversink Valley Area Museum in Cuddebackville regularly shows the classic silent movies.

The recognition of our history is an ongoing part of our community. The Neversink Valley Area Museum has exhibits about life on the D & H Canal, including boat rides on the canal. School children visit the museum to learn about the Lenni Lenape. The town has restored an 1863 brick schoolhouse for community use. Other one room schools have been converted into private homes.

Geography remains an important part of the Town's identity. Camps care for natural areas and teach environmental education courses. The Nature Conservancy has extensive holdings of environmentally fragile sections of the Neversink River. The Orange County Land Trust protects additional areas. The Orange County Parks Department has developed a lovely park to preserve one of the few sections of the D & H Canal which still holds water. New York State has designated Route 97 and the Hawk's Nest as the Upper Delaware Scenic Byway. The New York State Department of Environmental Conservation has set aside land as an eagle preserve. All of these places give visitors and residents the opportunity to enjoy activities such as fishing, hunting, canoeing, rafting, camping, hiking, and bird watching.

Reflecting on the past is a key to planning for the Town's future. It is also important to understand change will continue to be a part of the picture. Some changes already are in progress, such as the plans for building an Interpretive Center near the Mongaup River by the National Park Service and the plans for the creation of a walking/biking trail along the abandoned D & H Canal towpath from Westbrookville to Cuddebackville by the Orange County Parks Department. These plans show how Deerpark history affects present day changes. Deerpark's history is one of its most valuable economic resources.

The Town needs, for precisely this reason, to highlight its historical sites and provide visitors with more sightseeing opportunities. It has the ideal organization, the Neversink Valley Area Museum, from which to do this. Historical marker research was done in the 1930's and a number of the recommended markers were placed, although not all. Lost and destroyed historical markers have been replaced every year since 1996. Two new markers, (Huguenot School and Hawk's Nest) have been erected. All of the existing 1930s historical markers have been painted, catalogued, photographed, mapped and are in process of being reported to the State. The Department of Transportation will receive a list of all missing markers on State routes to be included in their replacement program.

The Town Historian's Office at the Huguenot School offers the following: historical records, displays, maps, original documents and other research materials about the Town. Cataloguing of available photos has been completed. Original documents are now in the process of being catalogued. When this entire project is done, all of these records will be entered on the "Past

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Perfect" computer program, which is the program used by the Minisink Valley Historical Society and the Neversink Valley Area Museum. This makes research and an exchange of materials very easy. The Huguenot School is on both the State and National Historic Registers.

The Town is in the process of locating and mapping all of the small cemeteries within the Town. These will be printed on a map from the Orange County Water Authority and will be made available to the Town Board, Planning Board, Zoning Board of Appeals and other interested parties. The New York Cemetery Law provides for the protection of these cemeteries.

The Town is in a unique position in that most of the Orange County section of the D & H Canal Tow Path runs through the entire town. The D & H Transportation Heritage Council, which works with all of the communities and organizations located within the D & H Canal Corridor, is working to create a tourism link from the coal fields of Pennsylvania to Kingston. This effort was featured in a recent New York Times Travel Section article. The Town of Deerpark is a member of this organization. Additional signage in the Town designating the Canal Towpath would also be helpful for tourism.

Historical Resources Recommendations:

- A. The Town should work with the Neversink Valley Area Museum (and with the Minisink Historical Society) to further expand its marker program using the 1930's research and other sources as a foundation. It would be well worth the investment and could be expanded to include sites of scenic and natural interest (e.g. the Canal Towpath), tied together by the use of a common theme and signing program, linking the trail of markers to the Upper Delaware Scenic Byway. The Town has already taken a large step in this direction with a new marker for the Hawk's Nest that commemorates the Byway dedication on September 21, 2002. Brochures tied into these markers could be distributed at various locations both public and commercial. An audio cassette or cd-rom disk further explaining the sites to encourage self-guided tours would also be excellent. The Town Historian's Office at the Huguenot School would be a good distribution point as would the Town Hall and several other locations.
- B. The Town should work with Orange County under their Rails to Trails program to create a trail from Westbrookville to Cuddebackville with a future extension to the Port Jervis Trail. Grant funds are available to the County for the former.
- C. Historic homes should be surveyed for possible placement on National Register. A number of people have requested forms from the Historian's Office. However, a concerted effort could add many more homes to the register. The State Historic Preservation Office will provide workshops for interested residents and these should be arranged from time to time. This will require extensive preparation work to identify

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persons who might be interested in the program.

- D. Historic districts should also be considered for addition to the National Register. Main Street, Sparrowbush, which was a very important neighborhood during the D & H Canal days, is one possibility.
- E. Attractive welcome signs should be placed at all entrances to the Town (11 in all). Signs should use the Deerpark Bicentennial logo (map and hamlets) so that visitors understand the makeup of the Town. A search for grant money to help pay for this project should begin as soon as possible. Many towns have done this through local Chamber of Commerce programs.
- F. A large street map should be in front of Town Hall for visitor reference. It would also be helpful for new residents. The map funded by the Upper Delaware Council several years ago should also be updated, reprinted as necessary and distributed from multiple locations. It should serve as a "Welcome to Deerpark " brochure for new residents. This, too, could be done on a commercial basis through a combined effort by the Town and local businesses.
- G. The Town of Deerpark website, in the process of being created, should depict historic, scenic and natural interests, as well as Town information. It should feature the same themes as used on signage and in brochures. It should incorporate an interactive map of Town historic sites and other attractions that will allow visitors to gain more information on specific sites by clicking on map links. It should also designate various "trails" that visitors can take by car, bike or foot to see Deerpark's attractions with a featured link to the Upper Delaware Scenic Byway and the Upper Delaware Scenic and Recreational River. Finally, it should for economic and community development purposes, also include links and data regarding Town businesses and civic organizations. The address will be:

www.townofdeerpark.org

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1.2 Natural Features

1.2.1 Terrain

Buck Knoll, at 1,369 feet above sea level forms a conspicuous elevation, but the highest elevation is an unnamed promontory northwest of Big Pond that measures 1,448 feet above sea level, while the lowest is at the confluence of the Neversink River with the Delaware River, approximately 430 feet above sea level.

The Neversink River, which has its origins in the Catskill Mountains (where it is impounded to form a reservoir providing water for the City of New York), flows through the Town traveling south to a point below Cuddebackville, where it makes a right-angle turn to flow southwest, paralleling the Shawangunk ridge, until it joins the Delaware River at Tri-States Rock, the meeting of the States of New York, New Jersey and Pennsylvania. There are shallow falls along the upper third of that stretch through the Town, while the lower two-thirds hug the base of the Shawangunk Mountains, which rise steeply above it.

A similar, though even more extreme, elevation differential exists along that stretch of the Delaware River north of Sparrowbush, an area called Hawk's Nest. Halfway up that elevation differential is New York State Route 97, cut into the rock and, with hairpin turns, following the curvilinear face of the steep slopes cut by the meandering Delaware River below. That stretch of road has, with good reason, been likened to road passes through the Swiss Alps and featured in many automobile commercials and magazines.

Basically paralleling the lower two-thirds of the Neversink River through the Town and then continuing in a straight line to parallel the Basher Kill was the Delaware and Hudson Canal, a major engineering and transportation feat of the late 19th Century, by which coal, wood, slate and curbstones were shipped from Northeastern Pennsylvania to New York City, the canal stretching from Port Jervis to Kingston. Much of the canal bed and its adjacent towpath are still intact, albeit overgrown.

Besides the canal, human intrusions on the natural terrain take several major forms: the main line of the Erie-Lackawanna Railroad (now part of the Norfolk-Southern system), with commuter trains linking Port Jervis and New York City (via transfer to PATH at Hoboken, NJ) and freight trains traversing the same tracks and traveling even further west to and through Pennsylvania; several underground natural gas pipelines; the Marcy South 345 kilo volt transmission lines of the New York State power grid; the eighteen hole golf course of the Port Jervis Country Club; and numerous quarry and gravel pits.

Environmental constraints have been incorporated into the Orange County Water Authority's Geographic Information System (GIS). This system can and has been used to generate tailored

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individual and composite maps of State and Federally regulated wetlands; other wet, poorly drained soils, as identified by the Natural Resources Conservation Service; FEMA flood plains; and steep slopes. Those maps are not included as part of this text but are available in multiple formats from the Authority at any time. This is one of the key advantages of a GIS system and one which makes it unnecessary to include the maps in this document. Several have been used, however, in the course of preparing this Plan.

1.2.2 Water Resources

There are numerous natural and man-made lakes and ponds within the Town. These include water bodies by the name of Snyder, Heinlein, Martin, Marling, Sand, McAlister, Prospect, Boehmler, Big, Little, Cahoonzie, Beaverdam, Guymard, Walls, Helen and Holley's. The Town also includes the three reservoirs of the City of Port Jervis water supply.

Other streams within the Town, mostly tributaries either to the Neversink or the Delaware, are the Shingle Kill, the Steeny Kill, the Bush Kill and the Sparrowbush Kill. There is also the Basher Kill, which flows southward through a swampy area known as the Bashakill State Wildlife Management Area (which includes a large wetland in Sullivan County). Another State Wildlife Management Area is Cherry Island, located midstream in the Delaware River north of the hamlet of Sparrowbush. Besides the Bashakill swamp, there are several other large swamps within the Town: Long, Round and Steeny Kill being among them.

Wetlands and flood plains have been mapped by the State and Federal governments. New York State has formally recognized that the public interest is served through the preservation of major freshwater wetlands. These areas serve as the base of the terrestrial food chain, the habitat of many rare and endangered species and the absorption intakes for ground water reserves and aquifers on which so many public and private water supplies depend. The State's Department of Environmental Conservation bears the responsibility for protecting these areas, which they do by discouraging significant development within their mapped bounds, and by severely restricting the kinds of activities that can take place within a 100 foot buffer of such designated freshwater wetlands.

A sand and gravel aquifer in the valleys of the Neversink River and Basher Kill extends twenty-eight miles from Summitville in Sullivan County to Milford, Pennsylvania, including its twelve mile midsection which lies in the Town of Deerpark. Its location is displayed on the map following. It averages one mile wide and stores about 11.3 billion cubic feet of water or about 84.4 billion gallons. A thin layer of fine sandy and silty soil overlies some of the surface of the aquifer. The fine sand is more than fifty feet thick near Port Jervis, north of the confluence of the Neversink and Delaware Rivers. The thickness of the aquifer ranges from less than 10 feet to more than 150 feet, but is variable because of the irregular surface of the underlying bedrock. The Frimpter Report, which addresses the groundwater resources of Orange County, estimated that

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the safe dependable daily yield of that aquifer is 100 million gallons. This aquifer requires protection from incompatible land and water uses and the proposed Zoning Law attached includes regulations of such uses.

These wetlands and stream valleys include many outstanding features deserving of protection. These include rock outcrops and promontories, waterfalls, scenic vistas and eagle nesting places and flyways. Some of the unique natural resources within the Town of Deerpark are protected as state wildlife management areas, some as state designated wetlands, some through public or responsible institutional ownership, and still others through the Upper Delaware Scenic and Recreational River designation; but the Town's Zoning Law is still the most valuable tool in this regard.

1.2.3 Soils

The Natural Resources Conservation Service of the U.S. Department of Agricultural has mapped and classified soil types throughout the Town. Soils with seasonal high water tables (three feet or less from the surface) make poor locations for subsurface sewage systems and homes with basements. Steep slopes, where there is a grade of 15% or more also makes placement and proper functioning of septic systems difficult. Furthermore, driveways with slopes in excess of 15% are often too steep for emergency vehicles and difficult to access safely in inclement weather.

The Natural Resources Conservation Service has summarized the general characteristics of the more than 70 soil types that appear in the Town, assigning them to 15 different groups according to their common characteristics. This information appears in the Table of Soils Groups on the following pages. Based on soil characteristics, the Natural Resources Conservation Service has also made recommendations regarding the use and requirements of each group, particularly as they relate to on-site septic systems, buildings with basements and erodibility.

The Town has further reduced these fifteen different groups to six different classifications for purposes of establishing minimum lot sizes based on soil capabilities. Three are generally hospitable to residential development dependent on individual wells and septic systems, while three are generally not suitable. The latter three have severe development constraints, consisting of poor drainage, susceptibility to ponding and flooding, erosion and sluffing and steep slopes (in excess of 15%) with rapid surface runoff. However, sewage treatment technology has advanced in recent years and more accurate methods of testing soils for sewage disposal have evolved. Therefore, any classification system needs to allow for detailed on-site soils testing by engineers for purposes of finding pockets of more suitable soils or using new technology to design innovative sewage systems that can take place on smaller existing lots than would be otherwise demanded. Such designs, however, must be justifiable to the Town Engineer and meet the rigorous standards of the County Department of Health and other involved agencies.

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The following table of soils classifications suggests minimum lot sizes for new residential development dependent on individual wells and septic systems (existing non-conforming lots excepted). A Soils Map depicting these areas has also been produced for display.

Suggested Lot Sizes Based on Soil Characteristics

<u>Soil Classification</u>	<u>Minimum Lot Area</u>
1 - Soil Group I (Well Drained Soil)	1.00 Acre
2 - Soil Group II & III (Well Drained Soil)	1.00 Acre
3 - Soil Groups IV to VI (Moderately Drained Soil)	1.50 Acres
4 - Soil Groups VII, VIII and XII	3.00 Acres
5 - Soil Groups IX, XI and XIII (Steep Slopes)	6.00 Acres
6 - Soil Groups X, XIV and XV (Flooding & Ponding Soils)	10.00 Acres

As noted above, new technology of sewage disposal allows use of alternative systems in many cases that can make soils, previously thought unusable, practical for building. The Town has a local law requiring professional engineer design of sewer systems. This tool, along with alternative disposal technologies and conservation subdivision techniques, where the market supports them, can and should be used to deal with the soils limitations set out herein.

Detailed Table of Soil Groups

Group I

Soils Developed in Sands and Gravel, Nearly Level Through Sloping

The soils in this group are excessively well through well-drained, medium and coarse-textured and are formed in glacial outwash plains, terraces and stream valleys. They are underlain by water deposited beds of sand, or sand and gravel. These soils have moderately rapid to very rapid permeability. The seasonal high water table and bedrock are below 6 feet. Slope ranges from 0 to 15 percent.

Soils included in this group are:

OtB, OtC (1A, 1B, 1C) - Otisville gravelly sandy loam;
OkA, OkB (2A, 2B, 2C) - Oakville loamy fine sand;
HoA, HoB, HoC (9A, 9B, 9C) - Hoosic gravelly sandy loam;
CnA, CnB, CnC (10A, 10B, 10C) - Chenango gravelly silt loam; and

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RhA, RhB, RhC (13A, 13B, 13C) - Riverhead sandy loam

Group II

Soils Developed in Very Fine Sands/Silts, Nearly Level to Gently Sloping

The soils in this group are well-drained and occur in areas where glacial lake sediments have accumulated. These sediments contain very fine sands and silts. These soils are moderately permeable and have a seasonal high water table of 6 feet plus. Slope ranges from 0 through 8 percent.

There are no known soils in this group within the Town of Deerpark.

Group III

Soils Developed in Coarse Silts and Loam With a Firm Basal Till Layer, Nearly Level Through Sloping

The soils in this group are well-drained, medium to moderately coarse-textured, and are developed in thick glacial till deposit of the upland. These soils are moderately permeable in the upper 30 inches and slowly permeable below 30 inches. The water table and bedrock are generally 6 feet or deeper. Slope ranges from 0 to 15 percent.

There are no known soils in this group within the Town of Deerpark.

Group IV

Soils Developed in Coarse Silts and Loam With a Firm Fragipan, Nearly Level Through Sloping

The soils in this group are well to moderately well-drained. The soils are underlain by compact glacial till, and have a fragipan 16 to 30 inches below the soil surface. These soils are moderately through very slowly permeable and have a seasonal high water table at 1-1/2 feet through 4 feet. Bedrock is usually below 6 feet.

Soils included in this group are:

CgA, CgB (5A, 5B) - Castille gravelly silt loam;

SwB, SwC (20B, 20C, 34B, 34C) - Swartswood gravelly loam;

WuB, WuC (35A, 35B, 35C, 36A, 36B, 36C) - Wurtsboro gravelly loam; and

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MdB, MdC (40B, 40C, 41B, 41C, 42C) - Mardin gravelly silt loam.

Group V

Soils Developed in Heavy Silts and Clays, Nearly Level to Gently Sloping

The soils in this group are moderately well-drained and occur in areas where glacial lake sediments have accumulated. These sediments contain clay and heavy silts. These soils are slowly permeable, very unstable, and have a high shrink and swell potential. The water table is from 1-1/2 to 3 feet. Bedrock is generally below 6 feet. Slope ranges from 0 to 8 percent.

Soils included in this group are:

ScA, ScB, (80A, 80B) - Scio silt loam.

Group VI

Soils Developed in Medium Sands and Silts Influenced by Bedrock and Surface Stones, Nearly Level Through Sloping

The soils in this group are well to moderately well-drained, and occur on the tops and sides of drumlin hills. The soils are underlain by compact glacial till and have a fragipan that ranges from 16 to 30 inches. The soils in this group have a surface stoniness conditions and shallowness to bedrock problem. On-site investigation is a must on these soils. Slope ranges from 0 to 15 percent.

Soils included in this group are:

BnB, BnC (77B, 77C) - Bath-Nassau shaly silt loam: and
SXC (020BC) - Swartswood & Mardin, very stony soils.

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Group VII

Soils Developed in Silts, Clays and Very Fine Sands That Are Wet, Nearly Level to Gently Sloping

The soils in this group are somewhat poorly drained and occur in concave areas in the glacial till upland. These soils are very fine sands through silty clay loam texture. Permeability is slow to very slow. The seasonal high water table is 1/2 to 1-1/2 feet. Bedrock is generally 6 feet plus. These soils are subject to ponding.

Soils in this group are:

Fd (7) - Fredon loam;
ErA, ErB (25A, 42A, 42B) - Erie gravelly silt loam;
Ra (81) - Raynham silt loam; and
ESB (025B, 025AB, 033AC, 042AB, 080AC) - Erie extremely stony soils.

Group VIII

Soils Developed in Silts That Are Influenced By Bedrock, Nearly Level Through Sloping

The soils in this group range from being excessively well-drained to being poorly drained, but most are in the well-drained category. They occur mostly in the rougher areas of the upland. The soils are underlain by hard bedrock, and some areas contain exposed rock outcrops. In most places, hardrock is found from 20 to 40 inches below the soil's surface. Permeability is moderate to slow above the bedrock. Where limestone bedrock occurs, severe cracks and voids in the rock must be considered. Slope ranges from 0 to 15 percent.

Soils included in this group are:

FaC (3A, 3B, 3C, 073AC) - Farmington silt loam;
LdB, LdC (75A, 75B, 75AB, 75C) - Lordstown channery silt loam;
ANC (075AC) - Arnot-Lordstown rocky soils;
RKC (076AC) - Rock outcrop - Arnot complex; and
RSB (077AC) - Rock outcrop - Nassau complex.

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Group IX

Soils Developed in Silts, Clay and Very Fine Sands That Pond, Nearly Level

The soils in this group are poorly to very poorly drained, with a seasonal high water table at 0 to 1/2 foot. These soils are located in flat concave areas in the landscape. Permeability is very slow. A ponding condition will occur during most of the year. In some areas these soils are located along streams and are subject to infrequent flooding. Slope ranges from 0 to 3 percent.

Soils included in this group are:

- Ha (8) - Halsey silt loam;
- Ab (26, 43) - Alden silt loam;
- Ca (4A, 4B, 82, 97) - Canandaigua silt loam; and
- AC (37, 026) - Alden, extremely stony.

Group X

Soils Developed in Very Fine Sands and Silts That Flood, Nearly Level

The soils in this group are nearly level and are in the floodplains of stream valleys. All these soils are subject to flooding with the lower-lying, poorly drained soils being flooded most frequently. The seasonal high water table fluctuates with the stream level. Permeability is moderate through very slow. Slope ranges from 0 to 3 percent.

Soils included in this group are:

- Tg (88) - Tioga silt loam;
- My (89) - Middlebury silt loam;
- Wd (90, 91, 92) - Wayland silt loam;
- Be (99) - Basher fine sandy loam;
- Ba (199) - Barbour fine sandy loam;
- UF (100) - Udifluvents-Fluvaquents complex; and
- Su (101) - Suncook sandy loam.

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Group XI

Soils Developed in Very Fine Sands, Heavy Silts and Clays, Gently Sloping

The soils in this group are well to moderately well-drained, and occur in areas where glacial lake sediments have accumulated. These sediments are in layers composed of silts, very fine sands, and clay. These soils are slowly permeable, very unstable and have a high shrink and swell potential. The water table ranges from 1-1/2 to 6 feet. Erosion and sluffing on these soils is severe. Bedrock is generally below 6 feet. Slope ranges from 8 to 15 percent.

There are no soils included in this group in the Town of Deerpark.

Group XII

Soils Developed in Sands and Silts That Are Influenced by Steep Slopes, Moderately Steep to Steep

The soils in this group are all soils that occur on slopes ranging from 15 through 25 percent. Slope percentages in some units are combined. The range of these soils is 15 through 35 percent. These soils are rated rapid for surface runoff.

Soils included in this group are:

OtD (1D) - Otisville gravelly sandy loam;
HoD (9D) - Hoosic gravelly sandy loam;
RhD (13D) - Riverhead sandy loam;
SwD (20D, 20E, 334D) - Swartwood gravelly loam;
WuD (35D) - Wurtsboro gravelly loam;
SXD (020DE) - Swartwood & Mardin, very stony soils;
RMD (074DE, 074F) - Rock outcrop - Farmington complex
AND, ANF (075DE, 075F) - Arnot-Lordstown complex;
RKD (076DE) - Rock outcrop - Arnot complex; and
RSD (077DE) - Rock outcrop - Nassau complex.

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Group XIII

Soils Developed in Sands, Silts and Clay That Are Dominated by Very Steep Slopes

The soils in this group are all soils that occur on slopes ranging from 25 through 45 percent. These soils are rated very rapid for surface runoff.

Soils included in this group are:

OVE (01#) - Otisville & Hoosic soils; and
RKF (076F) - Rock outcrop - Arnot complex

Group XIV

Soils Developed in Organic Material, Nearly Level

The soils in this group occur in depressional areas where surface organic materials are generally 5 feet or greater. These areas are subject to either flooding or ponding, and are covered with water most of the year.

Soils included in this group are:

Ce (94) - Carlisle muck, very deep; and
Pa (96) - Palms muck.

Group XV

Water Bodies and Marshland

This group consists of marshland and water bodies within Orange County. The marshland has approximately 1 to 2 feet of water during most of the year. All ponds and lakes are also included in this group.

The mapping unit in this group is:

HH (103) - Histic humaquepts.

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1.3 Population and Economic Base

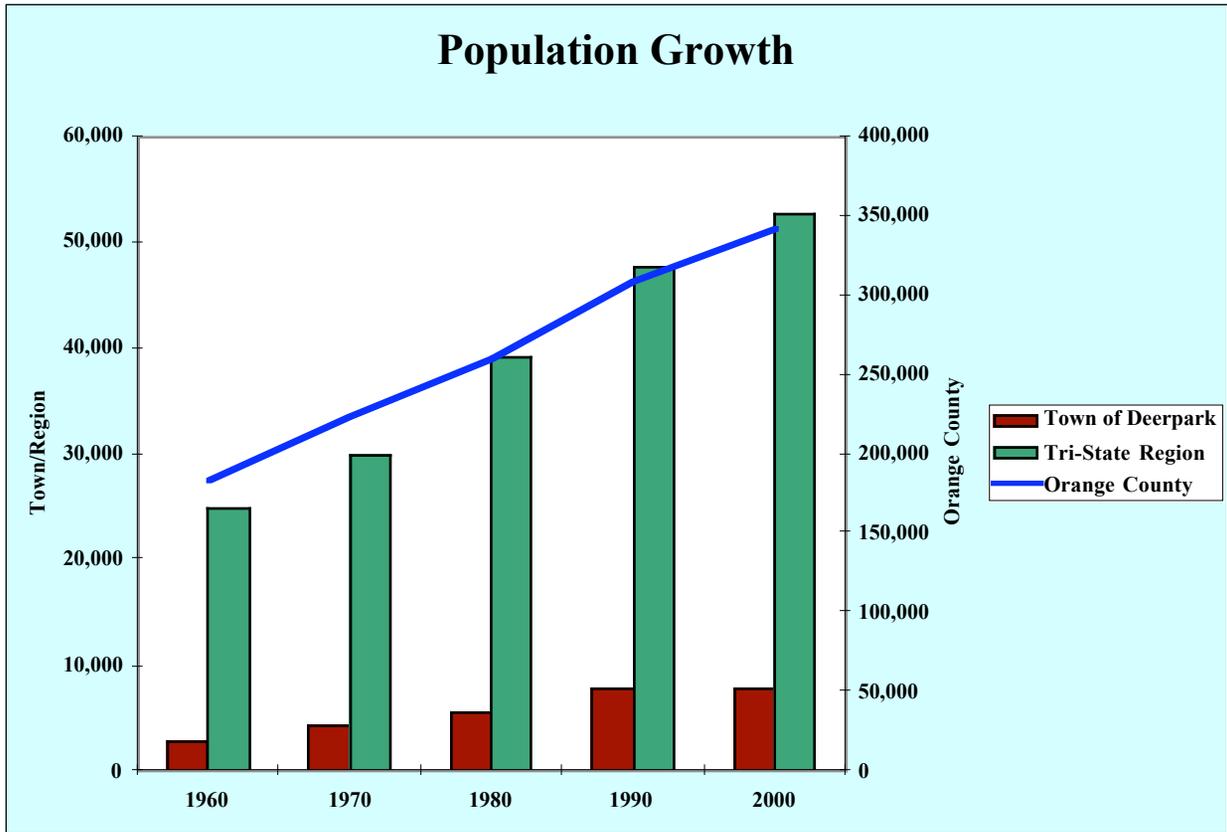
1.3.1 Population Trends

The table and chart below illustrate overall population trends within the Town of Deerpark as compared to the County as a whole and its neighbors. The Town is growing slowly at the present time although it has experienced rapid growth over the last few decades preceding the 1990's.

TRI-STATE AREA POPULATION PATTERNS, 1970-2000									
MUNICIPALITY	1960	1970	% Change 60-70	1980	% Change 70-80	1990	% Change 80-90	2000	% Change 90-00
Town of Deerpark	2,777	4,370	57.4%	5,633	28.9%	7,832	39.0%	7,858	0.3%
Orange County	183,734	221,657	20.6%	259,603	17.1%	307,647	18.5%	341,367	11.0%
Montague Township	880	1131	28.5%	2066	82.7%	2,832	37.1%	3,412	20.5%
Town of Deerpark	2,777	4,370	57.4%	5,633	28.9%	7,832	39.0%	7,858	0.3%
City of Port Jervis	9,268	8,852	-4.5%	8,699	-1.7%	9,060	4.1%	8,860	-2.2%
SUB-TOTAL	12,045	13,222	9.8%	14,332	8.4%	16,892	17.9%	16,718	-1.0%
Town of Forestburgh	356	474	33.1%	867	82.9%	614	-29.2%	833	35.7%
Town of Lumberland	538	857	59.3%	1,210	41.2%	1,425	17.8%	1,939	36.1%
Town of Mamakating	3,356	4,319	28.7%	7,717	78.7%	9,792	26.9%	11,002	12.4%
Town of Greenville	890	1379	54.9%	2,085	51.2%	3,120	49.6%	3,800	21.8%
Town of Minisink	1,433	1942	35.5%	2,488	28.1%	2,981	19.8%	3,585	20.3%
Town of Mount Hope	2,292	2966	29.4%	4,398	48.3%	5,971	35.8%	6,639	11.2%
SUB-TOTAL	8,865	11,937	34.7%	18,765	57.2%	23,903	27.4%	27,798	16.3%
Borough of Matamoras	2,087	2,244	7.5%	2,111	-5.9%	1,934	-8.4%	2,312	19.5%
Westfall Township	838	1,348	60.9%	1,825	35.4%	2,106	15.4%	2,430	15.4%
SUB-TOTAL	2,925	3,592	22.8%	3,936	9.6%	4,040	2.6%	4,714	16.7%
TOTAL	24,715	29,882	20.9%	39,099	30.8%	47,667	21.9%	52,642	10.4%

Note: Source of all data, including 1999 estimates, is U.S. Census.

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1.3.2 Age of Household Members

The Town of Deerpark is almost 9% older than Orange County as a whole, with a median age of 37.8 years in 2000 compared to 34.7 for the County. Only 33.9% of the Town population was under 25 years of age in 2000. The County proportion, by contrast, was 37.7%. The over 65 years age group, moreover, made up 11.0% of all the Town of Deerpark residents compared with 10.3% for the County.

Town of Deerpark Population by Age, 2000

	<u>Deerpark</u>	<u>%</u>	<u>Orange</u>	<u>%</u>
0-17 Years	2,159	27.5%	99,156	29.0%
18-64 Years	4,836	61.5%	207,026	60.6%
65+ Years	863	11.0%	35,185	10.3%
Totals	7,858	100.0%	341,367	100.0%

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1.3.3 Incomes.

The 2000 Census indicates per capita income for the Town of Deerpark was \$18,252 compared to \$21,597 for the County as a whole. Median household income in the Town, moreover, was \$45,000 compared to \$52,058 for Orange County. Per capita income Statewide was \$23,389, indicating the need for economic development within the Town.

Town of Deerpark Incomes, 1990 - 2000 (In Inflation Adjusted 2000 dollars)

	Town of Deerpark 1990	Town of Deerpark 2000	Orange County 2000	New York State 2000
Per Capita	\$17,370	\$18,252	\$21,597	\$23,389
Median HH	\$43,927	\$45,000	\$52,058	\$43,393
Median Family	\$50,010	\$49,987	\$60,355	\$51,691

The Town of Deerpark has made some economic progress over the last decade, as the above numbers indicate. Per capita and median household incomes have both increased by about \$1,000 in real terms but median family income has declined slightly (reflecting smaller families).

1.3.4 Employment Status.

The Town of Deerpark had 3,583 employed persons over 16 years of age in 2000, of which 1,524 or 42.5% were female. The unemployment rate as a whole was only 3.2%. The following is a breakdown of this labor force by class (private industry vs. governmental employment):

Town of Deerpark Employed Persons by Class, 2000

Private for profit wage & salary workers	2,576
Self-employed workers	241
Government workers)	<u>766</u>
Total (all workers)	3,583

Government represented 21.4% of all employment for Deerpark workers in 2000. Self-employment was relatively limited with 241 persons (6.7%) engaged in home occupations or other local businesses of their own. Private wage and salary workers represented 71.9% of the Town's population in 2000.

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1.3.5 Employment by Industry and Occupation.

The tables below provide a breakdown of the employed Town population aged 16 years or more in 2000 by industry and occupation.

Town of Deerpark Employment by Industry, 2000

<u>Industry</u>	<u>Persons</u>	<u>%</u>
Educational, health, social services	800	22.3%
Retail trade	623	17.4%
Manufacturing	517	14.4%
Public administration	310	8.7%
Construction	292	8.1%
Other services (except public administration)	208	5.8%
Transportation, warehousing, utilities	181	5.1%
Arts, entertainment, recreation, lodging, food	173	4.8%
Professional, management, administrative	145	4.0%
Wholesale trade	133	3.7%
Finance, insurance, real estate	117	3.3%
Information	53	1.5%
Agriculture, forestry, mining	31	0.9%
Totals	3,583	100.0%

There are relatively low numbers of persons in higher paying professional occupations within the Town. Service and retail employment, typically lower-paying in nature, are high by contrast.

Town of Deerpark Employment by Occupation, 2000

<u>Occupation</u>	<u>Persons</u>	<u>%</u>
Management, professional and related occupations	693	19.3%
Sales and office occupations	856	23.9%
Construction, extraction and maintenance occupations	599	16.7%
Service occupations	728	20.3%
Production, transportation and material moving occupations	699	19.5%
Farming, fishing, and forestry occupations	8	0.2%
Totals	3,583	100.0%

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A relatively low 76 persons or 2.2% of the Deerpark labor force worked from home in 2000. The average travel time to work was 32.9 minutes, reflecting the relationship of the Town to the New York City metropolitan area, to which many residents commute to work. Some 2.5% of employed residents used public transportation to reach work in 2000, a relatively high figure for a rural community. This is, undoubtedly, directly related to the presence of commuter rail service in Port Jervis and Otisville.

The nearing completion of the Secaucus connection to midtown Manhattan will shorten commuting time and increase convenience for rail users, making Deerpark much more accessible as a place of residence for those with jobs in New York City. Additional train schedules are being added and the number of Deerpark commuters can be expected to steadily rise in the future. The Town should also become a much more appealing residential area and start to grow again as a result. Moreover, income levels and housing prices can be expected to increase because new migrants to the Town will be coming from the higher income metropolitan area.

These trends will also be supported by the proposed legalization of gaming at selected sites in nearby Sullivan and Ulster Counties. Several projects within one-half hour of Deerpark are proposed in conjunction with various Indian tribes. These include a major resort hotel and casino at Kutsher's Sports Academy site near Monticello, another at Route 17 Exit 107 in Bridgeville and a third in Bloomingburg at the former Shawanga Lodge site. Slot machines are also proposed at the Monticello Raceway. These projects will create many new commercial and residential land use demands on the Town, given its easy access via Routes 42 and 209 to these areas.

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1.4 Housing Analysis

1.4.1 Housing Stock.

The 2000 U.S. Census indicated the Town of Deerpark had 3,332 housing units, of which 2,906 were occupied. Some 2,363 of these were owner occupied and 543 were renter occupied. There was a total gain of 218 housing units or 7.0%, exceeding population growth for the decade (0.3%) by a wide margin and reflecting a significant drop in average household size (see Section 1.4.2 below). There were 186 vacant units in seasonal, recreational or occasional use (second homes) in 2000, down from 235 in 1990. Experiences of other second home communities suggests conversions of second homes to primary residences will continue.

1.4.2 Number of Persons Per Household.

The number of people living in each household was 2.70 persons in 2000 (down from 2.89 persons in 1990). This was significantly lower than the County average of 2.85 persons per household.

1.4.3 Housing Values.

The 2000 Census revealed a median housing value of \$103,900 for the Town. Countywide, the median value was \$144,500, much higher than the Town. Growth pressures and the value of new housing being constructed appear to be driving values up as a whole in Orange County. The lack of such pressure in Deerpark is probably restraining prices. Also, the Deerpark market is more akin to that of neighboring Pike and Sullivan Counties (where somewhat lower-priced housing has sold better) than Orange. There are at present, however, a number of changes taking place in real estate markets throughout the region with very high priced housing becoming more and more popular as metropolitan buyers find their way to the area.

1.4.4 Housing Type.

Single-family homes in 2000 (not including manufactured homes) accounted for 2,327 units and comprised 69.8% of the housing stock in Town of Deerpark. This was followed by two-family and multi-family units at 87 and 114 units, respectively, or a combined 8.6%.

1.4.5 Contract Rents.

Rents within the Town were relatively high in 2000, the median rent being \$680. The median rent Countywide in 2000 was \$714, the variation in the cost of rental housing being much less than that for owner-occupied units.

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1.4.6 Manufactured Housing

The following chart illustrates patterns with respect to manufactured housing in the Town. This subject merits special attention due to the extraordinarily high proportion of Deerpark housing that consists of manufactured homes (not including prefabricated modular housing).

Orange County Manufactured Home Stock, 1990-2000								
Town/City	1990 Median Family Income*	1990 Total Housing Units	1990 Manu- factured Homes	% of Total Housing Stock	2000 Median Family Income	2000 Total Housing Units	2000 Manu- factured Homes	% of Total Housing Stock
Deerpark	\$50,010	3,114	1,043	33.0%	\$49,987	3,332	804	24.1%
Greenville	\$60,116	1,160	143	12.0%	\$65,257	1,365	133	9.7%
New Windsor	\$58,964	8,596	649	8.0%	\$58,292	8,759	628	7.2%
Highlands	\$53,696	3,569	262	7.0%	\$59,345	3,418	196	5.7%
Wawayanda	\$57,502	1,872	120	6.0%	\$67,479	2,174	120	5.5%
Mount Hope	\$71,062	1,633	99	6.0%	\$65,183	1,714	89	5.2%
Crawford	\$61,620	2,246	196	9.0%	\$63,722	2,851	124	4.3%
Montgomery	\$60,619	6,803	402	6.0%	\$56,736	7,643	319	4.2%
Blooming Grove	\$56,401	5,908	252	4.0%	\$74,428	6,559	244	3.7%
Minisink	\$66,452	1,023	24	2.0%	\$58,906	1,245	34	2.7%
Wallkill	\$63,921	8,230	464	6.0%	\$57,088	9,283	237	2.6%
Woodbury	\$81,640	3,092	117	4.0%	\$84,156	3,358	84	2.5%
Newburgh Town	\$58,458	8,745	141	2.0%	\$66,706	10,122	234	2.3%
Monroe	\$66,740	7,030	162	2.0%	\$54,315	8,517	172	2.0%
Chester	\$68,731	3,236	32	1.0%	\$75,222	3,984	39	1.0%
Cornwall	\$74,192	4,409	41	1.0%	\$74,195	4,852	40	0.8%
Goshen	\$55,055	3,702	12	0.0%	\$71,497	4,320	31	0.7%
Hamptonburgh	\$34,698	1,270	9	1.0%	\$82,561	1,532	8	0.5%
Warwick	\$73,437	10,522	72	1.0%	\$71,074	11,818	46	0.4%
Port Jervis	\$76,072	3,870	0	0.0%	\$35,481	3,851	7	0.2%
Newburgh City	\$47,532	9,995	14	0.0%	\$32,519	10,476	19	0.2%
Middletown	\$40,496	9,475	0	0.0%	\$47,760	10,124	0	0.0%
Tuxedo	\$80,112	1,314	0	0.0%	\$88,718	1,457	0	0.0%
Adjoining Communities								
Westfall	\$48,211	1,039	178	0.0%	\$51,065	1,097	183	16.7%
Mamakating	\$54,951	5,391	1,001	19.0%	\$49,615	5,629	810	14.4%
Forestburgh	\$53,056	468	25	5.0%	\$60,139	500	27	5.4%
Lumberland	\$37,269	1,276	97	8.0%	\$45,100	1,419	57	4.0%
Montague	\$63,650	1,449	22	0.0%	\$50,833	1,588	3	0.2%

* Note: Median Family Income for 1990 stated in 2000 inflation adjusted dollars.

Several observations can be drawn from this data:

- Manufactured homes are declining in popularity in most of Orange County and throughout the region. They represent a shrinking, although still very high, proportion of Deerpark's housing units. Deerpark lost 237 manufactured homes between 1990 and 2000 as old units were replaced or removed. It now has fewer units than neighboring Mamakating, which also lost units over the decade.

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- Income clearly influences demand for mobile homes. Generally, there is more demand for manufactured housing in lower income rural communities. Higher income and more densely populated communities attract fewer manufactured homes. Nevertheless, income is not the only criteria. It is, perhaps, not even the most important factor. There can also be demand in higher income areas simply due to the unaffordability of conventional housing. Deerpark incomes remained also precisely the same in constant dollars over the decade. Yet there was a large drop in manufactured housing. The Town of Newburgh, by contrast, made significant real gains in income and gained many manufactured homes.
- Other important factors may include land prices and population density (which are closely related). Once density reaches a certain point and land values cross a particular threshold, it may well be that land simply becomes too valuable in relation to the manufactured home to be placed upon it. This is when it makes more sense from an investment standpoint to build conventional units that will appreciate in value and more easily amortize land costs.
- If manufactured housing becomes too large a share of the Town housing stock, there are serious implications for the tax base and the ability of the Town to deliver services. This is because the assessed valuation associated with such housing is well below that of conventional units and even these tend not to cover the costs of services associated with the residents. Therefore, the problem is exacerbated if manufactured housing stocks are excessive.

The following are some of the basic legal issues connected with manufactured home regulation in New York State:

- The U.S. Department of Housing and Urban Development has established regulations pertaining to the construction of manufacturing housing and Towns may not impose their own separate requirements in regard to construction of the units themselves.
- The NYS Town Law allows Towns to regulate and license not only manufactured home parks, but also individually placed manufactured homes. This is a unique power and can be exercised by Towns to tightly control the development and/or placement of manufactured homes both in and out of manufactured home parks.
- It is generally well established by case law that Towns cannot legally prohibit manufactured homes or manufactured home parks altogether within their boundaries. They can, however, restrict both individual manufactured homes and manufactured home parks to specific zones or require that manufactured homes be confined to manufactured home parks.

Given this background, there are three distinct approaches the Town can take:

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- A. Continue with the existing policy of restricting manufactured homes to manufactured home parks, except for double-wides, which would be allowed in districts where single-family dwellings are permitted. This would limit the development of new manufactured homes in a Town of relatively low income within the County. However, the drop in manufactured home numbers over the decade suggests there are available locations in parks.
 - B. Allow manufactured homes outside of manufactured home parks wherever single-family dwellings are permitted but subject to detailed placement standards. However, allowing manufactured homes on individual lots in a town like Deerpark where almost a quarter of all homes are manufactured and there are available sites in parks, could also unnecessarily add to the supply.
- 3) Restrict individual manufactured homes to certain districts (and/or as Special Uses) to provide additional review and conditioning opportunities. This would control the development of new manufactured homes while providing a relief valve for situations where need and good site planning warranted it. It would, however, increase the burden on the Planning Board, the costs of securing manufactured home approval and the time involved.

There are obviously potential variations of these approaches but these are the three basic options. The trend in most rural areas is to treat manufactured homes more in common with other single-family dwellings. Nevertheless, within the County and the immediate area, the more typical method of regulation is to restrict manufactured homes to parks. This reflects the increasing urbanization of the area. It is also fair to say that Deerpark has an unusually high proportion of manufactured homes within its housing stock. Manufactured housing demand is also falling at present. Numbers of such homes have been declining and there have been relatively few requests for permits to construct manufactured housing on individual lots.

Therefore, the wisest course of action is to maintain the existing policy of restricting manufactured homes to parks with high standards for development of new parks. Double-wide manufactured homes should also continue to be allowed on individual lots. Both parks and double-wides should be restricted to appropriate zoning districts (see Future Land Use Plan).

1.4.7 Other Housing Needs.

The Town needs to ensure that its land use regulations do not unnecessarily raise the cost of moderate income housing by requiring excessive lot sizes or adding too many regulatory oversight costs. This can be accomplished using cost-effective Conservation Subdivision designs (see Land Use Plan). The Town benefits from a housing rehabilitation grant program under the Community Development Block Grant program that helps Deerpark homeowners upgrade units.

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2.0 Goals and Objectives

The following are the goals and objectives on which this Plan is based:

2.1 Provide for future economic development of the Town of Deerpark.

- 2.1.1 Protect and preserve the rights of all landowners to enjoy and make economic use of their properties, within the context of this Plan and the Zoning Law.
- 2.1.2 Promote job-creating economic activity including, but not limited to those industries with small-scale land use impacts and high job growth potential (typically 1-9 employees at the outset).
- 2.1.3 Promote community-friendly home-based businesses with proper planning to deal with potential neighborhood impacts.
- 2.1.4 Identify key compatible businesses for development within designated economic growth areas and work with the County and the City of Port Jervis to provide economic incentives that will help attract those businesses.
- 2.1.5 Identify an economic development zone along the Route 6 or Route 209 corridor where businesses can grow and develop using financial and tax incentives from the New York State Empire Zone program or similar concepts. The Westbrookville area, the concrete plant site on Route 209 and the Route 6 area next to the City all offer possibilities.
- 2.1.6 Incorporate the Town Recreation Map and accompanying brochure into a Town website that can be used to attract tourism, promote economic development and share essential public information (including this Plan and related local laws).
- 2.1.7 Work with the Tri-State Chamber of Commerce, the Orange County Tourism Office and others to implement a comprehensive tourism marketing and signage program that will build upon initiatives such as the proposed Route 97 Scenic Byway to pull more visitors into the Town and cross-promote various attractions and enterprises.
- 2.1.8 Encourage the development of fiber optics lines and other communications infrastructure within the Town to accommodate high-speed Internet access and facilitate business development.
- 2.1.9 Procedurally streamline land use regulations to make them more user-friendly as well as easier to interpret and enforce. Also, review and modify standards as may be necessary

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to achieve consistency in their application and achieve the purposes of this Plan.

2.2 Preserve the Town of Deerpark's essentially rural character while accommodating growth.

- 2.2.1 Employ the Town Zoning Law to promote the establishment of appropriate population densities that will contribute to the well-being of persons, neighborhoods and communities, and the preservation of the environment.
- 2.2.2 Provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, to ensure a balanced local economy and a balanced tax base.
- 2.2.3 Encourage new developments that function as extensions of City and hamlet development patterns, reflecting the historically mixed-use growth of the Town.
- 2.2.4 Subject to minimum safety and maintenance thresholds, scale all street widths and alignments, as well as building setbacks, to the neighborhood size, so as to retain the character of existing Town roads. Also, wherever possible within such safety and maintenance limitations, require new roads be designed so as to preserve natural topography and tree cover, minimize cut and fill and preserve and enhance views, reducing required widths and paving standards as may be appropriate considering the traffic using such roads.
- 2.2.5 Encourage preservation of the landscape in its natural state, insofar as practicable, by using topography, tree cover, and natural drainageways to determine road and lot configurations.
- 2.2.6 Minimize, through site plan review, the removal or disruption of historic or traditional uses and structures and use this authority to encourage landscaping of new commercial uses so as to provide a separation of these activities from the highway.
- 2.2.7 Require the filing of a development plan and the obtaining of Town permits before allowing extensive clearing (for other than ordinary timber harvest purposes) or excavation of commercial sites in anticipation of development.
- 2.2.8 Allow business owners the flexibility to develop needed signage, encouraging types of signage that complement the natural landscape (e.g. ground-type signs as opposed to pole signs) and achieve their advertising purposes by reducing sign clutter and fitting signage to the circumstances of the property, the use and the neighborhood.

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- 2.2.9 Require both passive and active open spaces where needed within new developments to complement existing recreation programs and preserve valuable natural aspects of the Town's character, giving developers density or other incentives to pursue this type of development.
- 2.2.10 Work with adjacent municipalities to coordinate recreation and open space programs so to create the maximum beneficial impacts, developing a specific Open Space Plan for Deerpark (including techniques and funding mechanisms such as 2.2.9 above and 2.2.11 below) that complements these other programs by linking open spaces into effective greenways.
- 2.2.11 Consider a program of tax abatements in return for conservation easements, of significant but limited duration, on valuable open space lands, using the authority granted to the Town under Section 247 of the General Municipal Law. This program would be modeled after the Town of Perinton's (Monroe County, New York).
- 2.2.12 Consider architectural compatibility as the Town Planning Board reviews commercial project site plans.

2.3 Provide for community facilities and services needed by Town residents.

- 2.3.1 Work with the City of Port Jervis to develop additional recreational opportunities for youth.
- 2.3.2 Maximize the use of Town recreation facilities by organized groups that provide for supervised activities where vandalism and other disruptive behavior can be controlled.
- 2.3.3 Encourage more community events with the potential to serve residents and simultaneously attract tourism by redrafting restrictive regulations on camping for short periods of time.
- 2.3.4 Maintain Boehmler Park for limited passive recreational use and consider its future development as a water supply. Also, secure funding for the development and promotion of existing and new trails through the Town.
- 2.3.5 Maintain top quality fire protection and ambulance services within the Town.
- 2.3.6 Develop sewage treatment system extensions for areas peripheral to the City of Port

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Jervis and, when opportune in connection with private development projects, establish new sewer districts for Huguenot, Sparrowbush and areas of concentrated malfunctions. Also, explore possibilities for Port Jervis, with the help of Deerpark, to take over and expand the City of New York's sewage treatment facilities to make this more feasible.

2.4 Provide for the movement of people and goods throughout the Town in a safe and effective manner.

2.4.1 Locate and design new roads within developments so as to promote the free flow of traffic and avoid future congestion.

2.4.2 Evaluate the potential for better coordinating rural public transportation services within the Town and adjacent communities, particularly within developments where common amenities exist.

2.4.3 Require developers to provide for walking as well as vehicular connections to adjacent land uses.

2.4.4 Modify land use regulations to encourage use of shared access drives to reach flag lots and stimulate more infill development around existing centers.

2.4.5 Provide for basic safety in all road designs by not allowing more than two roads or drives to intersect at any location, separating entrances, minimizing curb cuts and similar measures.

2.5 Protect surface and groundwater supplies from pollution, maintain high quality physical environments and preserve wildlife habitats.

2.5.1 Incorporate stormwater management and erosion and sedimentation control planning requirements in both site plan and subdivision reviews.

2.5.2 Promote the creative use of wetlands for recreation, stormwater detention and other functions as the most effective device to ensure their preservation.

2.5.3 Incorporate basic aesthetic considerations in site plan reviews and consider the development of local laws limiting the expansion or development of new commercial junkyards within the Town.

2.5.4 Use the Town's Floodplain Damage Prevention Law as a tool to steer development away from dangerous flood locations.

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- 2.5.6 Incorporate flexibility into land use standards to fit individual development circumstances and offer density bonuses for developers who provide additional open spaces, protect important natural features or otherwise contribute to quality development.
- 2.6 Otherwise provide for the health, safety and welfare of Town residents, including control of nuisances such as junk cars and problem activities such as adult-oriented businesses, maximizing the use of existing laws and resources.*
- 2.7 Promote the conservation of energy through the use of planning practices designed to reduce energy consumption and provide for maximum utilization of renewable energy sources.
- 2.8 Support agriculture as an industry and use land use regulations to reinforce State Agricultural District policies.

* Presently, the Town has eight licensed junkyards, some of which are unsightly and inhibit positive commercial and residential growth in Deerpark. It is the intention of the Town to ensure that all existing junkyards are operated in strict conformity with State, Federal and local regulations and prevented from becoming unsightly, inhibiting positive commercial and residential growth or otherwise detracting from the quality of life of Deerpark residents.

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3.0 Plans

3.1 Land Use and Economic Development

3.1.1 Land Use Vision

The Town of Deerpark is a slowly growing community. Together with the City of Port Jervis, it forms the New York portion of the Tri-State area. This area serves as home to approximately 30,000 persons and includes a number of commercial and industrial enterprises. The Town is primarily suburban in character but includes a portion of the Upper Delaware National Scenic and Recreational River and the Bashakill State Forest Preserve. It is also located near enough to the northern end of the Delaware Water Gap National Recreational Area that visitors from the metropolitan area are likely to pass through it. It also includes historic sites of State and national significance. Interstate I-84 serves as the principal transportation artery through the region and has inextricably linked the Town's future to that of adjoining Tri-State communities.

The Town of Deerpark desires to become a full partner in the development of the Tri-State area by working with its neighbors to extend infrastructure and coordinate public services. The Town hopes to attract compatible businesses and industries needed by the Tri-State area. It is expected this will help to balance the Town tax base, provide new jobs closer to home for Town residents and reduce the need for travel outside of the region. The Town specifically desires to increase tourism as a source of economic development taking advantage of the Town's natural and man-made attractions and resources (see Section 1.1.2 for some specific possibilities). It also desires to support and grow agriculture as an industry by encouraging new and specialized farm industries such the New Hope Equestrian center and niche agricultural enterprises, particularly on Agricultural District parcels.

Protecting these resources is a fundamental purpose of this Comprehensive Plan both from the standpoint of economic development and ensuring a high quality of life for residents. It is intended to accomplish this by subjecting large impact land uses to Special Use and Site Plan Review under the Town Zoning Law. The Town also, however, wishes to afford wide latitude in the location of new development and respect the rights of all landowners to pursue economic opportunities. The Town intends to guide development through its Zoning Law, not stop it or send it elsewhere. Flexible land use regulations that allow the Town to exercise reasonable control over the impacts of such development while preserving private property rights are essential in this regard. The Town of Deerpark's goal is to raise the quality of development, while providing opportunities to pursue it and also protecting the rights of adjoining landowners.

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3.1.2 Land Use Recommendations

Specific recommendations relating to land use in the Town of Deerpark are provided below:

- A. The Town should use professional engineer conducted soil analyses as the basis for setting the minimum lot sizes for residential development when dependent on individual wells and septic systems, allowing for the use of alternative technologies and designs to make use of poorer quality soils.
- B. The Town should update its Zoning Law, incorporating requirements consistent with the Goals and Objectives contained herein, providing greater flexibility in parking requirements, adopting more practical provisions for non-conforming uses and streamlining all procedures. A proposed new zoning map and revised Zoning Law have been prepared as part of this Plan update and include various recommended measures to improve the functionality of the Town's land use regulations.
- C. The Town should adapt its zoning districts to the four basic categories of existing development (hamlets, residential clusters, highway interchange, and rural low density), with a fifth classification for new economic development in the form of a floating planned unit development zone and a sixth zone to protect the Delaware River corridor.
- D. The Town should update its manufactured housing regulations to be current with best industry practice and law and ensure that Deerpark manufactured home communities are built to a high standard and provide safe, healthy and decent living environs. Siting of single-section manufactured housing should be restricted to manufactured home parks. Recreational vehicle parks should be separately regulated.
- E. The Town should allow and even encourage the replacement of existing manufacturing housing with new housing of any type, provided there is proper skirting, landscaping and attention to setback requirements, but additions to such housing for the purpose of enlargement of permanent dwelling space should be prohibited.
- F. The Town should incorporate requirements in its land use regulations protecting the Neversink aquifer (see map). These should include; a) inclusion in Special Use review criteria, b) requirements for hydrogeologic studies in the case of projects over or near the aquifer, and c) require attention to this matter in SEQRA processing, particularly in the lowland portions of the aquifer where the water table is close to the surface.
- G. The Town should require developers to inventory those unique natural resources that should be protected in site design. Such outstanding features might include rock outcrops

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and promontories, waterfalls, scenic vistas and eagle nesting places. A Town inventory of these features should also be made as part of the Open Space Plan recommended above. Upper Delaware Council funding for such an inventory, possibly using the County Planning Department or the Orange County Water Authority as the contractor, should be requested.

- H. The Town Industrial Development Agency should be activated to create some incentive programs of tax-abatements that will help attract industry or encourage its expansion by the offering of incentives special to Deerpark. The Town's Community Development Task Force should be used for leadership in regard to this and related issues.
- I. The Town should allow for the growth of its existing Hamlet Districts to reflect the growing needs for services with population increases, but do so in a manner that reinforces hamlet patterns and encourages infill development rather than sprawl.
- J. The Town should work with the Orange County Partnership and others to achieve designation of an Empire Zone or similar economic development designation for the Town of Deerpark.
- K. The Town should develop zoning provisions to provide for and encourage conservation subdivisions (clustered housing) and other forms of development where density is traded for open space.
- L. The Town should work with the Minisink and Neversink historical groups to aggressively promote the extensive history of the Town as an economic and tourism development resource and link these efforts to the development of Route 97 as the Upper Delaware Scenic Byway.
- M. The Town should develop a program that would trade tax abatements for 10 to 25 year length leases of open space easements under the authority of the General Municipal Law, similar to the Town of Perinton in Monroe County, for use by large open space landholders.
- N. The Town should allow for greater flexibility in the location of Bed and Breakfasts provided there are minimal standards regarding the limited traffic, parking and ancillary uses that may accompany such uses.
- O. Sensitive site planning standards should be enacted which can achieve energy conservation without any significant financial differential, through assurance of solar access, and through provision of landscaped shade and windbreaks.

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- P. The Town should vigorously enforce its local laws, Zoning Law and Building Code in regard to junkyards. The Town should take advantage of authorities under the Town Law, the General Municipal Law and the Highway Law to limit the spread of junkyards throughout the Town, particularly in scenic areas.

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3.2 Transportation

Highways influence the direction of overall growth as well as the location of specific commercial, industrial and residential developments. The capacity of the transportation system, in turn, is heavily influenced by the pace and type of development taking place within the Town. This plan addresses the needs of the highway system, as well as other modes of transportation to the extent they exist within the Town of Deerpark.

3.2.1 Functional Road Classifications

Each highway in Town of Deerpark plays a specific functional role in moving people and goods. Those functions can change with development. Development patterns also directly affect the highway levels of service. Therefore, it is necessary to assess the future role of each highway as the Town continues to develop. The following table classifies roads by the future functions they must necessarily play to achieve an efficient flow of traffic in the Town.

<u>CLASSIFICATION</u>	<u>FUNCTION</u>	<u>ROADS</u>
INTERSTATE	Moves large volumes of traffic at relatively high speeds to and from locations outside of the region.	I-84
ARTERIAL	Carries medium-to-heavy volumes of traffic at moderately high speeds and provides access to major traffic generators.	US Route 6 US Route 209 US Route 211 NYS Route 42 NYS Route 97 County Road No. 7 County Road No. 15 County Road No. 80
COLLECTOR	Provides connections between Arterials and Local Roads at comparatively slower speeds and carries moderate volumes of traffic.	County Road No. 16 County Road No. 61 Peenpack Trail
LOCAL	Provides direct access to abutting properties and channels Local traffic to Collector Roads.	All other existing roads

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All of these highways are already generally functioning in the above capacities but some additional efforts are warranted to bring about a safer and more efficient system with capacity to accommodate growing levels of traffic. They include the following:

- A. The Peenpack Trail needs widening and realignment in various sections to reduce blind spots and more safely accommodate two lanes of traffic.

- B. Neversink Drive (County Road No. 80) is a heavily used alternative to Route 209 by residents. However it is limited in overall capacity by the narrow and poorly aligned railroad underpass and the two long and poorly synchronized traffic signals at the western terminus in the City of Port Jervis. The I-84 interchange is at the root of this problem, traffic coming off it being strangled by these and other poorly designed traffic features, including low underpasses that cannot accommodate large trucks. The resulting lack of access from Exit 1 of I-84 to the Town of Deerpark has stifled economic development within the Town, distorting the tax base and depriving the Town of needed jobs. A new access from Exit 1 into the Town of Deerpark is desperately needed.

The Town should work with the City, County, Norfolk and Southern Railway and New York State Department of Transportation to address these problems by seeking a comprehensive study of this problem area centered on dealing with I-84 interchange traffic. Small investments in signal retiming and realigning of underpass approaches could solve some of the immediate needs but a major reconstruction of the interchange and all approaches to it, including the underpasses and signals, is essential to long term resolution of this huge traffic problem. The State Department of Transportation will need to lead this effort but the Town can help to initiate it by officially requesting the Department pursue such a study.

- C. The Town should continue to pursue the excellent multiyear capital improvement program, established with the cooperation of the Highway Superintendent, to upgrade Town roads.

3.2.2 Impacts of Land Development on Highway Capacity

The Town of Deerpark's 1989 Master Plan included a discussion of "carrying capacity" with respect to Town roads. The Plan recommended that density of development allowed within the Town should be related to this carrying capacity. It proposed four different classifications of Town roads those being:

Classification 1 - Federal, State or County Road.

Classification 2 - Existing or new Town Road built by developer to Town specifications.

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Classification 3 - Fairly well-traveled, minimally surfaced Town Road.

Classification 4 - Sparsely traveled, marginal poorly surfaced or unsurfaced Town Road.

A complex set of tables was offered to classify town roads by these categories and simultaneously inventory land uses fronting on these roads. The relationship between land uses and road classifications was unclear from the table although more developed roads obviously carried generally higher classifications.

The existing zoning ordinance uses these classifications as a basis of density where carrying capacity is also limited. This approach, however, is flawed in two serious respects. First, it relies upon a static analysis and road classification when the functionality of highways is, in reality, dynamic. Secondly, it requires the land landowner or developer to adapt to existing highway conditions without regard to the Town's own obligation to upgrade its highway system using tax revenues generated from such development.

The first of these problems is relatively easy to resolve by simply substituting a traffic study requirement such as the one found in § 4.1.8 of the draft version of a new Town Zoning Law that has been prepared in conjunction with this Plan update. It requires a study for Special Use applications involving more than 500 trip-ends of traffic per day. This section can be expanded to specify that improvements be made to address any additional traffic management needs created by the development that would reduce the highway level of service below an acceptable Level Of Service C. The Highway Capacity Manual describes Level of service (LOS) as a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience. There are six levels of service ranging from LOS A (the best condition) to LOS F (a failure condition). LOS C is usually described as a stable flow condition where operating speed and maneuverability are more restricted by increasing traffic. Drivers are limited in freedom to change lanes or pass, but reasonable operating speeds can be maintained. This is the desired minimum level for urban roads.

The second problem is more fundamental because there is case law governing the extent to which communities can regulate development for the sake of traffic management and avoid a taking issue. The U.S. Supreme Court, in the 1994 Dolan v. City of Tigard case, stated such regulations are subject to a "rational nexus" test of whether or not a development rule, fee or condition has an essential relationship to the landowner's proposal for a property. This means that reduction of density due to traffic impact must be in specific relationship to the developers proposal and not simply the capacity of the highway. There has to be rough proportionality between that proposal and the remedy the law would impose. Other courts have also said that fixing preexisting road problems cannot be the responsibility of the developer. A blanket reduction in density along a limited capacity road is, likewise, an attempted remedy of a preexisting situation.

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The answer is to establish a model for analyzing volume relative to capacity that can be used to assess to the developer those costs of improvements that are related to the specific development proposal before the Town at any given point. The system should be designed so that new developments receive direct and material benefit from any road improvements financed by their impact fees. If the system is a fair one in this regard, the developer has then two choices; 1) paying the fees and proceeding as planned, or 2) lowering density to the point that the negative impacts would be negligible (say a Level Of Service C condition) and the fees unnecessary. This provides the developer a choice and ensures the Town is protected one way or another without taking any property value away. It is a much more sound approach than arbitrarily linking density to highway carrying capacity because that option offers neither choice nor the assurance that the public will not be required to make the bulk of the improvements required. It is recommended the Town use this approach in those areas of the Town where highway capacity is an issue. The Town should also consider enacting an up to date Road Law setting specific standards for highways to be turned over to the Town so as to ensure it is not burdened with unnecessary new upgrading or maintenance expenses for sub-quality roads.

3.2.3 Other Transportation Recommendations.

- A. Highway maintenance should be directed towards reducing traffic hazards, cutting back the long term cost of highway improvements and increasing highway capacity.
- B. Accident-prone areas should be continually documented for justification of improvement projects, working cooperatively with NYS-DOT.
- C. There is public transportation available in Deerpark to New York City and other points using the Shortline - Coach America system as well as the local dial-a-ride service. However, these systems have not been fully coordinated with other transportation services provided by the Office of Aging, as an example. The Town should work with the County implementing a recently prepared public transportation coordination plan.
- D. Railroad freight service is available from the Norfolk and Southern Railway, which serves Port Jervis. The mainline from Port Jervis to Hancock is also used by the New York Susquehanna and Western Railway. It has received less use in recent years as container traffic to New York has been shipped by alternate routes. The Town needs to monitor this situation and use its political influence wherever possible to encourage retention of the mainline as a source of economic development for the region.
- E. Commuter rail service between the New York/New Jersey metropolitan area and Port Jervis is also available and being expanded with new schedules. Also, Metro North is

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acquiring 65 new \$1 million passenger cars. Additional service to Binghamton is also being discussed. The soon to be completed Secaucus connection project will link commuter rail service from Port Jervis to Penn Station, significantly improving access to midtown Manhattan for area residents. Commuting time will be reduced and enhanced schedules will further add to the convenience of rail passenger service to Deerpark. The presence of passenger stations in Otisville and Port Jervis will, as a result of these improvements, be major factors in the future growth of the Town and give it an increasingly suburban character.

The Town needs to be aware of this and plan for the growth. It also needs to plan its highway and public transportation improvements with a view to complementing commuter rail service by matching schedules and ensuring good highway links to commuter rail stations.

- F. The reasonable accessibility of the Stewart International Airport in Newburgh suggests the Town has no further needs in that category. Stewart is constructing a new tower and air control system. A new access road from I-84 (Drury Lane) is also planned. There are also airports in Sussex County, Albany, Wilkes-Barre/Scranton that effectively serve the Town.

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3.3 Community Facilities and Services

3.3.1 Parks and Recreation.

The Town of Deerpark has a combination of local, County, State, Federal and private parklands and trails available for the recreation of residents. These include, among others, developed facilities near the Town Hall (Harriet Space Park), undeveloped Boehmler Park, Sparrowbush Firemen's Memorial Park the County facility at the Neversink Valley Area Museum, the D&H trail, the Upper Delaware Scenic Byway, DEC's facilities at Cherry Island, the Upper Delaware Scenic and Recreational River and several other private and public facilities such as the Nature Conservancy's preserve. There is no lack of recreational facilities within Deerpark.

The Town should develop and implement a master recreation plan to address the management, future development and linking of these facilities. It should address not only the ultimate development of Boehmler Park (which will become more important over time), but also other existing public and neighborhood parks with special attention to the need for organized group management of such facilities. Promoting managed group use of these facilities is one method of preventing vandalism and abuse, thereby ensuring the availability of recreational assets for all Deerpark residents.

The Town should also require the creation of common open space in new developments so as to ensure that new residents have recreational opportunities available to them.

3.3.2 Town Hall.

The Town of Deerpark Town Hall complex is a large modern facility that easily accommodates large groups of people. It presently provides sufficient space for important services but not all services are consolidated at this location. Moreover, there is only limited room for expansion. A separate but adjoining highway shed is in poor condition. A separate Town building where Planning Board meetings, senior activities and other public functions take place is located with police functions in Building No. 2 on Route 209. This building is limited in size and not particularly well-suited to service as a community center or for any municipal purpose.

The Town should identify a location where its various services and facilities can be consolidated and a long-term capital budget developed for a new Town Center. It should be located in an existing hamlet area and be accessible by public transportation if provided in the future. An engineering and economic feasibility study should then be initiated to assess the specific needs of the Town in relation to size and design for the site chosen.

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3.3.3 Sewage Facilities.

Given the mostly scattered nature of development within the Town and increased sophistication of design with respect to on-lot sewage disposal systems, continued use of on-lot systems is warranted in most instances. Subsurface disposal is still the preferred option in many others as a means of reducing impacts on both ground and surface water from excess nutrients.

Notwithstanding the appropriateness of on-lot and/or subsurface solutions, there are many areas of the Town where density suggests a central sewage facility is needed. Moreover, the Town cannot expect to achieve substantial economic development to balance its tax base and provide jobs unless it has access to sewer (and water) infrastructure. There are two possibilities for accomplishing this. One is to expand the City of Port Jervis system and the other is to create Town sewer districts around new private or public projects designed to serve particular developments or hamlets. The Port Jervis School District is acquiring property on Route 209 for a new school complex and this will have a sewage treatment plant. This could become the hub of such a district.

Expanding the Port Jervis system has only limited possibilities because the system is owned by the City of New York, built as part of a larger agreement to take water from the Neversink watershed. New York City has no incentive to expand it and Port Jervis itself has little. However, Deerpark has many reasons to seek expansion and needs, therefore, to partner with Port Jervis in negotiating a long term solution that will allow the system to be upgraded and expanded to service new areas. The only way to interest the City of New York would probably be for Port Jervis and Deerpark to assume ownership of the system, but this has to be approached extremely carefully to ensure that neither Port Jervis nor Deerpark assume a burden they cannot afford. It should be possible to make arrangements that benefit all three parties (where the City gets released from its long term obligations, Port Jervis gets lower costs and Deerpark gets sewers) but extensive negotiations will be demanded.

The Town should pursue development of municipal sewage treatment capacity by working with the City of Port Jervis to take over and expand the existing City plant or independently develop new facilities to serve most of the existing industrial, commercial, institutional and higher density residential development areas within the Town. Creation of sewer districts in conjunction with new private projects is another method of establishing public infrastructure over the long term and should be considered as well. The experience of neighboring Westfall Township in permitting and eventually assuming ownership of the Best Western sewer system is instructive in this regard.

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3.3.4 Library Service.

The Town is served by an excellent library in Port Jervis. There are no serious unmet needs in this regard.

3.3.5 Solid Waste.

The Town is served by private haulers who take the solid waste to the County transfer station. There are no current unmet needs in regard to solid wastes. The Town, should, however, consider Town-wide refuse pick-up to improve service and control litter.

3.3.6 Water Supplies.

The Town should investigate the feasibility of developing a municipal water supply system located on the Boehmler tract to service, by gravity flow, both the Sparrowbush and Huguenot areas. Water lines supplying Neversink aquifer water to the Boehmler tract, and Boehmler tract water to the Huguenot hamlet and environs should be placed within the right-of-way of a rebuilt and realigned Peenpack Trail at the same time that road construction work is accomplished.

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4.0 Summary and Implementation

There are a number of techniques and funding sources available for implementing this Plan. These include, for instance, conservation easements that could work very well in implementing a proposed tax abatement program to effectively lease development rights on agricultural land and open spaces (see Objective 2.2.11) and negotiation with developers to secure dedication of recreation land or fees in lieu of dedication to improve existing parks. Funding sources for recommended community facility projects include USDA Rural Development programs, the Federal Small Cities Community Development Block Grant program (now administered by New York State) and various New York Department of State programs for community revitalization. Economic development funding sources include USDA Rural Development (again), the Economic Development Administration and Empire State Development. All of these are tools available to the Town to effectuate the recommendations offered in this Plan.

The Town's Subdivision Regulations and Zoning Law are now and are expected to remain the major legal tools for regulating the use of land in the Town. The Comprehensive Plan is itself also an implementation tool. It provides policies for guiding the future development and preservation of the Town of Deerpark and provides a legal foundation for the Town's Zoning Law under the provisions of the New York State Town Law and General Municipal Law. This Plan needs, therefore, to be regularly updated in the context of changing growth patterns both within the Town and in adjoining communities (the present Plan is, in the view of the Town, consistent with the County Comprehensive Plan and those plans of surrounding communities). A five year review for this purpose is recommended. It is in this vein that the foregoing recommendations (summarized on the pages following) are offered.

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Town of Deerpark Comprehensive Plan Summary of Recommendations

No.	Recommendation	Priority	Responsibility
Land Use Recommendations:			
1	The Town should use Orange County Soil Survey classifications as the basis for setting the minimum lot sizes for residential development when dependent on individual wells and septic systems, allowing for the use of alternative technologies and designs to make use of poorer quality soils.	Continuing	Town Board & Planning Board
2	The Town should update its Zoning Law, incorporating requirements consistent with the Goals and Objectives contained herein, providing greater flexibility in parking requirements, adopting more practical provisions for non-conforming uses and streamlining all procedures.	Immediate	Town Board & Planning Board
3	The Town should adapt its zoning districts to the four basic categories of existing development (hamlets, residential clusters, highway interchange, and rural low density), with a fifth classification for new economic development in the form of a floating planned unit development zone and a sixth zone to protect the Delaware River corridor.	Immediate	Town Board & Planning Board

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No.	Recommendation	Priority	Responsibility
Land Use Recommendations:			
4	The Town should update its manufactured housing regulations to be current with best industry practice and law and ensure that Deerpark manufactured home communities are built to a high standard and provide safe, healthy and decent living environs. Siting of single-section manufactured housing should be restricted to manufactured home parks. Recreational vehicle parks should be separately regulated.	Immediate	Town Board & Planning Board
5	The Town should allow and even encourage the replacement of existing manufacturing housing with new housing of any type, provided there is proper skirting, landscaping and attention to setback requirements, but additions to such housing for the purpose of enlargement of permanent dwelling space should be prohibited.	Immediate	Town Board & Planning Board
6	The Town should incorporate requirements in its land use regulations protecting the Neversink aquifer.	Immediate	Town Board & Planning Board

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No.	Recommendation	Priority	Responsibility
Land Use Recommendations:			
7	The Town should require developers to inventory those unique natural resources that should be protected in site design. Such outstanding features might include rock outcrops and promontories, waterfalls, scenic vistas and eagle nesting places.	Immediate	Town Board & Planning Board
8	The Town Industrial Development Agency should be activated to create some incentive programs of tax-abatements that will help attract industry or encourage its expansion by the offering of incentives special to Deerpark.	Long-term	Town Board & Planning Board, Partnership & IDA
9	The Town should allow for the growth of its Hamlet Districts to reflect the growing needs for services with population increases.	Short-term	Town Board & Planning Board
10	The Town should work with the Orange County Partnership and others to achieve designation of an Empire Zone or similar economic development designation for the Town of Deerpark.	Short-term	Town Board & Planning Board Partnership & IDA
11	The Town should develop zoning provisions to provide for and encourage conservation subdivisions and other forms of development where density is traded for open space.	Short-term	Town Board & Planning Board

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No.	Recommendation	Priority	Responsibility
Land Use Recommendations:			
12	The Town should work with the Minisink and Neversink historical groups to aggressively promote the extensive history of the Town as an economic and tourism development resource and link these efforts to the development of Route 97 as the Upper Delaware Scenic Byway.	Long-term	Town Board, Planning Board & Town Historian
13	The Town should develop a program that would trade tax abatements for 10 to 25 year length leases of open space easements under the authority of the General Municipal Law, similar to the Town of Periton in Monroe County, for use by large open space land-holders.	Long-term	Town Board, Planning Board & Town Attorney
14	Sensitive site planning standards should be enacted which can achieve energy conservation without any significant financial differential, through assurance of solar access, and through provision of landscaped shade and windbreaks.	Long-term	Town Board & Planning Board

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No.	Recommendation	Priority	Responsibility
Transportation Recommendations:			
15	The Town should continue with its excellent multi-year capital improvement program for town roads.	Continuing	Town Board & Highway Superintendent
16	The Town should include level of service analysis and evaluation of the carrying capacity of its Town roads as a Special Use review criteria for major projects, providing density incentives for developers who participate in highway improvement projects that help to update the level of service on Town highways.	Short-term	Town Board, Planning Board, Highway Superintendent & Town Engineer
17	The Town should pursue State and County assistance in creating a by-pass of the City of Port Jervis, linking I-84 to NYS Route 42 and Route 209.	Long-term	Town Board & Planning Board
18	Monitor rail freight service situation and encourage retention of the Port Jervis mainline as a source of economic development for the region.	Long-term	Town Board

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No.	Recommendation	Priority	Responsibility
Transportation Recommendations:			
19	Plan highway and public transportation improvements with a view to complementing commuter rail service by matching schedules and ensuring good highway links to commuter rail stations.	Long-term	Town Board

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No.	Recommendation	Priority	Responsibility
Community Facilities and Services Recommendations:			
20	The Town should pursue development of municipal sewage treatment capacity by working with the City of Port Jervis to take over the existing City plant or independently develop new facilities to serve most of the existing industrial, commercial, institutional and higher density residential development areas within the Town.	Short-term	Town Board, & Town Engineer
21	The Town should investigate the feasibility of developing a municipal water supply system located on the Boehmler tract to service, by gravity flow, both the Sparrowbush and Huguenot areas.	Long-term	Town Board, & Town Engineer
22	The Town should identify a location for a new Town Center where its various services and facilities can be consolidated. An engineering and economic feasibility study should be initiated to size and design such a facility once the site is chosen.	Long-term	Town Board, & Town Engineer
23	Water lines supplying Neversink aquifer water to the Boehmler tract, and Boehmler tract water to the Huguenot hamlet and environs should be placed within the right-of-way of a rebuilt and realigned Peenpack Trail at the same time that road construction work is accomplished.	Long-term	Town Board, Highway Superintendent & Town Engineer

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No.	Recommendation	Priority	Responsibility
Community Facilities and Services Recommendations:			
24	The Town should develop and implement a master plan for recreational development, not only with regard to the ultimate development of Boehmler Park, but also existing public and neighborhood parks with special attention to the need for organized group management of such facilities to prevent vandalism and abuse.	Long-term	Town Board, Planning Board & Recreation Commission
25	The Town should require the creation of common open space in new developments so as to ensure that new residents have recreational opportunities available to them.	Long-term	Town Board & Planning Board

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No.	Recommendation	Priority	Responsibility
Other Recommendations:			
26	The Town should work with the Neversink Valley Area Museum (and with the Minisink Historical Society) to further expand its marker program using the 1930's research and other sources as a foundation.	Long-term	Town Historian & Town Board
27	The Town should work with Orange County under their Rails to Trails program to create a trail from Westbrookville to Cuddebackville with a future extension to the Port Jervis Trail.	Long-term	Town Historian & Town Board
28	Historic homes should be surveyed for possible placement on National Register.	Long-term	Town Historian & Town Board
29	Historic districts should be considered for addition to the National Register.	Long-term	Town Historian & Town Board
30	Attractive welcome signs should be placed at all entrances to the Town (11 in all). Signs should use the Deerpark Bicentennial logo (map and hamlets) so that visitors understand the makeup of the Town. A search for grant money to help pay for this project should begin as soon possible.	Short-term	Town Historian & Town Board

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No.	Recommendation	Priority	Responsibility
Other Recommendations:			
31	A large street map should be placed in front of Town Hall for visitor reference. The map funded by the Upper Delaware Council several years ago should also be updated, reprinted as necessary and distributed from multiple locations. It should serve as a "Welcome to Deepark " brochure for new residents.	Short-term	Town Historian & Town Board
32	The Town of Deepark website in the process of being created should depict historic, scenic and natural interests, as well as Town information. It should feature the same themes as used on signage and in brochures. It should incorporate an interactive map of Town historic sites and other attractions that will allow visitors to gain more information on specific sites by clicking on map links. It should also designate various "trails" that visitors can take by car, bike or foot to see Deepark's attractions with a featured link to the Upper Delaware Scenic Byway and the Upper Delaware Scenic and Recreational River.	Short-term	Town Historian & Town Board
33	Pursue a housing rehabilitation grant program under the Community Development Block Grant program to help Deepark homeowners upgrade units.	Long-term	Town Board

Town of Deerpark, Orange County, New York Comprehensive Plan

5.0 Relationships to Adjoining Communities, the County and the Region

This Comprehensive Plan has been funded with assistance from the Upper Delaware Council. The impacts on adjoining communities and the County as a whole were also considered. Finally, the environmental impacts attendant to the recommendations contained herein were reviewed. Findings with respect to environmental impacts are as follows:

5.1 Impacts

Many of the recommended measures will directly address land use and environmental concerns but the economic development suggestions, if implemented, could cause some additional growth and development and increase the need for sewage treatment services. Likewise, this development may increase impervious surfaces and stormwater runoff if not carefully planned and monitored.

5.2 Impacts That Cannot Be Mitigated

There are no environmental impacts that cannot be mitigated by good site plan review procedures and the Town's law in this regard provides a proper vehicle for this. Those procedures will be enhanced by referral to the goals and objectives as outlined in this Plan.

5.3 Irreversible Commitments of Environmental Resources

There are no recommendations contained in this Plan for actions that would constitute an irreversible commitment of environmental resources. Indeed, many of the recommendations relate to protection of those resources. Moreover, it is anticipated all actions would be subject to individual review under SEQRA.

5.4 Alternatives

The various alternatives for development of the Town have been considered in the context of the land use and economic development discussions contained herein. The Town could, of course, attempt to resist new commercial, industrial and residential development, but that course of action will do nothing to improve the environment, whereas carefully planned development subject to site plan review can actually incorporate improvements to deal with environmental issues by creatively using the Town's natural resources (e.g. use of wetlands in stormwater management planning or golf course design).

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5.5 Conclusion

This Plan, if implemented, will cause no significant adverse effects on the environment that could be classified as important. Rather, the Plan will significantly improve the environment by upgrading infrastructure and providing specific goals and objectives, relating to environmental protection, that can be employed in site plan review.

Town of Deerpark, Orange County, New York Comprehensive Plan

6.0 Appendices

- A - Recommended Zoning Law Update
- B - Recommended Subdivision Regulations Update
- C - Recommended Manufactured Home Law

APPENDIX A

Zoning Law Update

Insert Zoning
Law & Schedule
Here

APPENDIX B

Recommended Subdivision Regulations Update

APPENDIX C

Recommended Manufactured Home Law

