

COMPREHENSIVE PLAN

for the

TOWN OF HARTLAND

Adopted August 14, 1998

TOWN OF HARTLAND COMPREHENSIVE PLAN

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EXISTING LAND USE ANALYSIS

BACKGROUND

Preliminary to the development of a Comprehensive Plan is the analysis of existing uses of land within the Town of Hartland. It is the foundation upon which construction of a plan for the future must be anchored.

During the early 1970's, an effort toward comprehensive planning was undertaken in the Town. A consultant was hired and much data was developed. A draft plan was developed, but not officially adopted. During the ensuing 28 years, the Town of Hartland has changed, but the basic land uses have remained relatively stable. Certain assumptions and references in this plan are drawn from the study's data and land use survey developed at that time.¹ That data was utilized where it was found to be consistent with today's uses and was not followed or disregarded where not consistent.

PHYSICAL FEATURES

Just as knowledge of past development is essential to the development of the Comprehensive Plan, background knowledge and understanding of the natural forces which are present in the Town of Hartland are important. Topography and slopes, soil conditions and drainage are all important natural factors which affect future development, or the lack of it. Generally, the Town contains good soil, flat topography, a well-maintained drainage system and a lack of sewers. These factors are conducive to agricultural activities, and moderate residential development, but act as a deterrent to heavy or fast development.

The road system established many years ago in the Town greatly influenced patterns of development. The strong agricultural influences in areas of gentle topography encouraged a grid road system, which in turn, contributed to residential development.

EXISTING LAND USE PATTERNS

The Town of Hartland is located in the northeastern quadrant of Niagara County. Via U.S. Route 104 and N.Y.S. Route 78, it is approximately six miles from the City of Lockport, from the Town's western boundary, and approximately twenty-four miles due east of the City of Niagara Falls, via U.S. Route 104. Hartland is located in an area of moderate climate conditions which have

¹ See proposed Comprehensive Plan for the Town of Hartland, 1970.

created advantageous weather conditions for an exceptional production of certain agricultural crops.

The Town contains approximately 33,500 acres of land (52.3 square miles) of which approximately five percent is developed. The remaining land is used for agriculture, is in forest cover, is wetland, or is in some form of inactive land classification. The majority of developed land occurs in the area adjacent to Route 104. This transportation way acts as a generator for development. Development becomes less dense both to the north and south of this road. The following paragraphs describe land uses found during the land use survey in 1970, which continue to be valid today. For this analysis, the land uses have been classified into six general categories: Residential, Business, Industrial, Public and Quasi-Public, Street Rights-of-Ways, and Agricultural/Vacant Lands.

Residential

Residential development has occurred in two ways in the Town of Hartland over the past 175 years. Primary development has taken place along the historic federal highway, Route 104, which connected the young City of Rochester to the growing Niagara Frontier and City of Buffalo. In its initial use, the old Indian Trail was the shortest and driest way between the Genesee and Niagara Rivers. As early as the 1780's, the road was used to drive cattle to the British troops garrisoned in Fort Niagara. Route 104 became a bona fide highway in 1815. Since these early beginnings, residential development began as close to transportation and communication as possible.

In a manner similar to the residential development on Route 104, most of the Town's remaining residential growth has been along practically all County and Town roads. Since there has been no particular advantage to building in one or a few concentrated areas, growth has become uniformly scattered in strip development throughout the Town. More residential development has taken place on roads with a north-south orientation than east-west, indicating, in part, that most residents are non-farm families who commute to jobs outside the Town. The most significant growth has taken place on inter-Town roads, rather than on purely local roads.

Business

Commercial development in the Town of Hartland amounts to approximately 52 acres of land. This unusually small amount of business land may be the result of a lack of an urban center within the Town. Two small commercial areas exist in the Town, one at the intersection of Hartland Road and Ridge Road (U.S.

Route 104) and the other at the intersection of Johnson Creek Road and Route 104. In both cases, many of the business buildings are old and several are vacant. In many cases, commercial structures were built at least several decades ago when automobile traffic was limited and off-street parking was of little importance. Now, with heavy, high-speed traffic, off-street parking and controlled highway access is needed, but often not provided. Some successful commercial activities continue to cater to the traveling public, as has been the tradition on U.S. 104 for the past century and a half or more. Motels, restaurants, service stations and convenience stores make up the majority of business types.

One other form of business exists in the Town that tends to provide the Town's agriculture character. During the harvest season, from mid-summer through early October, farm roadside fruit and vegetable stands proliferate on U.S. Route 104, and other roads.

Industrial

Industrial development in the Town of Hartland has been generally limited to the development of small industrial shops associated with farm dwellings in which the occupant became adept at a craft originally needed as part of the farm activity. Out of this background, saw sharpening, mower repair, welding and the like became productive businesses, at the residence, but not so profitable to open a full-time business location. Farm implement sales and lumber milling generally account for the remaining industrial activity. Often, development has been agriculturally oriented.

Public and Quasi-Public

Governmental and institutional land comprise the uses included in this classification, which includes approximately 34 acres within the Town. These uses are generally evenly distributed throughout the Town, although the intersection of Wruck Road and Route 104 has emerged as the dominant site for new development of the sort, with the Town Hall and Garage, the Hartland Fire Company, Tri-Town Ambulance and the Town Park Recreation Area in this location. Other uses such as the churches and cemeteries have no significant pattern of location.

Street Rights-of-Ways

Relatively flat topography within the Town of Hartland has permitted the development of an unusually complete north-south, east-west highway grid pattern. Historically, these roads emanated from U.S. Route 104 which was and still is the most

prominent traffic carrier in the Town. Because of the convenient location of Ridge Road (U.S. Route 104), the development of other east-west connectors became secondary. The North Town Line Road is the only other east-west road that traverses the Town in an uninterrupted alignment.

North-south travel patterns have differed greatly from the east-west pattern of travel because of an historic lack of a north-south central dominating corridor similar to Ridge Road. With no central transportation link, no less than four evenly distributed north-south inter-Town roads have been developed. The resultant grid pattern provides excellent access to any part of the Town as well as to areas both to the north (Somerset) and the south (Middleport and Gasport).

The total traffic pattern within the Town has the advantage of providing excellent access, but because of this accessibility, creates an unusually high amount of land devoted to highway use, resulting in higher maintenance costs.

Agricultural Vacant Land

Of the approximately 33,500 acres of land within the Town, 31,500 (94 percent) were found to be in agricultural and vacant land, approximately two-thirds of which was in agricultural land. The remaining one-third comprises approximately 10,000 acres, much of which represents the wetland areas present in the north central area of the Town. ²

The agricultural land which accounts for the majority of land within the Town will become increasingly important during the decade which is included within the time span of the Comprehensive Plan. This land holds the key to the future of the Town of Hartland. If its eventual use for development or continued agricultural production is well planned, it will remain a significant asset to the Town. If, on the other hand, growth is permitted to take place without guidance and control by the community, the overriding self-interest of speculative development may well create growth detrimental to the well-being of the entire Town.

² These are 1970 figures. In 1998 there may be a larger amount of abandoned farm land.

IMPLICATIONS FOR PLANNING

The Land Use Analysis has been included to provide information regarding past development within the Town of Hartland for the purpose of determining future direction for development. With sufficient background understanding of the location, type and condition of past growth, initial formulation of the planning process can begin. The following brief statements summarize general characteristics and their implications for the future of the Town.

Residential development has been relatively uniformly distributed throughout the Town of Hartland, along nearly all of the Town's highways. Older growth was concentrated along Route 104, but more recent growth has been more widely distributed.

Commercial activities within the Town have little central assembly, principally because of a lack of a centralized urban focal point. Because of easy access to concentrated commercial development in nearby Middleport and Lockport and larger centers of Buffalo and Niagara Falls, successful commercial development is difficult to initiate and maintain.

Flat topography, good soil and a moderate climate provide all of the characteristics necessary for good agricultural productivity. Because of a lack of utilities necessary for major urban development and because of the amount of presently available vacant land between Hartland and Lockport and the other major urban centers, growth is not expected to be greatly accelerated during the next ten to fifteen years. A moderate rate of growth will work in the Town's favor, by permitting time to prepare for development pressures that build toward the end of the planning period.

TABLE : EXISTING LAND USE

Note: This field survey was conducted in September 1970 by Herbert H. Smith Associates and is included for reference purposes. The moderate growth experienced in the Town of Hartland since that time implies continued value for general informational purposes.

<u>LAND USE</u>	<u>ACRES</u>	<u>% OF DEVELOPED LAND</u>	<u>% OF TOTAL ACREAGE</u>
DEVELOPED LAND			
Residential	1,124.6	59.0	3.3
Commercial	51.8	2.7	.2
Industrial	2.5	.1	.0
Public/Quasi Public	34.4	.8	.1
Street Rights of Way	693.0	36.4	2.1
TOTAL	1,906.3	100.0	---
NON DEVELOPED LAND			
Agricultural and Vacant	31,565.7	---	94.3
TOTAL LAND	33,472.0	---	100.0

Source: Field survey conducted September, 1970

Data compiled and prepared by Herbert H. Smith Associates

I. INTRODUCTION

The future of the Town of Hartland is not a static one; rather, it encompasses the dynamics of change, modification and continuing redirection. The force behind this dynamism is the constant process of people in pursuit of their individual and common goals. These goals are translated into specific objectives which, in turn, become courses of action and policy. Through this process, a community likewise, changes and reshapes itself to meet the demands of its residents.

The fundamentals of good planning are established goals and objectives. The Town of Hartland is charged with the responsibility of developing and translating the common goals and objectives of the residents of the Town into the fabric of the Comprehensive Plan.

GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN

The Comprehensive Plan for the Town of Hartland is based on the goals and objectives developed by the town Ad Hoc Comprehensive Planning Committee and the Town Planning Board specifically for inclusion in the Plan as adopted by the Town Board to be used in the formulation of Town development policies. The following goals and objectives are incorporated into this Comprehensive Plan.

Goal/Objective: TO PROVIDE A SUFFICIENT AMOUNT OF HOUSING FOR TOWN RESIDENTS.

Policy: Provision of housing for all residents should be accomplished through the following methods:

The encouragement of construction of all forms of housing, including single-family and multiple-family units in appropriate locations, and other forms similar to those already present in the Town. Planned residential development and proposals advocating environmental preservation and enhancement are favored. rapid development and large high density development is not recommended.

Goal/Objective: TO PRESERVE THE CHARACTER OF RESIDENTIAL AREAS WITHIN THE TOWN.

Policy: The rehabilitation and continued upgrading of existing housing is recommended. Deterioration and a continuing lack of maintenance should not be permitted when the

interest of the Town and its inhabitants are jeopardized.

Goal/Objective: TO MAKE USE OF THE TOWN'S NATURAL PHYSICAL FEATURES IN THE PLANNING OF RESIDENTIAL AREAS.

Policy: The Town's rural environment has been an apparent attraction to many families who have moved to Hartland from other areas. While new residents are welcomed into the Town, high density and unplanned residential development could eventually destroy the present rural characteristics of the Town.

To maintain the pleasant, rural natural environment of the Town, future proposed land development should be required to indicate at the planning stage how the natural environment will be maintained and/or enhanced.

Planned residential development which provides for positive forms of preservation of the natural environment should be encouraged. Excessive high density development should be discouraged by zoning restrictions, including lot size requirements and restrictive subdivision regulations which require that due attention be paid to the rural, small community character of the Town.

Goal/Objective: TO PROVIDE RETAIL, BUSINESS AND PERSONAL SERVICES IN SUITABLE LOCATIONS TO SERVE THE EXPANDING NEEDS OF THE TOWN.

Policy: The development of major commercial centers in the Town of Hartland is not anticipated by the Comprehensive Plan under foreseeable conditions of growth. Growth conditions anticipated suggest that the two existing centers of business activity are sufficient to satisfy the commercial demand of the Town through the planning period to 2020. Other compatible commercial development along Route 104 may be desirable, but it must not be allowed to detract from the scenic/rural character of that road as it exists in the Town of Hartland. It is recommended that the business areas within the hamlet areas of Hartland and Johnson's Creek be encouraged to develop with retail and personal service uses and essential accessory uses, of both a permanent and seasonal nature.

Commercial development on any other roads should be limited, although not completely prohibited. The sale

of local harvest products is encouraged to continue to fulfill the need for tourist recreational shopping in this unique manner. Sale of products on an individual bases is recommended where special provisions of safe access and parking are maintained. Any commercial development should be compatible with the rural character of the Town.

Goal/Objective: TO PRESERVE AND PROTECT AGRICULTURAL ACTIVITY AS AN IMPORTANT PART OF THE TOWN'S ECONOMIC BASE.

Policy: The Town of Hartland has by tradition been agriculturally oriented. This traditional role has developed an annuity for agri-business and continuing farming which should be encouraged.

To preserve and protect the Town's agricultural land use activity it is recommended that existing farm areas be retained in farm use. Land development for residential uses should be discouraged in areas of high agricultural productivity, other than regulated road frontage development on existing roads.

Preservation of the traditional agricultural role of the Town should be encouraged by preservation of farm land through the New York State Agricultural Districts Act of 1971, which gives land in agricultural production tax relief.

Goal/Objective: TO PRESERVE THE NATURAL ENVIRONMENT OF THE RURAL PORTIONS OF THE TOWN.

Policy: Preservation of the natural environment of the rural portions of the Town should be accomplished in part by:

- (a) Preservation of agricultural activities;
- (b) The establishment of land subdivision regulations, providing for open space for recreation, and providing for preservation of natural drainage ways to prevent flooding and to permit stream maintenance;
- (c) Preservation of rural areas of marshlands, swamp and generally marginally productive wooded land should be maintained to act as pooling space for storm runoff, wildlife refuges and areas of aesthetically pleasing environments for Town visitors and residents alike;

(d) Consideration should be given to the establishment of woodland recreational enterprise on a commercial basis for areas of extensive marginal productivity especially in the northwestern section of the Town.

Goal/Objective: TO PROVIDE ADEQUATE RECREATIONAL AND OPEN SPACE FACILITIES FOR ALL RESIDENTS

Policy: Continuing residential development of the Town will require the provision of community recreation space as a municipal responsibility. Continued maintenance and improvements to the Town park is encouraged. The Town park is centrally located within the Town and should be considered first for expansion if additional park area/facilities are needed in the future.

Goal/Objective: TO ESTABLISH PRIORITIES FOR THE PROVISION OF UTILITIES AND THEIR FUTURE EXTENSIONS.

Policy: Utilities planning should be required as an integral part of all land development proposals.

Wherever reasonable electrical utilities for residential use should be constructed underground.

THE COMPREHENSIVE PLAN

Agricultural land use and Undeveloped Land

Agriculture is a major Town industry and aids in maintaining the openness and rural character of the Town.

Fertile areas of the Town of Hartland should be preserved as an agricultural resource. Residential development cuts further into farm areas each year. While tax revenue may initially appear to be increased with the sale of each small parcel of land, unrestricted scattered development may well tend to increase municipal costs. It, therefore, becomes necessary to clarify the Town's policy concerning its future best interests in light of the likelihood of the continuing loss of prime agriculturally productive land in the future. The loss of farmland must be balanced against the demand for developable land.

Agricultural activities do not have their own zoning classification in the Town of Hartland. Under the Town's zoning ordinance, agriculture is allowed in all zoning districts.

It is intended that, in addition to agricultural activities, single-family, and where appropriate, two-family residential structures can be constructed within the agricultural area. In order to maintain the rural character of the area and to reinforce attempts to preserve the agricultural land, however, it is recommended that existing minimum lot requirements are established by the Town Zoning Ordinance be required for the construction of a residential unit, and any residential development be compatible with surrounding agricultural use.

If development pressures build and the land becomes essential for development, consideration of its highest and best value can be re-evaluated. In the meantime, greatest preservation of farm land is possible through the use of the agricultural districting law.

Active Farmland - Land which is currently under cultivation or producing a crop directly related to sustaining farming operations. Included are pasture land, hay fields, field crops (wheat, oats, etc.), wood lots, and associated lands that are part of an active operation.

Inactive Farmland and other Underdeveloped Land - Land which is currently not being used or is not suitable for active farming operations. Included are wooded areas, freshwater wetlands, forests, outlands and water bodies.

Agricultural District Boundary - Land which consists primarily of viable farming soils, wherein the Niagara County Legislature and the State Department of Agriculture and Markets have established an agricultural district pursuant to the provisions of Article 25 AA of the State Agriculture and Markets Law.

High Density Housing

Two areas of high density development are included in the Comprehensive Plan in recognition of land usage which already exists. Both high density areas are mobile home parks. The continuing need for inexpensive housing will help to maintain the importance of mobile home parks. However, future development of mobile home parks, even though permitted at a higher density than permitted in other housing forms, need requirements more closely resembling those of typical land development. Generally, high density housing is not planned for the Town of Hartland. The overall rural character of the Town and the lack of sewers mitigate against high density housing. An exception to this

general plan should be made for senior citizen housing with rent subsidies, assisted living and nursing homes to accommodate the aging population in their home town.

Commercial Development

The Town of Hartland has historically been an agricultural community, and a bedroom community. The agricultural community needed little and could support only limited business development. Relatively close proximity of Lockport, Middleport, Medina, Rochester and Niagara Falls provided adequate commercial facilities. This background explains the general lack of business uses throughout the Town except in the hamlets of Hartland and Johnson's Creek. These two areas did and still do fulfill the local day-to-day needs of the residents of the Town.

The close proximity of modern shopping areas and the lack of sewers preclude the need for extensive commercial development in the Town. Approximately 2.7 percent (52 acres) of the Town's developed land area is used for commercial activities, the majority of which is concentrated in Hartland and Johnson's Creek. Remaining commercial land use is scattered along Ridge Road (U.S. 104) most frequently in the form of highway oriented retail and service uses.

Seasonally, retail commercial development along Ridge Road is greatly increased by the opening of roadside produce stands selling homegrown fruits and vegetables. This is considered to be a desirable activity and its continuation should be strongly encouraged. Off-street parking should be provided where possible.

Recreation has become one of our largest revenue producers. On an average, a vacationer or person enjoying outdoor recreational pursuit spends a considerable amount per day for his enjoyment. It is suggested that the development of commercial recreation should be encouraged to the extent that it is regulated to remain compatible with surrounding uses of land.

Industrial Development

The Town's remoteness from rail service, its lack of services, and its remote rural character has left the Town with little industrial development. It is anticipated that this trend will continue. It is, therefore, recommended that the development of industrial activity be considered at the time of a petitioner's request. During the review of each request, exploration of environmental, social and economic compatibility should be made.

Community Facilities

Community facilities may be defined as those services to persons and landowners within a community which cannot satisfactorily be provided on an individual basis but which are provided by the local government or private groups or agencies. Generally, these facilities and services will provide for the educational, recreational, cultural, administrative, safety, health, and welfare needs of the community. Continued efforts should be made to provide for these concerns in the future.

Schools

Students attend either Royalton Hartland Central School District, the Barker Central School District or the Medina Central School District. Each has the capacity for any anticipated enrollment due to population increase in the Town over the planning period.

Parks

The Town of Hartland has established a centrally located Town Park on Lot 104 behind the Hartland Volunteer Fire Hall. In recent years the scope of this park has grown under the direction of the Recreation Commission from a mere covered pavilion and tennis courts to include softball diamonds, a paved road and parking lot. With approximately fifty (50) acres of land there is sufficient acreage for expansion of the Town Park well into the next century. The Town government has taken the position that recreational areas and athletic fields are essential and should continue to maintain and up-grade the quality of this facility.

Fire, Ambulance and Police Protection

The fire station serving the Town of Hartland within the Town and mutual aid system will continue to be adequate, with respect to size and location, to serve the community throughout the planning period. The fire station is well located with respect to the future concentrations of development. Population increases could require expanded or additional facilities to augment the existing station on Ridge Road. Space is available in the immediate vicinity.

The Ambulance service serving the Town of Hartland and Mutual Aid System will continue to be adequate. The location of ambulance hall is positioned well for the Town by being on Ridge Road at Wruck Road.

The primary responsibility for law enforcement in Hartland is presently assumed by the Niagara County Sheriff's Department and the New York State Police. It is anticipated that this arrangement will continue through the planning period.

Public Utilities

Water Supply

A major water line construction is near completion. Most of the Town is now supplied by public water. Additional water lines will be constructed as required. Accordingly, no long range plan is provided for additional water lines.

Sanitary Sewer Facilities

At present, no area of the Town of Hartland is serviced by sanitary sewer facilities. Private septic systems are utilized throughout the Town. During the planning period, no public sanitary sewer systems are anticipated. Current development in the Town is being adequately served by modern day private disposal systems. Greater than expected development in certain areas of the Town especially in the areas of Johnson Creek, Hartland Corners and adjacent to and surrounding the area of the Village of Middleport together with technological advancements and possible individual requests or government regulation could necessitate some construction of public sewer facilities or trunk lines. It is not the intent of this plan to encourage or discourage such lines or facilities. However, sewer facilities in the Town should not be considered a priority unless expansion pressures, which are otherwise acceptable to the Town Board and Planning Board take place, or environmental concerns and government regulations dictate such construction.

Drainage

Over the past 15 years or so much has been done to improve the drainage system in the Town of Hartland by constructing, enlarging, redoing and creating new ditching. It is recommended that this system be maintained and enhanced where necessary.

IMPLEMENTATION OF THE COMPREHENSIVE PLAN

Regulatory Instruments

There are several formal ordinances and instruments that are passed upon by the Town Board and which impose enforceable regulations on certain aspects of land development. They are commonly referred to as "implementation tools", and should not be confused with the master plan itself.

Completion of the master plan is, therefore, only the first step in the implementation procedure. The following devices must be used to implement this Plan:

ZONING

Zoning is one of the primary devices by which the Plan can be implemented. Zoning can be used to encourage the growth of these land uses which are desirable for the community and used to discourage the growth of land uses that are detrimental. Zoning can be used to protect and preserve desirable existing land uses and land investments. By preventing the encroachment of depreciating influences into a neighborhood, property values can be stabilized. The protection and stabilization of property values can instill the necessary confidence in the future so that investment development can occur.

The existing zoning ordinance of the Town is adequate, but if resources allow, it should be modified and revised, and possibly replaced with a better ordinance. It should be adequately enforced by the zoning officer.

SUBDIVISION REGULATIONS

Subdivision regulations are necessary to regulate growth in the Town, and to require conformance of growth to the Master Plan. They should be developed and adopted as soon as possible and periodically reviewed.

BUILDING CODE

The Town has adopted the New York State Uniform Fire Prevention Code, which should remain in effect. The Town should observe other County and State Codes such as the Health and Sanitation Code and other regulations as part of its enforcement permitting and enforcement function.

ENFORCEMENT

Over the past 20 years or so there has been a general improvement in the appearance of the Town and it is recommended that the Town enforce existing zoning and building code and other related laws.

SUMMARY

In addition to laws, codes and regulations, there are a multitude of daily decisions, both public and private, which affect the development of the Town. These too, must have a

common base; and even though opinions may vary as to what may or may not be in anyone's best interest at any given point in time, a documented statement of what the Town's apparent direction will be is an important guide for such decision making.