TOWN OF MALONE
COMPREHENSIVE PLAN

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For and with: the Town of Malone Comprehensive Plan Committee

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CONTENTS

List of Maps

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Matthew Liberta
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Large Format Maps

The following large format maps were prepared to accompany this plan.

Scale of 1 inch = 2000 feet, entire Town
Current Zoning Map
Physical Features (elevation contours, water features, roads, etc.)
Land Use Map
Regulatory Areas (Wetands, Flood Hazard Areas, Franklin County Agricultural District)

Scale of 1 inch = 1000 feet, northern section
General Features
Current Zoning Districts

PART 1

INVENTORY AND ANALYSIS

INTRODUCTION

This comprehensive land use plan is intended to serve as a guide for future growth and development in the Town of Malone. It describes the environmental resources of the town, examines current land use patterns, analyses growth trends, discusses future needs, and sets forth policies designed to insure that growth will occur in an orderly manner that will be in the best interests of the health, safety and general welfare of existing and future residents.

A comprehensive land use plan is an advisory document which does not carry the force of law, but which does serve the important function of providing guidance to decision makers as they seek to plan for future town needs. New York State zoning statutes require that a zoning ordinance or law must be based upon a "comprehensive plan." Accordingly, this plan establishes the rationale for proposed changes in the town's existing land use regulations. It is intended that the town's existing land use regulations, including the zoning code and other land use related codes, be amended based upon the recommendations contained herein. Because the town's land use regulations do not apply within the Village of Malone, this plan excludes the village.

Preparation of the plan was a joint responsibility of Town of Malone Comprehensive Plan Committee, composed of town residents, and a planning professional hired to serve as advisor and plan facilitator to the citizen group. The planning professional prepared the factual information, maps and analyses contained in Part 1. The Comprehensive Plan Committee met monthly to review relevant information, determine goals and objectives, and establish the recommendations contained in Part 2.

It is recommended that the town land use plan and regulations be updated periodically in order to take into account new growth trends and other changes. A suitable timeframe for an update would be about ten years, depending upon the rate at which growth and change occurs.

PLANNING HISTORY

The first plan for the Town of Malone was prepared in 1971 by Russell D. Bailey and Associates of Utica, New York.[1] The plan included both the Town and Village of Malone, and was prepared in consultation with the Town Planning Board. It contained a comprehensive inventory and analysis, including discussions of physical features, highways, population and housing growth, land use patterns, and community facilities. It presented a land use plan that is the basis for the current zoning districts that exist both in the town and the village.

In 1998 the Malone Revitalization Foundation, Inc., a local Malone group, published a "Strategic Action Plan" aimed primarily at revitalization efforts in the Village of Malone.[2]

[1] "The Summary Master Plan, Town and Village of Malone, New York." Russell D. Bailey and Associates, January 1971, 57 pp.
[2] "Malone Revitalization Foundation, Inc., Reflections from the Past Bridges to the Future," Friends of the North Country, February, 1998.

The plan was professionally prepared by The Friends of the North Country who worked with the Foundation. This plan included a "SWOT" analysis (strengths, weaknesses, opportunities, and threats as perceived by local residents) based upon community input that evaluated revitalization needs and opportunities. The plan recommended strategies for business development, tourism promotion, building rehabilitation, historic preservation, the establishment of a river walk, and a number of other improvements and initiatives. It called for implementation by local steering committees.

In 2001, Mullen Associates Incorporated, headquartered in Massachusetts, guided the Town and Village of Malone through a "planning education" process "designed to achieve consensus regarding existing conditions and sustainable revitalization goals and processes for the community's structure, economy and environment."[3] This program consisted of local workshops involving citizens in evaluation of issues and developing goals and strategies for the future. The six themes emphasized in these efforts were:

- Small Business Retention, Expansion and Development
- Neighborhood Revitalization
- Reclamation of Main Street in the Village
- Restoration of the Salmon River
- Enhancing Youth Activities, Culture and Education
- Town and Village Relations and Management

In 2005 the Town of Malone contracted with Richard Lamb of the State University of New York at Plattsburgh (the author of this comprehensive land use plan), to prepare a critique and evaluation of the town's land use regulations. Said critique identified a number of specific areas in the zoning code that are in need of updating.[4] The report concluded: "The existing code was adopted in 1974, and was amended to include adult entertainment regulations in 2002. It is out-of-date in many respects, and omits some standard features of up-to-date rural zoning laws. The code needs comprehensive revision, restructuring, and updating."

In summary, the town's land use regulations and land use plan have not been comprehensively updated since the early 1970's. Planning efforts during the past decade have focused upon economic development in the town and village, and revitalization within the Village of Malone, rather than land use planning in the town.

REGIONAL LOCATION AND GENERAL SETTING

The Town of Malone is located within Franklin County in the northernmost part of New York State near the Canadian border. (See Regional Location map.) It is not near any major metropolitan areas or urban centers that provide employment opportunities. The nearest places of size are the City of Plattsburgh about 50 miles to the ease, and the Village of

[3] "Working Together for Change: Planning the Future of Malone, New York," Mullin Associates Incorporated, June 2002. and "Community Planning Charrette Report, Malone, New York, January 2002.
[4] Review and Critique of the Town of Malone Zoning Code and Other Land Use Regulations," Richard Lamb, SUNY Plattsburgh, April 2006, 13 pp.

Massena, about 40 miles to the west. However, the town is well connected to the national highway system via State Routes 11, 11B, 30 and 37 that give access to areas east, west and south, as well as north into Canada.

The Village of Malone, the county seat and largest village within Franklin County, is located within the north central portion of the Town of Malone. The village serves as a center for employment, government services, schools, commerce, and social activities for town residents.

The Village of Malone, together with growing commercial areas along State Route 11 near the village, serves as regional shopping area for northern Franklin County and beyond. The nearest competing centers are in Massena and Plattsburgh. During the past couple of decades commercial growth within the town has been concentrated along the State Route 11 business districts near the village.

The only hamlet within the town is Whippleville, located near the intersection of County Route 25 (Duane Street) and Low Road. It contains of a group of homes and a post office. There is place named Chasm Falls located in the southern section of town, but it is of insufficient size to be classified as a hamlet. A church and some residences are located there.

Dairy farming dominates the landscape in much of the northern one-third of town, with the resulting land cover being a mix of cropland, pasture and forest. Located on rolling terrain, there are several areas of scenic views. The middle one-third of town is a transition zone between the agricultural north and the forested south. The southern one-third of town is distinctly "Adirondack" in character, containing substantial acreage of state forest land, abundant open space, and Lake Titus. This area is almost entirely forested, and lies just the north of the official boundary of the Adirondack Park, the "Blue Line."

SETTLEMENT HISTORY[5]

The town was first surveyed in 1801. The first permanent residents were Enos, John and Nathan Wood who settled there shortly thereafter in 1802. Others followed, "almost entirely from Vermont." The earliest settlers were reportedly "mostly of the Puritan type."[6]

The town was originally formed from Chateaugay in 1805, and named Harrison after the individual who commissioned the early land survey. In 1808 the name was changed to Ezraville, and was changed again in 1812 to Malone. When Franklin County split off from Clinton County in 1808, it became the county seat, and a combined court house and jail were constructed. The Village of Malone was incorporated in 1853, with population of 2039.

[5] Sources of information for this section are: "Historical Sketches of Franklin County and its Several Towns," Frederick J. Seaver, 1918; "Gazetteer and Business Directory of Franklin And Clinton Counties, N.Y., History of Malone New York," Hamilton Child, Ogdensburg, NY, 1862; "The Summary Master Plan, Town and Village of Malone," Russell D. Bailey and Associaties, 1971; "Atlas of Franklin County New York, D. G. Beers and Co., 1876.

[6] Seaver, p. 398.

The existing road pattern was established during the mid 19th century as the town was settled and farms and industries became established. As shown on the Beers 1876 Atlas (see map) , the roads that existed then are the same as today. The Ogdensburg and Champlain Railroad, a forerunner of the Penn Central, was completed in 1850 linking Malone with points east and west.

Early industry made use of water power provided by the Salmon River and smaller streams. Among the earliest businesses were saw mills, grist mills, tanneries and carding mills. Many of the industries were located in the Village of Malone, but some were found outside the village, especially along the Salmon River. Whippleville housed at various times a sawmill, planing mill, and a grist mill, built by a Mr. Whipple. Chasm Falls, formerly known as Titusville and Glen Hope, housed a sawmill. ("Titusville dates as a settlement from 1831, when Mr. Titus of New York City began acquiring wilderness lands in Franklin County and continued his purchases until thirty-odd years later, he owned something like forth thousand acres…"[7])

Other notable early industries were sandstone quarrying and the manufacture of "Duane paint." "About a mile south of the Village is a quarry of Potsdam Sandstone of excellent quality for building, as the beautiful appearance of many of the buildings of the village will testify."[8] "Duane paint" resembling sienna was and used for much outside painting, was manufactured from iron ore found in the south part of town.

Agriculture has long been a mainstay of the town's economy. Early settlers were farmers, and spread across the landscape occupying lands suitable for agriculture. The climate of northern New York and the good agricultural soils underlying the town are very favorable for commercial dairy farming, and that industry became, and remains today, a major industry in the town. When the railroad was constructed in 1850, creameries were established and butter and cheese became an important export. Improvements in transportation made possible the export of milk, the basis today's dairy industry.

As can be seen on the 1876 from Beers Atlas (see map), the settlement pattern in those times was similar to today. In the north, there existed a dispersed population on good farmland with no large concentrations of settlement outside of the Village of Malone. Small settlements were oriented to the waterpower available along the Salmon River corridor. The southern portion of town was very thinly populated due the absence of suitable farmland.

TOPOGRAPHY AND SLOPE

The northern two-thirds of town is characterized by rolling terrain on gently to moderately sloped land. (See Topography and Percent Slope Maps) Slopes are generally less than 8 percent but are adequately drained. The exception is the Salmon River corridor where the river, through the ages, has carved a steep sided valley into the landscape. Slopes on the sides of the valley commonly exceed 15 or 25 percent.

[7] Seaver, p. 447.
[8] Child, p.1.

The southern section of town is hilly and mountainous, with the steeper terrain characteristic of fringes of the Adirondack Mountain region. Slope limits the development potential of this region.

Slopes of 3 to 8 percent are considered ideal for land development due to adequate drainage and limited susceptibility to erosion. Slopes of 15 percent or greater are considered poor for development because of erosion problems, cost of construction, inability of septic systems to function properly, and if roads are involved, traffic safety and cost of road maintenance. Slopes of 8 to 15 percent are considered to have moderate limitations for development. Flat land may pose problems due to poor drainage.

BEDROCK

The northern section of town is underlain by sandstone bedrock (see Bedrock Geology map). Sandstone is a porous material and is therefore generally good for obtaining groundwater from wells. Groundwater aquifers for municipal water supply systems are often found in sandstone. Because of the ease by which groundwater may flow through sandstone, should it become contaminated the pollution plume would tend to travel relatively rapidly. It is therefore especially important to guard against groundwater contamination over sandstone bedrock.

The sandstone of Malone has played a role in the town's history, having been quarried locally and used as a building material for many of the earlier buildings in the village.

Most of the southern section of town is underlain by various gneisses, a hard metamorphic rock group. Gneisses are not good for obtaining ground water due to their lack of permeability (the rate at which water can flow through the material).

The far southeast corner of town is underlain by a deep layer of glacial and alluvial deposits. This porous material is generally a good source of groundwater.

SURFICIAL GEOLOGY

Surficial geology refers to the geologic material close to the surface of the earth. It is composed of unconsolidated deposits of various types and depths, including those laid down by glaciers during the last ice age that occurred approximately 10,000 years ago. It can be quite shallow or non-existent (in the case of bedrock at the surface), or several tens of feet thick. "Soil" forms in the upper few feet of the surficial geology layer.

Much of the southeastern portion of the Town of Malone is underlain by glacial till which was deposited in a sheet as the glaciers retreated. (See Surficial Geology map.) Till may vary in thickness, particle size and permeability from place to place. Silt is a typical particle size, but there are also stony tills. Most of the prime farmland in Malone is located soils derived from glacial till.

Table 1 Surficial Geology of the Town of Malone		
Map symbol	Name	Characteristics
al	Recent alluvium	Fine sand to gravel, permeable.
k	Kame	Coarse to fine gravel or sand.
lb	Lascustrine beach	Well sorted sand and gravel, permeable, well drained.
ld	Lacustrine delta	Coarse to fine sand and gravel.
ls	Lacustrine sand	Generally well sorted quartz sand.
og	Outwash sand and gravel.	Coarse to fine gravel with sand.
pm	Swamp deposits	Peat-much, organic silt and sand in poorly drained areas.
r	Bedrock	Bedrock at the surface.
s	Undifferentiated marine and lacustrine sand and gravel	Well sorted, stratified, fine to medium sand.
t	Till	Variable texture (boulders to silt), permeability and thickness varies.
tm	Till moraine	Variable texture, generally low permeability.

Kame deposits typically consist of a deep layer of sand or gravel. They were formed from beaches of glacial lakes, or otherwise deposited by glacial waters. Deep kame deposits are often a prime source of sand and gravel, and in many communities are used for commercial mining or by government highway departments. There is an extensive area of kame that runs from the village south through nearly the entire length of the Salmon River corridor. Smaller kame deposits exist in scattered locations in the hilly land of the south of town.

There are extensive areas of lacustrine delta and lacustrine sand located north of the village, centered around the Bare Hill area. There is a distinct absence of active farmland on the lacustrine delta deposits, indicating that soils formed from this material are sandy and droughty, and thus not well suited for crops.

Other categories of surficial material exist in smaller pockets across the town.

All of the sandy surficial geologic materials have the potential for being good sources of groundwater supply due to their high permeability.

SOILS

Soil information and mapping is available in two forms for the Town of Malone. First is "soil association" data, from which the map included in this plan is derived. (See Generalized Soil Suitability for Development map.[9]) Soil associations are composed of a mixture of individual "soil series," a more basic unit of mapping. Soil association maps are

[9] Source of the soil association map found in this report is the "Soil Survey of Franklin County, New York," U.S. Department of Agriculture, May 1958.

very generalized and are not accurate in detail due to their method of preparation. However, they are useful for evaluating the soil suitability for development within broader areas of town, as is done herein.

The second form of data is soils series mapping. Soil series maps are prepared at a detailed level and are quite accurate. Soil samples are taken systematically across the landscape, on the average about every 4 or 5 acres. Detailed soil series maps for the Town of Malone are available in the 1958 "Soil Survey of Franklin County, New York," available from the local U.S. Department of Agriculture offices. Soil series maps are useful for evaluating the development limitations of a specific site such as land for a proposed residential subdivision.

Soil Suitability for Development

Soil associations were rated by the consultant for their overall suitability for development based upon the characteristics of the soil series found within them, as shown on the Table 2. Limitations for buildings without basements, septic systems and roads were combined in creating the composite suitability rating for development. Soil limitations for buildings, septic systems and roads were those supplied by the U.S. Department of Agriculture Soil Conservation Service, and are based upon such factors as soil percolation rate, drainage, depth to bedrock, depth to groundwater table, and stoniness.

It should be noted that the limitations shown on the table are conservative in the sense that "severe" ratings do not necessarily preclude development of a site, but present problems that could be dealt with by proper siting and engineering, usually adding expense to a project. For example, severe limitations for septic adsorption fields may be overcome by using mound systems, evaporation-absorption systems, and/or a larger and most costly system of drainage pipes. Severe limitations for buildings or roads may be mitigated by earth grading, adding fill, or drainage improvements. Also, because there is a degree of generalization even on the soil series maps, smaller areas for good building sites may be found within the broader areas portrayed on a map as severe. However, as a general principle areas of severe limitations are not good for intensive development.

The map of "Generalized Soil Suitability for Development" shows that soils are generally quite favorable for land development in the northern half of Town of Malone. The best soils are found in the Salmon-Nicholville (SN) association which underlies much of the Village of Malone and a large area centered around State Route 30 south of the village. Much of the southern half of town is underlain by soils that have some significant limitations for development, including steeper slopes, stoniness, wetness, and shallow depth to bedrock., and soil conditions are quite variable from place to place depending upon slope.

The good soils in the northern half of town make it possible to develop land on smaller lots than in the south, suggesting that a smaller minimum lot size for development would be appropriate in the north, and a larger minimum lot size would be appropriate in the south.

TABLE 2
LIMITATIONS FOR DEVELOPMENT
SOIL SERIES FOUND IN THE TOWN OF MALONE

	Limitations for:			**Limiting Factors**			
	Buildings without Basements	Septic Adsorption Fields	Roads	Buildings without Basements	Septic Adsorption Fields	Roads	**Consuttant's Composite Suitability Rating for Development**
Adams	slight	severe	slight		poor filter		**good**
AuGres	severe	severe	severe	wetness	wetness	wetness, frost action	**poor**
Becket	slight	severe	slight		slow perc		**good**
Brayton	moderate	severe	moderate	wetness	wetness	wetness	**fair**
Colton	moderate	severe	moderate	large stones	poor filter	large stones	**fair**
Cook	severe	severe	severe	wetness	wetness	wetness	**poor**
Coveytown	moderate	severe	moderate	high water table	high water table, slow perk	high water table	**fair**
Dannemora	severe	severe	severe	wetness	wetness	wetness	**poor**
Empeyville	slight	severe	moderate		slow perc	wetness	**fair**
Fahey	slight	moderate	moderate		wetness, slow perc	wetness	**fair**
Hermon	slight	severe	slight		poor filter		**good**
Livingston	severe	severe	severe	high water table	high water table	high water table	**poor**
Madalin	severe	severe	severe	wetness	wetness	wetness	**poor**
Moira	slight	severe	moderate		percs slowly	wetness	**fair**
Muck	severe	severe	severe	wetness, low strength	wetness	wetness, low strength	**unsuitable**
Nicholville	slight	moderate	moderate		wetness	wetness	**fair**
Peat	severe	severe	severe	wetness, low strength	wetness	wetness, low strength	**unsuitable**
Ridgebury	severe	severe	severe	wetness	wetness	wetness	**poor**
Rough Mountainous Land	severe	severe	severe	depth to rock	depth to rock	depth to rock	**unsuitable**
Salmon	slight	slight	slight				**excellent**
Scarboro	severe	severe	severe	wetness	wetness	wetness	**poor**
Skerry	severe	severe	severe	wetness	wetness	wetness	**poor**
Sun	severe	severe	severe	wetness	percs slowly, wetness	wetness	**poor**
Trout River	slight	severe	slight		poor filter		**good**
Tughill	severe	severe	severe	wetness	wetness	wetness	**poor**
Walpole	moderate	severe	severe	wetness	wetness	wetness	**fair**
Westbury	severe	severe	severe	wetness	wetness	wetness	**poor**
Worth	slight	severe	moderate		slow perc	high water table	**fair**

The N.Y.S. Department of Health (DOH) recommends a lot size of at least 20,000 square feet for conventional leach field systems in areas underlain by good soils. This space is necessary in order to provide enough room on the lot to place an adequately designed system and meet minimum distance requirements from wells, the house, and property lines.

On poor soils, a lot larger than 20,000 square feet is needed for conventional systems for several reasons. First, the average duration for a septic leach field is about 15 to 20 years, at which time it reaches capacity and requires replacement. Fill systems are especially prone to reaching a saturation point after which they will not function properly. When a system fails, either a new location on the property must be found to install a new one, or the old leach field and the earth surrounding it must be removed in order to provide adequate space. The latter alternative is very costly. Therefore, a 20,000 square feet lot may not be sufficient in the long run considering that there may be a need for more than one space for a leach field on a property. Second, many failing septic systems are never replaced. Thus, in areas of severe limitations larger lots are necessary to provide property owners with some protection from septic system failure on neighboring properties. Third, the minimum 20,000 square feet lot recommended by DOH assumes that there are no limiting factors due to terrain or shape of the parcel. On oddly shaped lots, and where limiting factors such as wetlands, streams, rock outcrops and other such natural features exist, the minimum lot size should be larger. Finally, the minimum 20,000 square feet lot assumes that the entire site plan for the buildings, driveways, water supply and sewerage system have all been carefully planned in advance of dividing a property into building lots in order to insure that the required setbacks for leach fields can be met. Unfortunately, this is not always the case. In summary, an adequate septic disposal system may be placed upon a 20,000 square feet lot, but only if it is properly planned, including the use of alternative systems, and is situated on a well shaped parcel of land free from environmental restrictions, is properly maintained, and is replaced when needed.

In the northern section of town it is therefore recommended that, if soil limitations were the sole criteria for establishing the minimum lot size for residential development, 30,000 square feet be established as such size. At least 1 acre is recommended for the southern section of town, and perhaps a larger size in areas characterized by the more rugged terrain.

Soil Association Descriptions[10]

Soils Underlying Large Areas of Town:

Adams- Colton (AC)

These soils are well drained to excessively drained loamy sands and gravelly loamy sands that were created on outwash plains and deltas formed during the glacial era. They are predominately found on level to gently undulating terrain, but there are areas of steeper slope

[10] Source of much of the information, and quotes, is the "Soil Survey of Franklin County, New York," U.S. Department of Agriculture, May 1958. Comments relating to suitability for land development are the consultant's.

along the Salmon River valley. They "are poorly suited to crops because of because they are droughty, strongly acid, and low in available plant nutrients." However, they are well suited for land development provided that septic systems are designed to adequately treat sewerage effluent. Due to the sandy soils, percolation of sewerage effluent may be rapid, and ground water could be adversely affected as a result, especially in areas of high ground water table.

Adams – Colton soils occupy a large area of the Town of Malone north of the Village, including the Bare Hill area, as well as the entire Salmon River corridor from the Village south to the town line.

Moira - Brayton – Sun (MB)

This association is comprised of moderately well drained loams and stony loams formed from glacial till derived from sandstone and limestone. It "occurs on the broad smooth till plain north of the Adirondack Mountains." " Slopes are nearly level to gently undulating, and the entire landscape slopes gently to the north." These soils provide some of the best farmland in the Town. Much of this association is actively farmed and/or located within a County Agricultural District. Suitability for land development is generally good.

These soils occupy large areas in the northern section of town, both east and west of the Village of Malone.

Salmon – Nicholville (SN)

These soils developed on thin deposits of fine sands and very fine sands on undulating to gently sloping terrain. They underlie the Village of Malone, as well as a large area south of the Village. This association is excellent for both agriculture and land development. These soils are rated as the best for land development in the Town of Malone due to their favorable characteristics for buildings, roads and individual on-lot septic systems.

Salmon – Nicholville soils underlie much of the Village of Malone, as well as a large area centered around State Route 30 south of the village that is prime farmland.

Skerry – Ridgebury (SR)

This soil association is composed of stony sandy loams and stony fine sandy loams found on smooth till-covered slopes. Stoniness and wetness limit its suitability for land development and agriculture. Most of this association is forested, but there is some farmland.

These soils occupy a large area in the west central portion of town, including much of Limekiln Road areas as well a portion of State Route 30.

Hermon – Becket (HB)

This association occupies areas of sloping to moderately sloping relief, and consists of till deposited by glaciers. "The major soils are acid, stony, well to moderately well drained, and moderately coarse textured." Much variation exists within this association from one site to

another, with suitability for land development dependent upon the slope of the land and the specific soil series found on the site. Soils tend to be suitable for development on level or gently sloping sites (1 to 8 percent), and unfavorable for development where slopes are steeper (8+ percent). Stoniness also limits development. There are also smaller areas of wet soils found intermixed within this association. This association is unsuitable for agriculture due to slope and stoniness, and is forested with scattered, low density development.

Much of the southern section of town is underlain by Hermon – Becket soils.

Soils Underlying Small Areas of Town:

Soil Association	Map Symbol	Brief Description
Au Gres - Scarboro – Peat	AS	Poorly drained, wet soils on level land. Unsuitable for land development.
Adams – Walpole	AW	Sandy, well drained soils on gently rolling terrain. Good for land development.
Brayton - Sun, very stony phases	BSs	Poorly drained, very stony soils on gentle slopes. Moderate to severe limitations for land development.
Coveytown – Cook	CC	Stony, poorly drained, coarse textured soils on gently rolling terrain. Severe limitations for land development
Dannemora - Westbury - Tughill, very stony phases	DWs	Somewhat poorly drained, wet, and very stony soils on gently rolling terrain. Severe limitations for land development.
Madalin – Livingston	ML	Poorly drained loams on gently rolling terrain. Severe limitations for land development.
Muck	MU	Wet, organic soils Unsuitable for land development
Peat	PT	Wet, organic soils. Unsuitable for land development.
Rough Mountainous Land	RM	Slope, shallow soil layer over bedrock. Unsuitable for land development.
Trout River – Fahey	TF	Well drained, coarse textured soils on gently rolling terrain. Good for land development.
Walpole - Au Gres – Scarboro	WA	Poorly drained, sandy soils, on level terrain. Moderate limitations for land development.
Westbury - Empeyville – Dannemora	WD	Variably drained, stony soils on rolling terrain. Moderate limitations for development.
Worth – Empeyville	WE	Well drained, medium textured, stony soils on rolling terrain. Good for land development.

WATER FEATURES

All surface waters in the Town of Malone drain into the St. Lawrence River to the north. Within the town there are three major drainage basins, the largest of which is the Salmon River Watershed. (See Water Features map.) The main tributary of the Salmon River is Branch Brook which originates as the outflow from Lake Titus. The smaller Trout River watershed, fed by Collins Brook, is located in the northeastern corner of town. In the southwest corner, surface waters flow into the Little Salmon River. A small area drains into the Deer River Watershed along in the south.

The most dominant water feature is the Salmon River that transverses the town from the southeast to the north. In Malone's formative history, the Salmon River formed a spine of settlement through the town based upon water power supplied by the flowing river. A second major feature is Lake Titus in the south, which today is a seasonal residential area.

The Salmon River as well as several streams and brooks are designated as trout habitat by the New York State Department of Environmental Conservation (NYS DEC). Such watercourses are classified with a (T) on the Water Features map.

NYS DEC classifies water bodies as AA, A, B, or C for the purposes of establishing standards for water quality and stream management. Class AA and A waters are regulated to standards suitable for water supply, swimming and fishing.. Class B waters are regulated to standards suitable for swimming and fishing. Class C waters are regulated to standards suitable for fishing.

The water quality and aquatic habitat value of streams and rivers can be adversely impacted by development on or near the shoreline that can increase surface runoff, decrease shade, and remove the vegetation that stabilizes shorelines. Surface runoff creates erosion and contains soil particles that increase turbidity and lower water quality. It can have an especially adverse impact when heavy rainfall occurs on barren ground during the construction phase of land development projects. Excessive turbidity in streams can destroy trout spawning beds and reduce the supply of aquatic insects, a major food source for trout. Removing trees that line a stream create higher water temperatures due to more sunshine thus raising water temperature and decreasing oxygen supply required by cold water species such as trout. Removing trees and other plants that stabilize soils on the banks of streams can result in bank erosion, and add to turbidity. For these reasons it is desirable to establish stream buffers where buildings and vegetation cutting are limited.

Lake water quality, such as in Lake Titus, can be adversely affected by land use and development practices. A major source of excessive nutrients and other pollutants in lakes and ponds is storm water runoff from roads, driveways, buildings and lawns. In order to minimize the pollution load in storm water runoff best management practices should be employed. Such practices include retaining vegetation along the lakeshore to act as a filter strip; not building close to he shoreline; not constructing driveways that lead down to the lakeshore and instead designing driveways so that runoff is diverted into settling basins rather than flowing directly into the lake; and erosion control measures in general.

Lake water quality can also be impacted by inadequate or malfunctioning septic systems, and/or by not treating "gray water." (In some lakeshore areas gray water coming from sinks and showers may be simply be piped out without being treated in a leach field.) Inadequate septic systems are often found on lakes where there are older camps that are served by outdated septic systems that do not meet modern standards, or that have become overloaded or otherwise malfunction over time. For the above reasons, it is desirable to protect water quality in lakes and ponds by establishing minimum shoreline frontages for building lots, to require building and septic setbacks, and to encourage the retention of native vegetation along shorelines.

Other desirable land use regulatory measures to protect water quality in rivers, streams and lakes include:

(a) Requiring site plan review for all commercial developments and land subdivisions near water, and requiring that appropriate site planning measures be taken to minimize the possibility of pollution.
(b) Prohibiting land uses that could introduce hazardous or toxic chemicals into the water, such as junkyards, landfills, gasoline pumps, and fuel oil distributors, from locating near streams, rivers or lakes.

WETLANDS

The Town of Malone contains numerous wetlands that are subject to regulation. (See Regulated Wetlands map.)

The New York State Freshwater Wetland Act regulates wetlands 12.4 or more acres in size. A wetlands permit is required for any activity that would affect any such wetland, including dredging, filling, draining, and most types of construction. The regulatory area extends to encompass a 100 foot buffer area surrounding each designated wetland. Most agricultural activities are exempt from regulation. New York State regulated wetlands have been mapped, but the mapping is not accurate enough for site planning. To determine the exact location of a regulated wetland on a proposed development site a field delineation must be undertaken.

The federal government also regulates wetlands. The federal definition of a regulated wetland differs somewhat from the New York State definition. (The New York State definition relates to vegetation type, whereas the federal definition relates to soil characteristics.) The federal regulation includes, but is not limited to, wetlands smaller than 12.4 acres. Field delineations must be made to map their exact area. Permits are required. For wetlands than 12.4 acres in size or larger a joint application to the state and federal government can be made.

Wetlands serve several beneficial functions in the natural ecosystem. First, they are important in flood control because they act as storm water retention basins, holding water and releasing it slowly downstream. Eliminating wetlands raises peak flood levels downstream during periods of heavy rain. Second, wetlands recharge groundwater by

allowing surface water to slowly settle into the ground. Wetlands are often a significant source of water for aquifers. Third, water leaving a wetland may be considerably more pure than the water entering it. Silt, sediments, nutrients and sewerage, when entering a wetland through a feeder stream, become assimilated into the wetland. Silt and sediments settle out, and nutrients are used by plant life. Fourth, wetlands are rich habitat for numerous wildlife species, including waterfowl and fur bearing animals such as muskrats, beaver and others. Wetlands adjoining open surface water are especially important habitat. Finally, wetlands have aesthetic value by providing visual open space.

Wetlands are fragile environments that can be destroyed by direct dredging and filling, as well as by soil erosion in the surrounding area that can create silt that fills the wetland over a period of time. Wetlands are unsuitable for development because a seasonal high water table causes wet basements and non-functioning septic systems. Also, wetland soils have a low bearing strength due to their high organic content, and are thereby unsuited for supporting heavy structures.

FLOOD HAZARD AREAS

Lands along portions of the Salmon River, Branch Brook and other watercourses in the Town of Malone are classified as a flood hazard areas pursuant to the National Flood Insurance program.. (See Regulated Flood Hazard Areas map.) The map shows areas where it is estimated that there is a least a 1 percent chance of flooding in any one year, otherwise known as the 100 year flood level. It should be noted that the official flood hazard maps are frequently not accurate in their detail, and that field investigation is necessary to determine actual flood hazard elevations. [11]

A permit is needed to build in designated flood hazard areas. Most of the land within such zones is classified as flood hazard "fringe," as opposed to a "floodway." Development is not permitted within a floodway, which is the deep channel that carries the bulk of the water during a flood. Development is permitted in fringe areas, where water spreads out creating property damage during a flood, but it must be "flood proofed" by constructing the main floor of dwellings above the flood level, as well as insuring that septic leach fields are also above said level.

AQUIFERS

Aquifers are sources of groundwater found in bedrock, or in surficial geologic material such as sand or gravel, that are capable of yielding sufficient quantities of water for public water supply. The general areas where aquifers are suspected to be located in the Town of Malone are shown on the Groundwater Aquifers map. The source of this map is a highly generalized statewide map available from the NYS Department of Health. Aquifer locations on the map are estimated based upon underlying geologic structure and other available data rather than upon detailed mapping based upon groundwater yield data. Accordingly, said map is neither accurate in detail nor is it necessarily complete.

[11] Conversation with NYS DEC staff.

The map does indicate that large quantities of groundwater might be found in many locations in the town. A large aquifer is believed to extend almost the entire length of the Salmon River valley. This aquifer coincides with the kame and other deep sandy glacial deposits found in the valley. Land use activities that could potentially pollute this aquifer should be avoided, and risks of groundwater contamination should be minimized by good site design and engineering practices.

There is sufficient groundwater yield in most areas of New York State to support individual wells for household water supply at rural development densities, although water quality may vary. It may be assumed, lacking evidence to the contrary, that the same is true in the Town of Malone. Areas not shown on the map as being underlain by aquifers are therefore likely to contain sufficient groundwater to support rural development. Where building densities are high, such as in villages or suburbanizing towns near cities, public water systems are needed if groundwater supplies are insufficient and/or if water quality is poor. Areas of higher building densities also require public water systems for fire fighting purposes, i.e. fire hydrants as a source of water.

NATURAL FEATURES

The most notable natural feature is Chasm Falls located on the Salmon River in the southern part of town. It is located on land owned by a public utility company, and is used for the generation of hydropower.

VISUAL RESOURCES

Visual quality is a major factor in the town's desirability as a residential location, as well as for attracting tourism and tourism related business. Important elements in the town's visual landscape are its rural and open space character, low settlement density, and long distance panoramic views along some of its highways. In the north, the rural aesthetic derives from the mixture of farm fields and other open land. In the south it derives from the forested, Adirondack, character.

Of special significance is State Route 30 south of the Village of Malone. (See Scenic Views and Scenic Corridor map.) This route connects the town with the Adirondack tourist and recreation region to the south, and is a very scenic drive through lightly settled forest and farmland. Long distance scenic vistas of the Adirondacks and lands to the east and west can be seen from Route 30 just south of the village. This route has been designated as a portion of the "Adirondack Trail," one of the Adirondack North Country Scenic Byways established by the Adirondack North Country Association (ANCA).

It is recommended that the portion of State Route 30 south of the village be designated as a scenic travel corridor in the town's land use plan, and that regulations be adopted to preserve the scenic drive along this route.

Other areas where panoramic scenic vistas can be seen are shown on following map. These include portions of State Route 11B, Webster Road, Royce Road, Low Road, Goodman

Road, Porter Road, and Moody Road. These scenic view areas located south and southeast of the village have attracted a significant amount of residential development during the recent years. It is suggested that such areas be designated as rural residential districts in the town land use plan in order to avoid commercial developments that could detract from scenic quality. It is also suggested that large structures that can be seen from a distance, excepting agricultural use structures, be avoided in order to protect views and scenic qualities.

New land uses along scenic travel corridors should be carefully planned so as to preserve views to the extent practicable. Preservation of farm fields would be most desirable from the standpoint of preserving views. If this is not possible, establishing the following regulatory measures for new development could help preserve views: (a) wider than normal road frontage requirements, (b) deeper than normal building setbacks, (c) building height limits, and (d) requiring site plan approval for all new development within such areas.

HISTORIC RESOURCES

The Town of Malone has an historical heritage in the form of buildings, sites and cemeteries dating from its early settlement. Although there are no sites in the town that are officially recognized as places of state or national historical interest by virtue of their listing on the State of Federal Register of Historical Places, there are a number of sites of possible local significance. Such places may be older homes or farmsteads, rural cemeteries, churches, barns, or other older structures.

There has been no such list of locally significant historical places compiled for the Town of Malone. The Historic Resources map (see following page) shows the location of some possible places of interest. It is possible to determine the date when structures were built from the real property data base (a computerized data base prepared for property tax assessment purposes). One of the items in the data base is "year structure built." The Historic Resources map shows the results of mapping this information. A total of 90 structures (dwellings) were recorded as having been constructed prior to 1860 or earlier. In addition, 8 cemeteries are recorded on the property tax roles. There may other private cemeteries. No data was able to be obtained for other historic structures such as barns.

Historic Inventory

A first step in preserving historic structures or sites would be to undertake a local historical inventory. This could be done by a local volunteer group with knowledge of the town's history. Unfortunately, grant monies which had once been available for professional assistance in conducting such surveys is not available at the time of this writing.

Not all older structures would be considered as historically significant. Many have undoubtedly been changed or expanded so as to render their original architecture indistinguishable. The more important historical structures or sites are those which: (a) were the home of a prominent local citizen, (b) were the site of an important event, and/or (c) are representative of early architecture, their exterior having been altered little over the years.

Placement on the National or State Registers of Historic Places

If sites are identified of state or national significance they may qualify for inclusion on the National or New York State Register of Historic Places." To be eligible for such inclusion sites or buildings must be of national or statewide significance, not merely of local importance. Historic sites should be connected with some significant event or person, and/or be representative of some special architectural style. Buildings should retain their original architectural integrity and their exterior should not be modified. Listing on the national register is essentially a recognition program, and does not protect properties so listed from being demolished or modified in such manner that diminishes their historical and architectural value. Neither does such listing, in itself, protect historical properties from adverse impacts of neighboring development.

Local Historic Notification and Recognition Program

In such a program each owner of an identified property is made aware of the significance their site and why it deserves recognition and protection as part of the Town historic preservation effort. Owners may be willing to take extra steps to preserve their properties once they learn of their significance. Along with this it is possible to develop a map and brochure listing local historical sites, and to provide some sort of small local historical markers that landowners can place on their properties. The town could pursue such a program through volunteer efforts in order to encourage owners of historic properties to preserve them.

Local Site Plan Review and Zoning

Provisions to minimize adverse impacts of new development on historical buildings and sites could be incorporated into land use regulations. This could include site plan review of new development to promote compatibility with adjacent historic sites by taking into account signage, color schemes, and building materials, as well as by requiring landscaping, vegetative screening or green space buffers as needed. A list and map of historic properties worthy of such consideration would support such an effort.

POPULATION CHARACTERISTICS

Examination of the age structure of the Town of Malone population reveals that it has a demographic profile characteristic of slowly to moderately growing rural towns. (See Table 3 and Figure 1.) There is a higher than average percentage of population in the 35 to 44 year old age bracket than for Franklin County or for New York State.. The probable cause of this is middle-aged families with school aged children migrating into town during the past two decades. (Note also that the percentage of persons ages 5 to 14, or school aged children, is somewhat higher than the state average.) This demographic group has likely been responsible for much of the new residential growth in the town as middle aged families seek to purchase homes. It is likely that the in-migration such families will continue in the future, creating a market for new homes and adding to the town's population.

TABLE 3
HOUSEHOLD POPULATION, BY AGE
Town of Malone, Exclusive of Village

		Comparisons with County and State			
	Town of Malone	Town of Malone	Village of Malone	Franklin County	NY State
Total Population	3914	100.0%	100.0%	100.0%	100.0%
Age					
Under 5	211	5.4%	5.5%	5.7%	6.7%
5 to 14	626	**16.0%**	13.8%	15.6%	14.5%
15 to 24	423	**10.8%**	12.8%	12.5%	12.6%
25 to 34	459	11.7%	11.7%	12.1%	14.6%
35 to 44	700	**17.9%**	15.2%	16.7%	16.3%
45 to 54	562	14.4%	13.9%	14.2%	13.7%
55 to 64	419	10.7%	9.4%	9.4%	9.0%
65 to 74	295	7.5%	8.6%	7.6%	6.8%
75 to 84	183	4.7%	6.5%	4.8%	4.4%
85 or older	36	0.9%	2.6%	1.4%	1.3%

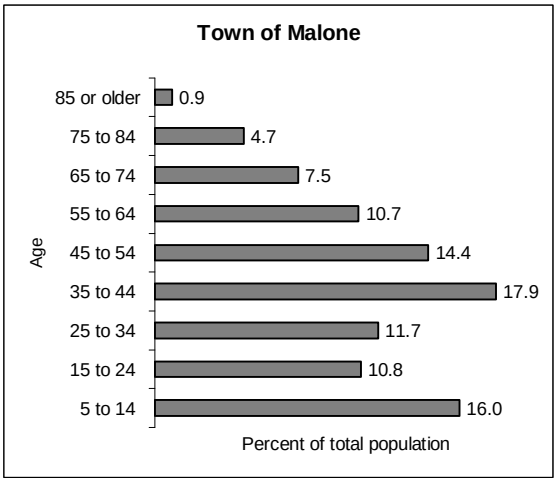
Conversely, there is a significantly lower than average percentage of young adults in the 15 to 24 year old age group. This pattern is typical of rural areas where persons leaving high school migrate out of town in search of jobs, higher education, and/or suitable housing. Cities and villages, where more jobs and rental housing are available, tend to have higher proportions of young adults. (Note the higher percentage of persons aged 15 to 24 in the Village of Malone.)

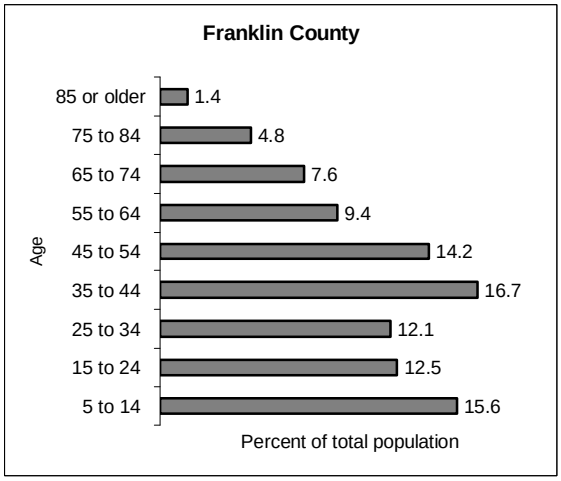
There is also a somewhat lower than average percentage of senior citizens, again typical of rural areas, and reflecting lack of appropriate housing in the form of apartments, senior citizen housing complexes and other affordable alternatives.

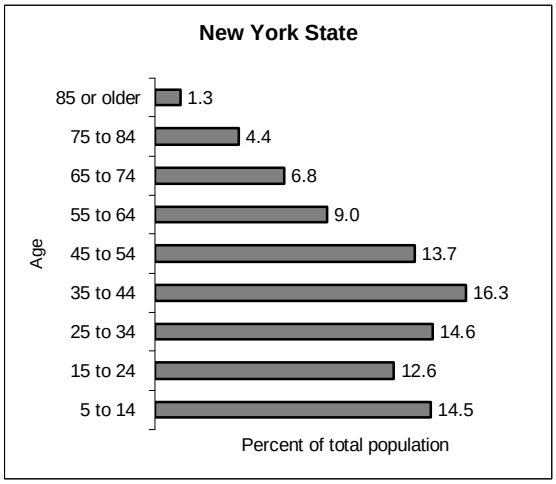
One of the demographic trends that will impact the Town of Malone in the future is a significant increase in the number of senior citizens. This is part of a national and state trend. There is a "bulge" in the Town of Malone population age graph currently centered on persons aged in their mid-40's. This group will be in their mid-60's by the year 2020, and will constitute a rather sizeable increase in the proportion of older persons in the Town.

It is therefore suggested that the town address the need for affordable senior citizen housing and other needs of the older population in updating its comprehensive plan and land use regulations. This includes providing for apartments and senior citizen housing, as well as for assisted living facilities and nursing homes. In addition, continuing to allow two family dwellings in most zoning districts, i.e. permitting the creation of an apartment in an existing dwelling, is a means of allowing seniors to stay close to family and in their own homes.

FIGURE 1
POPULATION AGE STRUCTURE COMPARISONS







SOCIAL CHARACTERISTICS

Table 4 shows some of the social characteristics of the town residents from the year 2000 Census of Population. It should be noted that inmates of the Bare Hill Correctional Facility are *included* in the table. (Social data is unavailable for the household population only.)

TABLE 4
SOCIAL DATA FROM THE YEAR 2000 CENSUS
(Town of Malone excluding Village. *Includes* correctional facility population.)

			Comparison with Franklin County and New York State					
	Town of Malone		Malone		Franklin County		NY State	
SCHOOL ENROLLMENT								
Population 3 years and over enrolled in school	888							
Nursery school, preschool	40		4.5	%	4.6	%	6.4	%
Kindergarten	57		6.4	%	5.8	%	5.2	%
Elementary school (grades 1-8)	496		55.9	%	46.9	%	42.3	%
High school (grades 9-12)	202		22.7	%	24.3	%	21.1	%
College or graduate school	93		10.5	%	18.3	%	24.9	%
EDUCATIONAL ATTAINMENT								
Less than 9th grade	1075		15.7	%	10.6	%	8	%
9th to 12th grade, no diploma	2906		42.5	%	19.8	%	12.9	%
High school graduate (includes equivalency)	1610		23.5	%	33.8	%	27.8	%
Some college, no degree	475		6.9	%	13.5	%	16.8	%
Associate degree	337		4.9	%	9.4	%	7.2	%
Bachelor's degree	295		4.3	%	7.2	%	15.6	%
Graduate or professional degree	143		2.1	%	5.8	%	11.8	%
Percent high school graduate or higher	41.8	%	41.8	%	69.7	%	79.1	%
Percent bachelor's degree or higher	6.4	%	6.4	%	13.0	%	27.4	%
ANCESTRY (includes only those reporting ancestry)								
French (except Basque)	2,620		26.6	%	25.1	%	2.5	%
Irish	1,633		17.4	%	15.4	%	12.9	%
French Canadian	1,292		15.4	%	7.2	%	0.8	%
English	846		5.3	%	9.8	%	6.0	%
German	498		6.1	%	5.9	%	11.2	%
Italian	478		4.0	%	3.3	%	14.4	%
Scottish	281		2.9	%	2.5	%	1.1	%
Polish	152		0.7	%	1.5	%	5.2	%
Dutch	141		1.2	%	1.3	%	1.4	%
Scotch-Irish	96		1.3	%	1.1	%	0.7	%

Of all persons enrolled in a school, the Town of Malone has a higher proportion of elementary school students as compared to Franklin County, and a lower proportion of college or graduate school enrollment. These figures reflect the fact that the town has a

higher proportion of young families than the surrounding area. Educational attainment data is probably heavily skewed by the correctional facility population, and few conclusions can be made from it. Ancestry is dominantly French or French Canadian, followed by Irish, English and German.

HOUSING CHARACTERISTICS

The year 2000 Census of Housing reveals some significant differences between the Town of Malone as compared to Franklin County or New York State. (See Table 5.)

There is much higher percentage of owner occupied dwellings in the Town of Malone than in the county or the state. Owner occupied homes represent about 71 percent of the town's housing stock.. Conversely, only about 14 percent of the housing stock is in the form of rental units, a much lower percentage than in the county or state. The proportion of seasonal homes is low compared to the county average, reflecting the fact that only the southern section of town is an "Adirondack" second home area, as compared to towns in southern Franklin County.

Most of the town's dwelling units are single family houses, i.e. 74%, which is similar to the country average. Most of the remaining units are mobile homes (19.1%). Only a very small percentage of the housing stock is in the form of 2-family or multi-family dwellings. The percentage of mobile homes in the Town of Malone is high compared to the county average.

Year structure built data shows that the town has a much higher percentage of newer homes than the remainder of Franklin County. Fully one-third of the town's housing stock (33.1 %) was constructed during the 1980's and 1990's.

The overall picture that emerges from all the population and housing data is that a predominant trend in the Town of Malone during the past two decades has been the growth of single family homes, a significant portion of which have been mobile homes, purchased by young to middle aged families.

POPULATION GROWTH TRENDS

Town population growth trends during the past two decades are shown on Table 6. The Town of Malone population counted in the census includes residents of the Village of Malone. However, for purposes of this plan it is the town population exclusive of the village that is relevant. Also, inmates of correctional institutions and other "group quarters" population are included in the town totals. (The remaining persons are categorized as "household population.") The large number of Bare Hill inmates distort the town's population figures that are of interest in this plan. Therefore, the population count relevant to this plan is the household population that resides in the Town of Malone outside the village.

TABLE 5
HOUSING DATA FROM THE YEAR 2000 CENSUS

				Comparison with Franklin County and NY State					
	Town Including Village	Village	Town Excluding Village	Town Excluding Village		Franklin County		NY State	
TOTAL HOUSING UNITS	4644	2847	1797						
Owner-occupied	2602	1328	1274	70.9	%	52.8	%	48.7	%
Renter-occupied	1512	1255	257	14.3	%	22.1	%	43.2	%
Seasonal or recreational use	341	242	99	5.5	%	18.0	%	5.0	%
Vacant	189	22	167	9.3	%	7.1	%	3.1	%
UNITS IN STRUCTURE									
1 unit	2957	1603	1354	73.9	%	71.6	%	46.6	%
2 units	420	373	47	2.6	%	4.4	%	10.9	%
3 or more units	881	811	70	3.8	%	11.2	%	39.8	%
Mobile home	374	24	350	19.1	%	12.6	%	2.7	%
Boat, RV, van, etc.	12	0	12	0.7	%	0.3	%	0.1	%
YEAR STRUCTURE BUILT									
1999 to March 2000	30	0	30	1.6	%	1.2	%	0.9	%
1995 to 1998	225	55	170	9.3	%	5.9	%	2.6	%
1990 to 1994	215	36	179	9.8	%	7	%	3.4	%
1980 to 1989	389	160	229	12.5	%	10.2	%	7.7	%
1970 to 1979	739	384	355	19.4	%	14.3	%	11.3	%
1960 to 1969	264	154	110	6.0	%	7.3	%	14.6	%
1940 to 1959	672	473	199	10.9	%	15.8	%	28.3	%
1939 or earlier	2110	1549	561	30.6	%	38.2	%	31.2	%
HOUSEHOLD SIZE									
Average household size	2.36	2.24	NA			2.46		2.61	
VALUE, RENT									
Median value, owner occupied units	$58,000	$53,000	NA			$62,600		$148,700	
Median gross rent, renter occupied units	$413	$413	NA			$409		$672	

The total population of the town, as recorded in the year 2000 Census of Population was 14,981 persons. However, counting only those persons residing outside the village and living in households, the recorded population was only 3914. Number of persons grew from from 3608 in 1980, to 3894 in 1990, and to 3914 in the year 2000.

Table 7 shows that the town experienced relatively rapid growth during the decades of the 1970's and 1980's compared to other decades in the past century. During the 1980's this growth may be attributed, in part, to increased employment opportunities afforded by the Bare Hill Correctional Facility.

TABLE 6
COMPONENTS OF POPULATION CHANGE
TOWN AND VILLAGE

	2000	1990	1980
Town of Malone (including Village)			
Household population	9,701	10,387	11,005
Group quarters population	5,280	2595	271
Total population	14,981	12,982	11,276
Village of Malone			
Household population	5,787	6,493	7,397
Group quarters population	288	284	271
Total population	6,075	6,777	7,668
Town of Malone (excluding Village)			
Household population	3,914	3,894	3,608
Group quarters population	4,992	2311	0
Total population	8,906	6,205	3,608

Group quarters population includes inmates of correctional institutions, residents of nursing homes and college dormitories, and others.

TABLE 7
POPULATION GROWTH BY DECADE

	Town of Malone excluding Village and prison population			Franklin County excluding prison population
		Change from previous decade		
Year	Population	Number	Percent	Percent
2000	4060	167	4.3%	3.9%
1990	3893	285	7.9%	-2.2%
1980	3608	256	7.6%	2.3%
1970	3352	92	2.8%	-1.8%
1960	3260	117	3.7%	-0.2%
1950	3143	-101	-3.1%	1.2%
1940	3244	103	3.3%	-3.1%
1930	3141	-133	-4.1%	4.9%

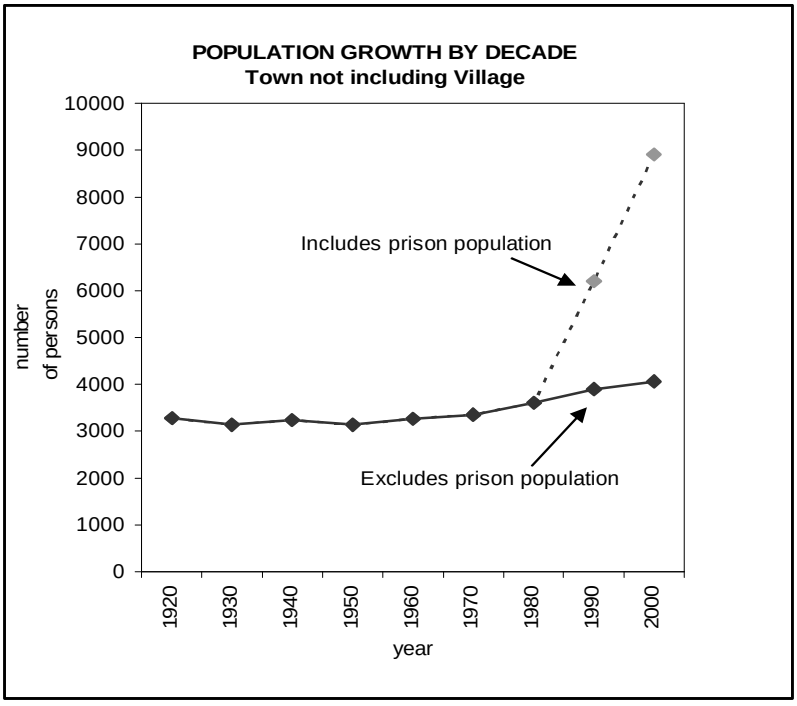
Figure 2 and accompanying data in Table 8 demonstrate that the town has experienced steady, somewhat variable, growth beginning in the 1950's.

TABLE 8
POPULATION CHANGE

	TOTAL POPULATION				ESTIMATED TOTAL POPULATION MINUS CORRECTIONAL FACILTIES			
Year	Town including Village	Village	Town excluding Village	Franklin County	Town including Village	Village	Town excluding Village	County
2000	14,981	6,075	8,906	51,134	10,135	6,075	4,060	45,622
1990	12,982	6,777	6,205	46,540	10,670	6,777	3,893	43,929
1980	11,276	7,668	3,608	44,929	11,276	7,668	3,608	44,929
1970	11,400	8,048	3,352	43,931	11,400	8,048	3,352	43,931
1960	11,997	8,737	3,260	44,742	11,997	8,737	3,260	44,742
1950	12,644	9,501	3,143	44,830	12,644	9,501	3,143	44,830
1940	11,987	8,743	3,244	44,286	11,987	8,743	3,244	44,286
1930	11,798	8,657	3,141	45,694	11,798	8,657	3,141	45,694
1920	10,830	7,556	3,274	43,541	10,830	7,556	3,274	43,541

Note: Correctional facility population in the Town is recorded as 4902 in the year 2000 and as 2312 in the year 1990. It is assumed to be 0 in the years 1920 through 1980.

FIGURE 2



HOUSING GROWTH TRENDS

Year 2000 Census Data

The most recent housing change data available from the U.S. Census of Housing is shown on Table 9. Total housing units in the town rose by 179 units during the decade of the 1990's, or about 18 units per year on the average. Of these, 152 units were owner occupied dwellings, and only 20 were renter occupied.

The number of seasonal housing units is shown as decreasing during this decade, which may be due to homes being converted from seasonal to year around residences. However, it seems equally as likely that structures which were counted as seasonal in 1990 were counted as vacant in the year 2000,[12] thus reflecting differences in census enumeration procedures rather than real changes in housing units.

During the 1990's the increase in number of single family dwellings (not including mobile homes) and the increase in mobile homes were about equal, 68 and 66 units respectively. However, the percentage increase in mobile homes was 22.3 %, as compared to a much lower percentage increase in single family homes at 7.0 %. There was also a significant growth in the number of two family structures, which could either be the result of creating apartments in larger older homes and/or the construction of new 2 family dwellings.

TABLE 9
HOUSING CHANGE, 1990 TO 2000
Town of Malone, Exclusive of Village

	Year		Change 1990 to 2000		
	2000	1990	Number	Percent	
Number of Units by Status					
Total Housing Units	1797	1618	179	11.1	%
Owner-occupied	1274	1122	152	13.5	%
Renter-occupied	257	237	20	8.4	%
TOTAL occupied	1531	1359	172	12.7	%
Seasonal or recreational use	99	159	-60	-37.7	%
Vacant	167	100	67	67.0	%
Number of Units in Structure					
1 unit	1333	1265	68	7.0	%
2 or more units	102	57	45	105.3	%
Mobile home, other	362	296	66	22.3	%

[12] The consultant has noted in other towns instances where summer rental cottages or cottages part of group camp were counted as seasonal housing units in one decade, but were not counted as dwelling units at all in another decade. Different interpretations of what constitutes a seasonal housing unit versus a vacant unit is one source of inconsistency in housing data from one census year to another.

Real Property Service Data

The New York State Real Property Service data base contains information pertaining to each parcel of land in the Town of Malone. This computerized data base is recorded by local property assessors and is maintained for the basic purpose of levying property taxes, but also contains much information useful for land use planning. Among the items recorded is "year structure built." If known to the assessor, the date of construction is listed for buildings on the property. It should be cautioned that this information is not complete and is not necessarily a totally accurate reflection of growth rates in town. First, the year of construction is sometimes blank in the data base where such date is unknown. Second, it does not include mobile homes because they are constructed elsewhere. Third, if there was a new addition constructed onto an earlier building, it is unclear as to which date was recorded as the year built, the original construction, or the addition. This data is therefore useful, but incomplete.

Figure 3

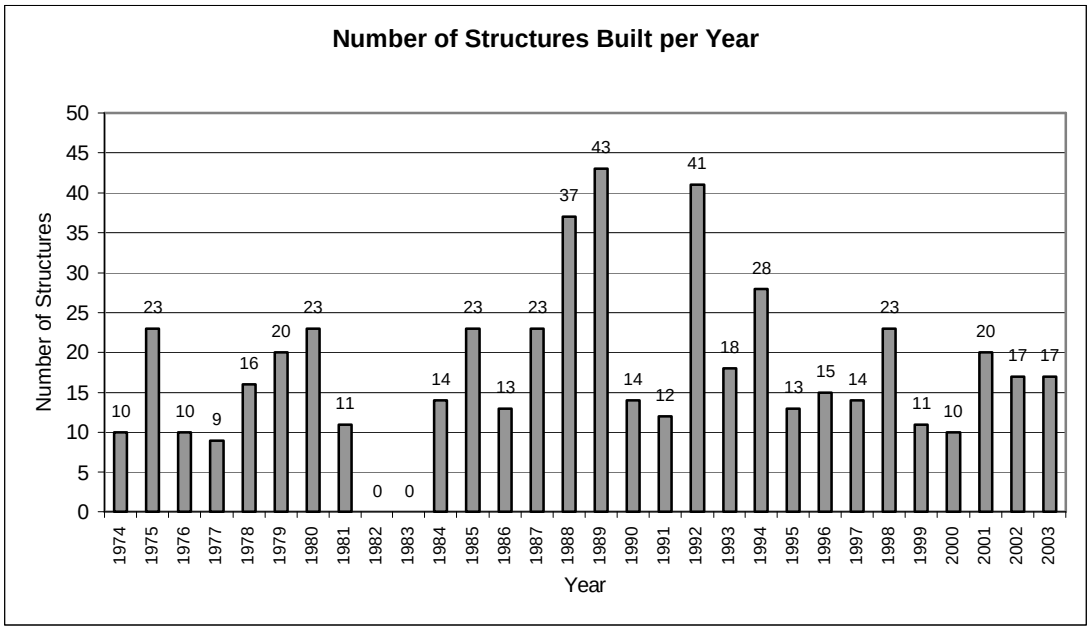


TABLE 10
NUMBER OF STRUCTURES
BUILT PER YEAR

Decade	Number per Year
1994 to 2003	16.8
1984 to 1993	23.8
1974 to 1983	12.2

As shown by Figure 3 and Table 10, there has been quite steady growth in the number of structures in the Town of Malone during the past 30 years, with the exception of 1982 and 1983. There was somewhat of a peak in construction during the latter 1980's and early 1990's, presumably related to the development of the Bare Hill Correctional Facility.

The 30 Year Growth Trend map plots the location of this data. Among the observations that can be made concerning the development pattern during this time period are the following. (1) There was a concentration of development near the Bare Hill Correctional Facility north of the village, in the Lovers Lane, Shears Road, Valley Road area. (2) Much new growth occurred in the area east, southeast and south of the Village of Malone., as well as through the entire Salmon River corridor south of the village. (3) Relatively little growth occurred in the prime farming areas west, and also northeast, of the village.

The most recent growth trends are shown on the 10 Year Growth Trend map. The predominant trend during this period was residential growth in areas southeast and south of the Village of Malone, somewhat near the village. Many of these new homes were constructed in areas with scenic views. (See the Scenic Views and Scenic Corridor map discussed earlier.)

POPULATION AND HOUSING PROJECTIONS

Population and housing projections are merely projections of past trends that may or may not hold true in the future. They are not predictions, but estimates based upon certain assumptions. The assumptions used by the consultant to derive the projections for this plan are based upon the growth rate that has been characteristic of the Town of Malone during past years. Three estimates for both population and occupied housing units are shown: a high, mid, and low projection. (See Table 11 and Figures 4 and 5.)

High Estimate. The high estimates assume that both population and total housing units will increase at the same numerical rate increase that had occurred during the 1990's. It assumes that population will increase by 167 persons per decade, and housing by 179 units per decade. (Housing units often increase at a more rapid rate than population from one decade to the next due to decreasing family size, a nationwide trend in rural areas.) These are the high estimate assumptions rather than the mid estimate assumptions because the 1990's saw expansion of the Bare Hill Correctional Facility, and is unlikely that an employment event of such magnitude will occur again during the projection period. Rather it is more likely that the rate of change will slow somewhat from that of the 1990's, the mid-estimate assumption (see below).

Should the high estimates be accurate, the town's population would continue to grow at the relatively rapid rate of the increase of the 1990's. Population would increase by 334 persons by 2020 and by an additional 334 persons by 2040. Housing units would increase by 358 units by 2020 and by an additional 358 units by the year 2040.

Mid Estimate. The mid estimates assume that the 1990 to 2000 numerical increase will decrease by 10 percent per decade during the duration of the projection period.

Should the mid estimates be accurate, the town's population would grow at a more modest rate more characteristic of the longer term growth trends, rather than of the rapid rate of the 1990's. Population would increase by 285 persons by 2020 and by an additional 232 persons by 2040. Housing units would increase by 306 units by 2020 and by an additional 247 units by the year 2040.

Low Estimate. The low estimates assume that numerical increase will decline by 20 percent per decade during the duration of the projection period.

Should the low estimates be accurate, the town's population would grow at an even more modest rate. Population would increase by 185 persons by 2020 and by an additional 132 persons by 2040. Housing units would increase by 258 units by 2020 and by an additional 165 units by the year 2040

TABLE 11
POPULATION AND HOUSING PROJECTIONS
Town of Malone, Excluding Village and Correctional Institutions

	Actual:		Projected:			
	1990	2000	2010	2020	2030	2040
Population						
High Estimate	3893	4060	4227	4394	4561	4728
Mid Estimate	3893	4060	4210	4346	4467	4577
Low Estimate	3893	4060	4194	4300	4386	4454
Change per decade, high estimate		167	167	167	167	167
Change per decade, mid estimate		167	150	135	122	110
Change per decade, low estimate		167	134	107	86	68
Housing Units						
High Estimate	1618	1797	1976	2155	2334	2513
Mid Estimate	1618	1797	1958	2103	2234	2351
Low Estimate	1618	1797	1940	2055	2146	2220
Change per decade, high estimate		179	179	179	179	179
Change per decade, mid estimate		179	161	145	130	117
Change per decade, low estimate		179	143	115	92	73

FIGURE 4
POPULATION PROJECTIONS

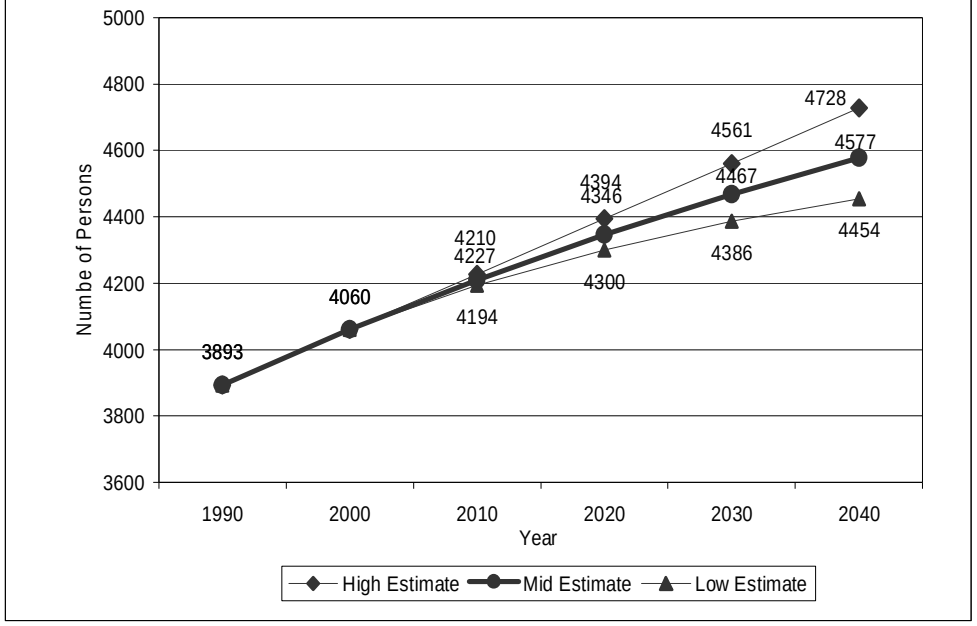
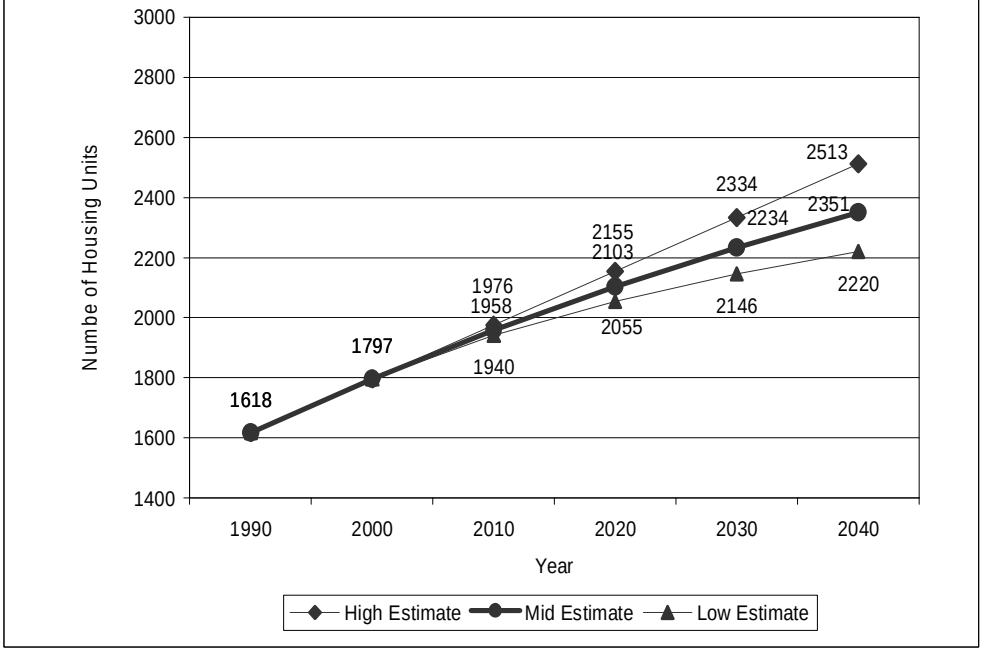


FIGURE 5
HOUSING UNIT PROJECTIONS



ECONOMIC CHARACTERISTICS

Some of the key characteristics of the town's economy are shown on Table 12.

Not surprisingly, most employed persons traveled by car, truck or van to work. Only about 8% of the town's population worked at home. Mean travel time to work for town and village residents (combined) was about 16 minutes. A comparable figure only for town residents living outside the village was unavailable, but it can inferred that commuting time averaged about 20 minutes.

Number of employed persons by industry data show the strengths of various sectors of the town's economy. As compared to both Franklin County and New York State, the town had a relatively large number of persons employed in retail trade and public administration, a result of Malone's dual roles as a regional retail center and as a regional government center. The percentage employed in agriculture was also relatively high, reflecting the strong dairy farm economy thriving upon the productive farmland found in the town. Percentage employed in construction was also somewhat high compared to the county and state, fueled in part no doubt by recent growth occurring in the general region due to expansion of state correctional facilities.

Of note is the relatively lower percentage of the workforce employed in manufacturing, 7.3% in the town, compared to 9.2% in Franklin County and 10.0% in the State of New York.

Income levels in the combined Town of Malone, including the Village, were somewhat lower than in the county, and much lower than in the state. Median family income in the town (town including village) was $37,500, as compared to $38,472 in Franklin County and to $51,691 for New York State. [13] However, the percentage of families living below the poverty income level was somewhat lower in the town (including the village) than for the county or for the state because cost of living is taken into account.

In may be inferred from Table 12 that income levels in the town (exclusive of the village) are higher than in the village, and that the percentage of persons below the poverty is lower than in the village.

Implications

The income statistics reinforce the need to address economic development and affordable housing issues in the town comprehensive plan goals.

Major strengths of the town's economy can be supported by measures designed: (1) to preserve agricultural land and sustain the dairy farming industry, and (2) to provide for the expansion of retail trade and the town's role as a regional retailing and service center.

[13] The U.S. Census definition of "household" includes single persons living in a one person household. A "family" does not include such persons.

TABLE 12
ECONOMIC DATA FROM THE YEAR 2000 CENSUS

				Comparison with Franklin County and New York State		
	Town Including Village	**Village**	**Town Excluding Village**	**Town Excluding Village**	**Franklin County**	**NY State**
COMMUTING TO WORK						
Car, truck, or van -- drove alone	3,141	1,740	1,401	80.7 %	76.9 %	56.3 %
Car, truck, or van -- carpooled	641	512	129	7.4 %	11.8 %	9.2 %
Public transportation (including taxicab)	40	30	10	0.6 %	0.9 %	24.4 %
Walked	236	198	38	2.2 %	4.7 %	6.2 %
Other means	41	28	13	0.7 %	1.3 %	0.8 %
Worked at home	251	106	145	8.4 %	4.4 %	3.0 %
TOTAL	4,350	2,614	1,736	100 %	100 %	100 %
Mean travel time to work (minutes)	18.4	16.3	NA	NA	19.1	31.7
INDUSTRY (number employed)						
Agriculture, forestry, fishing and hunting, and mining	141	48	93	5.2 %	4.4 %	0.6 %
Construction	284	153	131	7.3 %	6.9 %	5.2 %
Manufacturing	410	280	130	7.3 %	9.2 %	10.0 %
Wholesale trade	113	62	51	2.9 %	1.9 %	3.4 %
Retail trade	638	382	256	14.3 %	11.2 %	10.5 %
Transportation and warehousing, and utilities	168	83	85	4.8 %	3.6 %	5.5 %
Information	110	79	31	1.7 %	1.5 %	4.1 %
Finance, insurance, real estate, and rental and leasing	124	65	59	3.3 %	2.8 %	8.8 %
Professional, scientific, management, administrative, and waste management services	207	138	69	3.9 %	4.3 %	10.1 %
Educational, health and social services	1,233	736	497	27.8 %	28.8 %	24.3 %
Arts, entertainment, recreation, accommodation and food services	181	129	52	2.9 %	7.0 %	7.3 %
Other services (except public administration)	228	177	51	2.9 %	5.9 %	5.1 %
Public administration	602	322	280	15.7 %	12.5 %	5.2 %
TOTAL	4,439	2,654	1,785	100 %	100 %	100 %
INCOME						
Median household income (dollars)	$27,716	$25,200	NA	NA	$31,517	$43,393
Median family income (dollars)	$37,500	$35,077	NA	NA	$38,472	$51,691
Per capita income (dollars)	$17,352	$15,960	NA	NA	$15,888	$23,389
Percent below poverty level, Families	8.1	10.8	NA	NA	10.1	11.5
Percent below poverty level, Individuals	12.7	16.4	NA	NA	14.6	14.6

TAX BASE

The total assessed value of properties in the Town of Malone, exclusive of the village, in the year 2004 was about 161 million dollars, *not* including New York State correctional facility land and buildings. (See Table 13 and Figure 6.)

Residential properties accounted for about 55% of the total. Of this, most was in the form of year round dwellings. Mobile homes and seasonal homes contributed relatively little to the tax base. Commercial or industrial properties accounted for about 14% of the town's total assessed value, followed by vacant or forested lands at about 8%, and agricultural properties at about 7%. Other categories accounted for smaller percentages.

This data reflects the facts that the Town of Malone is both a residential community and a business center, as well as a prime farming area, and all contribute to the tax base.

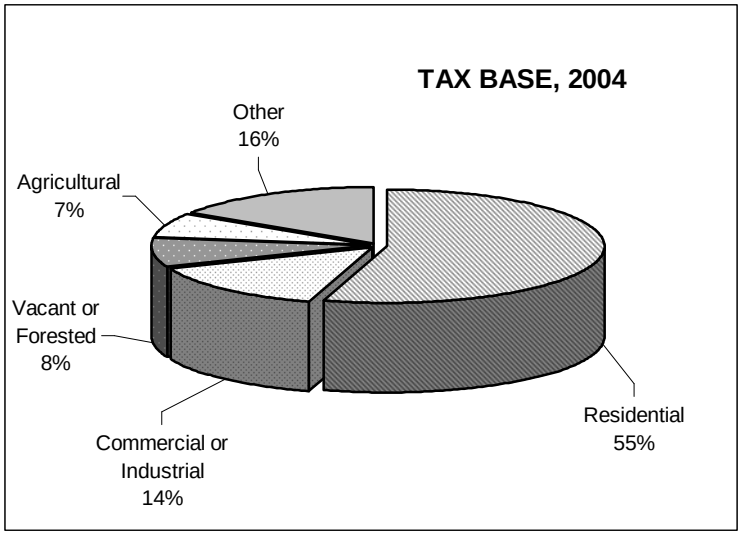
TABLE 13
TAX BASE, 2004 (a)
Town of Malone, Exclusive of Village

Land Use	Total Assessed Value	Percent of Town Total	Number of Parcels	Average Assessed Value per Parcel
Residential, year round dwellings	$79,723,290	49.4%	1268	$62,873
Commercial	$19,817,300	12.3%	96	$206,430
Public services	$14,597,155	9.0%	25	$583,886
Agricultural	$11,238,000	7.0%	163	$68,945
Vacant land	$9,613,050	6.0%	910	$10,564
Community services	$9,362,600	5.8%	24	$390,108
Seasonal homes	$4,610,000	2.9%	102	$45,196
Mobile homes	$3,911,100	2.4%	159	$24,598
Wild, forested, conservation lands, and public parks	$3,753,968	2.3%	28	$134,070
Industrial, mining	$2,953,900	1.8%	17	$173,759
Recreation and entertainment	$1,776,300	1.1%	10	$177,630
TOTAL	$161,356,663	100.0%	2802	$1,878,059

(a) This table omits New York State correctional facility properties, which are tax exempt. Total assessed value for such properties in 2004 was $153,960,300). Other properties that may be tax exempt are included in these figures.

Source: NYS Office of Real Property Service data, 2004.

FIGURE 6



LOTTING PATTERN

As shown on Table 14, about one-quarter of all residential lots in the Town of Malone are less than 1 acre in size, about one-quarter are between 1 and 2 acres, about another one-quarter are between 2 and 5 acres, and the remaining approximate one-quarter exceed 5 acres in size.

The small lots less than 1 acre in size can be assumed to predate 1974 because the required minimum lot size throughout the town, except for the Lake Titus shoreline, has been 1 acre since the town adopted its first zoning ordinance in that year. Small lots tend to be found in three general concentrations: (1) in the earlier settled area just north of the village along Lower Park Road and State Route 30, (2) along Duane Street south to Whippleville, and (3) around the shoreline of Lake Titus. (See Small Lots map.) These areas are currently zoned as either Residential 1 (R1) or Residential Seasonal (RS).

Table 14
Residential Lot Sizes, 2004

Lot Size	Number of Lots	Percent
Less than 1 acre	428	28.2%
1 to 1.99 acres	386	25.4%
2 to 2.99 acres	160	10.5%
3 to 3.99 acres	81	5.3%
4 to 4.99 acres	62	4.1%
5 to 9.99 acres	139	9.2%
10 or more acres	263	17.3%
TOTAL=	1519	100.0%

HIGHWAY SYSTEM

The Town of Malone is served by a network of State, County, and Town highways as shown on the Highway System map. New York State highways are classified as "arterial" roads, designed to serve higher traffic volumes and that connect to the state and national highway network. Arterials serve the purpose of providing high speed long distance routes. County highways generally serve as "collector" roads, with intermediate volumes between arterial highways and local roads. They "collect" local traffic from town roads, and serve the purpose of connecting local traffic to the arterial system and to other destinations. Collectors generally have a lower traffic volume than arterials, and a higher traffic volume than local roads. "Local" roads, or town highways, serve the purpose of providing access to the highway system, i.e. by a driveway or curb cut, and are characterized by low traffic volumes and shorter trip distances. Local roads may be either public or private, although in the Town of Malone there are few private roads.

Suitability of Highways to Support Development

The major travel corridor through town is State Route 11 that connects Malone with points east and west, and which is designated as part of the federal highway system. This route carries the heaviest traffic volume, of both automobiles and trucks, and is a route frequently followed by long distance truckers and other long distance travelers across northern New York. State Route 11, by virtue of its heavy traffic volume, offers the best locations for commercial retail businesses that depend upon a through traffic customer base. Because of its connections to the federal highway system, and also its construction to high design standards, it is a most favorable location for any industry or business that involves long distance trucking.

New York State Route 30 south of the Village of Malone is the northern section of a major tourism and recreation travel corridor through the Adirondack region, but has a rather low traffic volume relative to State Route 11. Locations along this route are not good for commercial businesses that are dependent upon the magnitude of through traffic flow, which includes many types of retail stores as well as restaurants, motels, and gasoline filling stations.

State Route 30 north of the Village of Malone leads to Canada through the Town of Constable, and is relatively lightly traveled. State Route 37 leads to Fort Covington and Massena, and again is relatively lightly traveled compared to State Route 11. State Route 11B is an alternative route to Potsdam and other points west, but is lightly traveled by truckers. All three of these routes are constructed as "heavy duty highways," i.e. roads that will withstand heavy truck traffic. All have pavement widths of at least 22 feet and adequate shoulders, needed for truck traffic. As a consequence, these state routes are suitable locations for businesses that use trucks, and/or generate significant truck traffic, but which do not require a location with a heavy traffic volume.

State highways are generally not favorable locations for residential development due to noise, traffic hazards, and general lack of residential tranquility. Where residences do exist,

they should be set farther back from state routes than from other highways due to the heavier traffic volumes, higher speeds, and/or more truck travel.

County highways, or collector roads, in the Town of Malone include Franklin County Routes 8, 23, 24, 25, 28, 41 and 51. These highways are generally of sufficient width and construction to accommodate higher traffic volumes, but are not constructed to withstand large volumes of heavy truck traffic. Sight distances (the distance one can see in both directions along the roadway) in areas of rugged or rolling terrain may be significantly less along these roadways than those required by design standards for arterial highways. As a consequence, depending upon the particular characteristics of the roadway, locations along County Highways may be not desirable locations for land uses that generate high traffic volumes and/or truck traffic. They are generally satisfactory business locations for smaller commercial uses of a service nature that are not dependent upon higher traffic volumes. Collector highways are generally acceptable, but not ideal, locations for residential development. In areas of rolling, hilly, or rugged terrain driveway locations or entrances to businesses should be planned to insure maximum sight distance in each direction along roadway at the driveway entrance.

Most of the more lengthy town highways have paved surfaces at least 18 feet in width. There are also several relatively short and/or dead end town roads, many of which have a gravel surface and may be narrower than 18 feet wide. Town roads serve the function of providing access to the highway system, both for residences and for farming and lumbering operations. Local roads (town highways) are the most desirable residential locations due to lower traffic volumes and traffic speeds.

Most of the residential development in the Town of Malone has occurred along existing town roads one house at a time. Should the demand for housing increase in the future, there may be a market for larger land subdivisions with their own internal roads. Such roads may be either public or private.

WATER SUPPLY

The availability of public water is an important element in industrial location and for large commercial buildings. An adequate supply of water is needed for building sprinkler systems and for fire fighting. Hydrants with adequate water pressure must be available. As a consequence, the prime areas for commercial and industrial expansion in the Town of Malone are those locations that are either currently served by the town water system, or where the water district could be extended to adjacent areas in the future.

Portions of the town to the immediate east and west of the village are served by the public water system. (See Town Water District map.) To the east, the water district extends along State Route 11 to a point beyond County Route 24 (Brainardsville Road), and also includes sections of Goodman and Porter Roads. To the west, the water system serves properties along State Route 11 to a point beyond the airport, along State Route 11B to beyond Meehan Road, Meehan Road, and a portion of County Road 51 just west of the airport.

The town purchases water for its water district from the village. The Village of Malone obtains its water from a surface source in the Chasm Falls area about 7 miles to the south, where it is pumped to the water supply reservoir located east of the Malone Memorial Recreation Park in the village.

The entire length of Duane Street from the village line to Chasm Falls is a "permissive service area" for the village water supply system. Properties along this route may elect to be served by the system.

The Bare Hill Correctional Facility also purchases village water. There had been a proposal to create a town water district to serve an area the north of the village to Bare Hill, but it was not established due to lack of public support. Creation of such a district, however, would support commercial and/or industrial businesses desiring to locate in this area as well as serving the residential neighborhoods north of the village, and remains a desirable plan to pursue in the future.

The remainder of the town is served by individual, on-lot, water supply wells.

SEWERAGE DISPOSAL

The provision of public sewerage disposal is a positive factor for industrial development, but the absence of a town sewer district is not a prohibitive factor because in many instances businesses can construct adequate on-lot systems.

At present, almost the entire town is served by individual on-lot septic systems. However, along Route 11 west of the village, some businesses including the new Walmart as well as the Industrial Development Agency (IDA) business park, contract with the Village of Malone for use of their sewer collection and treatment system. There is a short term plan to create a sewer district in this area to serve Walmart, the town offices, IDA, and perhaps other businesses. In the longer term, the plan is to pursue the establishment of such a sewer district along the entire length State Route 11 west of the village to Meehan Road.

The establishment of town sewer districts (utilizing the village treatment system) in other areas of town is impractical due to low population densities and high costs involved.

In order to insure that expensive public sewer collection and treatment systems are not needed in the future, it is recommended that minimum lot sizes for new development, residential or otherwise, be kept at a size large enough to insure that individual on-lot systems will function properly.

RECREATION AND TOURISM FEATURES

The Town of Malone offers many opportunities for outdoor recreation, including golfing, skiing, fishing, hiking, canoeing, and snowmobiling, as well as sight seeing and tourist accommodations. (See Recreation Features map.)

Golf. The 36 hole Malone Golf Course is located just south of the Village of Malone.

Skiing. The Titus Mountain Ski Center is located in the south of town in the Chasm Falls area.

Fishing. The Salmon River is a quality fishing stream that is stocked with brown and rainbow trout. There are public fishing access sites along the river.

Lake Titus. Lake Titus is used for recreational purposes by shoreline property owners and by campers at a commercial campground, but the lake is not readily accessible to the general public because it lacks a public boat launch site.

Snowmobiling. There is extensive mileage of state funded snowmobile trails in the Town of Malone that connects to other trails in the surrounding region. Most of it is located on old railroad beds.

Hiking trails. Three hiking trails are located in the southern section of town: Elephant's Head trail, Mt. Immortelle trail, and the Ledge Trail The Mt. Immortelle trail is only accessible by boat as it begins at the shoreline of Lake Titus.

Canoeing. A slow water canoe route is located in the far south of town along the Salmon River, where it winds its way through relatively level terrain.

Touring Routes. Two "Adirondack North Country Scenic Byways" traverse the town. These routes have been designated by the Federal Highway Administration as "representative of a region's scenic, recreational, cultural, natural, historical, or archeological significance," and are part of a network of tourism routes in New York State.

State Route 11 has been designated as the "Military Byway" due to its having been the route taken by thousands of soldiers during several wars. This route links the Lake Champlain Valley to the east with the St. Lawrence River Valley to the west.

State Route 30 south of the Village of Malone has been designated as part of the "Adirondack Trail" that extends the entire length of Route 30 through the Adirondack Mountains to the Mohawk River.

Tourist accommodations. There are motels near the Village of Malone on State Routes 11 and 30, and cottages near the Titus Mountain Ski Center. A commercial campground is located on Lake Titus.

RESIDENTIAL LAND USE

General Pattern

Year around residential development at rural densities is found throughout the town. (See One and Two Family Dwellings map.) Somewhat higher concentrations are found in the historical settlement areas just north of the Village of Malone along Lower Park Road and State Route 30, and along the Duane Street (Salmon River) corridor south of the village through Whippleville to Chasm Falls. The northern section of town is generally settled at a higher density than the southern section of town. It is also apparent that the best agricultural lands, i.e. lying west of the village and northeast of the village, have been sparsely developed compared to surrounding areas.

Housing Value

There is a concentration of higher value homes[14] in the area just south and southeast of the Village of Malone, especially near the golf course. (See Housing Value map.) This area includes all or portions of Webster Road, Duane Street, Low Road, Porter Road, Goodman Road, and other roads in that vicinity. This section of town is of somewhat different character than others in that its dominant land use is newer, higher value residences. Smaller groups of higher value residential property exist along Meehan Road and in other locations. Because these higher value areas are growing residential neighborhoods, it is recommended that they be designated as some type of residential district in the town land use plan, rather than as a mixed use district where several different types of land uses are found.

There are concentrations of moderate value housing: (1) north of the village in the Lover's Lane - Shears Road area, (2) south of Whippleville along Duane Street to Chasm Falls, and (3) along the shoreline of Lake Titus. It is recommended that these areas also be designated as some type of residential district in the town land use plan.

Lower value residential structures tend to be scattered around the countryside, with higher numbers of such dwellings located in the more remote sections of town farthest from the village. Mobile homes account for many of the lower value structures. It is recommended that these areas characterized by scattered low density residential development be designated in the land use plan as some sort of mixed use district where both residences and some non-residential uses may be located, and where development densities are anticipated to be low.

Mobile Homes

Numerous mobile homes are located north of the village along State Route 30 and Valley Road. (See Mobile Home map.[15]) Otherwise, the pattern of mobile homes is dispersed with

[14] Values shown on the map are based upon the assessed values of buildings, excluding land, as recorded on the Real Property Service data base. The Housing Value map includes mobile homes.

[15] A mobile home shown on the map is defined by the Assessor's Manual published by the New York State Office of Real Property Services as " A portable structure built on a chassis and used as a permanent dwelling unit."

no clear areas of concentration, with the possible exception of the area south of Lake Titus near State Route 30. There is, however, a distinct absence of mobile home development along some of the roads where higher value homes predominate, i.e. near the Malone Golf Course. (See above discussion of housing value.)

Seasonal Homes

Seasonal residences are the dominant land use along the shoreline of Lake Titus. (See Seasonal Homes map.) There are a few in the southern, forested, section of town, and almost none in the north. However, there could be an increase in seasonal home development in the southern section of town in the future, drawn to the ski slopes and beauty of the natural environment. Ski areas have served as an attraction for seasonal home development in other areas in the Adirondacks.

COMMERCIAL LAND USE

As derived from the 1994 Real Property Service data base, plus field observation, there exist 28 warehousing and distribution properties and 76 other types of commercial business properties in the Town of Malone. (See Commercial and Industrial Land Use map.)

State Route 11 West

Since the last town plan was prepared in 1971 the major change in the town's commercial development pattern has been the emergence of the shopping strip extending along State Route 11 west from the village line to its intersection with Meehan Road and County Route 51. Large retailers, fast foods, shopping centers and a variety of retailing and service businesses have been attracted to this area due to its high traffic volume, and it has become a regional shopping destination. Recently, Walmart has begun construction of its store opposite the airport, which when completed will draw even more traffic to this strip making it an even more valuable commercial location for those business that thrive on traffic volume, including most retailing uses. As is the case in many such shopping strips across the nation there are empty plazas within it, the result of competing businesses or shopping centers being located elsewhere on the strip or in the general vicinity.

The Route 11 west area is clearly the primary commercial district in the Town of Malone, and it also has the most potential for future growth. Although it would be desirable for new businesses to locate on the vacant lots or in the empty storefronts within the existing General Commercial (CG) zoning district, this may not be feasible for many enterprises. Expansion of the existing commercial zoning district westward along State Route 11 therefore represents one of the best opportunities to attract new business to the Town of Malone.

State Route 11 East

A secondary concentration of commercial use to emerge after the 1971 town plan was prepared is along State Route 11 east of the village to approximately Muzzey Road. This area contains a variety of retailing and service uses, but no major retailers or shopping plazas.

There is much empty land within it. It has the potential to attract additional retail and service business due to its traffic volume and a supply of undeveloped land. This area is currently zoned as a General Commercial (CG) district, which is in keeping with its current character and future potential.

State Route 30 North

A cluster of commercial uses exist along the section of State Route 30 north of the village interspersed with residences and the state and county highway garages. There is limited potential for commercial development due to low traffic volumes and/or lack of vacant land for development. This area might best be designated as a mixed land use district in the town land use plan, where some forms of commercial use would be allowed, as well as residential and public service use.

State Route 37 North

Some commercial uses exist along State Route 37 north of the village. This area has relatively low traffic volumes and is therefore not attractive for retailing type uses, but is suitable for other commercial enterprises such as warehousing and distribution, or auto repair. It has the advantages of being located along a state highway, much undeveloped land, and proximity to the Village of Malone. This area might best be designated in the town land use plan as a mixed use district as it contains several existing residences.

Bare Hill Area

This area has the advantages of much empty land (which is not suitable for agriculture), good soils for commercial development, access to the highway network, and the potential for creation of a public water supply district utilizing village water. It is suitable for commercial businesses other than retailing, such as warehousing and distribution enterprises, construction, or auto repair. This area might best be designated in the town land use plan as a general commercial district.

State Route 30 South

There are few existing commercial uses along State Route 30 south of the village, and there is limited potential due to low traffic volumes as compared to locations along State Route 11. However, there is abundant undeveloped land, and it is a route traveled by tourists into and through the region. In keeping with its designation as a state scenic by-way (see previous discussion of visual resources), and taking into consideration the panoramic views visible from the northerly section of the route closest to the village, Route 30 south might best be designed as a scenic travel corridor where some types of commercial uses are permitted provided that they designed to be in keeping with its rural and scenic character. Such uses might include nurseries, restaurants, antique stores, craft shops and others.

Dispersed Commercial Uses

Smaller commercial businesses, and/or home occupations, exist in dispersed locations throughout the town. Automobile repair shops are typical of such uses, and are frequently found in countryside locations in rural towns such as Malone. To accommodate smaller and/or home based businesses that are typically found in rural areas, the current Countryside zoning district includes in its permitted use list small retailing and some other businesses. In the town land use plan it is recommended that this concept of permitting smaller and/or home based commercial uses be retained in rural zoning districts. The specific mix of small businesses allowed in each rural district, however, may vary according to the character of the district. The list of appropriate commercial uses may be different in the forested southern section of town than in the agricultural north. Also, rural areas that are designated as growing residential neighborhoods in the land use plan may permit fewer types of commercial use than in the more sparsely settled areas.

INDUSTRIAL USES

There are only three properties used for industrial purposes according to the 2004 Real Property Service data base. (See Commercial and Industrial Use map.) One industrial plant is located in the Industrial Development Agency park near the Malone – Dufort Airport. The others are located just to the east of the Village of Malone on State Route 11 and Junction Road.

The attraction of industrial use and other business to the Town of Malone is desirable in order to provide employment opportunities and contribute to the tax base. Important factors for siting industrial uses use include the following:

- Location on highways designed for truck traffic (generally state routes with 22 feet pavement width with wide shoulders).
- Availability of vacant buildings or land.
- Proximity to the Interstate Highway System.
- Availability of a public water supply for sprinkler systems and for fire fighting.
- Access to three-phase electrical power.
- Availability of a public sewer system..

The Town of Malone has some potential for future development of industry and/or warehousing uses due to an available work force and vacant land and empty buildings suitable for such use, together with satisfactory access to the major highways and proximity to Canada.

There are several possible locations for industrial development in the Town of Malone. Locations east or west of the Village of Malone along or near State Route 11, and within the town water district, possess the site characteristics good for industry, including highway access, water supply, three phase power, and empty lots and buildings. The provision of

public sewer along Route 11 west of the village could provide an additional attraction. The existing General Commercial zoning districts in these locations provide for industrial use.

Other suitable locations for industries are the Bare Hill area currently zoned as Planned Development, and along State Route 37 northwest of the village.

MINING

There are 13 mining properties in the town according to the 2004 Real Property Service data base. (See Commercial and Industrial Land Use map.) In addition, there is the town sand pit located north of the Village of Malone. These mines are not clustered in any one area of town, but are found in various rural locations in the north, east and southern sections, corresponding to where sand and/or gravel deposits are found. The implication is that it would be appropriate for mining to be a permissible land use in all rural areas of town, provided that it has no significant adverse impact upon residential neighborhoods.

PUBLIC AND SEMI-PUBLIC LAND USES

Public uses in the Town of Malone include the following: (See Public and Semi-public Uses map.)

State Facilities
Bare Hill Correctional Facility
NYS highway garage

County Facilities
Franklin County jail
Franklin County highway garage
Franklin County solid waste transfer station
Franklin County Industrial Development Agency (IDA)

Town Facilities
Town offices
Town highway garage
Town sand pit
Malone Golf Course
Malone–Dufort Airport
Picnic grounds (Duane Street)

Village of Malone Facilities
Water supply property, Chasm Falls
Water supply reservoir
Village sewer treatment plant

The term "semi-public" refers to land uses that are patronized by the general public, but area neither commercial in nature nor owned and operated by a government. Churches, other

places of worship, cemeteries, and buildings or grounds used by not-for-profit organizations such as VFW are examples of semi-public uses.

AGRICULTURE

One of the most important natural resources in the Town of Malone is its highly productive farmland. Agriculture has traditionally been a mainstay of the local economy, and is a dominant feature of the town's landscape. The best estimate of where farmland is located in the town is shown by the Agricultural Properties category on the Agriculture map. Such properties include whole parcels of land that are classified as agricultural by the local land assessor. Some portions of the "agricultural properties" are actually forested or not otherwise used for crops or pasture. Similarly, there are undoubtedly smaller portions of larger parcels that are used for farming, but which have been classified otherwise according the predominant land use of the parcel.

It is unknown how much change in agricultural land has taken place in recent decades, but it can be assumed that there has been a decline in the acreage used for farming, mirroring trends typical of growing rural areas in upstate New York.

Much farmland in the town lies within a Franklin County Agricultural District. (See Agricultural map.) A large such district encompasses the farmland lying in the northwest section of town.

Agricultural Districts are authorized by New York State law and are established by the county upon the request of farmers. Farms within a district are offered protection against land development pressures in exchange for a commitment to use the land for agricultural purposes. Benefits of being in a district include the following.

(a) Land is assessed at its value for agriculture rather than its development value, thereby protecting farmers against rising property taxes resulting from rising land values.
(b) A municipality may not adopt any laws or regulations which would "unreasonably restrict or regulate" normal agricultural practices.
(c) There are limits on local benefit assessments, such as for public water or sewer systems, thereby protecting farmers from excessive charges for these services.
(d) State or federal projects must undergo a public hearing and review of possible adverse impacts upon agriculture before being located within an Agricultural District.

A county Agricultural District is different from an agricultural zone in a local zoning law. They are established independently of one another, and a change in one does not change the other. There is rationale, however, for establishing agricultural zoning districts in areas where significant amounts of the land are within established agricultural districts. First, agricultural districts show where farming is most viable within the Town. Second, because state law provides that no local regulations may be adopted that would unreasonably restrict farming operations within agricultural districts, agricultural zoning districts might be

established accordingly. Third, a smaller required minimum lot size for new residential development is be appropriate for agricultural areas than for other countryside in the town in order to minimize loss of farmland when creating a building lot.

Most people would probably agree that agriculture provides much more than economic benefits to a community. Farmland provides the rural character and wide open views that are sought by residents seeking a rural life style. Preserving farmland is therefore a public concern.

Land use controls may help preserve farming by discouraging development patterns that would be disruptive of agriculture in the long term such as commercial strip development. One of the most wasteful practices is the creation of strings of long narrow, deep lots along existing road frontage. Such lotting arrangements, sometimes referred to as "bacon strip" lots, are wasteful of land to the rear of the properties. These lots are often 5 or more acres in size, typically only 200 feet wide, and very deep. The rear portions of such lots may unnecessarily take prime farmland out of production.

Property tax relief (a possible benefit of being located within a county agricultural district) and favorable land use regulations, however, will not permanently preserve farmland. Such measures are beneficial, but do not afford good long term protection in the face of development pressures. The New York State Farmland Preservation program and other means of acquiring conservation easements and/or development rights to preserve open space are the best means of farmland protection. However, it is unlikely that easement programs will have application in the Town of Malone in the near future. The New York State Farmland Preservation program works by providing funds to purchase open space easements from willing farmers. Funds are limited, and competitive to obtain. Each county can apply each year for the funds. Because farmland under the most intense suburbanization pressure is given highest priority, farms in the Malone would not be very competitive for inclusion in the program.

FORESTED LANDS

The majority of land within the Town of Malone is forested. (See Forested Lands map.) It is estimated from available data that about 68% of the town's total area is covered by some type of forest -- 50% deciduous forest, 5% evergreen forest, and 13% mixed deciduous and evergreen. Evergreens tend to be found on the sandier soils in the north, and in the mountainous areas in the south. Pockets of mixed deciduous and evergreen forest are found in the central section of town. Deciduous forest dominates in the south, and is found in patches throughout town.

The forested landcover map clearly shows that there are two types of visual landscapes in town: agricultural landscapes in the north (with the exception of the area north of the Village of Malone, including the Bare Hill section), and forested landscapes in the south.

There is sizeable acreage of state forest lands in the south, and some county forest in the north between the Salmon River and State Route 30.

EXISTING TOWN LAND USE REGULATIONS

The current Code of the Town of Malone contains the following regulations pertaining to land use. The town zoning code and other land use regulations was critiqued in a document titled "Review and Critique of the Town of Malone Zoning Code and Other Land Use Regulations," prepared by Richard Lamb of SUNY Plattsburgh, and dated April 27, 2006.

Zoning. Contains standard zoning regulations governing lot dimensions and permitted uses of land in designated zoning districts, but is in need of major revision and updating.

Airport Approach and Hazard Protection. Establishes height limits for structures and other regulations designed for safety of aircraft in a zone surrounding the Malone – Dufort Airport.

Flood Damage Protection. Regulates building in flood hazard areas.

Home Occupations. Establishes standards for home occupation businesses throughout town.

Incinerators, Commercial. Establishes regulations and permit procedures for commercial incinerators.

Junk Dealers. Establishes regulations and a licensing procedure that apply to the keeping of two or more junk vehicles.

Planning Board; Board of Variances and Appeals. Establishes procedures for appointing board members; designates powers and responsibilities.

Realty Subdivisions. Adopts the provisions of state law, and applies to subdivisions of 5 or more lots only. (An earlier subdivision regulation was repealed.)

Telecommunications Towers. Establishes regulations for towers, but does not restrict them to specified zoning districts.

Windpower. Establishes regulations for windpower facilities. Prohibits larger towers that are used in commercial windfarms.

CURRENT ZONING DISTRICTS

The current zoning code divides the town into six types of districts. (See Current Zoning Districts map.)

Residential – R

Residential districts are intended to be neighborhoods where very few non-residential uses of land are permitted. Minimum lot size is 1 acre, and 30,000 square feet if connected to a public water supply. Residential zones are located in areas close to the Village of Malone,

and along Duane Street from the village line south to Chasm Falls within the permissive service area for village water supply.

Residential Seasonal - RS

The Residential Seasonal district is located within 400 feet of the Lake Titus shoreline. It is intended be a residential district largely for seasonal use, and allows only a few non-residential uses. There is no minimum lot size, but a minimum lot width requirement of 99 feet.

General Commercial – CG

General commercial zones exist along portions of State Route 11 east and west of the village in the prime locations for commercial development. The CG zone on the east also includes Junction Road. These districts are intended to be the primary business area in town, and permit a wide variety of commercial and industrial uses. Residences are allowed within the district.

Countryside – C

The vast majority of the town's area is designated Countryside. This district is intended to be mixed use countryside where agriculture, forest, residential, as well as several types of businesses are permitted, including smaller food or general merchandise stores, mining, roadside stands, and recreation facilities. Minimum lot size is one acre, in keeping with a relatively low density character.

Open Space – OS

Much of the land in the Open Space zone located in the far south of town is inaccessible and forested with little or no existing development. A minimum lot size of 3 acres is required.

Planned Development – PD

Planned Development zoning districts were added to the zoning map as amendments. In the town zoning code PD zones have no requirements for permitted uses or minimum lot sizes, and apparently were created in order to allow maximum flexibility so that land use proposals could be approved on a case by case basis. The critique of the town's land use regulations, cited above, strongly recommends that the Planned Development zones be replaced with more specific zoning designations in keeping with standard zoning law and practice.

MALONE LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

Concurrent with the formulation of this comprehensive town plan the Town and Village of Malone have undertaken the creation of a plan for the Salmon River corridor that runs through the town from its southern boundary to its northern boundary. This plan is known as the Malone Local Waterfront Revitalization Program (Malone LWRP).

The Malone LWRP envisions a number of improvements to enhance public use and enjoyment of the river and its environs within the Town of Malone. Among these are:

- A recreation trial and pocket park in the Macomb Dam area.
- A boat launch for non-motorized water craft on Lamica Lake.
- A pocket part in Whippleville with non-motorized watercraft access to the Salmon River.
- A Salmon River Recreation Area on lands owned by the Brookfield Power Company.
- A Chasm Falls Dam Impoundment pocket park and viewing area on lands owned by the Brookfield Power Company.
- Rehabilitation of the Bill King Memorial Park

The Malone LWRP recommends the following measures to preserve water quality.

- Creation of a town-wide Stormwater Management Plan to mitigate the adverse impacts of identified sources of stormwater runoff. and to prevent river bank erosion.
- A study of the possible impacts of salt and snow storage areas along the river.
- Water quality monitoring for the Salmon River, Branch Brook and Lake Titus.
- Designation of much of the Salmon River watershed as a Critical Environmental Area (CEA) under the New York State Environmental Quality Review Act (SEQR)
- Development of a watershed management plan for Lake Titus and Branch Brook.
- Incorporate a 200 foot (200 feet each side of the Salmon River) River Preservation Overlay Zone in the town zoning law that would set standards for new development that are consistent with the goals established in the Malone LWRP.

Policies adopted in the Malone LWRP would be enforceable through a local “Consistency Law” that would require that proposed development be reviewed for consistency with its policies.

PART 2

THE PLAN

ANALYSIS OF LAND USE DISTRICTS

Based upon the inventory and analysis information presented in Part 1 herein, the consultant suggests that the town consider revising the current zoning districts as follows.

1. Create an Agriculture (AG) Zone.

Create an Agricultural (AG) zone from parts of the existing Countryside zoning district. The Agricultural zone would include the large acreages of active farmland located in the northwest and northeast sections of town. This district would allow the same types of land uses as allowed in the Countryside zone, but would require a smaller minimum lot size.

The rationale for creating such a district is to permit farmers to create smaller lots should they choose to subdivide part of their land, and thereby minimize the loss of prime cropland. The existing zoning law requires lots to be at least 1 acre in size with 100 feet of road frontage. Farmers choosing to create lots with these dimensions would use excessive amounts of farmland, as the lots would be 436 feet deep with the 100 foot frontage. A more appropriate minimum lot size of 30,000 with required minimum frontage of 125 feet would result in lots only 240 feet deep.

2. Create a Residential 2 (R2) Land Use Zone.

Create a Residential 2 (R2) zoning district from parts of the existing Countryside zone. R2 districts would be located: (a) north of the village in the Lover's Lane, Shears Road, State Route 30 area, (b) near the golf course in Webster Road, Low Road, Hicks Road area, and (c) along portions of Goodman Road, Porter Road, and Sugarbush Road southeast of the village.

Residential 2 areas are growing rural residential neighborhoods characterized by significant numbers of newer homes on larger lots. The R2 district would have the same minimum lot size and dimension requirements as the Countryside zone, but would permit only the land uses allowed in the Residential 1 district, i.e. very few uses other than residential.

3. Reduce the Size of the Countryside (C) Zone.

The existing Countryside land use district would be reduced in size by carving from it the AG and R2 districts, discussed above, and in addition it is suggested that the southern portion of the zone be changed to a Forest (F) district (see discussion below).

No change is suggested in the required minimum lot size. The list of permitted uses would be similar to those which are currently allowed in the Countryside zoning district.

4. Add Residential 1 (R1) Area, and Change the Minimum Lot Size.

Add a new R1 area along Meehan Road Change the minimum lot size for new development to 30,000 square feet regardless of availability of public water.

5. Create a Forest (F) Land Use District, Eliminate the Open Space (OS) Zone.

Create a Forest (F) land use district in the southern, sparsely settled, region of town. The Forest zone would include a portion of what is currently designated Countryside plus the entire existing Open Space (OS) zone, which would be eliminated.

The rationale for creating this new zoning district is that the southern part of town has a distinctly different character from the agricultural north. It is more sparsely settled, and a larger minimum lot size may be appropriate -- 2 acres is suggested. Also, being more of a seasonal home, tourism and recreation area, a different mix of permitted land uses than allowed in the Countryside zone is appropriate here. (For example, junkyards might be permitted in the Countryside zone but not in the Forest zone.)

6. Expand the General Commercial (CG) Zone along State Route 11.

In order to facilitate business development in the town, extend the prime retail and service area that exists along State Route 11 west of the village to a point beyond Wheeler Road. This area has the potential of being served by the town water district in the future, and also by public sewerage.

7. Create a General Commercial (CG) Zone in the Bare Hill Area.

Designate the Bare Hill area as a General Commercial (CG) zone, and eliminate the Planned Development (PD) designation. This area has potential for business growth due to the development of the Bare Hill Correctional Facility and the traffic it draws to the area, good highway access, suitable soils, and the possibility of creating a water district to serve future businesses.

8. Create a Mixed Use (MX) Zoning District.

Create a Mixed Use land use district that would permit a mix of residential and business uses. Such areas would not allow all the commercial or industrial type uses as permitted in General Commercial such as major retailing uses, and would require that a 30 feet green space buffer be retained around new commercial uses in order to protect neighboring residences.

A Mixed Use district designation is suggested for the following areas: (a) the existing Planned Development area along State Route 30 north of the village, (b) Route 37 north of the village to a point beyond its intersection with Bare Hill Road, and (c) an area encompassing Webster Road and State Route 30 immediately south of the village line.

9. Create a Scenic Corridor (SC) Zoning District.

Create a Scenic Corridor (SC) zoning district along State Route 30 from near Cosgrove Road south to the town boundary. This route is the entry into Malone from the scenic Adirondack region. The objectives of such designation is to retain the rural and open space character as

currently exists along the route, as well as to preserve scenic panoramic views of the surrounding landscape.

Permitted commercial uses along the corridor would exclude those which would detract from scenic qualities, such as junkyards and auto sales or repair. Tourism and agricultural businesses, such as antique shops, craft shops, roadside produce stands, nurseries, and restaurants would be permitted. Required minimum road frontage for new development would be wider than for other rural zones in order to better preserve open space and views.

10. Retain the Residential – Seasonal (RS) zoning district surrounding Lake Titus.

Retain the RS zoning district surrounding Lake Titus, but review, revise and update the zoning regulations in accordance with the desires of lakeshore property owners and others with a stake in the future of the lake. Create a "boathouse overlay zone" on the north end of Lake Titus that would permit boathouses to be constructed on small lots in order to provide access by boats to lots lacking road access.

11. Establish a River Protection Overlay zone.

Establish a River Protection Overlay zone 200 feet on each side of the Salmon River throughout its full length within the town. New development within this zone would be subject to site plan review standards consistent with the Malone Local Waterfront Revitalizaiton Program.

PLANNING GOALS AND POLICIES

The Town of Malone Comprehensive Plan Committee has established the following goals for this plan. Following each goal are planning policies that should be pursued in order to implement the stated goal.

The general philosophy for dealing with growth issues, as determined by the Comprehensive Plan Committee is:

> Growth should be encouraged, and should be guided and controlled in order to protect the natural environment, rural and open space character, and agricultural resources.

Commercial and Industrial Development

Goal

Encourage commercial and economic development in order to provide employment, serve the needs of town residents, and add to the tax base.

Policies

1. Establish "general commercial" zoning districts suitable for a mix of light industrial, warehousing, and commercial development. Locate such districts along portions of State Route 11, State Route 37 and Junction Road in the vicinity of the Village of Malone, and also in the Bare Hill area. Serve these areas by a public water system.
2. Designate mixed use zoning districts suitable for certain types of commercial uses, as well as for residential use, along portions of main highways and in other appropriate locations in the vicinity of the Village of Malone.
3. Allow some types of small businesses anywhere in town except in the Residential Seasonal (RS) zoning district. Such uses include home occupations, other home based businesses, and neighborhood convenience stores. In residential and mixed use zoning districts require site plan approval by the Planning Board and a 30 foot green space buffer from surrounding property lines in order to promote compatibility with neighboring residential uses.

Tourism, Recreation, and Seasonal Home Development

Goal

Encourage tourism, recreation, and seasonal home development in order to provide employment, serve the needs of town residents, and add to the tax base.

Policy

1. Establish zoning regulations that provide for tourism related business development throughout the town except in Residential zoning districts.

2. Support the recommendations and recreational development proposals of the Salmon River corridor revitalization study.

Agriculture

Goal

Encourage the continuation of agriculture.

Policies

1. Establish agriculture as a permitted use with no restrictions in all zoning districts except Residential Seasonal (RS).
2. Create an Agricultural Zoning District where: (a) commercial strip development is discouraged, (b) residential development is permitted with minimum lot size of 30,000 square feet rather than 1 acre, and (c) it is possible to create lots such that lot width is

longer than lot depth. These measures are intended to help minimize the loss of prime farmland from development.

3. Allow residential "cluster" development on farmland.
4. Encourage the use of the NYS Farmland Protection program to acquire easements to insure that prime farmland remains undeveloped.

Natural Environment, Rural and Scenic Character

Goal

Preserve the natural environment and rural and scenic character that makes the Town of Malone a desirable place to live and, and that is attractive to tourists and visitors to the area.

Policies

1. Enact and enforce land use regulations that protect environmental quality and rural and scenic character.
2. Establish a scenic corridor overlay zone along all or portions of Route 30 south of the Village of Malone, where special regulations designed to protect the scenic character of such areas would apply.
3. Incorporate into the town's land use regulations recommendations of the Malone Local Waterfront Revitalization Program which are intended to preserve and protect the natural character and water quality of the Salmon River.
4. Encourage the continuation of agriculture that provides views and a scenic landscape of open fields mixed with woods.
5. Establish rural residential zoning districts that permit commercial uses that are compatible with rural residential character, such as home occupations, golf courses, farming, nurseries, vegetable stands, and neighborhood convenience stores.
6. Maintain the minimum lot size of at least 1 acre per residential lot in most rural zoning districts. (Except in Agricultural zones where a smaller minimum lot size should be established in order to minimize the loss of good farmland to development.)
7. Allow residential "cluster" development only if it is set back at least 200 feet from state highways and 100 feet from other public highways, and is screened from view by a vegetative buffer.
8. Insure that natural features such as lakes, streams, rivers, flood hazard areas, steep slopes, woodlands, wildlife habitats, scenic vistas and areas, wetlands, unique geologic features, as well as building and sites of historic significance, are taken into account in reviewing and approving site plans for non-residential development.
9. Prohibit development that would significantly detract from the scenic beauty or rural character of the area, such as highly visible or large scale structures or uses.

10. Establish a minimum building setback and vegetative cutting setback from the Salmon River, Branch Brook, Trout River, and Collins Brook.
11. Adopt a regulation that requires junk be kept out of sight of public roads and surrounding properties, and not be placed in or adjacent to streams, rivers and lakes.

Rural Residential Neighborhoods and Lifestyles

Goal

Preserve the quality of rural residential environments while allowing typical uses of rural property. Strike an appropriate balance between regulation for the common good and individual property rights.

Policies

1. Allow such uses as home occupations, home based manufacturing (ceramics, wood products, etc.), other home based businesses, timber harvesting, and agriculture in rural zoning districts.
2. Require a 30 foot green space buffer between commercial developments and neighboring residential uses.
3. Permit the keeping of farm animals on residential properties provided that certain standards are satisfied.

Affordable Housing

Goal

Provide affordable housing choices for town residents.

Policies

1. Allow individually sited mobile homes in most zones where conventionally constructed single family dwellings are permitted.
2. Allow 2, 3 and 4 family dwellings in all zones where single-family dwellings are permitted, except in the Residential Seasonal (RS) district surrounding Lake Titus.
3. Allow mobile home parks in some rural zoning districts, provided that mobile home park regulations and standards are satisfied.
4. Allow cluster style residential developments in all zones except for the Residential Seasonal (RS) district.

Senior Citizen Needs

Goal

Provide for senior citizen living and care facilities.

Policy

Allow senior citizen housing, assisted living facilities, and nursing homes in appropriate zones.

Housing Value

Goal

Protect the value of existing and future housing.

Policies

1. Prohibit land uses that would detract from the value of residential properties in residential zoning districts.
2. In mixed use zoning districts, require a green space buffer between non-residential development and neighboring residential lot and also require site plan review and approval by the town planning board.

Highways

Goal

Preserve arterial highways as high speed, safe routes.

Policies

1. Discourage the proliferation of closely spaced driveways along state highways by requiring wider than normal road frontage requirements for new development along state routes.
2. Encourage development on short access roads (cul-de-sacs, loop streets) rather than along through roads by allowing smaller than normal road frontage and lot size requirements for lots created on short access roads.

Problem uses

Goal

Adopt appropriate regulations to deal with land uses that would be incompatible with the existing character of the town, and/or with existing or future residential areas.

Policies

1. Prohibit some uses anywhere in town, such as commercial incinerators and private landfills that accept hazardous wastes.
2. Adopt specific standards for uses that have the potential of creating significant compatibility problems if not designed, sited, and operated to minimize adverse impacts, such as kennels, motor vehicle repair shops, and recreational vehicle parks, among others.

Infrastructure Costs

Goal:

Minimize the cost of development infrastructure such as roads and utilities.

Policies

1. Allow "cluster" style residential development throughout the town.

2. Plan for a concentration of business and industry in and around the Village of Malone.

Water Supply

Goal

Provide for an adequate supply of good quality water to service new and existing development, and for fire fighting purposes.

Policies

1. At an appropriate time, create a town water supply district to serve the General Commercial zoning district proposed for the Bare Hill Area.
2. Create town water supply districts as they are needed around the periphery of the Village of Malone.

Sewage disposal

Goal

Provide for environmentally sound sewage disposal.

Policies

1. Establish a minimum lot size for new development sufficient to allow the establishment of adequate on-lot septic systems for the soil types that exist in the town.
2. Create a town sewer district to serve the General Commercial zoning district along State Route 11 west of the village to Meehan Road.

VISION FOR THE FUTURE

The following vision statement was adopted by the Comprehensive Plan Committee.

> The town should grow in a manner that retains its rural and open space landscapes, scenic beauty, agricultural lands and natural resources, and that provides the opportunity to enjoy a rural life-style.
>
> A growing rural residential community with some small businesses is envisioned throughout much of the town. Growth is anticipated to be predominately residential, with year round dwellings in the northern and mid-sections of town, and a mixture of seasonal and year round residences in the south. Some dispersed development of smaller and/or home based businesses is also anticipated.
>
> Larger businesses and services, as well as industry, should be concentrated in and around the Village of Malone near State Route 11, especially within the Route 11 corridor west of the village, and in the Bare Hill area. Together with the prison, businesses in these locations will provide many of the employment opportunities and services for the town and the surrounding region.
>
> Agricultural areas of the town are envisioned to remain much as they are today, with active farms continuing to operate on prime farmlands. Agriculture should continue to be a mainstay of the town's economy, as well as to enhance the town's scenic beauty and rural and open space character.
>
> Some tourism/recreation related development is anticipated throughout rural portions of town, especially in the southern and middle sections, capitalizing upon outdoor recreation opportunities such as the golfing and skiing, and the area's scenic beauty.

LAND USE PLAN

(See Land Use Plan map.)

In accordance with the information and analysis presented in Part 1 herein and the goals and objectives described above, and as result of discussion among members of the Town of Malone Comprehensive Plan Committee, it is recommended that the town be divided into the following districts for purposes of land use regulation. It is intended that zoning districts in the current zoning code be amended to reflect the land use plan contained herein, but it is recognized that such zoning districts may differ somewhat from this plan based upon further discussion and public input.

Land use plan districts are as follows.

Residential 1 (R1)

Locations: Residential areas immediately south of the Village of Malone. The Duane Street corridor south to Chasm Falls. Southern portion of Lower Park Road north of the village. Along Meehan Road.

Character Description: Areas that are predominately smaller lot residential in character, and/or areas that are well suited for such use due to their proximity to the Village of Malone.

Vision for the Future: Development as smaller lot residential neighborhoods where protection of residential character is a primary goal.

Allowable Uses: Single and two family residential dwellings, mobile homes, and uses that are compatible with residential neighborhoods such as churches, parks, schools, and home occupations .

Minimum lot size for residential development: 30,000 square feet, but larger along state highways.

Minimum lot size for non-residential development: 1 acre.

Residential 2 (R2)

Locations: South of the Village of Malone along portions of Goodman Road. Along Webster Road, Low Road and Hicks Road near the Malone Golf Course. North of the Village along Lovers Lane, Shears Road, Shadow Lane, and portions of State Route 30.

Character Description: Rural areas where newer residential development on larger lots predominate.

Vision: Development as rural residential neighborhoods on larger lots, where protection of rural residential character is a primary goal.

Allowable Uses: Single and two family residential dwellings, and uses that are compatible with residential neighborhoods such as churches, parks, schools, and home occupations.

Minimum lot size for residential development: 1 acre, but smaller on minor residential streets such as in new residential subdivisions.

Minimum lot size for non-residential development: 1 acre.

Residential Seasonal (RS)

Location: Around the shoreline of Lake Titus.

Character Description: A lakeshore residential area comprised of seasonal and year around dwellings on smaller lots.

Vision: A lakeshore residential community where protection of environmental and scenic qualities are of paramount importance.

Allowable Uses: Single family dwellings, guest cottages, boathouses.

Minimum lot size for residential development: No minimum lot size. Minimum shoreline frontage of 99 feet.

Countryside (C)

Locations: Large sections of town south and east of the village.

Character Description: Areas of mixed rural land use, including farmland, forest, residential development, small businesses, recreational uses, as well as public and semi-public uses.

Vision: A mixed use rural area much as it is at present, that accommodates new growth compatible with its rural character. A primary goal is to preserve rural life-styles.

Allowable Uses: Residential, agriculture, forestry, smaller businesses, recreational facilities, mining, public uses, semi-public uses.

Minimum lot size for residential development: 1 acre, but smaller on minor residential streets such as in new residential subdivisions.

Minimum lot size for non-residential development: 1 acre.

Agriculture (AG)

Locations: Prime farmlands in the northern section of town.

Character Description: Predominantly active farmland, much of which is within a Franklin County Agricultural District.

Vision: Continued use for agriculture, with the preservation of prime cropland and active farms being primary goals.

Allowable Uses: Agriculture, forestry, residential, smaller businesses, recreational facilities, mining, public uses, semi-public uses.

Minimum lot size for residential development: 30,000 square feet.

Minimum lot size for non-residential development: 1 acre.

Forest (F)

Location: The southern portion of town corresponding to the Open Space (OS) zoning district in the current zoning ordinance.

Character Description: Forested open space.

Vision: A forested open space area where protection of natural resources and scenic quality are primary goals.

Allowable Uses: Low density residential development, small businesses, tourism and recreation businesses and facilities.

Minimum lot size for residential development: 2 acres, but 1 acre on minor residential streets such as in new residential subdivisions.

Minimum lot size for non-residential development: 2 acres.

Scenic Corridor (SC)

Location: A corridor measuring 500 feet on each side of State Route 30 south of the Village of Malone extending from Cosgrove Road southward to the town line.

Character Description: A sparsely developed travel corridor along State Route 30.

Vision: A scenic, open space corridor through agricultural lands and forest, with a limited amount of smaller tourism related businesses. Protection of scenic views and open space character are primary goals within this zone.

Allowable Uses: Agriculture, forestry, other open space uses, tourism related businesses, residential.

Minimum lot size for residential development: 2 acres. 300 feet minimum road frontage.

Minimum lot size for non-residential development: 2 acres. 400 feet minimum road frontage.

General Commercial (COM)

Locations: Route 11 from the village east to Muzzy Road. Junction Road. Route 11 from the village west to Meehan Road, including the Malone – Dufort Airport. Portions of Cady Road and Bare Hill Road in the Bare Hill area.

Character Description: Existing commercial and industrial areas, and areas with potential for commercial and industrial growth.

Vision: These areas will contain the vast majority of commercial and industrial activity and employment in the Town of Malone. Primary goals are to attract and encourage business development.

Allowable Uses: Most commercial and industrial uses. Adult entertainment establishments only in CG1.

Minimum Lot Size for New Development: 1 acre

Mixed Use (MX)

Locations: Along State Route 37 from the Village of Malone to beyond Bare Hill Road. A portion of State Route 30 immediately north of the Village. Portions of State Route 30 and Webster Road immediately south of the vVllage.

Character Description: Areas where there is an intermixture of residential, commercial, and public uses such as a transportation garage.

Vision: Areas that accommodate residential development as well as some types of commercial businesses. A goal of this area is to minimize conflicts between land uses by good site planning.

Allowable Uses: All forms of residential development, many types of commercial uses, public and semi-public uses.

Minimum lot size for residential development: 1 acre, but smaller along minor streets.

Minimum lot size for non-residential development: 1 acre

River Preservation Overlay Zone

Vision: A corridor along each side of the Salmon River where public use and enjoyment of the river is enhanced, and where water quality, natural features, open space values and scenic resources are preserved.

Allowable Uses: Same as within the underlying zones.

Special Regulations: Where site plan review of new development is required, special consideration should be given to the preservation of water quality, natural features, open space, and scenic values; and to preserving or enhancing public views of the river and public use of the river.

OTHER ZONING REVISIONS

It is the further recommendation of this plan that the current town zoning code be revised and updated in accordance with the changes suggested in the document titled "Review and Critique of the Town of Malone Zoning Code and Other Land Use Regulations."