

Town of Hamden, Delaware County, New York Comprehensive Plan - 2010

3.0 Plans

3.1 Land Use

3.1.1 Land Use Development Trends

The Town of Hamden's land use patterns have changed relatively little over the years excepting as to the following trends:

- A. Loss of some active farmland. There were, until recently, 40 farms of some form recorded in Hamden by the Watershed Agricultural Council but many of these are very small enterprises and the number of commercial farms has declined.



- B. Some limited new commercial development along Route 10, including trailer sales, a convenience store and various other business enterprises.

The Town's proximity to Delhi and Walton could well spur some additional commercial growth. Generally, though, it does not appear the Town will face any substantial development pressure in the foreseeable future. It is, nonetheless, seeing or soon likely to see some new uses such as cellular towers, windmills and natural gas facilities.

3.1.2 Existing Land Use Controls

There is a relatively sound body of local laws now in effect in the Town of Hamden that serves to guide development. This legislation, a mixture of Town laws and Watershed Regulations, includes the following:

- A. Mobile Home Ordinance (1979)

This Ordinance derives its authority from § 130(21) of the New York State Town Law. It establishes procedures and standards for permitting of mobile home parks as well as individual mobile homes. Mobile home parks are subject to review and approval procedures similar to those for land subdivisions. Planning Board involvement is required at several levels but the Ordinance is not clear with regard to who gives final approval for mobile home parks. References to Planning Board "recommendations," a non-existent "Board of Appeals" and an implied requirement for Town Board approval of non-conforming park expansions, all make for considerable confusion as to where the ultimate responsibility for action lies.

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The Ordinance standards are also somewhat weak insofar as density, allowing more than 8 mobile homes per acre with only minimal open space required. Other standards are based on those recommended by the industry and are generally appropriate. Requirements applicable to individual mobile homes are also adequate but out of date procedurally with respect to the Uniform Fire Prevention and Building Code. Overall, the Ordinance provides good basis for mobile home regulation but needs updating to reflect changes in Town Law and SEQRA. Procedures for approvals also need clarification.

B. Subdivision Regulations (1985)

The Town Planning Board first adopted Subdivision Regulations, pursuant to § 268 of the Town Law, in 1985. It subsequently amended these in 1989, 1990, 1995 and 2006. The Town Board approved these Regulations in each instance and also adopted a local law in 1985 to provide penalties for offenses against them. The Regulations are straightforward and have been generally effective.

There are, however, provisions for Boundary Line Adjustments and Simple Subdivisions that could use some clarification. It would be useful in both instances to specifically exempt these matters from being classified as subdivisions because the Town Law demands public hearing for all subdivisions. The Town could, as an alternative, enact the entire set of Regulations as a Local Law and include a supersession clause pursuant to the Municipal Home Rule Law.

The procedures allowing for establishing escrow deposits for lot improvements are also somewhat unusual and should be re-evaluated. Design standards are adequate for most issues but stormwater management could use more attention and there should be a general requirement that post-development run-off not exceed pre-development conditions. Stream buffers, limitations on steep slope development and provisions to encourage the use of conservation subdivisions (where lots are clustered to preserve open space and farmland) should also be considered.



C. Road Takeover Requirements (1989) / Road Preservation Law (2009)

The Town Board enacted a resolution setting takeover standards for new roads. It establishes requirements that all such roads meet "Donovan Plan" standards, provides for notification regarding private road construction and reserves certain testing and other rights to the Town. It also allows the Town to demand cul-de-sacs for turning around highway maintenance vehicles. Finally, it establishes a

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required assessed value per mile of proposed road as a threshold for Town takeover. Land and buildings accessed and abutted by a proposed road must generate sufficient taxes to support the costs of maintaining that road. Perhaps a better approach would be to simply establish a set of threshold standards for any road takeover. This would produce the same end result without necessarily preventing small numbers of landowners with large acreage and relatively low tax burdens (e.g. farmers) from applying to have a road taken over by the Town.

Basic procedures regarding inspections, bonding and variations are also missing from the requirements. These regulations need to be incorporated into a local law to be most effective. The Town may want to consider imposing a higher or different set of standards for takeovers as opposed to new subdivision roads. Applying identical standards encourages developers to turnover roads to the Town and this is not always desirable.



The Town enacted a Road Preservation Law in 2009 to deal with the impacts of heavy trucks on Town roads. This Law is important to establishing a basis for negotiating with natural gas companies to avoid financial burdens on the Town.

D. Dumping Law (1990)

The Town Board, pursuant to § 130(6) and (15) of the Town Law, enacted a local law regulating the dumping of waste, refuse and garbage. The law is a very simple one, limited to prohibiting dumps and the private dumping of paper, garbage, rubbish, trash, toxic substances and other waste materials. The law does not cover abandoned vehicles, organic agricultural wastes or construction wastes. The regulations are both basic and effective. No changes are warranted.

E. Right-to-Farm Law (1990)

This law takes positive steps to protect the Town's agricultural industry. It defines farming practices, makes them lawful and prohibits any party from preventing or deterring such practices. The law is adequate insofar as it goes but needs some improvements to be truly effective and withstand legal challenges. References to New York State Department of Agriculture and Markets policies and definitions of "sound agricultural practices" would provide a more solid legal foundations for the Law. It should also include some manner of dispute arbitration. Such revisions would be relatively simple to implement without changing the thrust of the Law.

F. Unsafe Buildings Law (1992)

This is a very specific law targeted at unsafe buildings and dangerous properties. It is structured as a nuisance regulation pursuant to § 130(16) of the Town Law. It

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defines unsafe buildings and dangerous properties in terms of threats to public health and safety as well as violations of the Uniform Fire Prevention and Building Code. It also declares such situations to be public nuisances and provides for notice to landowners to repair, secure or demolish such structures where emergency conditions exist. Where the landowner fails to remedy problems, the Law authorizes the Town to take action and assess the costs. This is a common approach and the Law is more than adequate as written.

G. Adult Oriented Business Law (1997)

This Law is a carefully drafted regulation of sexually oriented businesses and other adult uses. It does not prohibit such uses but, rather, confines them to specific areas away from churches, public buildings, residences and other institutions and protected areas. It also includes introductory language regarding the purposes of the regulations that serve to give the Law a good legal foundation. All of the provisions of the Law appear to comply with Federal case law on this subject.

The various setback requirements arguably belong in a Zoning Law but these do not by themselves provide reasons to enact one. Given the very specific construction of this Law and fact that it regulates rather than prohibits such uses, it is generally adequate as written. Links to authorities for such regulations under the Town Law and/or General Municipal Law would be helpful, however. Such authority may be found in § 130(11) of the Town Law.

H. Site Plan Review Law (1998)

This Law was enacted under the authority of § 274 of the New York State Town Law. It authorizes the Planning Board to review and approve, approve with conditions or disapprove site plan required under the Law. Such plans are required for most commercial and industrial uses as well as enlargements and expansions of 10% or more. Agricultural, forestry, junkyard, mobile home park and home occupation uses are exempted from these requirements.

The Law is well-written and meets the current requirements of Town Law and SEQRA. It also requires landscaping information and authorizes the Planning Board to demand detailed traffic studies for large developments. The plan review criteria include traffic impacts, screening, environmental quality and related factors and provide an adequate basis for the Planning Board to deal with most site plans. Overall, this Law is fairly simple and effective.

However, there are some issues with respect to amendments made to the Site Plan Review Law in 2001 to deal with



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communication tower facilities. This section is overly complex and places significant and unwarranted burdens on cellular service providers (e.g. structural design standards that should be left to qualified engineers). It needs to be streamlined and defer to industry best management practices.

It is not clear, however, why junkyards and mobile home parks are exempted from review. Site plan review would strengthen other regulations with respect to these uses. A tie-in to the adult oriented business regulations would also be appropriate. It would, too, be useful to incorporate stormwater management review criteria and standards into the Law requiring post-development stormwater run-off to not exceed pre-development flows. Likewise, stream buffers based on slope might be appropriate.

Finally, reference to the Watershed Regulations and the goal of phosphorus reduction as a basis for the review of site plans would improve the Law. More importantly, this would put the Town in more of a leadership role with respect to land use regulation within the watershed portion of the Town.

I. New York City Watershed Regulations (1997)

The regulations adopted with respect to the watershed portion of the Town are complex and comprehensive in scope in the sense that they procedurally impact on everything. The overall standards for water quality also have potentially greater impact than the regulations themselves to the



extent they form a basis for New York City review and approval of applications. Much of the frustration with City involvement in local land use regulation derives from the mere fact that it is involved. The heavily bureaucratic approaches employed by City agencies to make decisions often result in needless delay and additional costs. The Watershed Regulations include the following requirements:

- New petroleum storage facilities (including those used for home heating fuel storage) must be located at least 100 feet from a stream and 500 feet from a reservoir.
- All new subsurface sewage disposal systems must be approved by the City's Department of Environmental Protection and be located at least 100 feet from a stream or wetland and 300 feet from a reservoir (increased to 250' and 500', respectively, for "raised systems").

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- Impervious surfaces constructed in connection with new commercial uses are prohibited within 100 feet of a stream or wetland or 300 feet of a reservoir.
- New residences are generally prohibited within 100 feet of a stream or wetland or 300 feet of a reservoir.
- Stormwater pollution prevention plans for review by the City are required in connection with new subdivisions, earth disturbances of 5+ acres and creation of impervious surfaces of 40,000 sq. ft. or more or located within commercial zones.

The key to improving the workability of these regulations may be for the Town to use its site plan review authority to address them up front so major issues are resolved before the New York City DEP is called upon to render a decision.

All in all, the land use controls in place within the Town are fairly extensive already and there is no obvious reason for the Town to do more than consolidate a few of them, update some others and fill in a few gaps. A Zoning Law is not warranted at the present level of development.

3.1.3 Future Land Use

Future land use within the Town is likely to be strongly influenced by Route 10 traffic. Some minimal expansion outward from the Delhi and Walton areas can be expected. This is the area of the Town most able to support commercial and industrial development.



The types of industrial uses likely to be attracted to the Town are generally unobtrusive. A tool and die shop is an example and, because these uses employ relatively small numbers of people (typically 10-30 persons) and take place inside enclosed structures, they could be located anywhere in the Town with little impact.

There is also likely to be some land use impacts from natural gas exploration and recovery in the region, which is likely to create demand for more lodging, commercial services and certain types of housing. The Town's land use challenges are likely to come from dealing with the impacts of specific uses on Route 10 where traffic conditions may cause conflicts or safety hazards. Some 84% of residents who participated in an on-line community survey conducted in connection with this Comprehensive Plan update indicated they thought a "more diversified business and economic base" either moderately or very important to the Town in the next 10-20 years. Accordingly, land use controls must provide flexibility to accommodate development in a number of areas but in a manner which allows the Town to exercise reasonable control to deal with the impacts of that development.

The Site Plan Review Law largely achieves those purposes for Hamden. Because the Town is so small and rural, zoning is not proposed at this time and, therefore, no future land use map is

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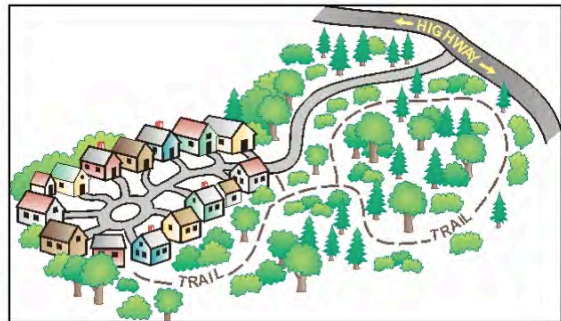
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provided. Indeed, if one were to be prepared it would be virtually identical to the existing land use map except as to providing for some additional commercial activity along Route 10 and within the hamlets of Hamden and DeLancey.

3.1.4 Land Use Recommendations

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

- A. The Town should consider incorporating its road dedication standards into local law to strengthen them. The Town should continue to apply its current road dedication requirements, setting them somewhat higher than those contained in the Town Subdivision Regulations. The Road Preservation Law also remains important as a tool to financially protect the Town from damage caused by water trucks serving gas drilling sites. Street encroachment standards with sufficient detail to establish clear standards of new construction and permitting are also needed.
- B. The Town might want to consider a Junkyard Law setting some specific standards for such enterprises with an effective enforcement program, including annual inspections. A sample Junkyard Law is included in the Appendices.² It defines a junkyard as the keeping of 6 or more abandoned or unlicensed vehicles. An ad hoc committee of Town Board and/or Planning Board members and other interested citizens should be appointed to review and evaluate this draft document as well as other alternatives to determine if something similar would be suitable for the Town. This is not a pressing need in the Town of Hamden but was identified as an issue during the public participation phase of the planning process.
- C. The Town Subdivision Regulations should be updated to provide for Conservation Subdivisions. This concept, also known as clustering, can be used to avoid the carving of the entire Town into 5 and 10 acre lots and, instead, preserve larger contiguous tracts. It can also facilitate the continuation of farming as an enterprise on saved open spaces.



It should be a priority design type for subdivisions of larger parcels (say 100 acres or more) in the watershed portion of the Town where preservation of stream buffers is essential. Application of the concept can successfully achieve this without depriving landowners of any density to which they are otherwise entitled.

² See [Appendix A](#) for sample Junkyard Law.

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A model provision is found in the Appendices.³ The update should also address the issues of Boundary Line Adjustments and Simple Subdivisions discussed earlier. Additional considerations might include standards for multi-family developments and recreational vehicle parks (which offer economic development potential for the Town and should be accommodated). Finally, the communications towers section needs to be streamlined so as to accommodate this needed service while still protecting public safety. The emphasis should be put on the basics such as tower height, leaving other structural design issues to professionals.

- D. The Town should make administration of Section 310 of its Subdivision Regulations a priority. This section provides for review of conservation easement plans, which has become increasingly important for several reasons. The justification for review is inherent in the practical effectuation of non-regulated subdivisions by the prior creation of common open spaces. Such practices effectively set aside land for development uses that may not be suitable for those uses. Allowing conservation easements to take place prior to review by the Town deprives the Town of any meaningful role in the design of future lots and open spaces, thereby avoiding Subdivision Regulations as a practical matter. Therefore, it is essential for the Town to review them at the outset before they are created.

Additionally, the removal of extensive land from development eliminates the Town's ability to shape development, making a sham of local planning efforts as well as those of individual landowners. Given these facts, and the negative fiscal impact of easements on already stretched municipal budgets, the acquisition of additional conservation easements in the Town of Hamden should be opposed. Moreover, the Town must review all conservation easements if it is to successfully implement this Comprehensive Plan or have any real influence on future land use.

- E. The Town should update its Mobile Home Law in accord with earlier discussions and specifically address the procedural issues raised.⁴
- F. The Town should help recruit enterprises that will meet the service demands of the Town and be compatible with watershed protection. It should work with the Industrial Development Agency and Catskill Watershed Corporation (CWC) to support real estate tax abatements and low cost financing for such enterprises.



3 See [Appendix B](#) for sample Conservation Subdivision provisions.

4 See [Appendix C](#) for example of Mobile Home Park provisions.

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- G. The Town should consider enacting Site Plan Review Law and Subdivision Regulation provisions that will encourage use of renewable energy.⁵ These provisions should establish standards for such uses, but much more importantly, ensure they are permitted everywhere in the Town, require homeowners associations to accept such uses and authorize the Planning Board to waive regulatory requirements to accommodate these renewable energy systems.



3.2 Community Facilities and Recreation

Although the base is small, Hamden's population continues to grow. Providing its present and future residents with essential public services and facilities is the subject of this Community Facilities and Recreation Plan. Town government bears direct responsibility for a large portion of these needs and, therefore, is the logical entity to implement programs addressing them.

3.2.1 Parks and Recreation

The principal recreation facilities and programs serving the Town are located in the Village of Delhi. The Town has financially supported these and should continue to do so, provided the cost sharing is fair to the taxpayers of Hamden. The Town has also added a playground to the Town Hall grounds.

3.2.2 Fire and Ambulance

The Lewis Engine Company of the Delhi Fire Department services most of Hamden from its station in the Town Hall. Mutual aid arrangements deliver additional help from other companies. Ambulance service is provided by companies in Delhi, Walton and Downsville with significant volunteer support to all three being provided from Hamden residents, including an excellent group of EMT/first response providers. There is also now an ambulance station in the Town. It does not appear there are any serious needs in this regard at the present time that are not already being adequately addressed by these volunteers.

3.2.3 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 and in others subsurface disposal is still the preferred option as a means of reducing impacts on both ground and surface water from excess nutrients.

7 See [Appendix E](#) for example of Renewable Energy provisions.

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Notwithstanding the appropriateness of on-lot and/or subsurface solutions there are some areas of the Town that require additional attention and these are being addressed. An on-lot septic maintenance district has been developed for the hamlet of DeLancey to ensure better maintenance of systems and repairs where needed. The Town of Hamden is assuming control of the new DeLancey Septic Maintenance District to ensure 59 residential septic systems in this area will be regularly pumped and maintained. The project was funded under the CWC Community Wastewater Management Program which provided money to set up the district, pump and inspect all on-site septic systems and replace 16 systems determined to be substandard. The District will now be responsible for scheduling regular inspections of DeLancey systems, and contracting for their repair when necessary.



A large subsurface sand filter system, combined with a collection system, has been developed for the hamlet of Hamden. This project was also being funded under the CWC Community Wastewater Management Program. The completion of this project solves several individual problems without creating an unnecessarily expensive treatment and discharge system. It also positions the hamlet for some additional commercial and residential development.

It is important the City of New York continue to help fund these improvements, which are necessitated primarily by its use of the watershed as a water supply.

3.2.4 Library Service

The Town is served by excellent libraries in Delhi and Walton. There are no unmet needs.

3.2.5 Solid Wastes

The Town is served by private haulers who take solid wastes to the County landfill located outside the Town. Although the landfill had capacity, the County has now implemented composting options that have extended its life to 2050. There are no current unmet needs.

3.2.6 Water Supplies

There are public water supply systems in both DeLancey and Hamden. Both have been fully updated and there no further unmet needs in this regard.

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3.3 Transportation

Highways influence the direction of overall growth as well as the location of specific commercial, industrial and residential developments. This plan addresses the needs of this highway system, as well as other modes of transportation to the extent they exist.

3.3.1 Functional Road Classifications

Some roads are more important than others and, therefore, it is necessary to assess the future role and function of each road as the Town continues to develop. The following list identifies Town of Hamden highways and roads by the functions they must play in the future (as opposed to current use) to achieve an efficient flow of people and goods through the area.

Town of Hamden Functional Highway System		
Classification	Functional Description of Highway or Road	Hamden Routes
Arterial Highways	Carry medium-to-heavy volumes of traffic at moderately high speeds and provide access to major traffic generators.	NY Rt. 10
Collector Roads	Provide connections between Arterials and Local Roads at comparatively slower speeds and carry moderate volumes of traffic.	CR No. 2 CR No. 26 East Brook Road Terry Clove Hamden Hill/Feak Hollow
Local Roads	Provide direct access to abutting properties and channel traffic to Collector Roads.	All Other Roads

All of these highways are already functioning adequately in these capacities. However, the Town should consider refining its standards for highways turned over to the Town so as to ensure it is not burdened with unnecessary new upgrading or maintenance expenses for sub-quality roads. The Subdivision Regulations also include road standards but these do not address existing private roads that might be proposed for Town takeover. Takeover requirements should also be higher than those for private roads in subdivisions.

3.3.2 Other 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.

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- C. Some public transportation is provided by the Office of Aging, which stops in Hamden two days per week and serves Oneonta and Sidney. There is also public transportation available in Delhi to points such as Oneonta, Binghamton and Kingston using the Trailways system. No additional service is needed at this time.
- E. Railroad freight service is available in nearby Deposit and Oneonta and the reasonable accessibility of the Broome County and Albany Airports suggests the Town has no further needs in either of these categories.

3.4 Economic Development

Various elements of this portion of the Plan have been discussed under Land Use and elsewhere herein. Nevertheless, it is valuable to consolidate these ideas and combine them with a view toward answering that most basic of questions - how should Hamden grow?

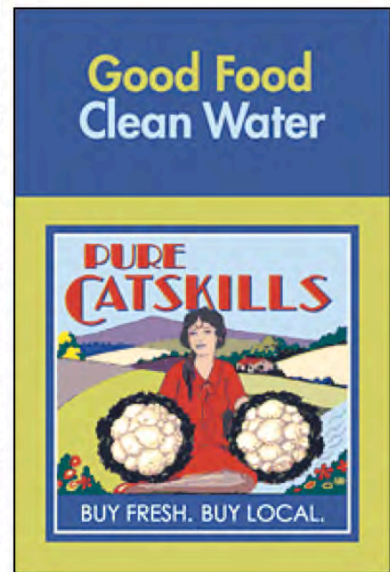
3.4.1 Strengths, Weaknesses, Opportunities and Threats

Some basic observations regarding economic development in the Town of Hamden are appropriate at the outset. These include the following:

A. Strengths

The Town of Hamden possesses several strengths insofar as future economic development is concerned. These include the following:

- Delaware County, has a vibrant agricultural sector, including several farms in the Town. Although some are small, there are growth opportunities being exploited under an economic development program managed by the Watershed Agricultural Council (WAC), which has created a *Pure Catskills* marketing initiative based on water quality. The existing farm community constitutes a base from which to develop further. There is potential for bio-fuels development, for example, using poor grasses to manufacture pellets for burning in stoves. Also, the area is well-suited for growing grasses to support grazing programs and this is a strength for farmers growing heifers, beef and other foraging animals.



- The Hamden area also produces some of the best hardwoods in the world. There are several nearby processors of forest products and markets nearby

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that can consume virtually any wood product manufactured locally. The New York City metro area market is one of the largest in the world.

- The Town of Hamden is located in the geographic center of Delaware County and is convenient from all directions. It is also located midway between Walton and Delhi, the two principal Villages serving the region. This location makes it a logical location for County services. This is why Cornell Cooperative Extension, ARC, NYSEG, Delaware Opportunities, Inc. (which hires 100+ employees) and others have all chosen the Town as a place to do business. This obvious strength should also appeal to others.
- This area of Delaware County has a uniquely appealing charm that derives from its scenery, history and natural features. The West Branch of the Delaware, the hillsides sloping down to it, the Hamden Covered Bridge and the farms along Route 10 all contribute to a high-quality marketable rural character.
- The proximity of the Town of Hamden to several major urban areas is, although sometimes forgotten due to the rural character of the area, a substantial economic asset. A population of 24.6 million people lives within 125 miles of Hamden and this constitutes a market of extraordinary size and wealth for those who wish to sell to it. It accounted for estimated retail sales of \$250 billion in 2009 according to ESRI, placing Hamden in an enviable location for marketing purposes.
- Because the Town is located within the New York City water supply watershed it has access to funding made available by the City, including the major support given to the Catskill Watershed Corporation for economic development and other initiatives. This funding is not available to most other towns in New York State and offers a resource for capitalizing both community and economic development projects. It does come with substantial costs attached, but the fact that it is also an economic advantage cannot be ignored.



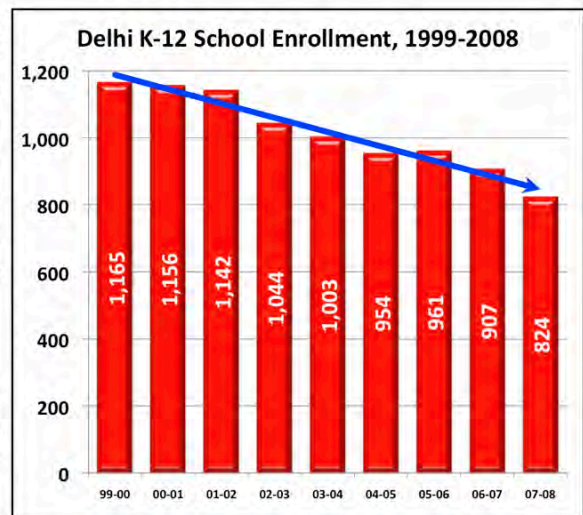
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B. Weaknesses

There are, to be sure, weaknesses that accompany these strengths. They include the following:

- NYC-DEP land acquisition has deprived the Town of much economic development potential and is killing essential growth. Moreover, the regulations placed on the Town and its landowners by NYC-DEP are a distinct disadvantage in attracting new business and the expansion of existing businesses. The regulations themselves are not nearly as negative, however, as the perceptions they create and the administrative delays and frustrations that accompany them. The watershed area is generally perceived as a difficult place to do business. This problem can be mitigated with more streamlined procedures and better communications but the perceptions will, nonetheless, be long-lasting and require substantial effort to overcome.
- The Town is aging and faces the prospect of declining K-12 school enrollments and what is an ever more dependent population. The labor force is also not growing fast enough to attract the types of industries the area might otherwise desire.
- There are no large centers within the Town that can offer support services for other businesses.
- The Town of Hamden lacks any one single large tourist attraction that it can promote. There are numerous smaller attractions that can be linked but none that by themselves can be counted upon to attract significant numbers of visitors.
- Depressed farm pricing in the dairy industry, combined with generally small farms, make it quite difficult for area farmers to compete in commodity markets.
- New York State is, generally, a highly taxed state and is perceived as such by persons and businesses who might otherwise like to locate in the Town of Hamden. The proximity of lower taxed locations in Pennsylvania makes it difficult for Hamden sites to compete.



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C. Opportunities

There are many opportunities available to the Town for economic development if it is realistic regarding these strengths and weaknesses. The opportunities include:

- There is potential to package local tourist attractions with the rural character of the area. The Town offers excellent landscapes, beautiful wooded areas, superb hunting, attractive farms, a covered bridge, potential trails, a nearby golf course and several other features that can easily be packaged.
- The marketing needed to attract tourism can also be used to attract second home development. Although many oppose further such development, second homes bring in new investment without creating excessive service or infrastructure demands. They also support the construction industry.
- There are opportunities to sell agricultural specialty products. These include not only food, but also high-quality hay, bio-fuels, grass pellets and still other products. Additionally, there is the marketable appeal of farms to visitors and second home residents, in the form of agricultural tourism, horse stables, etc.
- There are not only possibilities for further harvesting of hardwood products but also the development of new added value operations on a small scale. The CWC has already helped fund such enterprises. There are clearly opportunities in the Town of Hamden for small wood products manufacturing enterprises producing items such as cabinets and crafts.
- The Town of Hamden is also a logical location for additional county agencies, both public and semi public, and other service industries. Most of these facilities are of sufficient size to provide for their own infrastructure needs and are very compatible with the Town environment.



- Other small scale industrial enterprises (e.g., small metal fabrication) with relatively minor infrastructure needs also have potential. These operations generate very low demand for community services, are conducted entirely inside, pay well because they are capital intensive and cause little or no impact on the environment. Moreover, because the products are typically shipped to metropolitan markets in small quantities there is no reason they

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cannot be located almost anywhere provided the owners have a relatively quick access to their customers for occasional visits. This type of enterprise fits well with rural areas adjoining metro areas, as in Hamden's case.

- Finally, there is an opportunity for additional commercial development in and around the hamlet of Hamden to service the needs of these other businesses. There are already a significant number of people employed in the enterprises that have congregated south of the hamlet and as these grow in number there will be opportunities for support services.
- Natural gas exploration and recovery from the Marcellus Shale underlying the Town of Hamden offers major lease and royalty income possibilities for landowners, particularly those located outside the watershed, as well as still further economic development likely to come from demands for lodging, dining, technical and other support services to the industry.



D. Threats

There are also some clear future threats to the Town's economic development. These include the following:

- There is ever increasing regulation of water quality by all levels of government. The increasing attention to nutrient levels and desire to prevent any development around the Cannonsville Reservoir that could impact upon those levels may reach the point that virtually all development is strangled unless systems are developed where tradeoffs for lowering of these nutrient levels can be made to accommodate new development. There is great skepticism among residents as to whether fair tradeoffs are possible.
- The second home industry is very appealing and can be a highly effective means to jump starting the economy. The experience of other second home areas, however, suggests such second homes eventually become first homes with the attendant costs for schools and other services. Unless the Town carefully manages the extra income during the early years, as it does now, it could find the future tax burden quite onerous.
- The manner in which many agricultural products are priced threatens the

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stability of the small farms that form the backbone of the Town of Hamden's agricultural sector. Many small farmers are not ready to compete in the marketplace in the manner needed to survive.

- Lack of growth, combined with aging, could deprive the area of the critical mass of younger people needed to sustain the local economy, leading to an exodus or population collapse such as being experienced in some other rural areas to the west. making it increasingly difficult to support community institutions and services.
- The natural gas industry could develop so quickly as to overwhelm the Town and County infrastructure and systems.

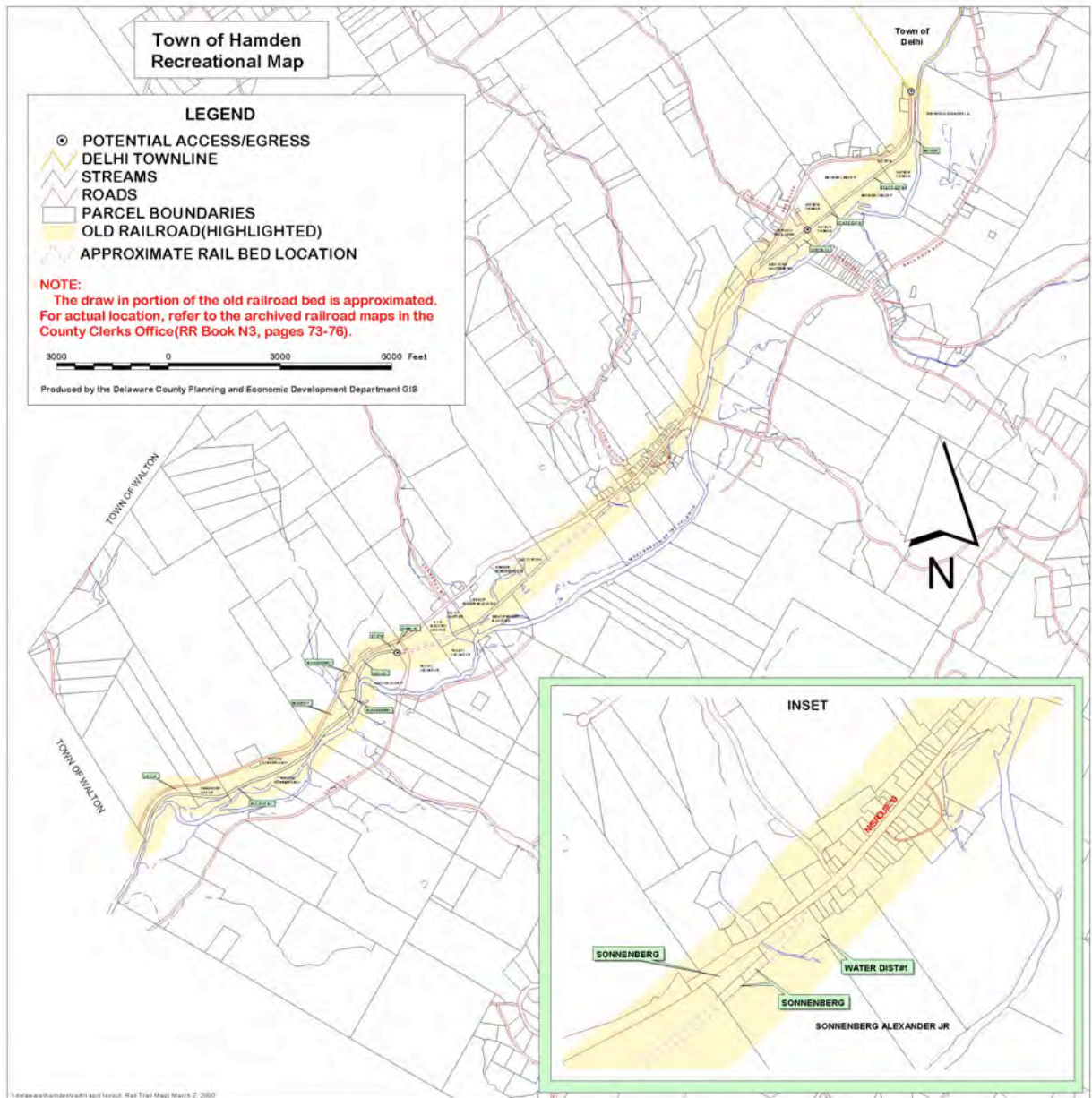
3.4.2 Recommendations

Given the above analysis, the following recommendations are offered for the economic development and growth of the Town of Hamden:

- A. The Town needs to maintain the availability of land along Route 10 between the hamlet of Hamden and the Town of Walton for potential development. It is not the only potential area for development, but certainly the best. While the Town has no Zoning Law at present that would prevent such development, the impact of decisions under the Town's Site Plan Review Law could influence patterns. This area already possesses certain core enterprises of such scope that they can provide for their own infrastructure. Further development is possible and would help to enhance the viability of this area as a community and service center. The types of uses that now exist or that would be attracted in the future are generally located on large lots where it is possible to retain stormwater on-site and adequately provide for sewage disposal with subsurface systems.
- B. The Recreation Map following provides a possible starting point for an expanded Tourism Map of the area that could be used to help cross-promote tourist attractions such as the Hamden Inn, Hamden Covered Bridge and walking trails, as well as snowmobile trails. The Town should work with the County Planning Department and Chamber of Commerce to develop such an expanded Tourism Map and incorporate it into a professional brochure and promotion program. There are other examples from rural communities as to how this can be accomplished. The Town of Colchester, for example, has a very effective brochure.



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- C. The Town should work with the County Industrial Development Authority to create an incentive program for the attraction of small industries to communities without major infrastructure. Towns such as Hamden are very suitable for agricultural and forestry specialty manufacturers, tool and die and other metal fabrication shops, health services and other small enterprises with few infrastructure demands. These businesses (typically 10 to 30 employees) are, historically, high growth. They are also attracted to rural communities on the urban fringe because that's where the owners can find good labor, an attractive living conditions and close access to the metropolitan areas. A tax-abatement program specific to such enterprises and offered with the up-front cooperation of the Town and assistance from the CWC should be pursued. Help in retaining existing businesses is, perhaps, even more critical.



- D. The Town should work with the County Planning Department to identify sites suitable for target industries such as health care services and assist the owners in securing financing through CWC or otherwise to improve and/or upgrade these sites and facilities. Such efforts need to be approached on a voluntary basis with interested landowners. Upgrade or redevelopment of properties such as the motel site should be a focus of these initiatives.
- E. The Town should encourage the development of home-based businesses by allowing them everywhere in the Town with minimal oversight, relying upon the Site Plan Review Plan Law as opposed to arbitrary zoning classifications that might restrict locations. Home-based businesses demand flexible approaches and should not be subject to the same tests as other businesses.
- F. Promotion of the Town for home-based and other businesses can be facilitated through the use of the Town's website.⁶ The site is already well-designed. Although limited now, its use will grow rapidly as new information is added and the Internet becomes a primary method of doing business. It could be used, for example, to provide even more information on each Town business (the business listing is an excellent feature), make all Town regulations directly available to the public and advertise tourist attractions. It could also be used to communicate information on assistance available to businesses from CWC and others.

6 See www.hamdenny.com

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- E. The Town Board passed a resolution on January 6, 2010, supporting natural gas drilling in Marcellus Shale lying beneath the Town of Hamden. The resolution expressed the Town Board's position that protection of the environment is top priority and its support of natural gas exploration and recovery was contingent on the New York State Department of Environmental Conservation (NYS-DEC) thoroughly investigating all safety concerns through its Supplemental Generic Environmental Impact Statement process.



United States Shale Gas Plays



The Town Board resolution also explicitly requests the NYS-DEC not adopt any special regulations treating the Town of Hamden or the New York City water supply watershed lands any different than the rest of the State of New York. It further states that, if the Town of Hamden is treated differently in any way, the State or NYC-DEP should compensate Town and other watershed landowners on a per acre basis for those special restrictions and limitations to reflect the severe loss of economic value.

The magnitude of the potential losses has become more clear in recent months and, at \$2,000 per acre for leases may amount to over \$60 million in income for Town of Hamden landowners over a 5-10 year period, not including royalty income that dwarf this figure. This is more than twice the entire combined personal

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income of all Town of Hamden residents in 2000, illustrating that no other economic development initiative can match natural gas in terms of overall effectiveness.

The potential multiplier benefits from expenditures of drilling companies on lodging, retail, trucking and other services are also considerable. Most important is the ability this revenue could provide to farmers and others to keep land in open space while still achieving economic development thwarted by NYC-DEP land acquisition. Again, no other measure offers as much potential to keep land in agriculture or support the maintenance of open space.

The Town Board needs to continue to take pro-active position with respect to natural gas development; ensuring there is an opportunity to realize the economic benefits while also making sure the natural environment on which so much of the tourism economy depends is fully protected. Achieving this balance is a critical priority.

- F. The Town of Hamden needs to substantially expand its hamlet areas that are exempt from further NYC-DEP land acquisition and protected, to the extent possible, from regulatory burdens that are often akin to takings. The Town Board has taken the initiative to negotiate such a hamlet extension with NYC-DEP. It would include most of the land along Route 10 and substitute cluster development provisions to be applicable to large parcels to ensure any new development is removed from sensitive areas that might have a negative impact on water quality. The Town Board adopted a resolution, on December 2, 2009, affirming its support for cluster development (also known as “conservation subdivision” in its most desirable variation) as an option. This is very important to economic development in Hamden, as the only realistic area for new business is along Route 10, adjacent to the two existing hamlets, both of which are currently too small to accommodate any significant new business.⁷



7 See [Appendix B](#) for sample Cluster/Conservation Subdivision provisions.

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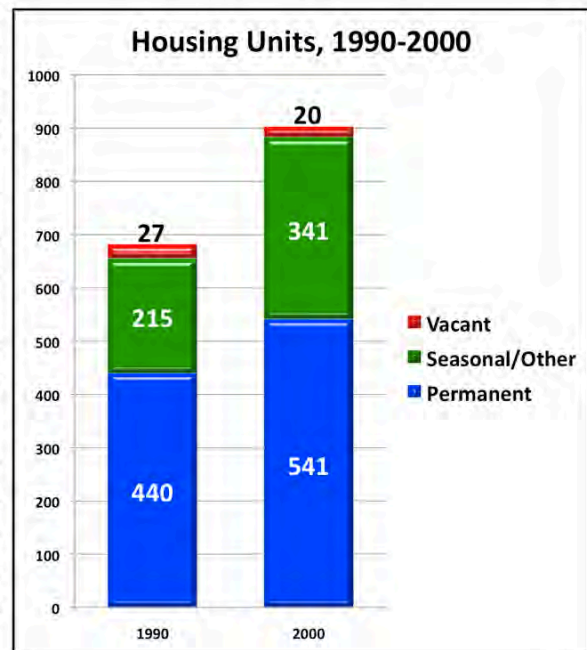
3.5 Housing

3.5.1 Number of Persons Per Household

The number of people living in each household was 2.35 persons in 2000, down from 2.60 in 1990. The County average declined from 2.56 persons in 1990 to 2.39 in 2000. These shrinking household sizes are a reflection of rapid aging of the population.

3.5.2 Housing Stock

The total housing stock of the Town of Hamden grew from 681 units in 1990 to 902 in 2000, a 32.3% gain that dwarfs the population increase. This is a factor of shrinking household sizes, aging and the in-migration of second home owners. Permanently occupied units grew from 440 to 541, a 101 unit or 23.0% increase. Some 440 were owner occupied and 101 were renter occupied in 2000, the renters growing the fastest. Housing units used for seasonal, recreational or occasional occupancies (including the category of "other vacant") grew from 215 in 1990 to 341 in 2000, a 58.6 jump for the decade. ESRI estimates there has been little change in the total size of the housing stock since 2000. Second homes made up 37.8% of the housing stock and, as older homeowners sell units, the percentage of second homes can be expected to increase.



3.5.3 Housing Values

The 1990 Census revealed a median housing value of \$70,200 for the Town, which increased to \$76,300 in 2000. This small 8.7% gain was actually a 17.4% decrease on an inflation adjusted basis. ESRI estimates it had risen to \$126,667 by 2009, which represents a 9.9% real increase in value over 1990 when adjusted for inflation. While there were a major increases in prices during the period 2003 to 2007, the values have since settled and concerns over housing affordability have, with good reason, ebbed, although low incomes suggest it is still a matter of some concern.

3.5.4 Housing Type and Ownership

Single family homes in 2000 accounted for 648 units and comprised 71.8% of the housing stock in Town of Hamden with 639 of those being detached units and 9 being attached units. This was followed by two-family and multi-family units at 31 and 34 units, respectively, or a

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combined 7.2% of the stock. Mobile homes and similar units totaled 189 units or 20.9% of all housing in the Town of Hamden, providing one of the reasons for the housing values being somewhat low.

3.5.5 Contract Rents

The median rent in the Town of hamden was \$473 in 2000, up from \$338 in 1990, representing an inflation adjusted increase of 6.2%. The median rent Countywide in 2000, however, was only \$451. This is most likely attributable to the presence elsewhere in the County of subsidized rent public housing projects, of which Hamden has none. SUNY-Delhi student housing demands also tend to inflate rents in the central part of the County, including Hamden.

3.5.6 Recommendations

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.⁸ The Town will also continue to benefit from working with Delaware Opportunities , Inc. (located in the Town) to help Hamden homeowners upgrade units.



Bird's Eye View Illustration of Conservation Subdivision

8 See [Land Use Plan](#) (Section 3.1) and [Appendix B](#).