

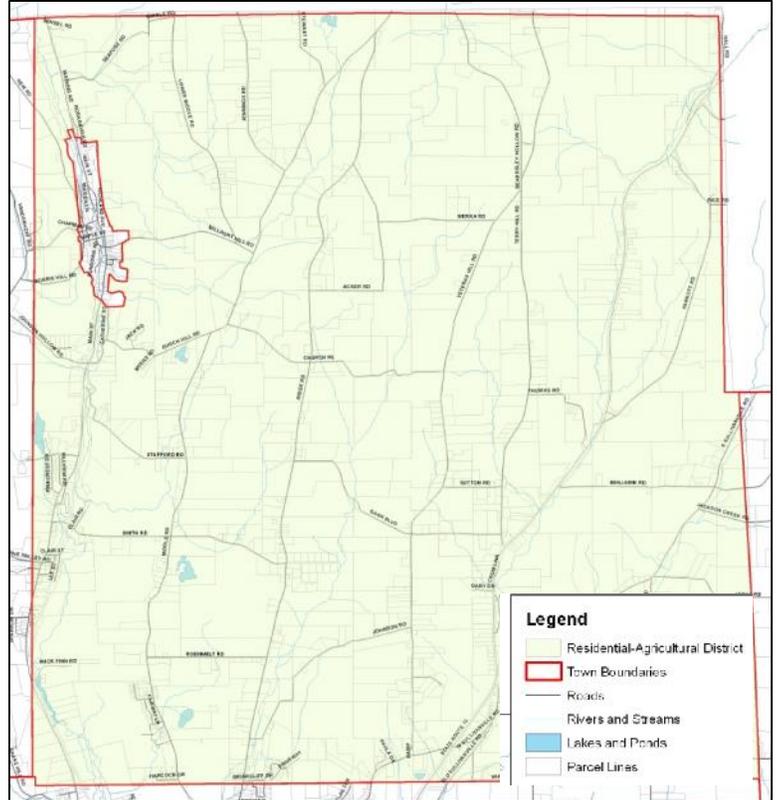
Chapter 9 Land Use

VISION: *To create zoning that meets the needs of the Town. Zoning will protect agricultural resources, encourage appropriate economic development, diminish blight and help to retain the rural characteristic of the Town.*

Current Zoning

Town of Veteran adopted their first zoning in 1962 and last revised it in 1983. Currently as it stands, the Town's zoning law is flexible but also gives little ability to the Town to mitigate potential negative impacts of new development. In this plan Chapters 1 - 9 there are many recommendations for specific revisions to the Zoning Law to address specific issues.

It is the goal of this Comprehensive Plan to offer guidance for the revision of the Town's Zoning Law. The Comprehensive Plan Committee strives to offer a way to keep the zoning flexible within the Town, but also to provide a means to help direct future growth. All while maintaining the rural way of life.



Map 26: Town of Veteran Zoning

One recommended revision to the Zoning Law is to address outdated laws and replace with revised language that better harmonizes with state and federal regulations. One example of this is the Town's flood hazard districts. The Town adopted three zones: Flood Hazard District A, Flood Hazard District AA, and Residential-Agricultural District. The two flooding districts are limited to areas of severe flooding ("A") and areas on the fringe of potential flood ("AA") and serve mainly as overlay zoning districts. While the entire Town lies within the Residential-Agricultural District. It remains that A areas and AA areas of flooding will need to be regulated, but the zoning law needs to be more clear about how those overlay districts works as it has different development requirements than the Residential-Agricultural district that governs the entire Town.

Currently most business or industrial uses are permitted through Conditional Use Permits anywhere throughout the Town. The current Zoning Law allows the flexibility of land owners to do what they wish with their land throughout the Town. The downside to this flexibility is that it prevents the Town from fully separating conflicting uses, such as residential and industrial activities.

While it is unexpected that the Town will have a sudden burst in population or business, if this did occur new developments would potentially be allowed anywhere within the Town by Conditional Use Permit. Another downside to the current Zoning Law is that it prevents the Town from developing and defining a “character of neighborhood”. Character of neighborhood can be as simple as stating that a neighborhood is “all residential”. As soon as a business, or other conflicting land use, moves into an all residential neighborhood the character has changed and it is now acceptable to allow more businesses within the same neighborhood. A Conditional Use Permit can be turned down if the Town can prove that the “character of the neighborhood” would change with the proposed development.

Current Land Use

As pictured in Map 27, the majority of the land use throughout the Town is residential and agricultural. The resident survey reinforced statements from the 2004 Comprehensive Plan that the Town would like to remain rural and protect that rural character. Due to the location and state highway designation, Route 13 and Route 14 are the most appropriate areas for future business development and match the rural character of the Town. It is appropriate for new business and industrial development to position themselves on Route 13 and Route 14. These two areas can be considered Veteran’s rural business corridor. Requiring large buffers between developments on these two state highways and single family residence will protect the rural nature of the residential developments.

Table 9: Land Use within the Town of Veteran

Description of Use	# of Parcels	Total Acreage	Percentage of Town
Rural Residence with Acreage	186	7489.77	31.90%
Field Crops	60	3661.18	15.59%
One Family Year-Round Residence	897	2277.46	9.70%
Residential Vacant Land Over 10 Acres	77	2181.80	9.29%
Dairy Products: milk, butter and cheese"	6	1304.21	5.55%
Private Wild and Forest Lands except for Private H	27	1117.11	4.76%
Other Rural Vacant Lands	30	1064.06	4.53%
Residential Land Including a Small	46	984.94	4.19%
Agricultural Vacant Land (Productive)	13	699.31	2.98%
Residential Vacant Land	99	502.37	2.14%
Abandoned Agricultural Land	15	484.08	2.06%
Cattle, Calves, Hogs"	4	402.41	1.71%
Rural Vacant Lots of 10 Acres or Less	117	361.08	1.54%
Other Uses	145	726.09	3.09%

It is recommended that the Town consider adopting additional zones in their Zoning Law as density and development increase in the Town (see Chapter 8). Yet, because growth is not predicted to happen at a high rate, the Town could afford to wait to adopt those new zones. In the meantime, the Town could strengthen Conditional Use Permits in order to best mitigate negative impacts of development at the Town level. If growth were to occur it may become necessary to adopt additional zones to better direct where that growth should go and to better protect the residents, farms and rural nature. It will be important for the Town to continue to monitor the potential for economic growth. This can be done through communicating with Chemung County Industrial Development Agency (IDA) and engaging in economic development strategies.

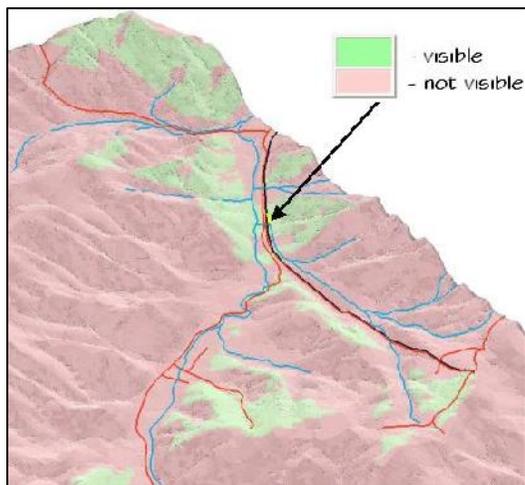


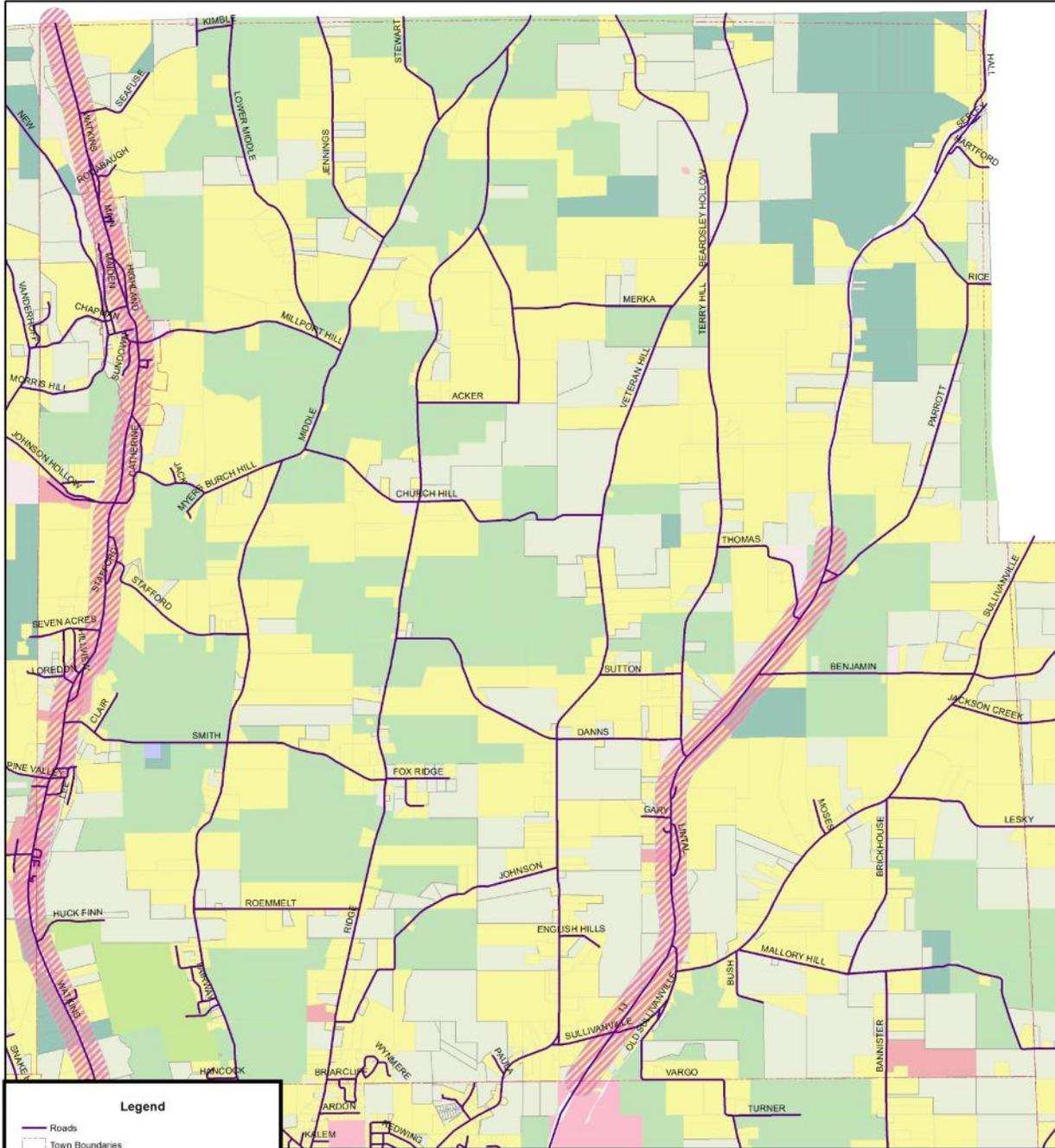
Figure 24: Viewshed Analysis Example

The Town rarely suffers from noise or light pollution and does not host any large scale wind energy. If not regulated, these are all things that could encroach on Veteran's rural way of life. Better regulations of light and noise within the Town is necessary and considering how wind energy can best fit into the Town with few negative impacts is also important. (see recommendations in Chapter 7).

Maintaining Veteran's rural character also means paying attention to the viewshed. A viewshed is the area that is visible by the human eye from a certain fixed point. The most visible of areas will be the view of ridgelines and hillsides seen from Route 13 and Route 14. Protection of these scenic views can be achieved through steep slope, ridgeline and hillside protection laws. To determine what the valuable viewsheds within the Town are, a public planning process

would need to take place. This process would involve inviting the public to a series of meetings to identify exactly what areas should be protected. After those areas are identified an analysis using elevation data and GIS software can be performed to isolate exactly what is visible and what is not visible from certain points (see Figure 24). The outcome of this public process and analysis should then be incorporated into a protection law that will limit development activities in those highly visible areas. This is also discussed briefly in Chapter 2 and recommendation 2f as it relates to visible pipelines along hillsides.

Map 27: Potential Commercial and Industrial Areas



Legend

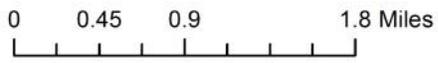
- Roads
- Town Boundaries
- ▨ Commercial Industrial Corridor

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DESCRIPTION

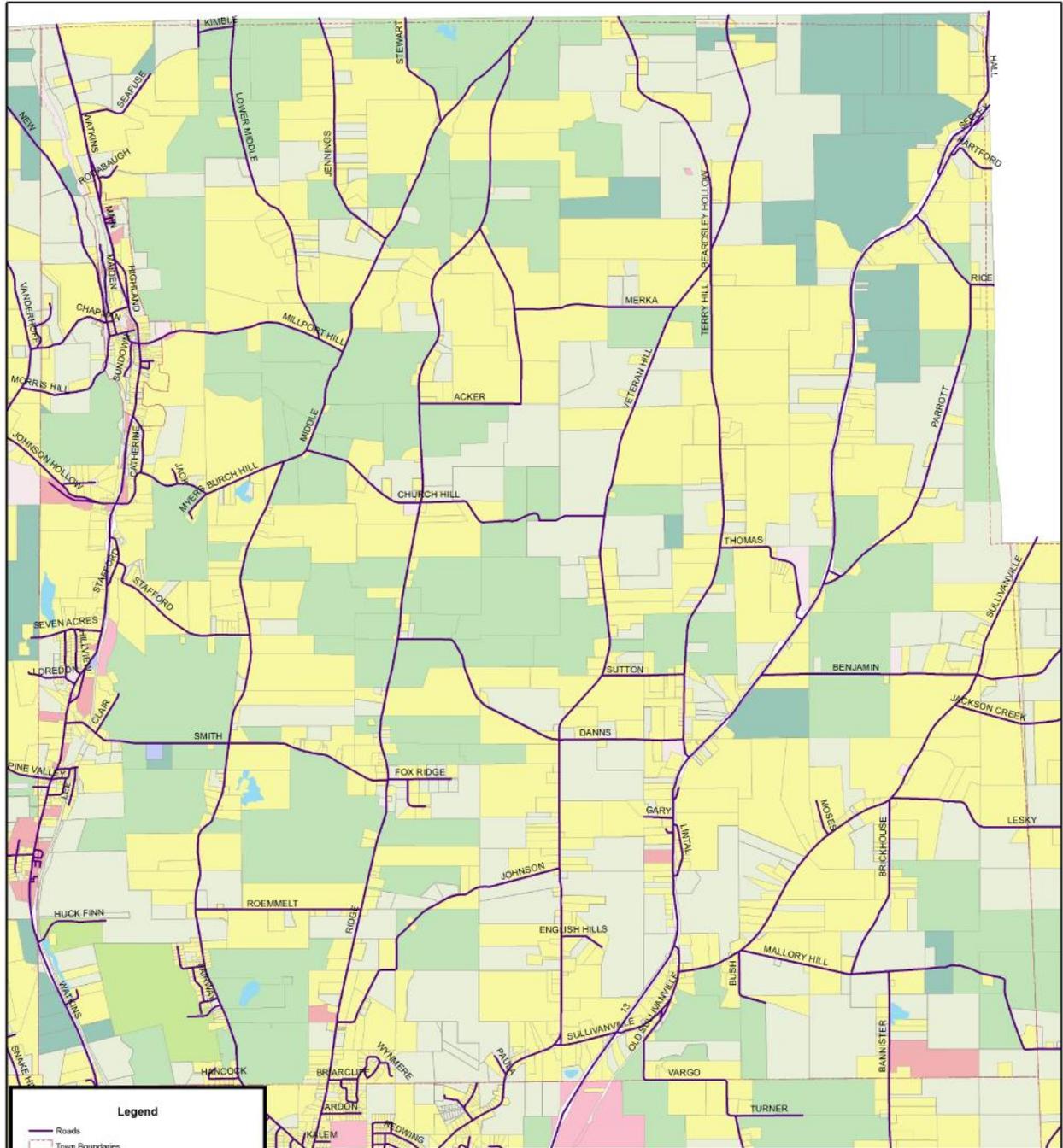
- Unidentified
- Agricultural
- Commercial
- Community Services
- Industrial
- Public Services
- Recreation & Entertainment
- Residential
- Vacant Land
- Wild, Forested, Conservation Lands & Public Parks

Town of Veteran Potential Commercial Industrial Areas Map



Map Created 5/18/13

Map 28: Town of Veteran Land Use



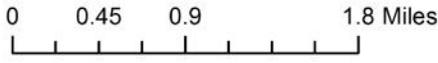
Legend

- Roads
- Town Boundaries
- Lakes and Ponds
- Tax Parcels

Land Use DESCRIPTION

- Underserved
- Agricultural
- Commercial
- Community Services
- Industrial
- Public Services
- Recreation & Entertainment
- Residential
- Vacant Land
- Wild, Forested, Conservation Lands & Public Parks

Town of Veteran Land Use Map



Map Created 5/18/13

POLICY: *Create comprehensive zoning that helps to maintain the rural way of life while encouraging appropriate rural development.*

RECOMMENDATION:

- 9a. Revise and strengthen standards to the Conditional Use Permits throughout the Town to give greater control of the direction of development to the Town.
- 9b. Eliminate the flood hazard districts and adopt an overlay flood protection district.
- 9c. Increase set back dimensions to 250' for industrial uses in all directions.
- 9d. Require large buffers between business or industrial developments and residential developments. Work to protect those less intensive uses such as single family homes from more intense uses such as nursing homes, factories, convenient store.
- 9e. Continue to monitor Veteran's commercial and industrial growth as well as outlook, through communication with Chemung county IDA and Southern Tier Economic Growth (STEG).
- 9f. Consider engaging in an economic development strategies to evaluate growth potential and how to plan for growth. Funding for these strategies can be found at NYS Department of State, Appalachian Regional Commission and could be incorporated into a grant for an Agriculture Protection Plan through NYS Agriculture and Markets.
- 9g. Consider applying for funding through NYS Agriculture and Markets for an Agricultural Protection plan, implementation of this plan may need to consider an Agriculture overlay district to better protect our agricultural resources.
- 9h. Clarify definitions through the Town zoning law.
- 9i. Strengthen light regulations requiring all lighting must not spill outside of the parcel lines.
- 9j. Review and revise the Towns noise regulations, strengthening to protect neighboring residence. Any non-farming related noise should not reach above ambient levels for that particular area, usually around 55 dBA.
- 9k. Ensure that agribusiness is well defined within the zoning law and is encouraged and allowed in all current and future zones as they are adopted.
- 9l. Conduct planning process to identify valuable viewsheds, complete viewshed analysis and consider adopting a viewshed protection law to protect those highly visible areas.

Constrained Lands

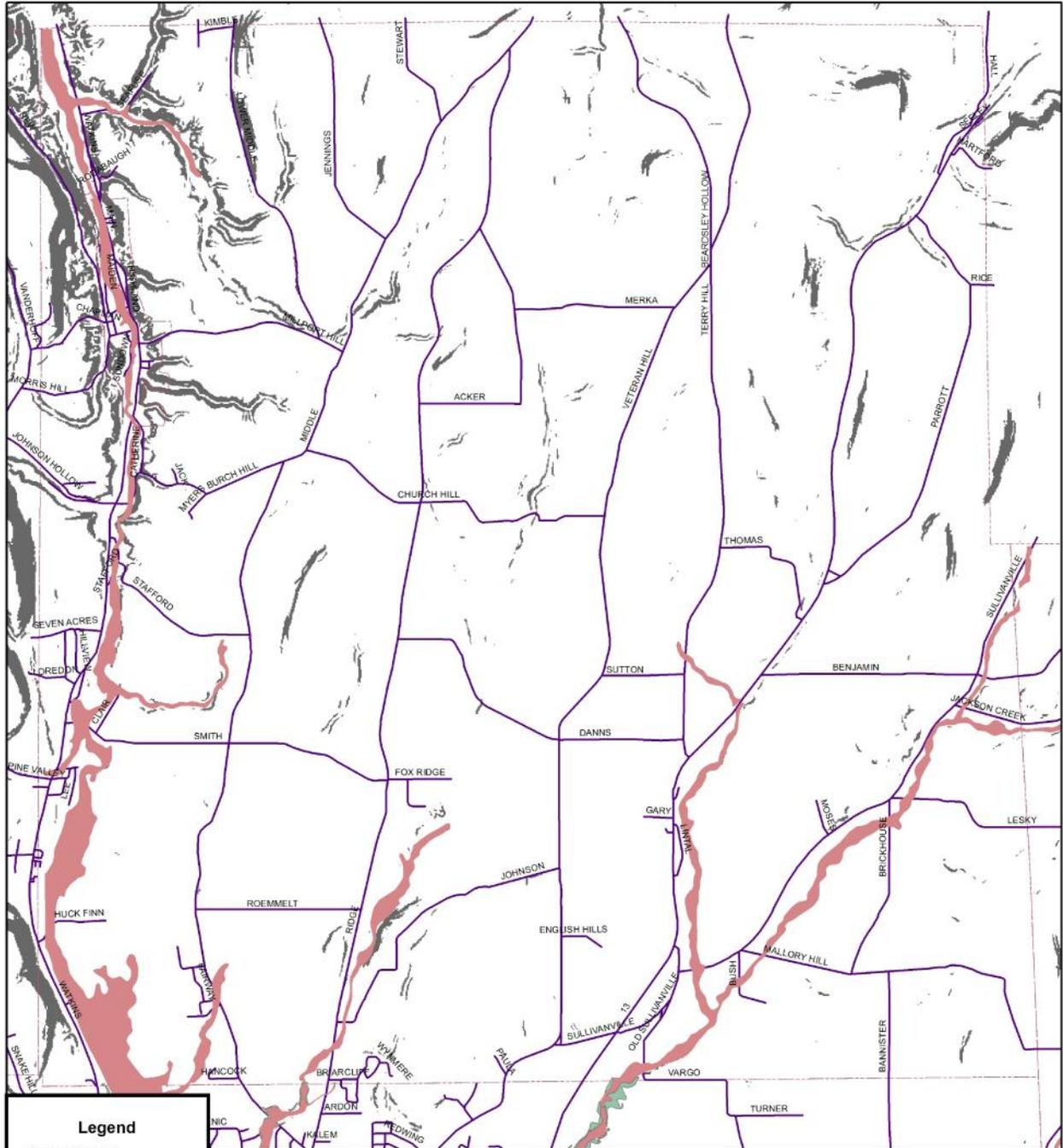
The Town of Veteran has very few constrained lands. Map 29 shows areas that are floodplains, areas that are steep slopes and areas that are within 100' of a stream. These areas are usually considered constrained and difficult to build on. The Town does have some lands that will be more difficult to develop, but these areas tend to be towards the southern end of Route 13 and tend to be smaller areas of land. Planning boards, ZBAs and Town officials should be cognizant of natural barriers to development and in these areas encourage activities that will be less disturbing to the land such as agricultural and low-impacts recreational uses.

POLICY: Consider the topography of the Town in all development decisions.

RECOMMENDATION:

- 9m. When considering new developments, ensure that the parcel of land that will be disturbed not only meets the zoning law but is appropriate for development based on slope, flood vulnerability and proximity to streams and other important natural features. (see more recommendations in Chapter 4).**

Map 29: Town of Veteran Constrained Lands



Legend

Flood Zones

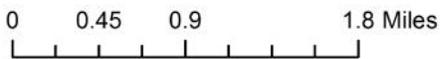
ZONE

- Regulated Flood Zone
- X500
- Roads
- Town Boundaries

Percent Slope

- 0 - 10%
- Over 10%

Town of Veteran Constrained Lands Map



Map Created 5/18/13