

# Town of Allegany Comprehensive Plan



**Adopted December 29, 2011**



**RESOLUTION  
ADOPTING COMPREHENSIVE PLAN**

WHEREAS, the Town Board of the Town of Allegany appointed a Comprehensive Plan Advisory Committee to prepare a Comprehensive Plan for the Town of Allegany to replace the Town's Planning and Development Policies, which were first adopted on November 12, 1987 and amended on August 19, 1997, and

WHEREAS, the Comprehensive Plan Advisory Committee prepared a proposed Comprehensive Plan and held a public information meeting and a duly noticed public hearing on the proposed Comprehensive Plan, and

WHEREAS, on November 30, 2011 the Comprehensive Plan Advisory Committee by resolution recommended adoption of the Comprehensive Plan to the Town Board, and

WHEREAS, as required by Section 239-m of General Municipal Law, the proposed Comprehensive Plan has been referred to and is recommended by the Cattaraugus County Planning Board, and

WHEREAS, the Town Board held a duly noticed public hearing on the proposed Comprehensive Plan as required by Town Law §272-a(6)(b) and (c), and

WHEREAS, the Town Board has conducted an environmental assessment of the proposed Comprehensive Plan and has determined that it will not have a significant adverse impact on the environment; now, therefore, be it

RESOLVED that the Town of Allegany Comprehensive Plan is hereby adopted.

**Unanimously adopted by Town Board, Town of Allegany, on December 29, 2011.**



# **Town of Allegany Comprehensive Plan**

**Prepared by the Town of Allegany  
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The following maps were prepared as part of the work on this Comprehensive Plan. These maps are available in the Clerk's Office, Allegany Town Hall, and on the Town's website: [www.allegany.org/](http://www.allegany.org/)

Slope Map

Hydrologic Features Map

Existing Land Use Map

Town Water Districts Map

Water District Detail Map

Town Sewer Districts Map



# **Chapter 1**

## **Introduction**

### **1.1 Regional Setting**

The Town of Allegany is located in southeastern Cattaraugus County, New York. It is bounded to the south by the State of Pennsylvania, to the north by the Town of Humphrey, to the east by the Towns of Hinsdale and Olean and by the City of Olean, and to the west by the Towns of Great Valley and Carrollton. The Village of Allegany, a separate municipality, is situated approximately in the center of the Town of Allegany. There are also several small hamlets within the Town, including Rock City, Knapp Creek, and Harrisburg. A portion of the Seneca Nation territory extends into the western part of Allegany, north and south of the Allegheny River.

Allegany is the largest town in Cattaraugus County, by area. The Town is strategically located in Cattaraugus County. US Interstate 86 (I-86) bisects the Town, which is served by Exit 24 on this highway. The Town is located approximately 75 miles south of Buffalo, NY and approximately 170 miles northeast of Pittsburgh, PA. It is also about 20 minutes from major tourist attractions in Cattaraugus County, which include the ski areas of Ellicottville, the Seneca Allegany Casino in Salamanca and Allegany State Park. Among the notable features of the Town is Rock City Park, a privately owned recreational facility that is well-known for unique rock formations. Allegany is also home to St. Bonaventure University, an educational institution serving approximately 2400 undergraduate and graduate students.

Allegany is nestled in a beautiful natural setting, the foothills of the Allegheny mountains, part of the Appalachian mountain chain. Rising to as high as 2200-2300 feet, the foothills are locally known as the Enchanted Mountains. The Allegheny River flows through Allegany from east to west, roughly bisecting the Town.

Historically, Allegany was a rural, agricultural community. The area was first settled in the early 1800s. Allegany is located on land that is part of the Holland Land Company survey. Agriculture and timbering were important economic activities throughout the 1800s. The southern part of Allegany is located on the Bradford Oil Field, which extends into Pennsylvania. Oil extraction became a locally important industry in the late 1800s and still remains a component of the Town's economy. In the past decade, with new retail development in the Town's East End, Allegany has become a regional retail center. The Town has the potential to support additional commercial and industrial development, which will serve not only local residents but also residents throughout Cattaraugus County and beyond, and which will also provide jobs and a strong tax base for the community.

### **1.2 Authority**

This Comprehensive Plan is prepared pursuant to the authority granted to Towns in Section 272-a of New York State Town Law.

### **1.3 Purpose of This Plan**

The purpose and intent of this Comprehensive Plan is to establish policies that will guide future development in the Town of Allegany in order to promote viable economic development, to enhance its family-centered and small town character, to enhance the livability and attractiveness of the community, and to preserve natural resources. The overarching purpose of the plan is to protect and promote the health, safety and general welfare of the people of the Town, while giving due consideration to the needs of the people of the region of which the town is a part.

### **Section 1.4 The Planning Process**

Allegany has had a long history of planning. The Town's first planning document, *Planning and Development Policies*, was adopted in 1987. That document was reviewed and updated in 1997. In 1999 the Town participated with the Village of Allegany and St. Bonaventure University to conduct a planning and design study of the Route 417 corridor, the major east-west corridor that runs through both the Town and Village. This study, *The Route 417 Corridor Management Plan*, prepared by Saratoga Associates, contained some design recommendations that the Town subsequently codified into the Town's zoning ordinance as the Route 417 East Corridor Overlay District and the Route 417 West Corridor Overlay District.

The purpose of this planning process is to review the Town's *Planning and Development Policies*, evaluate the existing conditions of the town, and draft an updated Comprehensive Plan to replace the current document. To accomplish this, the Town Board appointed a Comprehensive Plan Advisory Committee, composed of members of the Town Planning Board, Zoning Board of Appeals, Town Board, community representatives, and a representative from the Village of Allegany.

As part of the planning process for this Comprehensive Plan, RCAP Solutions conducted a survey of the residents of the Town and Village. In the spring of 2011, a four-page questionnaire was mailed to virtually all addresses in the Town and Village; 3117 surveys were mailed out and 595 were returned, for a response rate of 19.1 percent. The results of the survey are tabulated and reported in a separate document, *Diagnostic Survey of Current Conditions, Public Preferences, and the Need for Capital Infrastructure Improvements*, July 2011. While it is acknowledged that the survey respondents were a self-selecting group, and therefore do not represent a random sample of Town residents, the relatively large number of responses do provide a good statistical sample that can serve as a reliable guide for policymakers.

St. Bonaventure University conducted an on-line survey of undergraduate and graduate students in the fall of 2011. The survey consisted of questions that were similar to those on the RCAP Solutions survey. There were 368 respondents to the student survey, which is also a self-selecting group and not a random sample. Nevertheless, the student responses, especially those regarding the types of businesses and services that the students currently use and that they would like to see developed in the future, were useful in drafting policies contained in this Plan. Both surveys are available on the Town's website and at the Allegany Town Hall.

In addition to the community and student surveys, public participation in the planning process was solicited through a public informational meeting and through public hearings held on the draft plan.

### **Section 1.5 Applicability**

This Comprehensive Plan will provide a policy basis for making decisions about land use within the Town. The policies discussed in this document are intended to apply to all land within the Town of Allegany, excluding the Village of Allegany and the territory of the Seneca Nation.

### **Section 1.6 Periodic Review**

Community plans are intended to be living documents that should be reviewed and revised periodically in order to respond to changed circumstances and to modified community needs and objectives. This Comprehensive Plan is expected to be a useful, usable document and policy guide for the next decade. The Plan should be reviewed and updated as needed at ten year intervals.



## **Chapter 2**

### **Opportunities and Constraints Analysis**

#### **2.1 Physical Features**

##### **Topography**

The landscape of the Town of Allegany is characterized by hillsides that rise from the flat river valleys of the Allegheny River and its tributaries. The elevation in the river valleys is generally around 1400 feet, rising to about 2300 feet on the tops of the highest hills.

The Slope Map classifies the topography of the Town into four groups. Slopes from 0% to 10% are considered to be flat or relatively flat. Land in this category usually is comparatively easy to develop, and development in relatively flat topography has a lower potential for adverse environmental impacts. The central part of the Town, associated with the broad Allegheny River valley, generally is characterized by lands within the 0-10% slope category. Other areas of the Town in this slope category are located along streams that are tributary to the Allegheny River. There are also some plateaus on the tops of hills in the 0-10% slope range.

Relatively small areas of slopes in the 10-15% category are scattered throughout the town. These slopes tend to be located in areas where they provide a transition between the river valley floor and steeper hillsides.

Many of the Town's hillsides have slopes in either the 15-25% or greater than 25% categories. These are moderately steep to very steep slopes. Land that is steeper generally has a greater potential for impacts that may result from construction or other development. These potential impacts include increased erosion and sedimentation, greater visual impacts, and larger and more extensive areas of cut and fill from grading. Many potential impacts can be mitigated by proper site design and construction techniques. However, land with a slope of over 25% is more difficult to develop and such development has the potential for increased impacts.

##### **Streams**

The most important waterway in Allegany is the westerly flowing Allegheny River, which roughly bisects the town. From Cattaraugus County the Allegheny River flows south into Pennsylvania, where it joins the Monongahela River in Pittsburg to form the Ohio River. The entire Town lies within the Allegheny River watershed and all other streams in the Town are tributary to the Allegheny River. These include the Five Mile Creek and Nine Mile Creek to the north of the Allegheny and Two Mile Creek, Four Mile Creek, Birch Run and Chipmonk Creek to the south. These creeks have smaller streams that are tributary to them. The Allegheny River serves as a recreational resource for those who canoe and kayak. Most of the streams in Allegany provide fishing opportunities.

The New York State Department of Environmental Conservation (NYSDEC) administers the Protection of Waters Regulatory Program, which is established in NYS Environmental Conservation Law (ECL) Title 5 of Article 15. This program is designed to protect water

resources, including rivers, streams, lakes and ponds that are necessary for potable water; agricultural, commercial and industrial uses; and fish and wildlife habitats.

Under this program NYSDEC has evaluated all water resources within New York State according to a class and standard designation, which is based on existing or expected best usage of each water body or waterway segment. Classifications range from AA to D. The classification AA or A is assigned to waters used as a source of drinking water. Classification B indicates a best usage for swimming and other contact recreation, but not for drinking water. Classification C is for waters supporting fisheries and suitable for non-contact activities. Waters with classifications A, B, and C may also have a standard of (T), indicating that it may support a trout population, or (TS), indicating that it may support trout spawning.

Streams that are classified as C(T) or higher quality are considered protected streams. Permits from NYSDEC, issued pursuant to the Protection of Waters regulations, are required for activities that may affect the banks or bed of protected streams.

Several streams in the Town of Allegany are considered to be "protected streams." (See Hydrologic Features Map). The Allegheny River, in the segment west of Townsend Hollow, is classified B. Several streams or segments of streams are classified C(T). These include: Chipmonk Creek; Four Mile Creek and its tributaries, which include West Branch Four Mile Creek and Carey Hollow Creek; a segment of Nine Mile Creek; Pumpkin Hollow Creek; and Five Mile Creek from the Town of Humphrey to just south of Eaton Cross Road. All other streams and stream segments in the Town are classified as C, and therefore are not subject to NYSDEC permitting.

### **Wetlands**

Wetlands are areas of shallow surface water, or areas with waterlogged soils where certain types of plants grow but which do not necessarily contain standing water. Wetlands are valuable physical resources, which can provide flood control protection, surface and ground water protection, wildlife habitat and recreational opportunities.

Some wetlands are protected under the New York State Freshwater Wetlands Act of 1975, which is administered by New York State Department of Environmental Conservation (NYSDEC). Certain activities, such as filling and draining, that occur in a designated wetland or within 100 feet of its boundary are regulated by NYSDEC.

There are several wetlands in Allegany that are regulated by NYSDEC. Most of these are located in the floodplains of the Allegheny River and Birch Run (See Hydrologic Features Map). These seven regulatory wetlands total approximately 300 acres.

### **Aquifers**

Aquifers are important reservoirs of ground water. In Allegany most drinking water is supplied from aquifers, whether residents receive their water from private wells or from the public water supply, which also draws its water from wells.

The US Department of the Interior Geological Survey (USGS) has mapped aquifers in Western New York. A substantial aquifer is associated with the Allegheny River. There are also mapped aquifers associated with Five Mile Creek and Nine Mile Creek. The lower reaches of Chipmonk Creek (near Flatstone Road and downstream of this road) is also associated with the mapped aquifer. (See Hydrologic Features Map).

The mapped aquifers are classified as Primary and non-primary aquifers. In 1980 the NYS Department of Health identified eighteen Primary Water Supply Aquifers (also referred to simply as Primary Aquifers) across New York State. These aquifers are defined as "highly productive aquifers presently utilized as sources of water supply by major municipal water supply systems." As shown on the Hydrologic Features Map, much of the mapped aquifer in Allegany is designated as a Primary aquifer.

### **Floodplains**

The Federal Emergency Management Agency (FEMA), has mapped areas that are identified as areas with a significant risk of being flooded. These areas are known as Special Flood Hazard Areas (SFHA) and are also referred to as the 100 year floodplain. Statistically, land within the 100 year floodplain has a one percent chance of being inundated in any given year.

The SFHA is divided into a floodway and a floodway fringe. The floodway is the channel of the stream and any adjacent areas that must be kept free of encroachment so that the hundred year flood can be carried without substantial increases in flood heights. The portion of the SFHA between the floodway and the boundary of the 100 year floodplain is known as the floodway fringe. FEMA regulations severely restrict development within the floodway. Development within the floodway fringe is regulated to minimize damage to persons and property.

FEMA's Flood Hazard Area Boundary Maps identify the mapped one hundred year floodplain. In Allegany there is a broad floodplain associated with the Allegheny River. A narrower floodplain is associated with Five Mile Creek and along most of Four Mile Creek and West Branch Four Mile Creek. Narrow floodplains are identified for the lower segment of Chipmonk Creek and Birch Run and Lower Birch Run creeks. The Hydrologic Features Map shows the hundred year floodplain, as generalized from the FEMA maps.

A small portion of the Town, southeast of the Village of Allegany, is protected from flooding from the Allegheny River by a flood control dike. This structure was completed by the US Army Corps of Engineers in 1952 and is maintained by the State of New York.

### **Wildlife and Plant Habitat**

Allegany contains a diversity of habitats, including forested hills and river valleys that provide a habitat for numerous wildlife species, including deer, wild turkey, black bear and fish. The area provides opportunities for recreational hunting and fishing.

New York State Department of Environmental Conservation (NYSDEC) maintains a list of species of concern, which are plant and animal species that have been identified by either the

State or federal government as vulnerable, rare, threatened or endangered plants and animals. In order to protect the species, the exact location is confidential; however NYSDEC maps provide generalized locations where these species have been identified. There are several areas in Allegany which are thought to contain rare plants or animals. Many of these areas are along the Allegheny River and associated wetlands. There are also areas near Rock City, upper Chipmonk Road, Five Mile Road, and in the northwest quadrant of town that have been identified as having rare plants and/or animals.

NYSDEC has also identified two areas of Significant Natural Communities. These are the Allegheny Oak Forest in the uplands area near Vandalia and the Rich Mesophytic Forest upland of Nine Mile Creek in the northwest quadrant of town; this latter area appears to be located in the Nine Mile State Forest.

## **2.2 Land Use and Economic Activity**

The Existing Land Use map provides a snapshot of the type and distribution of land uses in Allegany in spring 2011. While the use of land is dynamic and changes over time, a knowledge of existing land use patterns is important in identifying development trends. Compatibility of future proposed land uses with the current use of an area is one important criterion for planning.

In general, the development pattern in Allegany is characterized by mixtures of land uses. Except for the southwest and northwest parts of town, where the primary land use is public and private forests, no area in Town has a predominate land use. The part of the town that is closest to the Village, which can be considered to be the Town's central core, has the greatest density; this area contains a mix of retail, institutional, and residential development on relatively small lots. The land uses in the remainder of the town are also mixed, although lot sizes tend to be larger, providing a lower density of development.

The Town can be conceptualized as having five geographic areas, which have reasonably distinct development patterns. NYS Route 417 roughly bisects Allegany; the Route 417 Corridor can be further subdivided into the East End, the Village of Allegany, and the West End. The area north of the Allegheny River/Route 417 and the area south of the Allegany River/Route 417 comprise the two other sub-areas of the Town.

The Village of Allegany is the governmental hub of the town, containing both the Village Offices and the Town Hall. Historically, the Village was also the retail center of the Town, and retail development remains an important component of the Village. Main Street accommodates small-scale retail stores, restaurants, bars, and institutions such as banks, the Post Office and the Allegany Public Library. Residential development in the Village is located on small lots. The streets have sidewalks, and the scale of development makes the Village a walkable community. While the policies contained in this Comprehensive Plan are not intended to apply to the Village, which is a separate municipality, this Plan recognizes the importance of the Village as a component of the Town.

The East End, which can be considered to be the economic core of the Town, is generally bounded by the Allegheny River to the south, by the City of Olean to the east, by I-86 to the north and by the Village of Allegany to the west. Route 417 serves as the major road through this area. The East End contains significant big box retail development, including a Wal-Mart Supercenter, Home Depot, BJ's and cinema-plex; this retail area has expanded in the last several years. In addition to big box retail, this area contains smaller scale retail stores, restaurants and hotels. The East End also includes a number of residential neighborhoods characterized by village scale lots, on Park, Allegany, Franklin, Willard, and Cranberry streets. St. Bonaventure University is also located in this area.

The West End is generally the Route 417 corridor that is located west of the Village to the Carrollton town line. This area of the town contains a diverse mix of land uses, including a residential subdivision on Sheldon Drive, farmland and a farm stand, mobile home park, and contractor's yards. This area also contains Exit 24 from Interstate-86; the land uses around this exit include farmland, vacant land and an former commercial plaza.

The areas both north and south of the Allegheny River are primarily characterized by an intertwining of residences and agricultural land. These parts of the town are significantly more rural than either the east or west end. Although similar in land usage, the areas north and south of the river have somewhat different development patterns.

The northern part of the town is somewhat more densely developed than the south. It contains a major north-south road, Five Mile Road (County Road 19), which supports a fairly dense pattern of residential development abutting the road. There are also some well established residential subdivisions in this section of the town, off Buffalo Road and Five Mile Road. This section of town also contain the Nine Mile State Forest, as well as significant amounts of farmland.

The southern part of Town, although well served by roads, does not have a primary roadway, except for the small portion of NYS Route 16 that runs through the Knapp Creek area to the border with Pennsylvania. Residential use in this area is primarily characterized by single family homes located on relatively large to large lots spread along Town roads. There are some instances of residential subdivision, such as Hawthorn Lane, but most of the residential land use appears to have been developed incrementally over time. The exceptions to the large-lot residential development are the historic hamlet of Knapp Creek and development around Nichols Road. The southwest corner of Allegany is located over the Bradford Oil Field and contains a significant number of oil wells, some of which continue to be in production. This area of town also contains a substantial amount of private forestland and agricultural land.

**Table 1  
Existing Land Uses, 2011**

<b>Type of Land Use</b>	<b>Acres</b>	<b>Percent</b>	<b>Rank</b>
Residential	12,170	27.1	2
Mobile Home Parks	102	0.2	12
Commercial	1,040	2.3	7
Industrial	396	0.9	9
Mineral Extraction	1,296	2.9	6
Utilities	176	0.4	11
Institutional	769	1.7	8
Agriculture	3,745	8.4	4
Private Forest	13,390	29.9	1
Public Forest	2,938	6.6	5
Vacant	8,539	19.0	3
Seneca Nation	285	0.6	10
<b>TOTAL</b>	<b>44,846</b>	<b>100 %</b>	

Sources: Mark D. Alianello, Consulting Engineer and  
Allegheny Planning Services, Inc.; 2011

Table 1 provides an indication of the types and relative importance of land uses in the Town. It shows the area of land in each category displayed on the Existing Land Use Map. Major characteristics of each type of land use are described below.

### **Residential Land Uses**

The predominate type of residential development in Allegany is single family homes. According to the assessor's records, there are nine parcels in Allegany that have two family homes, and one parcel with a three family home; a handful of larger parcels contains more than one residence on the same property. There are four properties that are classified as apartments.

The density of residential development is greater in areas that are close to the Village, since these areas have municipal water and sewer service that are needed to support smaller lot sizes. Lots in the northern and southern parts of the town, where private well and septic systems are needed, range from large to quite large.

Allegany also has a significant number of mobile home parks, which are located in all areas of the Town. Mobile home parks are located on Gargoyle Road, Five Mile Road, Four Mile Road, Nine Mile Road, and NYS Route 417.

### **Agriculture**

As shown on the land use map, a significant amount of land in Allegany is used for agriculture. For the most part, the land shown as agriculture is derived from the assessor's records. However, in some cases a tax map parcel can contain more than one type of land use; for example, farmers often live on land that they farm. If that land is classified as residential, then the amount of agricultural land shown on the land use map may be somewhat under-represented from actual agricultural land.

Historically agriculture, especially dairy farming, was an important component of Allegany's economy. While dairy farming is declining in importance, other types of agriculture continue to play an important role in both the local and regional economy. The "local food" and "slow food" movements are making people more aware of how food is grown and processed, and this has led to an increase in demand for locally grown produce, fruits, eggs, poultry and meat throughout the country. Some local farmers take advantage of this demand by setting up farm stands during the summer, or post signs advertising available farm products, such as eggs and meat. Locally, a well-attended Farmer's Market operates in Olean from May through October. This market provides a sales outlet for at least one Allegany agricultural enterprise, Canticle Farms.

Besides providing income to farm families, agriculture also supports other businesses, including farm implement sales, distributors of milk and other farm products. Another important contribution of agricultural land, which is often overlooked, is that it contributes to the rural, open character of the community, and to the open views that are valued by the community.

Another way that agriculture can contribute to the local economy is through tourism. Agri-tourism is generally defined as activities that are incidental to a farming operation that bring the

public to a farm for educational, recreational and/or retail purposes. Agri-tourism provides another way for farming operations to increase revenue. In addition, by bringing visitors to a community, agri-tourism can bring visitors to other venues, such as stores and restaurants. A local example of agri-tourism is the alpaca "open house" event. In 2007 there were 24 alpaca farms in Cattaraugus County, including Allegany; some of these farms hold a coordinated alpaca "open house" once a year, advertising and inviting people to visit their farms. Another well known regional example of agri-tourism is maple shacks that open annually to produce maple syrup and sell maple products.

The importance of agriculture in the regional economy, and the changing nature of agriculture, is shown in Cattaraugus County's *Agricultural and Farmland Protection Plan*, which states that "...agriculture and agriculturally related industries account for nearly 3% of all private income and 5% of private employment in Cattaraugus County." <sup>1</sup> While acknowledging that dairy farming, which historically was an important component of the regional economy, is declining, the Plan found that there had been an increase in crop sales, which was led by nursery and greenhouse products, vegetables, and fruits.<sup>2</sup>

The *Agricultural and Farmland Protection Plan*, adopted in 2007, used data from the 2002 Census of Agriculture, which is conducted every 5 years by US Department of Agriculture. Data from the agricultural census is reported on the national, state, and county level, but not for individual towns. The 2007 Census of Agriculture indicates that the same trends noted in the Plan are continuing. The number of farms in Cattaraugus County decreased by 35 farms in the five year period between 2002 and 2007, a decline of 3 percent, and the amount of acreage in agriculture also decreased. Nevertheless, total sales of agricultural products increased between 2002 and 2007. In 2002 the average market value of agricultural products sold, per farm in Cattaraugus County, was \$50,434; in 2007 average market value had increased to \$66,980, an increase of 32 percent. <sup>3</sup> Among other increases, the market value of agricultural products sold directly to consumers (defined by the census as roadside stands, pick-your-own, and farmer's markets) more than doubled, for an increase of 111 percent.

### ***Agricultural Land in Allegany***

Canticle Farms, located on South Nine Mile Road, is an example of a new movement in agriculture, Community Supported Agriculture (CSA). The Farm sells "shares" to individuals, who then receive a box of produce every week during the growing season. Canticle Farms also has a farm stand that sells excess produce to non-shareholders, in addition to participating at local farmers' markets.

Other examples of commercial agricultural land in Allegany include a farm with a seasonal farm stand on Old State Road, alpaca farms, beef cattle on River Road, and a deer ranch on Four Mile

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<sup>1</sup> Cattaraugus County Agricultural and Farmland Protection Board and ACDS, LLC. *Agricultural and Farmland Protection Plan*, adopted by Cattaraugus County Legislature, March 28, 2007. Page 1

<sup>2</sup> Cattaraugus County Agricultural and Farmland Protection Board and ACDS, LLC. *Agricultural and Farmland Protection Plan*, adopted by Cattaraugus County Legislature, March 28, 2007. Page 2

<sup>3</sup> Dollar amounts reported by the 2007 Census of Agriculture are not adjusted for inflation or deflation.

Road. There are also numerous lots that are used for corn and hay production. In addition, many individuals keep horses and other animals, not necessarily as a business, but for personal use.

### ***Agricultural Districts***

New York State Agriculture and Markets Law, Article 25AA, authorizes the creation of local agricultural districts. Agricultural Districts within Cattaraugus County are administered by Cattaraugus County. These districts are distinct and separate from agricultural zoning districts that may exist in a municipality.

Participation in an Agricultural District is completely voluntary for the landowner, but there are benefits for farming operations that meet the criteria for inclusion in the program. Article 25AA protects farms from local laws that unreasonably restrict farm operations. It also protects farms from private nuisance lawsuits when the farm is following sound agricultural practices. Other provisions make it more difficult for public agencies to acquire farmland through eminent domain and limits access to public funds to construct facilities that encourage development.

Perhaps most importantly, Article 25AA allows for a reduction in property tax assessment, because parcels are taxed as agricultural production, rather than for the development potential of the property. The agricultural assessment is available to all farming operations that meet the criteria in Article 25AA, not only those who are in an Agricultural District.

The Town of Allegany is located in the Southeast and Central Agricultural District, also known as Agricultural District #7, which includes Great Valley and Humphrey in addition to Allegany. Properties in Allegany that participate in the Agricultural Districts program are shown on the Article 25AA Agricultural District Map. This map indicates that a significant number of agriculturally used parcels are included in the Agricultural District. Participating properties are located in all areas of the Town.

### ***Cattaraugus County Right-to-Farm Law***

Land use conflicts may arise when new housing brings residents who may not be familiar with agriculture into proximity with farms, which can often be noisy, dusty, and/or odorous. These conflicts may result in neighbor disputes and sometimes may result in lawsuits by residents against farmers engaged in standard agricultural practices. The basis of these lawsuits is that the farm constitutes a private nuisance. New York State Agriculture and Markets Law, Article 25AA, provides protection against nuisance lawsuits for farms that are located in Agricultural Districts.

Cattaraugus County adopted a right-to-farm law in 1995. This law, which is administered by the Cattaraugus County Agricultural and Farmland Protection Board, applies to all farms, not only those in NYS Certified Agricultural Districts. The law provides that agricultural practices conducted in conformity with generally accepted agricultural practices shall not be found to be a public or private nuisance.

## **Mineral Extraction**

Mineral extraction in the Town of Allegany consists of two distinct resources: sand and gravel mines and oil and gas wells. Both of these forms of extraction are regulated by New York State, through the Department of Environmental Conservation (NYSDEC). NYSDEC regulates mining where the quantity extracted exceeds 1,000 tons or 750 cubic yards in any 12 successive months. Local municipalities may also regulate mining activities, including extraction that is less than the NYSDEC threshold for regulation. However, New York State law preempts gas and oil wells from local municipal regulation, including from zoning law regulations. NYSDEC retains jurisdiction for permitting and monitoring oil and gas well drilling, including drilling using horizontal drilling and hydrofracking techniques. Under current state law, Towns do not have the authority to issue permits for oil or gas well drilling or to impose conditions upon these operations, although municipalities may require bonding for road usage to ensure that any damage to town roads caused by heavy vehicles will be repaired.

### ***Sand and Gravel Mines***

As shown on the Existing Land Use Map, there are currently five mines in Allegany that are permitted by NYSDEC. These are all sand and gravel mines. The mines are generally located along the Allegany River valley. Commercial, privately owned sand and gravel mines are located on Gargoyle Road, South Nine Mile Road, and Birch Run Road. The Town of Allegany owns a small, 19 acre mine off Five Mile Road, which is not currently being excavated; instead this area is used by the Highway Department to dispose of tree branches and similar materials.

NYSDEC has issued Mined Land Permits for a total of 363 acres, which is less than the total lot areas, due to the need to provide setbacks from mining operations.

### ***Oil and Natural Gas***

The oil industry has historically been an important economic component in the Town, and oil production continues to be important. Data from the NYS Department of Environmental Conservation indicates that there are 4239 known oil and gas wells in Allegany (2009 data). Of these, there were 878 productive wells in 2007, 911 active wells in 2009, and 1173 productive wells in 2010. Most of these wells produce oil, although there are a handful of gas wells in the Town. Well owners pay property taxes on the wells; the assessed value of each well is based on the production of the well for the prior year. The production value for each well can vary substantially from year to year.

Most wells are located in the southern part of the town, with clusters of wells near the Pennsylvania border, in the vicinity of Route 16 and Chipmonk Road. A smaller cluster of wells is located north of I-86 and south of Smith Hollow Road, on the eastern town line. Other wells are scattered throughout the Town. Because most wells are located on easements on land that is also used for other purposes, the Existing Land Use Map under-represents the amount of land that contains oil wells.

There is the potential for significantly increased production of natural gas, since Allegany overlies the Marcellus Shale formation. This is a large geologic feature, covering approximately 54,000 square miles, that is primarily located in Ohio, West Virginia, Pennsylvania, and the

southern tier of New York State. Natural gas in this shale formation is primarily extracted through horizontal drilling and hydraulic fracturing (hydrofracking) techniques. Hydrofracking drilling technology, specifically horizontal drilling, has come under scrutiny due to concerns about the large amount of water used in the process, the chemical mixture that is injected into the wells along with the water, and the volume and composition of the return water that comes to the surface with the gas, which needs to be treated and/or contained. NYSDEC is currently conducting a review of a Generic Environmental Impact Statement (GEIS) for oil and gas drilling, to determine if there are any issues unique to this shale formation that need to be included in the GEIS. While this review is ongoing, no new horizontal wells into the Marcellus shale formation are being permitted.

### **Industrial Land Uses**

There is very little industrial activity in Allegany. Advance Semiconductors (ASM) is a high tech manufacturer located on Constitution Avenue. Potter Lumber, located off Five Mile Road, is a commercial sawmill and lumber producer. Eaton Dairy, which distributes milk and dairy products, is also located on Five Mile Road. Other industrial land includes several construction company yards on Route 417 West and on Seventh Street, storage facilities on Route 417 east of the village, and a truck storage facility for Stroehmann's bakery off Route 417 East.

### **Commercial Land Uses**

There are several concentrations of commercial land. The largest is the area of big box retail, located in the East End, between the Village of Allegany and the City of Olean. In addition to the big box stores in shopping plazas, there are several restaurants, smaller stores and hotels lining Route 417.

Another center of service commercial activity is centered around the Four Mile Road between Nine Mile and Birch Run Road. This area contains a restaurant, but is primarily characterized by automobile repair shops, construction company office, offices, and other service commercial businesses, rather than retail.

The Route 417 corridor west of the Village contains a vacant retail shopping plaza, a manufactured home sales and display dealership, and several older motels. An auction house and events center is a new commercial enterprise located off West Five Mile road, north of the Exit 24 interchange. There are other commercial properties scattered throughout the Town.

### ***Commercial Recreation***

A sub-category of commercial land uses is commercial recreation, privately owned land that is open to the public for recreational activities, usually for a fee. The St. Bonaventure Golf Course, Birch Run Country Club, and Rock City Park are commercial recreation facilities in Allegany (also see Section 2.5, Community Facilities and Recreation).

### ***Home-based businesses***

A home-based business, sometimes referred to as a home occupation, is a commercial activity that is carried out in a home by the residents. This type of activity does not lend itself to being

easily detected in a traditional land use survey, since the primary use of the property is as a residence. Although not displayed on the Existing Land Use Map, there are many homes in Allegany that are also places of business for the residents. Usually these are businesses such as beauty shops, accountant offices, and similar service activities. While small in scale, these businesses are important components of the local economy.

### **Institutional Land Uses**

This category contains a wide variety of public, quasi-public and non-profit facilities. These land uses are scattered throughout the Town.

#### ***St. Bonaventure University***

St. Bonaventure University is located on NYS Route 417 and occupies approximately 325 acres between Route 417 and the Allegany River. The university is a private, residential institution of higher education, offering four-year and masters' degree programs. The campus is also the home of a Franciscan Friary for the Order of Friars Minor. The University has a significant economic and cultural presence in the community. The University has approximately 500 full and part time employees, including professors, administrators and staff. Student enrollment consists of approximately 2000 undergraduates and 450 graduate students. In addition to direct employment, the University has a multiplier effect on the local economy, since the student population rents housing and patronizes local restaurants and shops. The University also serves as a cultural resource. The University's Quick Center for the Arts contains an excellent art museum and a performing arts center, both of which are open to the public. Bonaventure athletics, especially the men's basketball team, are also supported by the general public.

#### ***Allegany Limestone School District***

The Allegany Limestone Middle School and High School is located on Five Mile Road. This facility is owned by the Allegany Limestone School District, which is a public entity that is separate from the Town. The Middle and High school employees approximately 230 people, including teachers, administrators and support staff, and has an enrollment of approximately 1300 students.

#### ***City of Olean***

The City of Olean owns the Gargoyle Road right-of-way from the flood control dike south to Gargoyle Park. Part of this right of way contains a fire training facility. The City of Olean also owns Gargoyle Park.

#### ***Cattaraugus County***

A solid waste transfer station, operated by Cattaraugus County is located on Union Road. A county highway barn is located on Buffalo Road at the corner of North Seventh Street.

#### ***State of New York***

New York State owns the flood control system associated with Two Mile Creek. The state also has a highway garage on Route 417 west of the village, near Exit 24.

### ***Churches and Places of Worship***

Included in the Institutional category are a variety of places of worship, which are located throughout the town.

### ***Cemeteries***

There are several cemeteries located in the town. The Town of Allegany has recently taken over the ownership of and responsibility for the maintenance of two cemeteries, the Allegany Cemetery on Maple Road and the Five Mile Cemetery, which is located on Church Road. St. Bonaventure Cemetery, owned by St. Bonaventure Cemetery, Inc., is located on Route 417 near the St. Bonaventure campus. The Horton Cemetery is a small cemetery located on Five Mile Road.

### **Forest Land**

A substantial amount of land in the town is public or private forest. Private forest land is the largest category of land uses, by area, comprising almost 30 percent of the land area in Allegany. Commercial timber harvesting contributes to the local economy. In addition, forest land is scenic and contributes to the rural character of the town.

The Nine Mile State Forest is a publicly owned forest, located in the northwest corner of Allegany. The state forest comprises 6.6 percent of the land area in Allegany.

### **Utilities**

The Southern Tier Extension Rail Line runs through Allegany on an alignment that roughly parallels Route 417. A large rail yard is located off Constitution Avenue. See Section 2.6, Transportation Systems, for more information.

Cellular telephone towers and other telecommunications facilities are located throughout the town. Several of these facilities are located off the higher elevations of Route 16, in the southeastern part of the Town.

### **Seneca Nation**

A portion of the Seneca Nation Allegany Reservation is situated at the westernmost boundary of Town, north and south of I-86. Although located in Allegany, the Town has no local land use control over this area.

## 2.3 Municipal Water Supply and Sanitary Sewage Systems

Most of the Town of Allegany is served by individual sewage disposal systems, primarily individual septic systems, and by private, individual water wells. However, municipal water supply and sanitary sewer disposal systems serve some areas of the Town. These municipal systems play an important role in the future growth of the Town.

### Water Supply Systems

#### *Water Districts*

Pursuant to New York State law, the formation of a water district is necessary before the Town can supply an area with municipal water service. Currently, there are five Water Districts in the Town of Allegany, which together encompass all areas of the Town except for that portion of the Town that is the Seneca Nation reservation. However, not all areas that are included in the water districts have municipal water service. Currently municipal water service is available in only a small part of the Town, generally in the vicinity of the Village of Allegany. These areas represent some of the most densely developed sections of the Town.

The boundaries of the individual water districts are displayed on the Town Water Districts Map and the Water District Detail Map. These districts are described below.

- Consolidated Water District #1A includes the area south of Constitution Avenue and the Western New York and Pennsylvania railroad tracks, north of the NYSDEC flood control levy, and east of the Village of Allegany, except for St. Bonaventure University. This area includes the Wal-Mart and Home Depot shopping plazas and the former Castle property. The entire district has municipal water service.
- Water District #3 includes Celeste Drive, Scenic Drive, Fortune Drive, St. Christopher Drive, the north side of Maple Avenue from the Allegany Cemetery to the intersection of Deveraux Drive and the south side of Maple Avenue from the Allegany Cemetery east to the Village line. This entire district has municipal water service.
- Water District #8 encompasses the St. Bonaventure University campus, the St. Bonaventure cemetery, and the St. Bonaventure golf course. This entire district has municipal water service.
- Wiltse Cross Road Water District is a single-user district that is located on the west side of Wiltse Cross Road. Currently the Town does not provide water to this district.
- The Comprehensive Water District, established in February 2008, encompasses all areas of the Town that are not within the Village, the Allegany Indian Reservation or the other water districts described above. The purpose of this district formation was to provide a framework in which water service could be incrementally extended to unserved areas, as the need for such service is identified in the future. To date two benefitted service areas have been created within the Comprehensive Water District. One service area (WD205) provides water to lots in the town on First Street and Five Mile Road, from the Village

line to the I-86 overpass. The other service area consists of eight lots with frontage on the north side of Route 417, from Sheldon Drive west to the parcel immediately west of the West Five Mile Road. This area consists of lots in the vicinity of Exit 24 from I-86.

### ***Water Supply***

Water for the Town's municipal water service is provided by the Village of Allegany, pursuant to an agreement between the Town of Allegany and the Village of Allegany, in which the Village agrees to supply water to the Town from its existing water supply and storage system. There is no contractual limit to the amount of water that the Village of Allegany will supply to the Town; however, there is a practical limit in terms of the production capacity of the Village wells.

The Village of Allegany owns and operates three wells that provide potable water for the Town and Village. Well No. 1 and Well No. 2 were originally constructed in 1969 and each have a pumping capacity of 600 gallons per minute (GPM). Well No. 3 was constructed in the 1950's and has a pumping capacity of 650 GPM, for a maximum combined pumping rate into the system of 1850 GPM. All of the wells are regularly maintained and the pumps and motors have been replaced in the last five years. The total daily pumping volume of the system, if pumps were operating constantly 24 hours a day, would be 2.66 million gallons of water per day. The community cannot depend on running the wells constantly. It is more reasonable to rate the capacity of the wells based on something more like 20 hours per day operation per well. Using 20 hours as a basis, the wells have a combined daily pumping capacity of 2.22 million gallons per day. The Village has a Water Supply Permit from the New York State Department of Environmental Conservation (NYSDEC) to operate these wells and the permit allows a withdrawal rate of 2.2 million gallons per day.

The Village tracks water usage for the combined system serving the Village and all serviced areas of the Town. Water usage in the past year has been running at approximately 850,000 gallons per day (GPD) when St. Bonaventure University is in session and approximately 650,000 GPD when the University is not in session. Recently, in the spring of 2011, two large leaks were identified and repaired. Since that time, water usage, with the University in session, has been averaging approximately 760,000 GPD. The Village reports peak daily flows that are not substantially higher than the average daily flow. Based on reported usage patterns in the last year, it is reasonable to expect peak daily volume to be as high as 960,000 GPD.

These figures of 760,000 GPD average daily usage, and 960,000 GPD peak day usage, include various losses (or unaccounted for water) within the system that, while normal, require water production beyond that actually sold. After repairing the two large leaks in the spring of 2011, the Village reports unaccounted for water losses of approximately 15%. This is a very good figure showing a well maintained and operated system.

The water wells should be capable of meeting the peak day demands of the system with the largest producing well out of service. In this case, that would be Well No. 3. The combined pumping rate of Well No. 1 and Well No. 2 is 1200 gallons per minute. If running for 20 hours per day, they can produce 1.44 million gallons. This means the system has an available capacity of approximately 500,000 gallons for future growth in demand.

The Village also operates a 1.0 million gallon ground level water storage tank on the system. This tank is intended to provide daily use storage and storage for fire protection water. Typically, a water system should have storage on the system equal to the average daily demand plus a stored amount to meet fire flow demands for at least 2 hours. The existing tank can provide storage for average daily demand plus fire flow of approximately 2000 gallons per minute for 2 hours. This is nominally acceptable. Some of the larger commercial developments in the Town, such as the Wal-Mart, may actually have a needed fire flow rating of as much as 3500 gallons per minute. At present this can be supplied by also running the well pumps during the fire flow event. With all wells running, 1850 gallons per minute is available from the supply to supplement the 2000 gallons per minute available from storage, meaning 3850 gallons per minute is available for 2 hours. The recent Wal-Mart expansion included a pressure monitoring station that will automatically activate the well pumps if the pressure in the mains at the monitoring station drops below a set point. A pressure drop of this sort would be attributable to a large demand such as a fire flow.

The storage tank is located at sufficient elevation to provide good distribution system pressures during normal operation. Water pressure in the system will vary depending upon a user's location in the system and the demand throughout the system at a given time. Water pressure in the system is adequate for normal use and for residential fire protection. Extreme demands such as those experienced during a fire flow event suppress the distribution system pressures due to high friction losses in the pipes caused by the higher flow rates. The available fire flow is limited to that which would lower pressure anywhere in the system to a low of 20 psi. However, some types of commercial development may require higher fire flows to meet insurance requirements. Some recent new businesses in the Town have met these requirements through the addition of private storage tanks and/or booster pumps, pressure monitoring stations that activate the well pumps in the event of low pressures, and other measures.

As the Town's water distribution system is expanded to currently unserved areas, the Town will monitor both the available water supply and the issue of water pressure throughout the system. It should be noted that some types of development have higher water usage or higher peak usage than other types of development. If water pressure and/or water supply become an issue in the future, this issue could be addressed in a number of ways, including placing a pump at an appropriate location in the system to boost pressure, adding a new water tank in another location to boost pressure and available storage, and/or adding a new well.

Due to current state regulations for siting new public supply wells, it is unlikely that there would be suitable additional locations in the Village for such a well, which would make it likely that any additional well or wells would be located in the Town. Since the Town currently has a distribution system only, and the Village supplies the water for this system, the Town and the Village will have to continue to work closely together in the future.

### ***Well Head Protection***

An adequate and safe supply of potable water is vital for any community. As described above, the Town's municipal water system purchases its water from the Village of Allegany, which draws its supply from three wells overlying a substantial unconfined river valley aquifer. Aquifers are recharged (new water is added) by rainwater and other water percolating through the ground into the aquifer. There is the potential during this natural process for water to pick up materials that could contaminate the groundwater. These materials include fertilizer, oil and gas drips, and other potential contaminants.

In order to protect drinking water supply, health professionals encourage communities to identify Wellhead Protection Areas (WHPAs), which are defined in the federal 1986 Safe Drinking Water Act Amendments as “the surface and subsurface area surrounding a water well or wellfield, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or wellfield.”<sup>4</sup> A WHPA is the land area that contributes water, and therefore potential contaminants, to wells. WHPAs are also called “zones of contribution,” “contributing areas,” and “recharge areas.”

The Cattaraugus County Health Department (CCHD) has been working with the Town and Village of Allegany to develop a Wellhead Protection Plan for the Village's water wells. As a first step, the CCHD prepared a hydrogeologic computer model which identified a wellhead protection area for the Villages' three water wells. The wellhead protection area consists of two sub-areas. The primary recharge area (wellhead protection area) represents a surface contribution area likely to contribute recharge to the ground water; this area represents the land area defined as a five year travel time for water. The secondary recharge area (tributary watershed area) is a larger area that may contribute recharge or overland runoff to the wells' aquifer. The Wellhead Protection Area, including both sub-areas, are identified in both the Village and Town. However, more of the primary recharge area is located in the Village, and most of the secondary recharge area is located in the Town.

The second component of a Wellhead Protection Plan is the identification of potential contaminates and ways in which the potential contamination of the aquifer can be minimized. Typically, a Wellhead Protection Plan includes recommendations that could include restrictions on types and sizes of land uses within the identified WHPAs. The purpose of such restrictions is to protect the public drinking water supply, by limiting or regulating the siting of any potential sources of future contaminants in the recharge area. Such contaminants include septic systems; certain types of agricultural activities or other activities that rely heavily on the use of herbicides and pesticides, such as golf courses; and potential sources of chemical contamination, such as gas stations. Typically, such restrictions are enforced through the Zoning Ordinance.

Another component of a Wellhead Protection Plan could be an identification of best management practices, such as reducing the use of lawn pesticides, within the Wellhead Protection Area. Best management practices can be implemented through an educational program designed to inform residents of the potential risks and best practices.

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<sup>4</sup> Witten, Jon and Scott Horsley. *A Guide to Wellhead Protection*. American Planning Association, Planning Advisory Service Report Number 457/458, August 1995, page 28.

To build upon the work of the Cattaraugus County Health Department, the Town, in cooperation with the Village, should prepare a Wellhead Protection Plan. This plan should identify specific potential contaminants and ways in which contamination of aquifer can be minimized and specific measures that can be taken to reduce possible contamination. These measures should include zoning ordinance regulations, but might also include other measures, such as an educational campaign regarding best management practices. Due to the importance of protecting the municipal water supply, this Plan should be prepared as soon as practicable and regulations should be incorporated into the Town's Zoning Ordinance.

## **Sanitary Sewage**

### ***Sewer Districts***

Similarly to water districts, the formation of a sanitary sewer district is necessary before the Town can provide municipal sanitary sewage disposal services to an area; however, not all the areas within a Sanitary Sewer District necessarily have service.

Currently there are three Sanitary Sewer Districts in the Town of Allegany, as shown on the Town Sewer Districts Map.

- Sanitary Sewer District No. 1 includes roughly all of the area bounded by the Western New York and Pennsylvania railroad tracks to the north, St. Bonaventure University to the west, the flood control dikes to the south and the City of Olean boundary line to the east, except that the district does not include portions of Park Street, Cherry Street or Allegany Street south of Cherry Street. Almost all of this district has sanitary sewer service, except for a small, undeveloped segment of Constitution Avenue; however, sanitary sewer lines are located at both the east and west portions of this roadway.
- Sanitary Sewer District No. 2 consists of the St. Bonaventure University campus. The campus has sanitary sewer service; the lines are owned and maintained by the University.
- Tanglewood Sanitary Sewer District was recently formed to serve a 16 lot single-family home subdivision on North Seventh Street along with one existing home on N. Seventh Street. This subdivision has not yet been developed and sewer service is not yet provided.

### ***Sewage Disposal***

The Town has an inter-municipal agreement with the Village of Allegany to accept sewage from the various Town Districts. The Village of Allegany has an agreement with the City of Olean to receive and treat sewage from both the Town and the Village. Sewage from the Village and the Tanglewood District is conveyed to Village of Allegany Lift Station 1 at the foot of First Street. The amount pumped at Lift Station 1 is metered. The sewage is then pumped through a force main to a manhole on the St. Bonaventure campus just east of Tower Drive. The sewage then flows by gravity to Village of Allegany Lift Station 2 at Desoto Road. Flows from St. Bonaventure enter the stream in this stretch of gravity sewer and are metered. Additionally, flows from sewerred portions of the Town west of the Desoto Lift Station 2, including portions of

Route 417, Constitution Drive and Cranberry Road, enter the stream in this gravity stretch leading to Lift Station 2. Additionally, a second flow stream enters this gravity sewer just before Lift Station 2. The flows come by gravity from the eastern portion of the sewered areas of the Town originating primarily in the commercial zone just west of the City of Olean. From Lift Station 2 the sewage is pumped through a force main directly to the City of Olean Wastewater Treatment Plant (WWTP) where flows are metered.

Pursuant to the terms of their contract with the City of Olean, the Village is billed for the flows metered at the Olean WWTP. The Village deducts the flow metered at Lift Station 1 and bills the Town for the balance of the flow. St. Bonaventure University pays for the sewage metered from their campus.

As stated earlier, sewage from both the Town and the Village of Allegany is pumped directly to the City of Olean WWTP where it is treated. The effluent of the WWTP is discharged to the Allegany River under NYSDEC Permit No. NY0027162. Under the existing agreement with the City of Olean, the combined sewage flow for the Town and Village cannot exceed one million gallons per day. The Table below shows the total flows in millions of gallons per year metered over the last several years, except for the column labeled average daily flow, which is in gallons per day. The billing periods are from June 1 to May 31 of each year.

**Table 2**  
**Sewage Flows**

Year	Flow to WWTP	Average Daily Flow (gallons/day)	Lift Station 1	St. Bonaventure	Other Town
2007-2008	146	400,000	66	25	55
2008-2009	159	436,000	59	30	70
2009-2010	123	337,000	66	32	25

Source: Mark D. Alianello, Consulting Engineer

As can be seen, the usage over the last few years is averaging about 400,000 gallons per day, averaging over the whole year. This is less than half of the Town/Village contractual limit. It should be noted that flows are higher when St. Bonaventure is in session. Assuming approximately 270 days in session it would appear from the data above that daily flows can be expected to be about 100,000 gallons per day higher when St. Bonaventure is in session, with the rest of the year being lower.

Another significant factor that is not clear from the data in the Table is that flows to the City WWTP vary substantially depending on weather. During extended wet weather, such as the spring of 2011, daily flows have reached as high as 900,000 gallons, indicating a likely problem with infiltration and inflow. It should also be noted that the City of Olean also experiences significant increases in flow during wet weather. The issue of wet weather flow could become a

constraint to future growth even though, on an average daily basis, there is room within the contractual obligation of 1 MGD for significant growth in sewage flows.

Since the Village has little remaining vacant land, it can be assumed that most of the remaining capacity is available to serve additional development in the Town and possible redevelopment in the Village. However, in order to extend municipal sewer service to other parts of the Town that are not now served by municipal sewer services, the Sewer District boundaries would have to be expanded and/or additional sewer districts would have to be formed. Additional equipment, such as lift stations, may also be required to provide reliable service to areas not currently served. The necessity for the extension of such service would depend upon the type and location of future development. The Allegany River valley has good gravel soils which can accommodate septic systems that may be adequate for some types of development, even some types of commercial development. However, commercial development that would use large amounts of water may require the extension of the municipal sewage collection system.

## 2.4 Broadband Access

Broadband access, generally shortened to “Broadband,” is high speed access to the Internet. The US Federal Communications Commission (FCC) defines broadband as: “... advanced communications systems capable of providing high-speed transmission of services such as data, voice, and video over the Internet and other networks...”<sup>5</sup>

Broadband access is an essential component of economic development. High speed internet access allows businesses to share information almost instantaneously. Many businesses are dependent upon the Internet for some, if not all, of their operations. Moreover, the internet allows people to work from home, or to start up businesses in their home, and be competitive with larger businesses.

Even when high speed access is not an essential component of the business, broadband access is desirable. As wireless broadband services become more widely available, people’s expectations for internet availability increases. For example, many hotels, motels and coffee shops offer free internet access to their guests, and not offering this service could put such businesses at a competitive disadvantage.

Perhaps as importantly, the internet plays an increasing role in people’s daily lives. Internet access is becoming increasingly important for social, educational, recreational and cultural experiences. Therefore, access to broadband internet services is a quality of life issue, as well as an economic development issue.

Although the demand for broadband internet access is increasing exponentially, rural areas such as the Town of Allegany have historically lagged behind urban areas in the availability of broadband access. This lack of access has been termed “the digital divide.” Rural areas lag behind urban and suburban areas in availability of broadband access in part because it is economically more efficient to install infrastructure in more dense locations. However, rural communities run the risk of becoming even more economically isolated than they are at present if such services are not provided. Conversely, high speed internet offers the ability to work anywhere, remotely, and still be “connected” to the office. Therefore, access to broadband holds the promise to rural areas of increased economic development.

Broadband access can be provided by several different technologies. These include DSL (Digital Subscriber Line), which is provided over telephone lines; coaxial cable; and fiber optic cable (FIOS). Satellite broadband service is another option; however, the signal delay makes this option less useful than other broadband technologies, and it also tends to be more costly to the individual. Broadband can be provided by either wired or wireless systems.

The speed at which broadband is provided varies widely depending upon the type of service and the level of service that a consumer selects. The need for faster speeds has increased dramatically as more and more services are provided through the internet. *Connecting America:*

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<sup>5</sup> <http://www.fcc.gov/broadband/>

*The National Broadband Plan* contains a goal of supporting the provision of affordable broadband and voice with at least 4 Mbps actual download speeds.

At the present time, broadband access in the Allegany area is provided by private, for-profit corporations, such as Verizon and Time-Warner Cable. DSL service is generally available up to three miles from the telephone central office. Cable internet access is available wherever cable service is available, but this area is generally restricted to the more dense development in the Village of Allegany and surrounding parts of the town, with limited service to some parts of the Town south of the Allegheny River. There are significant parts of the Town that do not have access to any broadband technology, except for satellite subscription service.

The Town of Allegany is committed to providing wider access to broadband services for residents and businesses in the town, with a goal of reaching virtually every area of the Town. The Town is currently exploring the possibility of establishing its own broadband service.

## **2.5 Community Facilities and Recreation**

### **Municipal Buildings and Facilities**

#### ***Town Hall***

The Allegany Town Hall is located on Main Street in the Village. It is an historic, two story building with a decorative cupola. The building houses the municipal offices and the Town Board meeting room. The second floor of the building, accessible only by a staircase, is used by the Town's Recreation Department.

The Town has recently completed some interior and exterior renovations to the building. These include a new roof and rebuilding the cupola. Interior renovations include a new furnace, new electrical wiring, installation of a wireless internet system, and security cameras. As funds are available, the Town would like to make further improvements to the building in order to increase energy efficiency, such as insulating the exterior masonry walls.

#### ***Birch Run Road complex***

The Town owns a 21.7 acre facility on Birch Run Road that contains a variety of municipal facilities. Stayer Memorial Park is located on approximately 15 acres of the site. The primary structure is an L-shaped building which houses the Senior Center, Town Court, and Highway Garage. The Highway Department uses a portion of the site adjacent to the highway garage for storage of equipment and supplies, such as pipe and snow plows. This site also contains a salt storage building, which is undersized for the amount of salt used by the Town.

The Town recently completed a 1500 square foot addition to the Highway Garage/Court portion of the building, which provided new and remodeled office space. The redesigned Court space now includes separate facilities for the judge and lawyers; previously they shared one office space. Upgrades also included a fire-rated room for Court records retention and a new security system. The addition also included office space for the Highway Superintendent and the water and sewer department. A new heating system and roof repairs were included in this project.

The Senior Center portion of the building is a well used facility. It provides the primary meeting location for the 60 Plus Club, a program of the Recreation Department that provides recreational and educational opportunities for senior citizens who reside in the Town of Allegany. The number of participants in this program has been increasing over the past several years, in part due to the increased participation by both men and by "younger" seniors in the 62 to 65 age group. The Senior Center also provides a meeting space for Town of Allegany municipal functions, such as meetings of the Town Board, Planning Board and Zoning Board of Appeals, when the attendance is anticipated to be greater than the capacity of the meeting room at Town Hall. In addition, the Senior Center is available for community groups for functions such as meetings and Red Cross blood drives and is used for instructional seminars for town employees.

An expansion of the Senior Center portion of the building has been proposed to accommodate the increased usage of the building. One proposal is to expand the building to the north, by about 1500 square feet in order to accommodate a new kitchen and to provide increased floor area for activities. Funding for an expansion is not available at this time.

## **Police Protection**

The Town does not have a police force. Instead, the Town contracts with the Village of Allegany to provide police services on an emergency basis only. Cattaraugus County Sheriff's Department and New York State Police also respond to emergency situations.

## **Fire and Ambulance Services**

Fire protection and ambulance services are provided by the Allegany Fire District, which has a facility in the village of Allegany on First Street. The Knapp Creek Fire Department provides fire protection to that area of Town. The Fire District is an all-volunteer force. It has mutual aid agreements with other municipalities, including the City of Olean.

## **Allegany Public Library**

The Allegany Public Library is located in the center of the Village. The Village and the Town each contribute 50 percent of the Library's budget.

## **Parks and Recreation**

Allegany offers a wide range of recreational opportunities. Recreational facilities are owned by public entities, institutions, and private individuals.

### ***Town of Allegany Recreation Department***

The Town of Allegany has an active Recreation Department that provides leisure services and programs for the Allegany Community. The Department provides a wide variety of programs for pre-schoolers, youth and adults. Programs are offered in a variety of venues, including the second floor of the Town Hall and in the old high school on Fourth Street.

### ***Town Parks***

There are five parks in Allegany that are owned by the Town. The largest is Stayer Memorial Park, located at the Birch Run Road complex. The park contains several baseball fields, and a girl's softball field, which are also used by Little League and the Allegany Limestone School District. The Park contains a food stand and bathrooms.

Allegany River Park on Union Street in the Town abutting the Allegheny River is 4.7 acres in size. This park provides softball fields, two pavilions with picnic tables, playground equipment, basketball court, and restrooms.

Town Hall Park is located adjacent to the Town Hall on Main Street. It contains the Allegany War Veterans' Memorial and a small playground.

BJ's Park is built on land owned by NYS Department of Environmental Conservation (NYSDEC) for flood control. It is located south of the BJ's parking lot. The park contains picnic tables that overlook the Two Mile Creek.

Brick Park located at the northwest corner of Route 417 and Constitution Avenue. This small park contains a brick plaza and benches that are sheltered by a decorative pergola. The Allegheny River Valley Trail runs through the park.

### ***Other Publicly Owned Facilities***

Gargoyle Park, owned by the City of Olean, is located at the end of Gargoyle Road, adjacent to the Allegheny River. The park contains picnic pavilions.

The Nine Mile State Forest, also known as Cattaraugus Reforestation Area #22, contains 3,162 acres, almost all of which are located in the town of Allegany, in the northwest quadrant of the Town. A small portion of this state forest is located in Great Valley. The state forest is available for recreational uses including hiking, biking, fishing, and hunting.

Birch Run Ponds is a Fish and Wildlife Management area owned by NYSDEC. Fishing is permitted in this facility, which also contains a trail and a viewing platform overlooking the ponds. Platforms for osprey nests have been constructed.

The Allegany Limestone Middle and High School has tennis courts that are also available to the public.

### ***Other recreational facilities***

Clapp Field is a privately owned soccer field that is used by Allegany Soccer Inc, a private, non-profit organization that runs a three season soccer program for local children. The fields are also used by the Allegany-Limestone School District. Clapp Field is located on Five Mile Road, near the Allegany-Limestone Middle and High School.

Allegany has two golf courses, both of which are open to the public. The St. Bonaventure Golf Course, located on Route 417 across from St. Bonaventure University, is a 9 hole course. Birch Run Country Club, which is also a 9 hole course, is located on Birch Run Road.

Rock City Park, on Route 16, is privately owned facility that is open to the public. Rock City Park features an overlook area and a walking trail through unusual rock formations.

There are also numerous hunting and fishing opportunities in the town. Hunting is allowed in the state forest, but numerous private property owners allow hunting on their property. Similarly, fishing opportunities abound in the Allegheny River and on local streams.

## **Recreational Trails**

### ***Allegany River Valley Trail***

The Allegheny River Valley Trail is a 10 foot wide, asphalt, multi-use recreational trail, located in the Town of Allegany, Town of Olean and City of Olean. The Trail is heavily used for a variety of non-motorized activities, including walking, biking, skating, and cross country skiing. It is located on easements provided by numerous private property owners. A substantial portion of the main loop of the Trail runs along the Allegheny River, through the rear of St. Bonaventure

University, Gargoyle Park and other property. The trail turns away from the River at South 20th Street in the City of Olean, where it eventually connects to Constitution Avenue and loops back to St. Bonaventure University. A smaller loop, running along a creek, was recently completed on the St. Bonaventure campus. Long term plans for the Trail call for it to be extended to both the east through the City of Olean and beyond and to the west. A short, unconnected segment of the expanded Trail has been constructed in Olean between the JCC campus and the Allegheny River.

### ***Bicycle Routes***

NYS Bike Route 17, one of only three state-designated bicycle routes, traverses Allegany on Route 417. Bike Route 17 crosses New York state, beginning at Lake Erie near Westfield in Chautauqua County and ending in Beacon on the Hudson River, where the route intersects with NYS Bike Route 9. Bike Route 17 runs eastward through the Southern Tier counties of Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, and Broome, turning south into Delaware and Sullivan counties, and then east through Orange county.

There are no other formally designated bicycle routes in Allegany. However, many other roads are used informally by bicyclists, including Five Mile Road and River/Four Mile Roads (County Road 60).

### ***Snowmobile Trail***

Cattaraugus County has approximately 350 miles of groomed snowmobile trails. The trails are located by agreement with private property owners and are maintained by several snowmobile clubs. A portion of snowmobile trail C2G runs through southern Allegany, through the Nichols Run, Knapp Creek, Rock City area. Cattaraugus County promotes these trails by publishing trail maps that show locations of restaurants and gas stations near the routes, thus providing an opportunity for local businesses to capitalize on winter visitors.

### ***Boat Ramp***

The only formal public access boat ramp in the Town of Allegany is located off the South Nine Mile Road, in the right of way of I-86, which is elevated at this location as it crosses over the Allegheny River and the South Nine Mile Road. This location is signed as a NYS Department of Environmental Conservation public fishing access, but there is no signage to indicate that the site also contains a boat ramp.

The Allegheny River is heavily used for recreational boating, such as canoes and kayaks. Providing additional boat ramps and better signage for the South Nine Mile ramp would improve recreational opportunities for residents and visitors.

## **2.6 Transportation Systems**

### **Regional Access**

The Town of Allegany is well situated in terms of regional highway access. Ongoing state and federal projects to upgrade major east-west and north-south routes will only improve access to and from the Town in the future.

The Town is bisected by Interstate 86, formerly known as NYS Route 17, a major east-west highway. Exit 24 from I-86 is located in the Town, approximately one mile west of the Village. A rest stop on the westbound side of the Interstate is located in the Town, west of Exit 24.

In 1998 federal legislation (TEA-21) added NYS Route 17 to the future interstate highway system, as a renamed I-86. The legislation allowed New York State to begin upgrades to Route 17, which, when completed, will allow road segments to be designated as I-86. Eventually I-86 will stretch from Interstate 90 in Pennsylvania to Interstate 87 (New York Thruway) at Harriman, New York, serving the Southern Tier and Catskills regions of the state. Western New York, including the road segment through Allegany, was among the first road segments to be improved and to attain the Interstate 86 designation. Work to upgrade remaining segments of the entire 380 mile route is on-going.

Regional north-south access is provided by US Route 219. The interchange of Route 219 with I-86 is located in the town of Carrollton, approximately six miles west of Exit 24. Route 219 extends for 535 miles from the West Seneca interchange with Interstate 90, just south of Buffalo, New York to Rich Creek, Virginia, at US Route 460. New York State has begun a project to upgrade Route 219 in Cattaraugus County from a two-lane road to a limited access, four lane highway from Erie County to I-86. The first phase of this work, from Springville in Erie County to a new interchange at Peters Road in the town of Ashford, was opened in the fall of 2010.

Another regional north-south route is NYS Route 16, which is primarily a two lane undivided road. Route 16 extends from the Pennsylvania State line in Allegany north to downtown Buffalo, traversing Cattaraugus and Erie Counties.

NYS Route 417 is a regional east-west route that roughly parallels I-86 as it runs through the Town and Village of Allegany. It extends from Salamanca to Painted Post in Steuben County. For much of its length it is a two lane undivided road.

### **County and Local Roads**

The Town of Allegany is well served by a local road network. NYS Route 417 serves the Town and Village as a major arterial road; it is named Main Street in the Village and is known as State Street in the town east of the Village line. Route 417 serves an important local corridor. St. Bonaventure University, the Village of Allegany and the East End retail district are located along this arterial, which essentially runs parallel to the Allegheny river. Regionally, Route 417 connects Allegany with the City of Olean to the east and the City of Salamanca to the West.

The Town has a local network of approximately 74 miles of road. Most of the town roads are paved; only about eight miles of town roads are not paved, and these are located throughout the town. The long term goal is to pave all town roads. The remaining roads in the Town are either state or county responsibility. County Road 19 (Five Mile road), County Road 83 (Buffalo Road), County Road 60 (parts of South Nine Mile, Four Mile and River roads) and County Road 61 (Four Mile Road) serve various sections of Allegany.

The Town owns and maintains one bridge, on Geiger Hollow Road. All other bridges are the responsibility of either New York State or Cattaraugus County.

### **Rail Service**

The Southern Tier Extension Rail Line, a 145-mile long rail line (formerly the Erie-Lackawanna mainline) between Corry, Pennsylvania and Hornell, New York, runs through the Town of Allegany. The line has interconnections with other rail lines at either end; in the City of Olean it connects with the Buffalo Line, a 40-mile long rail line that runs between Machias Junction and the Pennsylvania state line at Portville, New York.

Both the Southern Tier Extension and the Buffalo rail lines are owned by a legal entity, the Chautauqua, Cattaraugus, Allegany, and Steuben Southern Tier Extension Railroad Authority (STERA), which is a local public authority created by the New York State Legislature in 2000. The authority is governed by a Board primarily made up of representatives from the four counties that it serves.

The Western New York and Pennsylvania Railroad LLC (WNYP) is the operator of these rail lines, pursuant to agreements with STERA. Norfolk Southern Corporation also runs through trains through the region using this track. Currently only freight service is provided. There is no passenger rail service in the Allegany-Olean vicinity.

A large rail yard is located on the Southern Tier Extension Rail Line in the vicinity of Constitution Avenue. This yard is located in Allegany, the town of Olean, and the City of Olean, and is known as the "Olean rail yard." WNYP has located an operations center in this rail yard and has constructed an engine house for locomotive repair and maintenance, which is located in the Allegany portion of the yard.

STERA has developed an ambitious program of upgrades to the rail line and signaling system, which is intended to reverse decades of deferred maintenance by Conrail, the prior owner. In addition STERA plans to construct a freight transload facility in the Olean rail yard. This facility would provide a location where local shippers can bring merchandise by truck, where it will be placed on containers and shipped by rail. This facility is intended to make rail service available to companies that do not have geographic proximity to a rail line. STERA is currently seeking funding to construct the transload facility.

## **Public Transit**

Very limited public transportation serves the community. The City of Olean currently operates a bus system, Olean Area Transit System (OATS), which serves the City of Olean and a portion of the Town of Allegany (Wal-Mart plaza and Cranberry Court apartments). During the school year, OATS service includes St. Bonaventure University students through the Bona Bus, which operates along a limited route that includes the Village of Allegany and the East End retail shopping plazas.

The City of Olean is currently working with other entities in Cattaraugus County to expand the public transit system to Portville, along Route 417 to the east, and to Salamanca, along Route 417 to the west.

## **Airports**

Several airports serve the Allegany area. The largest is the Buffalo-Niagara International Airport, located approximately 75 miles to the north; it provides commercial passenger and freight service by a variety of airlines. The Bradford Regional Airport, located in Bradford, Pennsylvania, provides limited commercial passenger service. The Cattaraugus-Olean Municipal Airport is a publicly-owned, public-use airport located in the Town of Ischua; this airport has no regular scheduled commercial flights.

## **Section 2.7 Community Profile**

An analysis of population, housing and economic characteristics can be useful to identify trends that have occurred over time and to provide an indication of what is expected to happen in the future. Once major trends have been identified, policies can be developed to encourage either continuation or change in the identified trends.

The analysis in this section is primarily based upon data collected by the U.S. Census Bureau. This agency is responsible for carrying out the decennial census of population that is mandated in the United States Constitution. In addition to providing official population data, the Census Bureau provides a wide range of data on economic, housing and population characteristics. The analysis in this section includes data both from the recently completed 2010 Census and from the 2005-2009 American Community Survey. Some data from earlier censuses are also included. Data reported for the 2010 Census are collected through a survey of virtually the entire population of the country. Data reported in the American Community Survey contains a wider variety of data than that collected during the 2010 decennial census, but it is based on sampling of a representative portion of a community; while this data is accurate, it has a higher margin of error rate than the data collected in the 2010 and other decennial censuses. Due to the differences in the way the two data sets are collected and the timing of the data collection, there may be minor variations in totals between the data sets. The Census Bureau is continually collecting and updating American Community Survey data; for Allegany, the 2005-2009 American Community Survey provides the most current data for some types of statistics. Where both 2010 Census data and American Community Survey data are available, the 2010 Census data is used.

Data reported by the U.S. Census Bureau for the Town of Allegany also includes the Village of Allegany. Therefore, unless otherwise noted, all references to "Town of Allegany" or "Allegany" also include the Village.

### **Population Characteristics**

Table 3 shows the population of Allegany and Cattaraugus County from 1970 to 2010. This table displays the number of residents in the Town and Village separately, in addition to the combined population. The data are also displayed graphically in Figure 1 through Figure 4.

During this 40 year period the populations of the Town, the Village, and Cattaraugus County increased between 1970 and 1980, with the population of the Town alone showing a dramatic increase of 19%. That increase in the town's population also accounted for most of the growth in the combined Town and Village population. During this period Cattaraugus County experienced a healthy, although slower growth of almost five percent.

The populations of the Town, Village and County peaked in 1980, and each governmental unit has experienced a decline in residents since then. However, in relative terms the population of the Town alone has seen less of a decline than either Cattaraugus County or the Village. The population of the Town alone did not change between 1990 and 2000, and the Town suffered a relatively minor 2.5% loss of population between 2000 and 2010.

**Table 3**  
**Population, 1970-2010**

Year	Town of Allegany		Village of Allegany		Town and Village		Cattaraugus County	
	Population	Change	Population	Change	Population	Change	Population	Change
1970	5492		2050		7542		81,666	
1980	6541	19.1%	2078	1.4%	8619	14.3%	85,697	4.9%
1990	6347	-3.0%	1980	-4.7%	8327	-3.4%	84,234	-1.7%
2000	6347	0.0%	1883	-4.9%	8230	-1.2%	83,955	-0.3%
2010	6188	-2.5%	1816	-3.6%	8004	-2.7%	80,317	-4.3%

Sources: US Census Bureau, 2010 Census Redistricting Data; US Census Bureau, 2000 US Census of Population and Housing; Cattaraugus County Cattaraugus County Department of Economic Development, Planning & Tourism, Self-Portrait of Cattaraugus County, Oct. 2002; Town of Allegany, Planning & Development Policies, 1987.

The population trends in Allegany and Cattaraugus County in the period between 1970 and 2000 mirror nationwide population trends. "In the 1970's, the human scale of small towns, the back-to-the-land ethic, and a philosophy of 'Small is Beautiful' touched off a net migration of people from urban areas to nonmetropolitan counties; America's rural population actually increased faster than its urban population for the first time in 150 years! Then, in the 1980s and 1990s, many rural places lost population thanks to a weak farm economy and a decline in manufacturing jobs."<sup>6</sup>

Although the population of New York State as a whole increased somewhat between 2000 and 2010, according to The Buffalo News' analysis of the 2010 census data all eight counties in Western New York lost population in the decade between 2000 and 2010. Cattaraugus County, with a decline of 4.3%, lost more of its population on a percentage basis than any other county in Western New York.<sup>7</sup>

The population of Cattaraugus County and of the Village alone are lower now than in 1970. However the Town alone, and also the combined Town and Village population has increased since 1970. In part this stability may be due to the presence of St. Bonaventure University within the Town. The 2010 Census reported a population count for the St. Bonaventure CDP (Census Designated Place) of 2,044 people. This includes students who resided on campus on April 1, 2010 (the official date of the count) and also includes the small number of adults who live in the Friary and elsewhere on campus. The residents on the St. Bonaventure campus make

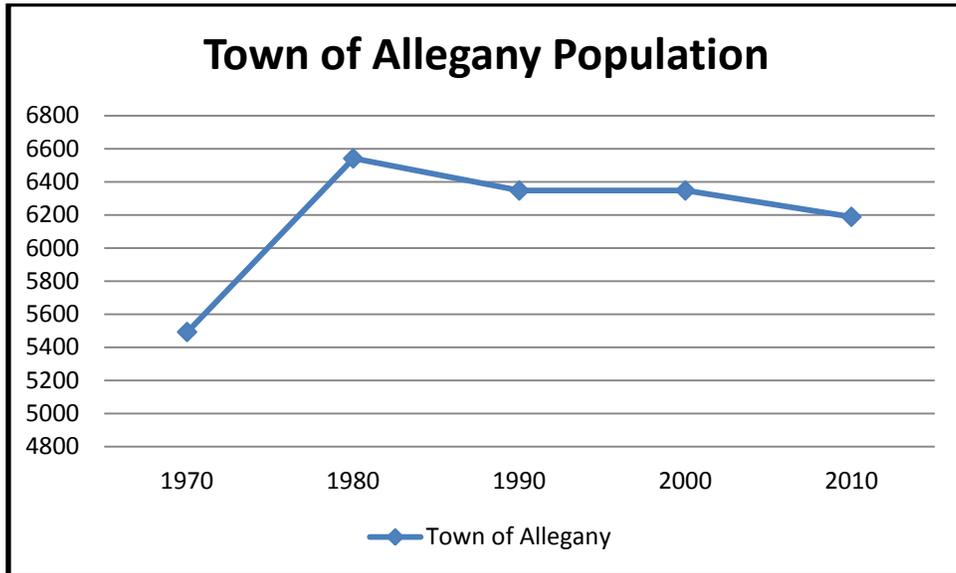
<sup>6</sup> Thomas L. Daniels, et. al. *The Small Town Planning Handbook*, 3rd Edition. Planners Press, American Planning Association, 2007, p. xxvi.

<sup>7</sup> <http://www.buffalonews.com/city/census/article375470.ece>

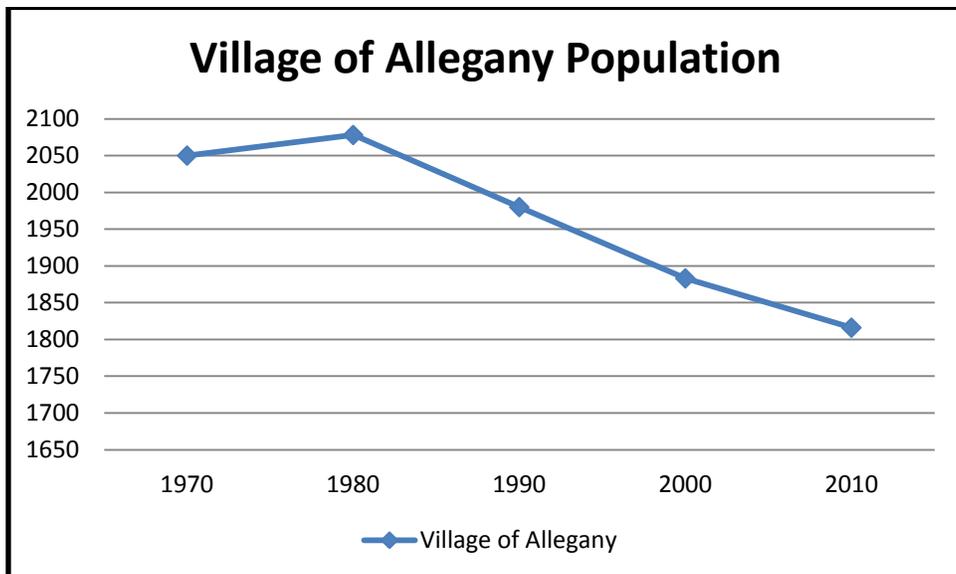
"Area population decline continued in 2000s, census data shows" The Buffalo News, published March 24, 2011, Updated March 28, 2011, downloaded 4-15-2011.

up roughly 25% of the total population of 8004 people in Allegany. The 2010 population of the St. Bonaventure CDP is higher than that of the Village of Allegany.

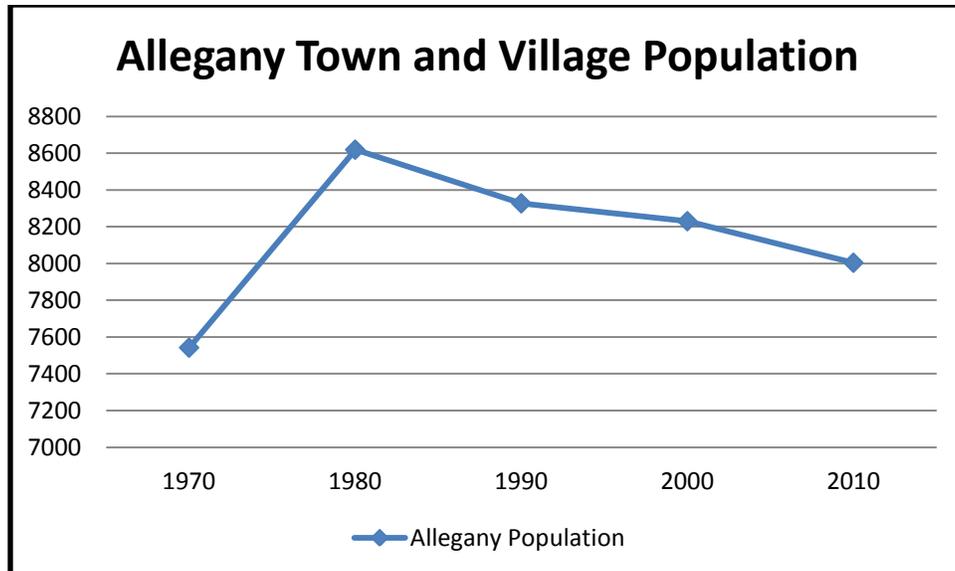
**Figure 1**  
**Population of Town of Allegany, 1970-2010**



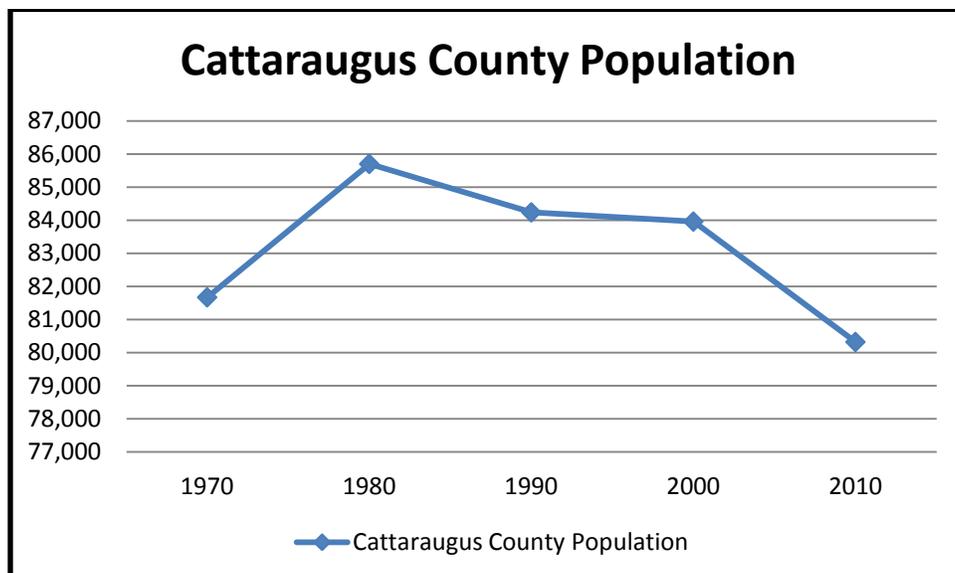
**Figure 2**  
**Population of Village of Allegany, 1970-2010**



**Figure 3**  
**Combined Population of Allegany Town and Village, 1970-2010**



**Figure 4**  
**Population of Cattaraugus County, 1970-2010**

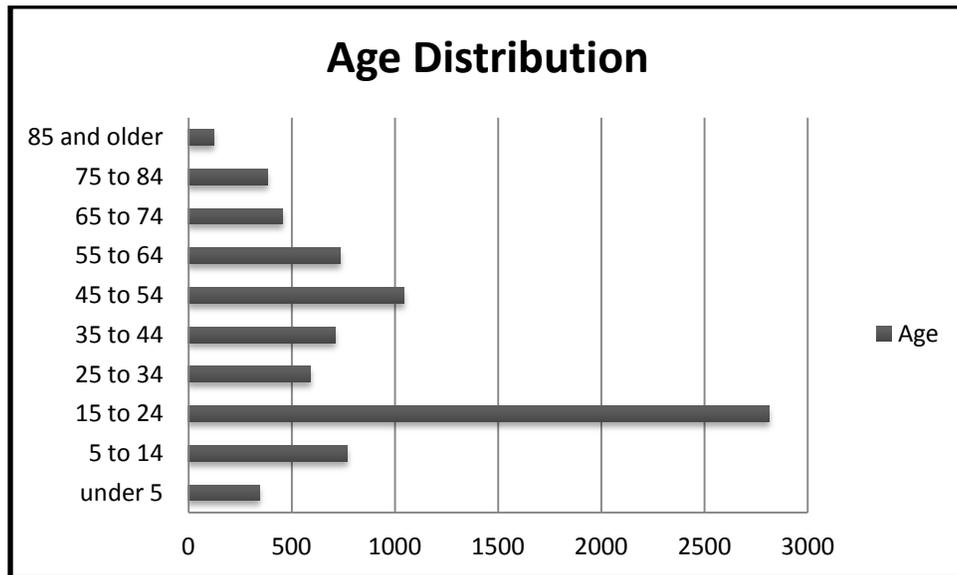


**Age**

Age distributions within the population can serve as indicators of several trends, including aging of the population and out-migration by certain age groups (cohorts). In general, a large base of children and young adults is an indication of a stable and/or growing population. A balanced number of people in their 20s and 30s is also an important indicator, since these are the people who are starting work and beginning families.

Figure 5 displays the distribution by age of the Allegany population. Table 4 displays the same data for Allegany as that shown in Figure 5. However, the table provides more detail for some age groups and also compares the percentage of the population in each age cohort in Allegany with the percentages for Cattaraugus County, New York State and the nation. The data in Figure 5 and Table 4 are taken from the Census Bureau's American Community Survey 5-Year Estimates; the data are based on samples taken from 2005 through 2009 and are presented as an average of those samples. Because the data is estimated, the total population for Allegany shown in Table 4 is less than the actual population counted in 2010. However, the estimated data is the most recent data containing an age distribution of the population.

**Figure 5**  
**Age Distribution in Allegany**



Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

Figure 5 shows a significant spike in the 15 to 24 year old cohort (age group). This is also indicated in Table 4, where the 15 to 19 year cohort and 20 to 24 year old cohort comprise 15.7% and 19.6%, respectively, of Allegany's residents, far above the comparative percentages for Cattaraugus County, the state or the nation. This spike is undoubtedly due to the students at St. Bonaventure University, who for the most part leave the area after graduation. If college

students were removed from the data, the age distribution for Allegany would be similar to that for Cattaraugus County as a whole.

**Table 4  
Age Distribution**

Age	Allegany		Cattaraugus County	New York State	United States
	number	percent	percent	percent	percent
under 5	345	4.3	6.0	6.3	6.9
5 to 9	456	5.7	6.6	6.1	6.6
10 to 14	316	4.0	6.4	6.6	6.8
15 to 19	1252	15.7	7.9	7.1	7.1
20 to 24	1561	19.6	7.0	6.8	7.0
25 to 34	592	7.4	9.9	13.4	13.4
35 to 44	710	8.9	12.7	14.6	14.2
45 to 54	1043	13.1	15.9	14.8	14.5
55 to 59	448	5.6	7.3	6.2	6.0
60 to 64	290	3.6	5.2	5.0	4.8
65 to 74	458	5.7	7.8	6.7	6.5
75 to 84	386	4.8	5.6	4.6	4.4
85 and over	126	1.6	1.8	1.9	1.7
Total population	7983				

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

The data show a loss of population in the 25 to 34 cohort. As a percentage of the population, this cohort comprises only 7.4% of Allegany's population, while it is almost 10% of the population of Cattaraugus County and 13.4% of both New York State's and the U.S's population. This indicates that young adults are leaving the area, presumably for better employment opportunities elsewhere. This is an unfavorable long-term indicator for the community.

Table 4 also indicates that Allegany has a low percentage of school aged and pre-school aged children in the birth to age 14 cohorts, relative to the county, state, and nation. This could, at least in part, be due to the low percentage of residents in the 25 to 34 cohort, which represent prime childbearing years. The 35 to 44 age group is another cohort that would typically have children, and the percentage of this cohort in Allegany is also relatively low.

The relatively large size of the 45 to 54 cohort in all geographic areas is an indication of a future aging population. The "baby boom" generation, born between 1945 and 1960, began to turn 60 in 2006.

Median age is another indicator of the age distribution in a population. As reported in the 2005-2009 American Community Survey 5-Year Estimates, the median age in Allegany was 26.2 years, compared with a median age of 40.1 years in Cattaraugus County and 37.7 years for New York State. This is a substantial difference, which is primarily due to the college-aged students in Allegany who attend St. Bonaventure University.

***Mobility***

Migration into an area is considered to be a sign of a growing region. New people moving into a region can replace those who leave or increase the population of an area. A proxy indicator for in-migration is the data that the Census Bureau collects for Residence One Year Ago, which is shown in Table 5. Between 2005 and 2009, almost 80 percent of Allegany residents had lived in the same residence during the previous year. Seven percent had moved into Allegany from somewhere else in Cattaraugus County. Nine percent had moved from elsewhere in New York State, and almost five percent had moved from a different state. About one-half percent moved from another country.

Compared to Cattaraugus County, the state and the nation, Allegany has a higher percentage of the population who has moved into the Town, and it appears that those people have come from further away, either another state or New York State outside of the county. This difference in mobility may be due, at least in part, to the student population at St. Bonaventure University.

**Table 5  
Residence One Year Ago  
Percentage of Population 1 year and older**

<b>Residence</b>	<b>Allegany</b>	<b>Cattaraugus County</b>	<b>New York State</b>	<b>United States</b>
Same house	79.9 %	85.9 %	88.3 %	83.8 %
Same county	6.9 %	8.6 %	7.0 %	9.6 %
Same state	9.0 %	3.5 %	2.6 %	3.4 %
Different state	4.7 %	1.8 %	1.4 %	2.5 %
Abroad	0.4 %	0.2 %	0.7 %	0.6 %

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

***Average household and family size***

As defined by the U.S. Census, there is a difference between households and families. A family is "a group of two or more people who reside together and who are related by birth, marriage or adoption." A household "includes all the people who occupy a housing unit as their usual place

of residence." Therefore, households can include roommates and other unrelated people, as well as individuals living alone.

Table 6 compares both the average household size and the average family size in Allegany, Cattaraugus County, New York and the United States. Allegany has a somewhat larger household and family size than Cattaraugus County, but is less than the averages for New York and the United States.

**Table 6**  
**Average Household and Family Size**

	<b>Allegany</b>	<b>Cattaraugus County</b>	<b>New York State</b>	<b>United States</b>
Average Household size	2.43	2.37	2.64	2.60
Average Family size	2.91	2.88	3.31	3.19

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

***Income***

Table 7 compares median household, family and per capita (individual) income in Allegany with larger geographic areas. Both median household and family income for Allegany is higher than that for Cattaraugus County, but below the median for New York State. Interestingly, while the median per capita income in Allegany is well below the median for Cattaraugus County, New York and the nation, the percentage of individuals below the federal poverty level in Allegany is lower than the rate for Cattaraugus County and about the same as New York and the United States. The percentage of families below the poverty level is less in Allegany than the rates for the county, state or nation.

**Table 7**  
**Income in 2009 inflation-adjusted dollars**

	<b>Allegany</b>	<b>Cattaraugus County</b>	<b>New York State</b>	<b>United States</b>
Median Household income	\$ 49,350	\$ 41,482	\$ 55,233	\$ 51,425
Median Family income	\$ 63,451	\$ 49,775	\$ 67,040	\$ 62,363
Per Capita income	\$ 18,371	\$ 20,508	\$ 30,634	\$ 27,041
Families below poverty level	7.0 %	10.9 %	10.5 %	9.9 %
Individuals below poverty level	13.7 %	15.7 %	13.8 %	13.5 %

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

### ***Education***

Table 8 shows the highest level of education achieved by residents who are 25 years of age and older. The data is reported as a percentage of the total population. Ninety-two percent of Allegany residents have a high school degree or higher level of education, and 26 percent have a bachelor's degree or higher. The level of education for Allegany residents is higher than that for Cattaraugus County, especially when comparing the percentage of residents who have bachelor's, graduate or professional degrees.

**Table 8**  
**Educational Attainment**  
**For persons 25 years and older**

	<b>Allegany</b>	<b>Cattaraugus County</b>
Less than 9th grade	0.5 %	4.4 %
9th to 12th grade, no diploma	7.5 %	9.2 %
High school graduate (includes equivalency degree)	40.8 %	41.9 %
Some college, no degree	13.3 %	16.0 %
Associate's degree	11.7 %	10.7 %
Bachelor's degree	14.0 %	9.6 %
Graduate or professional degree	12.2 %	8.1 %

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

### **Housing Characteristics**

According to the US Census, in 2010 there were 2,890 housing units in Allegany. Based on census data, the number of homes in Allegany has increased over the past decades. In 1990 Allegany had 2,591 housing units. In 2000 the number had increased to 2,843. The number of housing units continued to increase between 2000 and 2010, although at a reduced rate of increase. The number of residences has increased despite the decline in population. In part this may be due to the decrease in average household size over this 20 year period. In 1990 the average household contained 2.67 people; in 2000 average household size was 2.51 people. By 2010 the average household size in Allegany had dropped to 2.43 people.

As shown in Table 9, approximately 73 percent of the residences in Allegany are owner-occupied. The home ownership rate in Allegany is significantly higher than that in Cattaraugus County, where 56 percent of residences are owner-occupied. Of the owner-occupied homes in Allegany, about one-third of them are owned outright, without a mortgage or loan.

**Table 9  
Home Ownership, 2010**

	Allegany		Cattaraugus County
	Number	Percent	Percent
Owner-occupied with a mortgage or loan	1,121	39 %	31 %
Owned free and clear	995	34 %	25 %
Renter Occupied	560	19 %	22 %
Vacant	214	7 %	22 %
Total Housing Units	2,890		41,111

Source: U.S. Census Bureau, 2010 Census

The residential vacancy rate in Allegany is also low, at seven percent of total housing units. The Census includes seasonal homes and hunting cabins in the "vacant" category. Seventy-two units (34 percent) of the 214 vacant units were classified in the "seasonal, recreational or occasional use" category.

***Age of Residential Structures***

The age of housing in Allegany is shown in Table 10. Almost one-fourth of residential structures were built before 1940. The rate of construction of housing was reasonably balanced in the decades since 1940, except that there appears to have been a drop in the rate of new housing construction in the 10 year period between 2000 and 2010. This is not surprising given the national economic situation and the decline in population that the Town experienced during this time.

**Table 10  
Age of Residential Structures in Allegany**

Year Structure Built	Number	Percent
2005 or later	62	2.3 %
2000 to 2004	105	3.9 %
1990 to 1999	377	14.0 %
1980 to 1989	368	13.7 %
1970 to 1979	326	12.1 %
1960 to 1969	238	8.9 %
1950 to 1959	392	14.6 %
1940 to 1949	188	7.0 %
1939 or earlier	633	23.5 %
Total Structures	2,689	

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

The total number of residential structures shown in Table 10 (2,689 structures) is less than the total number of housing units shown in Table 9 (2,890). The data in Table 10 are taken from the American Community Survey estimates while the data in Table 9 are based on actual counts conducted in 2010. The 2010 data are the more recent and are assumed to be more accurate. However, the American Community Survey provides the only data on age of housing stock.

***Housing Affordability***

The affordability of housing is the relationship between the average price of housing and the average income of residents. The affordability of housing is an important indicator, because when much of the housing in a community becomes unaffordable for residents, long time residents may be forced to move and young adults may not be able to stay in the community in which they grew up.

**Table 11  
Housing Affordability**

<b>Housing cost as a percentage of household income, 2009</b>	<b>Owners with mortgage</b>	<b>Renters</b>
Less than 20 percent	51.80%	28.80%
20.0 to 24.9 percent	13.80%	18.60%
25.0 to 29.9 percent	13.50%	7.30%
30.0 to 34.9 percent	5.00%	11.20%
35.0 percent or more	15.90%	34.10%

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

A generally accepted measure of affordability is that a household should pay no more than 30 percent of its income for housing. Table 11 shows the cost of housing in Allegany as a percentage of household income for both homeowners who have a mortgage and renters. Approximately 20 percent of homeowners and 45 percent of renters spend 30 percent or more of their household income on housing. Affordability appears to be more of an issue for renters, and it appears that rental housing is proportionally more expensive than owner-occupied housing in Allegany. These statistics may be skewed, in part, by the large number of college students who rent off-campus housing and who have little or no income. However, care should be taken when developing land use policies to ensure that a wide variety of housing styles and sizes are possible in the Town.

## Economic Characteristics

The economy of the Town of Allegany is to some extent dependent upon the economy of the region. Table 12 shows the industries in which residents of Cattaraugus County are employed and changes in employment from 1990 to 2009.

**Table 12**  
**Industry in which Residents of Cattaraugus County are Employed**

Industry	Number In 1990	Number in 2000	Number in 2009	Percent in 2009	Rank in 2009
Agriculture, forestry, fishing and hunting, mining	1,682	1,105	1,136	3.1 %	11
Construction	2,137	2,163	2,825	7.6 %	5
Manufacturing	8,295	7,228	5,752	15.5 %	2
Wholesale Trade	1,036	1,147	879	2.4 %	12
Retail trade	6,528	4,659	4,432	11.9 %	3
Transportation, warehousing and utilities	761	1,830	1,398	3.8 %	9
Information	N.A.	616	525	1.4 %	13
Finance, insurance, real estate, rental and leasing	1,212	1,196	1,289	3.5 %	10
Professional, scientific, management, administrative and waste management services	1,843	1,647	1,898	5.1 %	7
Educational services, health care and social assistance	7,598	9,201	9,575	25.7 %	1
Arts, entertainment, recreation, accommodation, and food services	450	3,520	3,893	10.5 %	4
Other services, except public administration	1,721	1,723	1,468	3.9 %	8
public administration	1,498	1,795	2,150	5.8 %	6
Total Employees	34,761	37,830	37,220		

Sources: Cattaraugus County Department of Economic Development, Planning & Tourism, *Self-Portrait of Cattaraugus County*, October, 2002; U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

N.A. means "not available."

As indicated in Table 12, the economy of Cattaraugus County at the beginning of the twenty-first century is primarily characterized by a mix of tourism, manufacturing, retail trade and service industries. Although the number of people employed in manufacturing declined substantially between 1990 and 2009, it still ranks as the second most important industry, accounting for 15.5 percent of employment. The retail trade category ranks third, even though there has been a substantial drop in the number of employees over the past two decades.

Employment in the "educational services, health care and social assistance" category increased substantially between 1990 and 2000 and again between 2000 and 2009. In 2009 this category employed one-fourth of all residents in the County, more than any other sector. This category also ranked first in 2000 and second in 1990, so it has been an important component of the economy for some time.

The most significant growth has been in the "arts, entertainment, recreation, accommodation and food services" category, which currently employs about 10 percent of County residents and almost 15 percent of Allegany residents. There was a substantial increase in this sector between 1990, when this category ranked last, and 2000; during that decade there was a 682 percent increase in number of employees. Employment in this sector also increased between 2000 and 2009, although not as dramatically. By 2009 this category ranked fourth in employment for Cattaraugus County residents. Increases in tourism-related industries, such as the ski resorts in Ellicottville, Allegany State Park and the Seneca Allegany Casino in Salamanca, and new hotels in Allegany and Olean, are presumed to be primarily responsible for the increase.

Employment in the "agriculture, forestry, fishing and hunting, and mining" category increased slightly between 2000 and 2009, although the number of employees in this sector remains low.

Table 13 provides information on the industries in which residents of Allegany were employed in 2009. The data indicate that industries that are important at the county-wide level are also locally important. The "educational services, health care and social assistance" category ranked first in employment for Allegany residents; over 30 percent of Allegany residents work in this sector. Retail trade, manufacturing, and the "arts, entertainment, recreation, accommodation and food services" categories also ranked high for employment for Allegany residents.

**Table 13**  
**Industry in which Residents of Allegany are Employed, 2009**

Industry	Number of Employees	Percent	Rank
Agriculture, Forestry, Fishing & hunting, mining	86	2.30%	8
Construction	204	5.50%	4
Manufacturing	425	11.40%	3
Wholesale Trade	71	1.90%	10
Retail Trade	554	14.80%	2
Transportation, warehousing, and utilities	74	2.00%	9
Information	85	2.30%	8
Finance, insurance, real estate, and rental and leasing	149	4.00%	5
Professional, scientific, management, administrative and waste management services	107	2.90%	7
Educational services, health care and social assistance	1,138	30.40%	1
Arts, entertainment, recreation, accommodation, and food services	553	14.80%	2
Other services, except public administration	150	4.00%	5
Public administration	144	3.90%	6

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

The data in both Table 12 and Table 13 refer to the industry in which the residents of Cattaraugus County or Allegany worked. These industries are not necessarily located in the County or the Town. However, the mean travel-to-work time for Town and County residents, which is reported in Table 15, indicates that most residents of the town and county travel relatively short distances to work, indicating that they most likely work in or near the county.

The Cattaraugus County Department of Economic Development, Planning, and Tourism compiles data on the major employers in the County. The top twenty-five employers, based on number of employees in 2009, the most recent year available, are listed in Table 14. These major employers are classified in the government, education, amusement and recreation, retail and manufacturing sectors, which supports the ranking of these industries in Tables 12 and 13.

**Table 14**  
**Employers in Cattaraugus County, in 2009**

<b>Company</b>	<b>Type of Business</b>	<b>Number of Employees</b>
County of Cattaraugus	Government	1366
Seneca Nation of Indians	Government	1300
Seneca Allegany Casino & Hotel	Amusement and Recreation	1247
Dresser-Rand Turbo Products Division	Air and gas compressors	875
Alcas Corporation	Cutlery manufacturing & sales	700
Pioneer Central School District	Education, School	632
Cattaraugus-Allegany BOCES	Education, School	600
St. Bonaventure University	Education, University	585
The Rehabilitation Center, Subcon Industries	Rehabilitation	574
Olean School District	Education, School	550
WNY Developmental Disabilities Services Office (JN Adam)	Rehabilitation	523
Olean General Hospital	Hospital	415
Wal-Mart	Retail	369
West Valley Environmental Services	Refuse Systems	350
Gowanda School District	Education, School	339
Salamanca Central School District	Education, School	325
Allegany-Limestone School District	Education, School	288
Olean Wholesale Grocery Co-op	Food	275
Allegany State Park	Amusement and Recreation	246
Community Bank	Bank	238
Cattaraugus-Little Valley School District	Education, School	235
Randolph School District	Education, School	221
Jamestown Community College Cattaraugus Campus	Education, community college	217
Dal-Tile Corporation	Manufacturing	214
Olean Advanced Products	Manufacturing	204

Source: Cattaraugus County Department of Economic Development, Planning, and Tourism, 2011

The average (mean) travel time it takes employees to get to work is shown in Table 15. Commute times for residents of Allegany and Cattaraugus County are less than those for New York or the nation.

**Table 15**  
**Average travel time to work, in minutes**

<b>Allegany</b>	<b>Cattaraugus County</b>	<b>New York State</b>	<b>United States</b>
15.5	21.2	31.4	25.2

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

Table 16 shows the transportation method used to commute to work for all workers who are 16 years old and older. Not surprisingly, the vast majority of all workers used a private vehicle. However, 8.6 percent of Allegany residents walked to work, indicating that their workplace is close to their residence. Another 1.5 percent of residents worked at home, supporting the conclusion that home based businesses play a role in the local economy.

**Table 16**  
**Method of Commuting to Work**

	<b>Allegany</b>	<b>Cattaraugus County</b>
Car, truck or van --drove alone	77.6 %	77.8 %
Car, truck or van -- carpooled	10.3 %	12.2 %
Public transportation	1.4 %	0.5 %
Walked	8.6 %	5.2 %
Other means	0.6 %	1.4 %
Worked at home	1.5 %	3.0 %

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

## **2.8 Summary of Development Opportunities and Constraints**

The preceding sections of this chapter have provided a snapshot of the physical, demographic and environmental features of the Town of Allegany in 2011. That analysis has identified strengths and weaknesses in the Town, which can be helpful in identifying appropriate future land use goals and opportunities, as well as identifying constraints that need to be overcome in order to reach those goals. Establishing an appropriate vision and land use plan for the Town needs to take into consideration both opportunities for and constraints to desired development.

### **Opportunities and Community Assets**

#### ***Aquifers***

Allegany has a significant primary aquifer associated with the Allegheny River and some of its tributaries. Less extensive aquifers are associated with Nine Mile Creek and Five Mile Creek. Fresh water is an important asset, and both the municipal water system and private wells ultimately derive their water from the aquifer. These aquifer are a resource that should be protected. An abundance of fresh water is also a resource that is available to support additional development.

#### ***Municipal Utilities***

The town's municipal water supply and sanitary sewer services are provided by the Village of Allegany (and, for sewer, also by the City of Olean) through inter-municipal agreements. There is excess capacity in both the municipal water supply and sanitary sewer systems, which is available to support new development and redevelopment in both the Town and Village. Depending upon the location of future development in the Town, additional water benefitted areas and/or sanitary sewer districts may need to be formed, and infrastructure may need to be extended into currently unserved areas.

#### ***Transportation***

The town has excellent vehicular transportation facilities. Allegany is centrally located on Interstate 86, a major east-west route, and Exit 24 from I-86 serves the Town. Exit 24 is a short distance from the interchange of I-86 and Route 219, the major regional north-south route. Allegany also has freight railroad service.

#### ***Demographic Characteristics***

Allegany has a well educated population, with high level of educational achievement. The community is relatively wealthy compared to other parts of Cattaraugus County and has a high rate of home ownership. The local and regional economy is relatively diverse, with businesses in the manufacturing, tourism, retail and service industries all being major employers. Commute times are relatively short, which leaves area residents with more time to pursue other interests. These are all positive indicators.

### ***Vacant Land***

Allegany has a relatively abundant amount of vacant or underdeveloped land. A significant amount of vacant and underdeveloped land is located in the Route 417 Corridor, which could be available for future commercial and/or industrial development. Vacant land in the northern and southern areas of the town could be available for future residential development. Large residential lots in the outlying areas of the town also provide an opportunity for additional land subdivision in the future.

## **Constraints to Future Development**

### ***Wetlands and Floodplains***

Wetlands serve several important functions, among which are providing areas for recharge of aquifers, providing habitat for fish and birds, and providing flood protection by retaining stormwater. These functions of wetlands are community assets. However, wetlands also represent a constraint to development, since land disturbance should not occur in or near wetlands. For wetlands that are regulated by New York State Department of Environmental Conservation, regulations prohibit development within 100 feet of the wetland boundary.

The 100 year floodplain also represents a constraint to development. While floodplain regulations will allow limited development within a floodplain under some circumstances, substantial development in floodplains should be discouraged in order to protect areas downstream of the development from a potential increase in flooding, and also to protect the new development from potential impacts due to inundation.

### ***Slopes***

Development on land with slopes that are greater than 25 percent is generally more difficult and more visible than development on less steep slopes. Development on steeper slopes may require larger and higher areas of cut and fill and the clearing of a substantial amount of land. The potential for erosion increases with the steepness of the slope. Therefore, where feasible, development should be encouraged in areas where the slope is less than 25 percent. This is particularly the case for more intensive types of development, such as commercial and industrial development.

### ***Demographic Characteristics***

The Town has experienced a slow and gradual decline in population since 1980, although the local decrease in population has not been as dramatic as that in Cattaraugus County. In addition, young adults are leaving the community. Since the greater Western New York region has also experienced a decline in population and the out-migration of young adults, it will be difficult to reverse this regional trend. However, it should be possible to build upon Allegany's assets to increase employment opportunities and to minimize local population decline, while recognizing that substantial growth in Allegany is impossible without a thriving region.



## **Chapter 3**

### **Community Vision Statement: Allegany in 2022**

This chapter contains policies and a comprehensive plan map, which together comprise the Comprehensive Plan that will serve as a guideline for the growth and development of Allegany during the next decade. The primary focus of the Plan is to balance the need to provide for new retail, commercial and light industrial businesses with the desire to preserve the small town character of the community. The Plan envisions a community where future growth is compatible with existing land use patterns, is respectful of the natural environment and community character, is sustainable, and builds upon the existing infrastructure and utility systems.

As discussed in Section 2.2, the Town contains sub-areas that have distinct development patterns. The Route 417 Corridor is currently the most intensely developed part of Allegany, and this Plan envisions that most of the new commercial and industrial development will occur in this corridor. The areas south of the Allegheny River and north of I-86 are primarily characterized by low density, rural development, with agriculture, forestry, mineral extraction, and low density residential development as the primary land uses. This Plan envisions that this low density pattern of development will continue in these two sub-areas. Therefore, when this Plan refers to the "character of the community", the intent is to refer to the specific geographic sub-area of the Town that is being referenced. Commercial, industrial and more dense residential development would be appropriate in the Route 417 Corridor and would be compatible with the character of this corridor. When this Plan refers to "neighborhood," this term refers to the abutting parcels or the immediate vicinity of the particular parcel that is referenced.

The policies in this Plan are based upon the Opportunities and Constraints Analysis contained in this document and community preferences that were expressed at public meetings, in the community survey and in the survey of St. Bonaventure University students. The results of the community survey are contained in a report, *Diagnostic Survey of Current Conditions, Public Preferences, and the Need for Capital Infrastructure Improvements*, prepared by RCAP Solutions, Inc., July 2011. The results of the student survey are contained in a Report tabulating responses. Both reports are available on the Town's website and at the Allegany Town Hall.

The first part of this Chapter contains a series of goals and objectives. Goals are broad policy statements. For each goal, one or more specific objectives are listed. Implementation of the objectives will facilitate the achievement of the overall goals of the Plan. The second part of this Chapter contains the Future Land Plan and Future Land Use Map. The Implementation Strategy in Chapter 4 includes a timeframe for completion of specific objectives, as well as the entities responsible for implementation and possible funding sources, where appropriate.

## 3.1 Goals and Objectives

### Balanced Growth

*Goal 1: Preserve Allegany's small town character while providing an opportunity for future higher intensity development in appropriate areas.*

Over the past several decades Allegany has experienced a substantial amount of growth, especially in retail businesses that have located in the Route 417 Corridor between the City of Olean line and the Village of Allegany (East End). Nevertheless, substantial areas of the Town, both south of the Allegheny River and north of the I-86 expressway, remain primarily rural with low density housing, agriculture and forestry being the predominant land uses. This rural, small town character is prized by most residents, as is shown by the responses to the community survey. In response to the open ended questions about community strengths and weaknesses (questions 2.5 and 2.6), many of the respondents identified "small town" or "rural feel" as major strengths.<sup>8</sup> Friendly neighbors, quiet, and safety were also frequently mentioned as community strengths. Opportunities for outdoor recreation and beauty of the natural environment were also mentioned as strengths, although not as frequently.

Throughout the survey, respondents also either highly rated the availability of shopping or bemoaned the lack of shopping opportunities, even mentioning specific brand names of stores or restaurants that they would like to see come to the community. Another common theme was the need to provide good jobs for residents, especially to keep young adults in the community. Therefore, the overarching goal of this Plan is to encourage new and expanded commercial and industrial development in areas that are suitable for such development, while at the same time providing policies that will ensure that any such development will be respectful of the small town character of the Town.

The East End and the Village of Allegany are the areas of the Town that are the most densely developed. Although the policies in this Plan are not applicable to the Village, it is the historic heart of the Town, and this Plan envisions that the Village will continue to provide an important component of local serving retail businesses. The East End and other areas of the Town immediately adjacent to the Village are the areas that have existing Town water supply and sanitary sewage systems and therefore can support more intense development, including big box retail, and denser residential development.

This Plan envisions the area around the East End and the Village as the Hub for the most dense development in the town. As the need arises and as the utilities, including municipal water supply and sanitary sewage disposal, are extended outward from this area to the north and west, areas around the current hub will be gradually opened up for new commercial or higher density residential development. In particular, this plan envisions that the area around Exit 24 is an appropriate location for future commercial development, due to its location on an interstate exit and its proximity to the East End, St. Bonaventure University and the Village.

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<sup>8</sup> 113 respondents listed "small" town, community, and similar terms as a positive feature. An additional 16 respondents listed rural feel or character as a positive feature.

This Plan envisions that the outlying areas of the Town both south of the Allegheny River and north of the I-86 expressway will be primarily reserved for agriculture, forestry, mineral extraction, and lower density residential development.

Objectives:

1. Encourage a productive, attractive, central Town Hub centered around the East End and the Village. Promote land use policies that will allow sustainable growth in the areas around the Hub as municipal utilities become available.
2. Discourage strip commercial development. As the need develops for additional commercial services in areas outside of the expanded Hub area, that development should be located in nodes that are separated by less dense development, such as agriculture and low density residential.

***Goal 2: Encourage future development that is respectful of the natural environment and is located on land suitable to support the proposed development.***

Allegheny has an abundance of natural resources, including streams, wetlands and hillsides. The Town overlays a large aquifer, which is a major asset that should be protected. Whether the water supply is private wells or the Town water system, ultimately groundwater from the aquifers is the primary source of water supply in the Town. Future development should be designed in such a way as to protect these natural resources.

Objectives:

1. Maintain the rural character of the Town by encouraging the preservation of wetlands and floodplains, and the retention of productive farmland and forests.
2. Control development in and near floodplains and wetlands to ensure that any change to these areas is consistent with state and federal regulations, will not adversely affect these resources, and will not pose a hazard to future residents.
3. Prohibit development that would adversely affect the aquifers that serve as the water supply for the Town.
4. To protect the municipal water supply system, prepare a Wellhead Protection Plan that will identify potential contaminants to the public water supply wells and identify ways in which the potential contamination of the aquifer can be minimized. Those recommendations should be codified in the Town's Zoning Ordinance through one or more overlay districts.
5. For new development and redevelopment, encourage stormwater management practices that minimize runoff onto Town rights-of-way and abutting properties, and that use management techniques such as pervious pavement, rain gardens, and other infiltrative practices to return stormwater to the groundwater.

6. For new development and redevelopment, site grading shall be designed such that the rate and direction of stormwater flow off-site does not increase onto adjacent properties or onto the Town's right -of way in an uncontrolled manner.
7. In areas where septic systems or other individual systems will be used for sanitary sewage disposal, the density of the development shall not be greater than the capacity of the land to support such systems.

***Goal 3: Provide for a wide variety of housing in order to accommodate all income levels and age groups.***

Objectives:

1. Review the Town's zoning ordinance to ensure that a variety of densities of single family homes are allowed. Allow townhouses, apartments, and other more dense types of housing in areas where suitable infrastructure is available to support this density.
2. Allow mixed use residential/commercial neighborhoods near the Village to promote walkability and work/live areas.
3. Allow mobile (manufactured) home parks in appropriate locations.
4. As one way to provide affordable housing, allow single mobile homes that meet appropriate size and appearance standards on single family lots in agricultural-forestry areas.

***Goal 4: Ensure that new development is compatible with character of the Town and with the neighborhood in which it is located.***

Objectives:

1. Encourage development that is compatible in scale, orientation and massing with the neighborhood in which it is located.
2. Discourage a residential development pattern in which many lots take direct access from major roadways. Instead, promote the use of subdivisions, cluster subdivisions, and shared access driveways.

**Economic Development**

A major goal of this plan is to promote a diversified local economy that builds upon Allegany's existing resources. Recent growth has seen the development of a regional retail district in the East End. There remains some vacant land in this area that can support more retail and office development. In addition, the Town has a major underdeveloped resource in the area around Exit 24. Through the use of grant money, the town has extended municipal water system to this area. A major goal is to provide municipal sanitary sewer services to this area to further increase

its development potential. It is envisioned that this area will support a mix of commercial development such as hotels, motels, restaurants, offices, and light industrial development.

Agriculture and forestry have historically been the economic base of the community. While these industries are declining in importance, they still occupy a significant amount of land, contribute to the rural character that is valued by the community, and contribute to the local and regional economy. The Town supports NYS Department of Environmental Conservation's Cooperative Forest Management Program to encourage private landowners to practice sustainable forest use and management on their woodlands.

With the ski resort industry in Ellicottville and Allegany State Park and the Casino in Salamanca, tourism is a growth industry in Cattaraugus County. The Town has variety of resources, such as Nine Mile State Forest, a New York State bicycle trail, snowmobile trail, the Allegheny River, St. Bonaventure University, and Rock City Park, which appeal to vacationers. Increasing local tourism should be one plank of the Town's economic development policy.

On a smaller scale, home based businesses can provide employment for town residents and provide needed services to the community. This plan encourages the development of home based businesses that do not have an adverse impact on the neighborhood in which they are located.

***Goal 5: Promote the economic prosperity of the Town of Allegany and the well being of its residents through a diversified economic base.***

Objectives:

1. Provide for a diversity of retail, commercial and light industrial development that is compatible with the community character and is appropriate for the location in which it is situated.
2. Support the continued development of the East End as a commercial and retail center.
3. Promote home based businesses to provide employment for residents, provided that the business is compatible with the residential neighborhood in which it is located.
4. Support forestry and agriculture in order to retain existing farmland and forests. Allow opportunities for marketing of agricultural products through agri-tourism, farm stands, and farmer's markets, and similar means. Support timber harvesting that uses the industry's best management practices.
5. Work with Cattaraugus County and other agencies to promote Allegany as a destination for tourism, recreation, and hunting and fishing.
6. Support mineral extraction (gravel mining and oil and gas drilling) that is conducted in such a way as to protect the town's natural resources, especially the primary aquifer.

7. Use the resources of Cattaraugus County and other regional entities to help promote Allegany as a location for future commercial and light industrial development.
8. Promote the visibility of Allegany by establishing a gateway feature with signage and landscaping at the entrance to the East End and at Exit 24.

***Goal 6: Provide for future growth of the Town by extending municipal water supply and sanitary sewer disposal systems to appropriate areas of the town, as demand warrants.***

This Plan envisions that most of the Town will continue to use private water supply and sewage disposal systems, primarily wells and septic systems. However, expansion of the municipal water supply and sanitary sewer disposal systems will be needed to support new and expanded commercial, light industrial and high density residential development. Expansion areas should be located near or adjacent to existing service areas, in order to reduce sprawl, provide for cost-effective services, and promote efficient development. These extensions should be done incrementally.

Where possible, all extensions of municipal water supply lines and sanitary sewer lines and facilities shall be paid for by the private developer and/or property owners that will benefit from these facilities. However, in some circumstances it may be appropriate for the Town to sponsor such a project, if it would provide amenities, promote development that will create jobs, or otherwise benefit the town as a whole.

Objectives:

1. Future extensions of municipal water supply and sanitary sewer disposal systems shall take into account the capacity of those systems.
2. Expand municipal water supply lines within the Comprehensive Water District as needed to serve new and expanded commercial and residential development, consistent with availability of funding resources.
3. Create new sewer districts or expand existing sewer districts, and provide service within those districts as needed to serve new and expanded commercial development, consistent with availability of funding resources.
4. Extend the municipal sanitary sewage disposal system to the western Route 417 Corridor, as practicable.
5. Prepare a Capital Improvements Plan to assess the locations for future expansion of the municipal water supply system and the sanitary sewage disposal system. The Capital Improvements Plan should be completed for a five year period and should determine where new lines will be needed, based on need for improvements to the existing system and/or need to serve areas that are proposed for future development.

6. Work with the Village of Allegany as needed to ensure that an adequate supply of municipal water exists to serve the needs of the town and to ensure that improvements to the system are made as needed.
7. Work with the Village of Allegany and the City of Olean as needed to ensure that the Wastewater Treatment Plant is adequate to meet current and future needs.
8. Due to difficulties of topography and issues relating to crossing the river, municipal water and sewer services shall not be extended south of the Allegheny River for the foreseeable future. Development in this area should continue to rely on private water wells and septic systems.

***Goal 7: Protect the municipal water supply wells that provide water for the Town and Village's municipal systems.***

Objectives:

1. Work with the Village of Allegany and the Cattaraugus County Health Department to develop and implement a Wellhead Protection Plan.
2. Adopt amendments to the Town Zoning Ordinance to codify protection of the Wellhead protection areas.

***Goal 8: Provide wide access to Broadband Internet Services for residents and businesses.***

High speed internet access is essential for residents and businesses in Allegany. At the present time access to high speed internet services is restricted to the more densely populated areas, which are centered around the Village and East End. Wider access to high speed internet services is an essential component of the Town's economic development strategy, since internet access is a requirement for virtually all businesses. Expanded internet access will allow residents to work from home and possibly to start up new businesses. Wider access will also improve the educational opportunities for children and the quality of life for residents.

The Town of Allegany is committed to the expansion of broadband internet access to virtually every area of the Town. The Town is exploring options to accomplish this goal. The Town has recently created a not-for-profit local development corporation (LDC), named the Town of Allegany Economic Development Corporation, which will have the expansion of high speed internet access within the Town as its initial primary focus.

Objectives

1. The Town of Allegany Economic Development Corporation should study how best to expand high speed internet access throughout the Town, concentrating initially on areas that are easier to serve and/or areas that would support additional commercial or industrial development.

2. Funding permitting, the LDC should work to provide infrastructure or other components of a broadband system that will serve underserved or unserved areas of Allegany. This effort could be in association with other regional efforts, if any.

### **Transportation and Access**

Improvements to the regional transportation system will benefit the town. As stated on the New York State Department of Transportation website:

Upgrading Route 17 [I-86] to interstate standards will improve New York's transportation system and enhance access to the numerous businesses and municipalities along the corridor, and provide tremendous opportunities for economic development in the Southern Tier and lower Hudson Valley. It will put this area of New York State "on the map" for business investors and tourists both within New York and nationally.<sup>9</sup>

The benefit accruing from improved transportation systems is not only true for Route 17/Interstate 86, but also for other regional highways. These improvements will provide both a north-south (US Route 219) and an east-west (I-86) transportation axis in Cattaraugus county, which will be conveniently located to the Town.

#### ***Goal 9: Support efforts to improve the region's transportation system.***

##### **Objectives:**

1. The town government should support the completion of the planned upgrades to Route 17, so that this route can be designated as Interstate 86 for its entire proposed length.
2. The town should support efforts to complete the freeway alternative expansion of U.S. Route 219 from the Cattaraugus County line to its terminus at I-86.

#### ***Goal 10: Maintain the local road system***

Maintenance of the local road system is important to provide adequate access for residents and visitors to home, work, recreation and shopping destinations.

##### **Objectives:**

1. Working with the Highway Superintendent and the Cattaraugus County Department of Public Works, the Town Board should develop a Five Year Capital Improvements Plan for maintenance of town roads.

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<sup>9</sup> <https://www.nysdot.gov/portal/page/portal/regional-offices/multi/i-86/vision>

2. The Town Board should develop a funding strategy and should fund a Capital Reserve Account to support such on-going maintenance.

***Goal 11: Provide for alternative modes of transportation, where feasible.***

It is acknowledged that in a rural area, individual motor vehicles, of necessity, will be the primary mode of transportation for most people. However, some residents of the town need or want other options for transportation and recreation. Providing safe transportation modes other than automobiles will provide more recreational opportunities for the community, promote tourism, and, by encouraging residents to walk or bike to their destinations, will promote public health. The walkable nature of the community, convenience to work and shops were mentioned as assets by respondents to the community survey, as was the need to provide alternatives to motor vehicle transportation.

Therefore, this Plan herein establishes a Complete Streets policy, to enable safe access for all road users, including pedestrians, bicyclists, motorists, and public transportation users, of all ages and abilities. When redesigning roads or designing new roads, where appropriate, town officials shall work to ensure that the transportation system is designed with all users in mind, including pedestrians, bicyclists, motorists, and public transportation users, as well as older people, children and those with disabilities. In cases where the existing right-of-way does not allow for sidewalks, bike lanes, paths or other improvements, potential alternatives could include the use of paved shoulders, signage, traffic calming and /or enhanced education and enforcement.

Both the community survey and the St. Bonaventure University survey indicate that there is a desire for improved public transit within the Town and to adjacent communities. The Town supports efforts to expand bus service within Cattaraugus County. In addition to expanding and improving service, efforts could be made to better promote the services that are currently provided, for example, by posting route maps and schedules in prominent locations and by marking designated bus stops with signs and/or benches.

Objectives:

1. Work with other local, county and other agencies to extend the Allegany River Valley Trail.
2. In areas with dense development, for example the East End of the Route 417 corridor, require developers to provide sidewalks within new developments and provide or maintain existing sidewalks on the perimeter of the development to provide for pedestrian access.
3. Work with Cattaraugus County, the Village of Allegany, the Allegany-Limestone School District and other agencies to provide a bicycle path/sidewalk along Five Mile Road from the Village to the Middle and High schools.
4. Work with the City of Olean, St. Bonaventure University, and other appropriate agencies to expand and improve bus service in the Town of Allegany.
5. Promote safer bicycling by providing wider shoulders on town and county roads.

## **Community Facilities, Services, and Plan Implementation**

The community survey responses (to question 2.2) indicated that the vast majority of respondents are satisfied with the level of fire protection, ambulance service, police protection and the town hall, including the town recreation programs. In the open ended responses, services such as the local fire department and safety of the community also were frequently mentioned favorably. The town's recreation programs were also mentioned as an asset.

The Town has a responsibility to implement some of the policies and goals of this Plan through regulations and laws. Other goals and polices will be implemented through cooperation with other municipalities or with other local or regional governmental agencies. The town has a history of cooperation with the Village of Allegany and the City of Olean, on matters such as water supply and sanitary sewer disposal. This cooperation should be continued and extended into other areas of mutual concern. The Town Board should take the lead on such coordination.

### ***Goal 12: Implement the goals and objectives in this Plan.***

#### **Objectives:**

1. The town should develop a capital improvements program, which will include town infrastructure and facilities such as roads, water lines, sewer lines, and town owned facilities.
2. The town should maintain the same level of community services, such as fire, police and recreational services, as feasible given economic conditions.
3. After adoption of the Comprehensive Plan, the town should review and update its zoning ordinance, subdivision regulations and other land use regulations.
4. The Town should enforce policies in this plan and other regulations through an active code enforcement program.
5. Promote inter-municipal cooperation with the Village of Allegany, City of Olean, Cattaraugus County and other appropriate agencies on areas of mutual concern.

### ***Goal 13: Use the Town website as a tool to provide increased knowledge about government activities.***

1. Use the town website to provide advance notice of meetings of boards, minutes of meetings, in order to provide a source of information regarding local government activities.
2. Use the town website to facilitate development, by providing all application forms and instructions for applications on the website.

***Goal 14: Provide for additional community facilities that will enhance recreational opportunities for residents and visitors, funding permitting.***

1. The Town should enlarge the Allegany Senior Center on Birch Run Road.
2. The Town should work to develop a public boat launch at Allegany River Park, Gargoyle Park, and/or on excess right of way land owned by Cattaraugus County on County Road 60.
3. The Town should work with NYS Department of Environmental Conservation to provide signage for the boat launch ramp on South Nine Mile Road.

## **3.2 Comprehensive Plan Map**

The policies, goals and objectives of the Plan, existing land use patterns, and infrastructure availability have been used to prepare the Comprehensive Plan Map, which is intended to serve as a guide to land development in the future. The Comprehensive Plan Map will also serve as a basis for a revised zoning map. However, there are distinctions between the two maps. A zoning map shows what is allowable in an area at the present time. Since the Comprehensive Plan Map is intended to guide future development, it may show areas that are intended for more intense development in the future as municipal services and infrastructure become available in that area; however, it may not be appropriate to immediately rezone an area to the more intensive use.

The Comprehensive Plan Map takes into account the different geographic areas of the town and the distinct development patterns that have occurred in each area. The northern and southern sections of the town are intended to remain rural, low density areas, with a mix of primarily agricultural, forestry and lower density residential development. The Route 417 Corridor, defined as the area roughly between the Allegheny River and I-86, is envisioned to contain the most intense development in town, including retail, service commercial, light industrial, and higher density residential development.

The Comprehensive Plan Map designates five broad land use categories: Residential, Commercial, Industrial, Agricultural-Forestry, and Community Facilities, which are described below. These categories are intended to indicate the general type of development that is appropriate for a particular area of Town. However, during the review and update of the Town's zoning ordinance, it may be appropriate to further refine these broad land use categories into two or more zoning districts that are specifically tailored to the areas in which they are located. This Plan anticipates that there could be more than one commercial, industrial and/or residential zoning districts, for example. Nor does the Comprehensive Plan map reflect the overlay zoning districts that have been established through the zoning ordinance. The floodplain overlay district serves an important role in implementing the Town's floodplain regulations. Similarly, the Route 417 East and Route 417 West Corridor Overlay Districts were developed after an extensive planning process for that corridor. It is anticipated that these overlay districts would be retained on any revised zoning map and zoning text.

Property lines, street lines, and/or physical features were followed as much as possible when drawing boundaries for the land use categories on the Comprehensive Plan Map. Where boundaries do not follow property lines or other recognizable boundaries, the depth of the district is indicated by distance from the right of way line of major roads.

### **Agricultural Forestry Land Use District**

The intent of this land use district is to provide a location for agriculture and forestry, which are historic economic uses of the land and which contribute to the rural character of the Town. Low density residential development, agricultural support services, commercial recreation, and mineral extraction (gravel mining and oil/gas wells) are also appropriate for this district. Other

limited types of commercial development, such as hotels and restaurants, that would be compatible with agriculture and forestry would also be appropriate in this district.

It is not intended that municipal water and sewer services should be extended to the land within this district. Therefore, minimum lot sizes should be adequate to support development that occurs with private wells and septic systems.

Although not intended to be a definitive or exhaustive list, the following and similar land uses would be suitable in this land use category:

- agriculture, including farm stands
- forestry, including timber harvesting
- agricultural processing facilities, such as dairies, food storage, maple syrup production
- sawmills
- single family residences
- Home based businesses
- bed & breakfast establishments
- Arts and Crafts studios and retail sales
- mobile home parks
- commercial recreation, such as golf courses and ski resorts
- campgrounds
- tourist serving commercial facilities such as hotels, motels, and restaurants
- Professional and business offices
- Auto repair
- Light industrial uses such as machine shops, welding, truck and tractor repair, woodworking
- mineral extraction (gravel mining and oil/gas wells)

The outlying areas of the Town, including much of the area south of the Allegheny River, much of the area north of the I-86 expressway, and the Route 417 Corridor west of the American Legion, is located in the Agricultural Forestry Land Use District.

### **Residential Land Use District**

This is intended to be very restrictive land use district, designed primarily for single family residences and typical accessory uses to residences. Some home based businesses that would not affect the residential character of neighborhood in which they are located would also be suitable for this district.

Although not intended to be a definitive or exhaustive list, the following and similar land uses would be suitable in this land use category:

- single family residences
- home based businesses that do not adversely affect the residential character of the neighborhood in which they are located
- bed & breakfast establishments

- some types of accessory agricultural use of the property, such as keeping of horses for recreational use, where the property is large enough to support such use.
- timber harvesting conducted according to best management practices.

The residential land use district is centered in the area around the Village of Allegany. In addition, it is located in the suburbanizing Five Mile Road corridor and the area around Buffalo Road. South of the Allegheny River, the residential district is designated as a strip along portions of the Four Mile and West Branch Roads and in the subdivision along Hawthorn Lane. Where this designation does not follow property lines, it extends for 500 feet from the road right of way.

These locations include both areas that are served by municipal water and sewer services and those that are not. Therefore, this district provides an opportunity for a range of lot sizes, appropriate to the level of municipal services that are available in a particular location.

### **Community Facilities Land Use District**

This district consists of St. Bonaventure University, the St. Bonaventure golf course and the St. Bonaventure Cemetery.

### **Commercial Land Use District**

This land use district is intended to provide a location for retail, office, restaurant, hotel and similar commercial land uses in Allegany. These could be either local, neighborhood serving commercial uses or regional big box retail and hotel uses.

Although not intended to be a definitive or exhaustive list, the following and similar land uses would be suitable in this land use category:

- Hotels and motels
- Two family residences
- Apartment buildings
- Restaurants
- Retail businesses
- shopping plazas
- service retail such as copy/fax stores, barber and beauty shops, and similar businesses
- Professional and business offices
- warehouses
- wholesale businesses
- gas stations

Several areas of the town are proposed to be designated for commercial land uses, as described below.

### **East End**

This area has seen a substantial amount of retail development in the past decade. However, there is still vacant and underdeveloped land in this area that can support additional commercial development.

### **Exit 24**

The area south of Exit 24 on Route 417 is currently underdeveloped or vacant. Given the excellent access to the interstate in this area, this is a prime area for future commercial development. The land around the interchange is relatively flat and free from physical impediments to development. Development in this area has been constrained by a lack of municipal water and sewer services. The Town has recently installed a municipal water line to serve parcels on the north side of Route 417 to a point just west of the West Five Mile Road intersection. However, municipal sewer service is still unavailable; the lack of sewer service remains an impediment to development.

There is a substantial area behind the old Kmart plaza that is right-of-way for I-86. It appears that this is excess right-of-way, which could be used for development if New York State would consider abandoning it.

The area north of Exit 24 is also designated as commercial. Because this area is quite visible to passing traffic and is relatively flat, it represents another opportunity area for future commercial development. This area is currently not served by municipal water and sewer services. In order to avoid increasing development pressure on existing farmland on the West Five Mile Road, municipal services and commercial development should extend no further than Archibald Cross Road.

### **Quarry Site**

Another area designated for future commercial development is the former Town quarry. This Town owned property is adjacent to I-86 and is accessed from First Street. Municipal water service is available at First Street. Sanitary sewer service is available from the Village. The right-of-way from First Street is 20 feet wide. The Town should consider acquiring more land from abutters, if feasible, to widen the access in order to facilitate commercial traffic.

### **Four Mile/Nine Mile Intersection**

This is an existing commercial area south of the Allegheny River that contains a mix of automobile repair, office, commercial and restaurant uses. No extension of municipal water and sewer services is proposed at the present time.

### **Industrial Land Use District**

This land use district is intended to provide a location for light industrial and heavy service commercial land uses. Although not intended to be a definitive or exhaustive list, the following and similar land uses would be suitable in this land use category:

- Auto repair
- Uses such as machine shops, welding, truck and tractor repair, woodworking

- contractor's yards
- cogeneration facilities
- Professional and business offices
- light manufacturing
- research and testing facilities
- warehouses
- wholesale businesses
- trucking terminals
- gas stations

Four areas of the Town are designated for industrial development, as described below.

**Constitution Avenue**

The area north and south of Constitution Avenue is designated for industrial land uses. This area contains the "Olean" rail yard of the Southern Tier Extension Rail Line to the north of Constitution Avenue and an industrial facility and vacant land to the south of Constitution Avenue.

**Route 417 West Corridor**

The area of Route 417 west of the I-86 overpass is currently developed primarily as a heavy commercial/light industrial corridor. Among other businesses, there are several contractor's yards and auto repair shops on relatively large lots. This area could be more intensely developed for heavy commercial and light industrial development. It is generally flat in topography and has good access to I-86. The Southern Tier Rail line parallels Route 417 to the south, so, in theory, a rail spur could possibly be developed to serve a large-scale development in this area. Only the north side of Route 417 could support more intense development, due to the Allegheny River, the rail line, and narrow lots on south side of road.

This industrial land use district is designated as the area to the north of Route 417, from the I-86 overpass west to the American Legion. The northern boundary of this district, where it does not follow rear property lines, is the 1460 foot topographic contour. This topographic feature was chosen to include land that is reasonably flat and therefore easier to develop. Therefore, the northern boundary of this district as shown on the Comprehensive Plan map is somewhat approximate.

More intensive development in this area is hindered by the lack of municipal water supply and sanitary sewage disposal systems. Any future expansion of municipal utilities should end at the American Legion parcel. West of this parcel the terrain becomes quite steep, making it less suitable for intensive development.

**Seventh Street**

The area at the intersection of Seventh Street and Buffalo Road contains some large parcels that are used for contractor's yards and the County highway barn. This area is highly visible from I-86. It has good access from Exit 25, Buffalo Road, in the City of Olean and from Seventh Street in the Town. This area does not have municipal water or sewer service.

### **Potter Lumber**

Potter Lumber company has historically been located on a site located between Five Mile Road and West Five Mile Road. This Plan envisions that this historic industrial use will continue.

## **3.3 Extension of Municipal Water and Sewer Services**

As detailed above, in order to promote additional commercial and industrial development, municipal water supply and/or sanitary sewage systems should be extended to some areas which do not currently have such service. This section lists, in order of priority, the areas to which municipal services should be extended.

### ***1. Route 417 from the Village of Allegany to the I-86 overpass (Exit 24).***

The highest priority for the extension of sewer service should be the Exit 24 area south of the interchange, immediately to the east and west of West Five Mile Road. Due to its location and the presence of municipal water supply, this area appears to be ripe for more intensive commercial development. Extending sewer service to the mobile home park on Route 417 in this vicinity would also provide benefits to those residents.

### ***2. Route 417 West Corridor from I-86 overpass to American Legion***

As demand warrants, both municipal water and sewer service should be expanded along the Route 417 corridor from the I-86 overpass west to the American Legion, in order to encourage new industrial and commercial development in this area. Due to the Allegheny River, the rail line, and narrow lots on south side of Route 417 in this location, it is anticipated that municipal water and sewer service would be available only to lots on the north side of Route 417.

### ***3. North Seventh Street***

A new Sanitary Sewer District, the Tanglewood Sewer District, has recently been formed to serve a residential development off North Seventh Street. However, this new subdivision will be served by existing infrastructure in the Village of Allegany, not by a new sewer line on Seventh Street. In order to facilitate more intense residential development on Seventh Street, and to serve the industrial land use district that is accessed from Seventh Street, municipal water and sewer services should be extended along Seventh Street from the Village to Buffalo Road.

### ***4. Exit 24 North of the Interchange***

As demand warrants, both municipal water and sewer service could be extended to the commercially-designated area to the north of Exit 24. These services would have to cross under I-86, or this area could be served from Five Mile Road, if municipal services were to be extended north from the Village into this area. In order to avoid increasing development pressure on the farmland on the West Five Mile Road, municipal water and sewer services should extend no further up West Five Mile Road than Archibald Cross Road.

### ***5. Five Mile Road***

Over the past few decades the Five Mile Road north of I-86 has been developed with a number of residential subdivisions and other incremental residential development. This development has occurred on private wells and septic systems. The Allegany Limestone Middle and High School

has recently been constructed on Five Mile Road. At some point in the future, municipal water and sewer service could be extended up Five Mile Road as far as the school, in order to serve the school and to promote a higher density of residential development in this area.

## **Chapter 4**

### **Implementation Strategy**

The Implementation Strategy contained in this chapter is intended to bring to fruition the policies, plans, goals and objectives contained in this Plan, by outlining how and by whom the various Plan policies can be implemented. This chapter contains a prioritized list of policies and objectives, starting with those that should be begun immediately upon adoption of this Comprehensive Plan. For example, policies that are listed under "Year One" should be accomplished within one year of the adoption of the Comprehensive Plan. In some instances it may take longer than one year to fully implement a particular policy; for these policies and objectives implementation should begin in the year cited, and the effort to complete the implementation should continue as needed. At the end of this chapter is a list of policies for which implementation activity should be an on-going effort. Where the listed implementation action item is linked to one or more specific objectives contained in Section 3.1, those objectives are identified by the number of the goal and objective. Where appropriate, grants and other potential funding sources are identified; this list is not intended to be exhaustive.

#### **Year One**

##### **Action 1-1. Extend municipal Sewer Services to Exit 24 (Objective 6-4)**

The Town should prepare a Map Plan and Report for a proposed new sanitary sewer district, which, at a minimum, will serve parcels accessed from Route 417 in the vicinity of Exit 24. The Map, Plan and Report will identify specific boundaries for this new sanitary sewer district. The Town Board should take all procedural steps necessary to legally establish the District. The Town should seek grant/loan money to fund the extension of sanitary sewer service to the new District, or portion thereof.

**Lead Entity:** Allegany Town Board

**Other Involved Entities:** Village of Allegany, NYS Department of Environmental Conservation

**Funding Sources:** Grant and/or loan programs offered by US Department of Agriculture, Rural Development (USDA/RD); New York Small Cities Community Development Block Grant (CDBG) Program; Clean Water State Revolving Fund (CWSRF); and/or Appalachian Regional Commission.

##### **Action 1-2. Work to expand access to Broadband Internet Services (Goal 8)**

The Town of Allegany Economic Development Corporation should develop and implement a plan to expand high speed internet access throughout the Town.

**Lead Entity:** Town of Allegany Economic Development Corporation

**Other Involved Entities:** possibly other regional agencies

**Funding Source:** LDC Budget could be used to develop a plan. Grants from USDA Rural Development should be sought for capital projects.

**Action 1-3. Prepare a Wellhead Protection Plan** (Objectives 2-4 and 7-1)

Upon authorization from the Town Board, the Town Planning Board should prepare a Wellhead Protection Plan that will identify potential contaminants to the public water supply wells and identify ways in which the potential contamination of the aquifer can be minimized.

*Lead Entity:* Town of Allegany Planning Board

*Other Involved Entities:* Cattaraugus County Health Department, Village of Allegany

*Funding Source:* Town Budget

**Action 1-4. Review and Amend Town's Zoning Ordinance** (Objective 12-3)

Upon authorization from the Town Board, the Town Planning Board should undertake a systematic review and update of the Town's Zoning Ordinance, to ensure that the land use policies of this Plan, which are included in numerous objectives and in Section 3.2, are implemented through the Zoning Ordinance, where feasible. These amendments should also include amendments to implement the recommendations of the Wellhead Protection Plan. It is anticipated that this effort will take approximately one year to complete. Upon completion of a revised Zoning Ordinance, the Town Board will be responsible to review and adopt the revised Ordinance.

*Lead Entity:* Town of Allegany Planning Board

*Other Involved Entities:* Allegany Town Board

*Funding Source:* Town Budget

**Action 1-5. Gateways at East End and at Exit 24** (Objective 5-8)

Promote the visibility of Allegany by establishing and maintaining a gateway feature with signage and landscaping at the entrance to the East End and at Exit 24.

*Lead Entity:* Allegany Town Board

*Other Involved Entities:* None

*Funding Source:* Seek business sponsorship and/or volunteers for initial costs and on-going maintenance and upkeep.

## **Year Two**

### **Action 2-1. Bicycle/Pedestrian Pathway from Village of Allegany to Allegany Limestone Middle and High Schools (Objective 11-3)**

The Town Board should take the lead in starting discussions with Cattaraugus County and the Village of Allegany to identify a location for a bicycle/pedestrian pathway along Five Mile Road from the Village to the Allegany Limestone Middle and High Schools. Once a route has been identified, the agencies should work together to seek funding to construct the bicycle path.

**Lead Entity:** Allegany Town Board

**Other Involved Entities:** Allegany-Limestone School District, Cattaraugus County Department of Public Works, Village of Allegany

**Funding Source:** No significant cost for identifying a route. Funding for the design and construction of the pathway should be sought from NYSDOT "Safe Routes to Schools" program and/or from the NYSDOT Transportation Enhancements Program (TEP).

### **Action 2-2. Review and Amend Town's Subdivision Regulations (Objective 12-3)**

Upon authorization from the Town Board, the Town Planning Board should undertake a systematic review and update of the Town's Subdivision (Land Division) Regulations, to ensure that they are in compliance with the policies, goals and objectives of this Plan. It is anticipated that this effort will take approximately nine months to complete. Upon completion of the revised Subdivision Regulations, the Town Board will be responsible to review and adopt the revised Regulations.

**Lead Entity:** Town of Allegany Planning Board

**Other Involved Entities:** Allegany Town Board

**Funding Source:** Town Budget

### **Action 2-3. Develop Capital Improvements Plan (Objectives 6-5, 6-6, 10-1 and 12-1)**

The Town Board should prepare a Capital Improvements Plan for the municipal water supply system, municipal sanitary sewage disposal system, local road maintenance and other town infrastructure and facilities. The Capital Improvements Plan should be completed for a five year period and should be updated annually. The Capital Improvements Plan should assess the locations for future expansion of municipal water and sewer systems, as well as establishing a schedule for maintenance of the systems. The Capital Improvements Plan should also include a maintenance schedule for town roads and other town facilities. The Capital Improvements Plan should also include provisions for how the improvements/maintenance will be funded and should include the establishment of a Capital Reserve Fund to pay for the improvements identified.

**Lead Entity:** Allegany Town Board

**Other Involved Entities:** Highway Superintendent

**Funding Source:** No anticipated costs to develop plan.

## **Years Three through Ten**

### **Action 3-1. Enlarge the Allegany Senior Center** (Objective 14-1)

The Town Board should explore the feasibility of enlarging the Allegany Senior Center on Birch Run Road.

*Lead Entity:* Allegany Town Board

*Other Involved Entities:* None

*Funding Source:*

### **Action 3-2. Public boat launch ramp** (Objective 14-2)

The town should work to develop a boat launch at Allegany River Park, Gargoyle Park, and/or on excess right of way land owned by Cattaraugus County on County Road 60.

*Lead Entity:* Allegany Town Board

*Other Involved Entities:* City of Olean and/or Cattaraugus County

*Funding Source:*

## **On-going Implementation**

### **Action 4-1. Inter-agency Coordination regarding economic development** (Objectives 5-5 and 5-7)

The Town Board should work with the Cattaraugus County Office of Economic Development, Planning and Tourism, Southern Tier West Regional Planning & Development Board, and other appropriate regional agencies to promote the Town of Allegany as a location for future commercial and light industrial development and as a tourism destination.

*Lead Entity:* Allegany Town Board

*Other Involved Entities:* Cattaraugus County Office of Economic Development, Planning and Tourism; and Southern Tier West Regional Planning and Development Board

*Funding Source:* No anticipated costs

### **Action 4-2. Inter-agency Coordination regarding municipal utilities** (Objectives 6-6 and 6-7)

The Town Board should work with the Village of Allegany as needed to ensure that an adequate supply of municipal water exists to serve the needs of the town and to ensure that improvements to the system are made as needed. The Town Board should work with the Village of Allegany

and the City of Olean as needed to ensure that the Wastewater Treatment Plant is adequate to meet current and future needs.

**Lead Entity:** Allegany Town Board

**Other Involved Entities:** Village of Allegany; City of Olean

**Funding Source:** No anticipated costs

**Action 4-3. Promote safer bicycling by providing wider shoulders on town and county roads (Objective 11-5)**

As part of routine maintenance for local and county roads, work to provide paved shoulders that are wide enough to support a bicyclist. Since these roads are currently used informally by bicyclists, this will improve safety.

**Lead Entity:** Allegany Town Board

**Other Involved Entities:** Highway Superintendent and Cattaraugus County DPW

**Funding Source:** Town and County budgets. Where a case could be made that these improvements would promote bicycling to local schools, "Safe Routes to Schools" funding could be sought.

**Action 4-4. Promote improved bus service (Objective 11-4)**

Work with the City of Olean, St. Bonaventure University, and other appropriate agencies to expand bus service in the Town of Allegany.

**Lead Entity:** Allegany Town Board

**Other Involved Entities:** City of Olean, St. Bonaventure University

**Funding Source:** Service Provider

**Action 4-5. Use Town website to provide information about Town government activities and services (Objectives 13-1 and 13-2)**

Post agendas of meetings of town board, planning board and zoning board of appeals and other town boards prior to those meetings. Post approved minutes in a timely manner. Where feasible, post other information that may be available regarding agenda items. Post all application forms, fee schedules, and town policies such as the comprehensive plan, subdivision regulations, and zoning ordinance on the Town's website. Post contact information for responsible officials. Designate a webmaster to be responsible for maintaining these items as needed.

**Lead Entity:** Allegany Town Board

**Other Involved Entities:** Other Town Boards, Town webmaster

**Funding Source:** Cost expected to be negligible



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