
3. Land Use

It is important to understand that it is the mix...of land uses that creates the character of the community. For instance, in the town a small percentage of the land is developed. There are few businesses and commercial activities, a good deal of agricultural uses, some scattered residential development and some undeveloped land. Since one of the community's goals is to maintain the character of the area, it is important to recognize that it is these proportions which make the character what it is.

Town of Meredith Comprehensive Plan, 1985

One of the major changes that spurred residents to draft Meredith's original Comprehensive Plan was the parcelization of large tracts of farmland and their conversion to residential lots. Throughout the late 1960s and 1970s, parcel division and land speculation increased rapidly due to both the availability of land and the availability of willing buyers with disposable income. The Comprehensive Plan and subdivision regulations were adopted in the early 1980s to give townspeople a say in how land was being divided and in the hope that land speculation could be minimized.

To strengthen its planning capabilities, the Town of Meredith began its participation in the Delaware County Planning Department's Town Planning Advisory Service (TPAS) in 1976. TPAS allows professional planning staff from the Planning Department to provide on-going technical support to municipalities like Meredith. Throughout the 30 year partnership, the Planning Department has assisted the Town Planning Board with numerous land use reviews, grant applications, as well as the update of this Comprehensive Plan. The Planning Department shares the concerns of Meredith residents and will work to ensure the Town of Meredith becomes the place they envision for the future.

3.1 – LAND USE MANAGEMENT IN MEREDITH

The following table (Figure 18) was adapted from the 1985 Plan. It points to the division of larger tracts of land over the long-term in Meredith and the corresponding shrinking of the median parcel size over the same time. For example, there were 433 total parcels in Meredith in 1950 versus 1243 parcels in 2003, a 187% increase. Because there are more total parcels within the same town boundaries, the percentage of larger parcels have obviously decreased, while smaller ones have increased. In fact, the percentage of parcels that were larger than 100 acres has decreased from 42% in 1950 to 8.9% in 2003. At the same time, the percentage of parcels that were smaller than 25 acres has increased from 46% in 1950 to 71% in 2003.

Figure 18 - Parcel Size Inventory						
Parcel Size (acres)	1950	1960	1970	1980	1996	2003
< 1 acre	83	84	91	116	193	120
1.0-1.9	30	32	48	77	112	101
2.0-4.9	23	25	56	109	202	154
5.0-9.9	17	18	29	107	273	258
10.0-24.9	21	28	47	134	236	251
25.0-49.9	25	34	46	80	128	132
50.0-99.9	54	59	80	95	115	116
100.0-249.9	162	158	155	138	103	102
250+ acres	18	19	16	14	-	9
Total Parcels	433	457	568	870	1362	1243

Source: Delaware County Planning Department, Real Property Tax Service

Subdivision

The following table (Figure 19) summarizes subdivision activity since 1985 when Meredith's regulations were enacted. Subdivision regulations allow the Town Planning Board to review and approve land division activities and ensure the orderly and efficient development of the Town. The data indicate an overall slowing in the rate of parcelization more recently and actually show that parcels are increasingly being put back together by eliminating old subdivision boundary lines. Prior to analyzing the data, however, definitions applicable to subdivision need to be reviewed.

Figure 19 - Subdivision Approvals				
Year	Major	Minor	Simple	Boundary Line Adjustments
1985	2	-	12	-
1986	3	3	15	-
1987	4	2	17	2
1988	5	3	28	2
1989	2	1	24	4
1990	3	1	8	6
1991	-	2	6	4
1992	-	2	7	5
1993	1	1	8	4
1994	-	-	2	2
1995	-	-	2	1
1996	1	2	2	2
1997	-	-	4	10
1998	-	2	5	6
1999	-	1	6	4
2000	-	-	4	3
2001	-	-	4	-
2002	-	-	4	4
2003	-	1	7	7
Total Actions	21	21	165	66

Source: Delaware County Planning Department

The subdivision regulations establish three levels of subdivision: simple, minor and major. A simple division splits a parcel into three or fewer new lots, all of which have frontage on an existing public road. A minor subdivision applies when creating from four to six new lots, all of which have frontage on an existing road. 'Minors' do not require improvement or extension of public roads or other facilities and must not adversely affect the remainder of the parcel or adjoining property. A minor subdivision requires a public hearing and environmental review through the State Environmental Quality Review (SEQR) process. Finally, a major subdivision results in the creation of seven or more lots and requires creation or extension of public facilities or improvements. 'Majors' also require a public hearing and SEQR review as well as the usual preliminary and final plat approval by the Planning Board.

The Planning Board also follows a policy for boundary line adjustment (BLA). A BLA is essentially the reverse of subdivision, in which boundary lines between parcels are removed rather than created. The Board determines whether the adjustment will adversely affect or change the character of any parcel involved and, if no adverse changes are foreseen, the procedural requirements of subdivision review may be waived and the boundary line adjustment approved without further evaluation.

The data indicate that there were 133 subdivisions approved by the Meredith Planning Board between the years of 1985 and 1990. Although the majority were 'simples', those alone would have resulted in the creation of approximately 100 new lots. There were 14 BLA approvals during the same period. More recently, however, the trends seem to be shifting. Between 1991 and 2004, there have been 74 subdivision approvals with BLA approvals increasing to 52.

Land Use

According to Meredith's tax parcel records summarized in Figure 20 (and on Map 10), 16,414 acres are classified as residential, almost 12,000 acres as agricultural, and slightly more than 8,000 acres as vacant.

Figure 20 - Land Use in Meredith (2003)		
Property Class	Acres	% of Total
Residential	16414.31	43.6
Agricultural	11983.90	31.8
Vacant	8068.59	21.4
Forested	544.43	1.4
Roads	249.74	0.66
Water Features	131.71	0.35
Commercial	73.06	0.19
Public Services	70.80	0.19
Wetlands	52.95	0.14
Community Services	21.31	0.06
No Data	58.30	0.15
Total Acres	37669.14	
Source: Delaware County Planning Department, Real Property Tax Service		

Ownership

Since the 1970s, a major concern of Meredith's residents was that people from outside the town were purchasing land and bringing with them different sets of attitudes and expectations about local government. Figure 21 shows evidence of the increase in land ownership by those outside Meredith. In 1980, for example, those from the New York City area made up the majority of non-local landowners. By 2003, the data indicate that Meredith landowners are from a variety of places from both in and around Meredith and from places far afield. Notice in particular the decrease in landowners from the NYC area between 1980 and 2003. This decrease may be due to downstate landowners selling their parcels to upstate residents but it is more likely due to downstate landowners converting their second homes upstate to their primary residences. An interesting trend, however, is the decrease in the number and percentage of parcels in the Town of Meredith that are actually owned by Town residents.

Figure 21 - Parcel Ownership Patterns in Meredith						
Owner's Primary Residence	1950	1960	1970	1980	1996	2003
Town of Meredith	402	405	427	519	309	316
Other Towns in Delaware County	3	11	20	42	389	412
Other Areas in New York State	7	6	24	40	239	260
Other States	1	5	10	39	154	145
New York City area	19	30	87	229	145	80
Other Countries	1	0	0	1	3	4
Source: Delaware County Planning Department, Real Property Tax Service						

Figure 22 summarizes parcel ownership in Meredith for 2003 only. Of the landowners in Meredith, people from other towns in Delaware County own more than one-third of all land in Meredith (38.2%). New York City-based landowners owned 11.7% of the total.

Figure 22 - Parcel Ownership in Meredith (2003)			
Owner's Primary Residence	<u>Parcels</u>	<u>Acres</u>	<u>% of Total</u>
Town of Meredith	316	7171.62	19.3
Other Towns in Delaware County	412	14202.94	38.2
Other Areas in New York State	260	7125.73	19.2
Other States	145	4317.78	11.6
New York City area	80	4141.62	11.1
Other Countries	4	220.85	0.60
No Data	14	58.3	
Source: Delaware County Planning Department, Real Property Tax Service			

Protecting Agricultural Land Uses in Meredith

With residential land uses growing over the past few decades, it must be remembered that agriculture is still a dominant land use and the main economic engine in Meredith. While the regional, national and international forces that make farming a volatile industry are largely beyond local control, a primary tool for maintaining an agricultural presence locally is through the establishment of agricultural districts.

The purpose of agricultural districting is to encourage the continued use of farmland for agricultural production. The Program is based on a combination of landowner incentives and protections, all of which are designed to forestall the conversion of farmland to non-agricultural uses. Included in these benefits are preferential real property tax treatment (agricultural assessment and special benefit assessment), and protections against overly restrictive local laws, government funded acquisition or construction projects, and private nuisance suits involving agricultural practices. (NYS Ag and Markets website)

In Meredith, portions of Districts 4, 8 and 14 cover approximately 62% of the land in the town (Map 11).



Photo 10. Delhio Dairy Farm

Meredith is also part to two countywide initiatives to protect and enhance agriculture: the Delaware County Right-to-Farm Law and the Delaware County Agricultural and Farmland Protection Plan (DCAFPP). These documents were adopted by the Delaware County Board of Supervisors to emphasize the importance of agriculture not only to Meredith but also to the County as a whole. With similar safeguards as those provided to agricultural districts, the 1991 Right-to-Farm Law protects farmers and their activities and encourages agriculture as a desired land use. The Ag and Farmland Protection Plan was adopted in 2000 and sets forth goals and objectives for maintaining and furthering agriculture throughout Delaware County.

There are other avenues for protecting local agricultural in Meredith. A newly formed regional organization known as Farm Catskills! advocates establishing local land trusts financed in part through a real estate transfer tax of up to two percent imposed by the Town as well as the elimination or sharp reduction of the Town property tax on all farm-related structures on working farms.

◆ 3.2 – LAND USE MANAGEMENT IN A REGIONAL CONTEXT

Land (and water) is not only measured and managed at the local level but also statewide and regionally. Many people have come to realize over the past 30 years that how land is used in one area can have a broad range of impacts over areas far away. For example, while farmland in Meredith is not connected physically or politically to coastal land in Maryland, it is still connected by the water that flows between the two far-flung locales. As a result, the sediment that erodes from land in Meredith could

theoretically reach the Chesapeake Bay and have a harmful effect on the ecosystem of the blue crab.

In fact, the Town of Meredith is situated on the border of two great eastern watersheds, the Delaware River Watershed and the Susquehanna River Watershed (Map 5). As it happens, both of these watersheds - and the land within to some extent - are managed by entities far away from Meredith. The West Branch of the Delaware River flows into the Cannonsville Reservoir, which supplies water to more than 9 million residents of the New York City area. The New York City Department of Environmental Protection (DEP) is primarily charged with ensuring the quality of the drinking water from the Cannonsville. Other agencies that oversee the Delaware River Watershed include the New York State Department of Environmental Conservation, Delaware River Basin Commission, and the Army Corps of Engineers. On the northern side of town, several agencies oversee the Susquehanna River Watershed including the New York State DEC, the Susquehanna River Basin Commission and the Chesapeake Bay Program.

Delaware River Watershed (or New York City Watershed)

The Town of Meredith was one of the watershed municipalities to sign the 1997 New York City Watershed Memorandum of Agreement (MOA). According to DEP's website,

Signed on January 21, 1997, the Watershed Memorandum of Agreement unites the watershed communities, New York City, New York State, the EPA and environmentalists in support of an enhanced watershed protection program for the New York City drinking water supply. In the course of the negotiations among these parties, the concept of voluntary partnerships and locally-based watershed protection programs was expanded and has been formalized in the Agreement.

As part of the accord, municipalities agreed to several concessions regarding local land use decisions and to a land acquisition program sponsored by the City and DEP. The revised Watershed Rules and Regulations (WR&R) set forth a variety of controls to ensure water quality throughout the Watershed. Prohibitions were placed on the discharge of a host of materials, including: pathogens, hazardous substances and wastes, petroleum products, pesticides and human waste. Wastewater treatment and sewage systems, salt storage sheds, solid waste facilities, and construction sites disturbing more than two acres were also regulated. More important to Meredith, however, were regulations placed on septic systems. For example, septic systems within the New York City Watershed must meet more stringent placement and discharge criteria than those in the Susquehanna watershed which are regulated by the Department of Health. In practice, this has meant delays in getting septic systems in the ground and often higher costs to the landowner.

The City has also committed several hundred million dollars to fund an extensive land acquisition program within the Watershed. Land immediately surrounding the reservoirs and main stem rivers is of the highest priority for acquisition with land farther away being of less importance to the City. Watershed land acquisition is by outright purchase, or by purchase of conservation easements. On a willing seller-willing buyer basis, the City can buy land it considers sensitive. At that point, the City owns the property. A conservation easement, on the other hand, is an agreement between a landowner and the City that essentially limits development on the property in perpetuity, but allows the landowner to retain title to and use of the land. In both cases, the City pays some or all of the property tax on the land while the NYS Department of Environmental Conservation (DEC) owns the easement. To date, the City has done two acquisitions for a total of 98.5 acres and one easement for 127 acres in Meredith. In the future, the City will undoubtedly seek to acquire more parcels under their land acquisition program. If the City were to challenge reassessment on their parcels to lower their tax burden, the Town might face revenue shortfalls from the growing number of City-owned properties.

The Watershed Agricultural Council (WAC) manages a separate City-funded acquisition program. Primarily seeking easements on agricultural parcels, WAC acts outside the public realm in that the municipality is not consulted during the easement process and is only informed in a cursory manner, if at all. Unlike a DEP easement, no public hearing is held on a WAC easement. There are currently five WAC easements in Meredith on a total of 623 acres and it is hoped that WAC is more open in the future to ensure the Town's input is received during the easement process.

In response to the MOA, the County Board of Supervisors adopted the Delaware County Action Plan (DCAP) in 1999. DCAP is a comprehensive, locally-based strategy for watershed protection. DCAP's mission is to assist the county's residents, farmers, businesses and communities in meeting DEP water quality objectives without loss of opportunities for economic vitality. The Plan addresses: stormwater and drainage management, farm nutrient management, septic systems and septage disposal, and erosion control and phosphorus reduction through stream corridor protection and rehabilitation. DCAP and its partners provide Meredith with a variety of on-farm management plans, the establishment of septic management districts, stream measurement and rehabilitation work, and highway management plans. These programs all have dual benefits. For the City, water quality is maintained or improved. For the Town of Meredith, the local environment is protected, the health of residents is ensured and Town expenditures can be targeted to provide the maximum benefit to the taxpayer.

The Delaware River Basin Commission (DRBC) is concerned with watershed management along the entire length of the Delaware River. This includes the West Branch of the Delaware River and its tributaries in the Town of Meredith. The Commission was created by interstate compact in 1961 and includes the following

component programs: water quality protection, water supply allocation, regulatory review and the issuance of permits, water conservation initiatives, watershed planning, drought management, flood control, and recreation. While primarily concerned with large water users and wastewater generators, it is anticipated that the DRBC may in the future become more heavily involved in the agricultural and residential water sectors.

Susquehanna River Watershed

Although several organizations oversee the Chesapeake Bay Watershed, which includes the Susquehanna River and Ouleout Creek, no umbrella agreement like the NYC Watershed Agreement exists between these organizations and the affected municipalities. As a result, municipalities like Meredith must be aware of what these organizations are doing and be proactive in preparing for more stringent watershed management in the coming years.

Besides the DEP and its watershed oversight, the DEC is primarily responsible for ensuring the health of watersheds in New York State. To that end, DEC responsibilities include: implementing federal watershed protection regulations, acting as a funding conduit between the federal government and local municipalities, assessing and characterizing watersheds and stream reaches, and developing TMDLs (Total Maximum Daily Load) for pollutant allocations. For example, DEC had listed the East Sidney Reservoir as an impaired waterbody under the federal Clean Water Act 303d program in 1998. The reservoir has since been 'delisted', but if it had remained impaired, the DEC would have developed a TMDL for it which would have required reductions of such pollutants as phosphorus or sediment, and affected land use around Ouleout Creek in Meredith, the primary contributing stream to the Reservoir.

The Susquehanna River Basin Commission (SRBC) oversees water management along the length of the Susquehanna River. The Commission was created by interstate compact in 1970 and is primarily interested in flood management and water consumption on the Susquehanna and its tributary streams. The SRBC also charges water withdrawal fees in some instances to the users of water from the Susquehanna. Some golf courses and businesses pay yearly fees to the SRBC for the water they use because they do not have adequate onsite water storage to meet their demand. Agricultural water users are currently exempt from this provision; however, there is no guarantee that this will remain the case in the future. Through its flood management program, the Commission also maintains a network of monitoring stations along the main stem of the Susquehanna.

Along with the SRBC, the partners of the Chesapeake Bay Program (CBP) monitor various parts of the Susquehanna River and some tributaries to the Chesapeake Bay. The CBP is an interagency partnership managed by the Environmental Protection Agency (EPA) to protect the health of the Bay ecosystem. Among its many watershed management programs, the CBP is currently in the process of specifying contaminant

reduction goals to member states, to limit the amounts of certain pollutants a state could discharge to the Chesapeake and its tributaries. The impact to Meredith residents of such an allocation could be increased costs to homeowners and farmers to pay for the pollutant reduction.

However, as with the NYC Watershed, Meredith can turn to the County and the Delaware County Action Plan (DCAP) for assistance in dealing with water quality and watershed management concerns. All of the DCAP programs mentioned previously are directly applicable to areas outside of the NYC Watershed. Farms plans, like those currently being developed by the Soil and Water Conservation District, and highway management plans are proactive ways to locally enhance water quality and preserve a viable economic existence whether through agriculture or other means.

◆ New York State Department of Environmental Conservation - Phase II for Construction Sites

A new statewide program that will affect land use management in Meredith is the Phase II requirement for stormwater from small construction sites. Phase II is an outgrowth of federal Clean Water Act legislation and is overseen in New York by the DEC. The regulations are designed to reduce non-point source pollution from construction sites larger than one acre. For example, during a rainstorm or snowmelt, water runs across the surface of the land and picks up sediment and other contaminants that are eventually deposited in a receiving waterbody. The waterbody is often degraded by that deposition.

In Meredith, for any project that disturbs greater than one acre of land, the applicant/builder must file a Notice of Intent informing the DEC about the project and complete a set of plans for erosion and sediment control that are designed to reduce runoff from the site. Agricultural activities are exempt; they do not need to file a Notice or have plans. All other activities such as site clearance for building, septic siting, grading and filling, etc., are subject to the permit. Failure to comply with the requirements of the permit could result in heavy fines. As a result, it is in the best interest of applicants to become informed about the Phase II permit process directly from the DEC.

Fortunately for Meredith residents, DCAP also addresses stormwater and floodplain management. By preparing a municipal stormwater management plan for a hamlet, a sourcewater protection plan for public well and spring systems, or a highway management plan, Meredith can reduce stormwater runoff from impervious surfaces throughout the Town and protect the health and well-being of its residents.

◆ 3.3 – CONCLUSIONS

Land use is measured and managed at different levels. On the local level, the Town can track land use by parcel or permit, and set forth regulations to describe how the land can be used. These processes are well established in Meredith, although some of them, particularly the Town's Subdivision Regulations, are being updated.

At the regional and watershed level, the rules and regulations are made elsewhere while the effects, often economic, are felt at the local level. However, the Town can practice watershed management locally by actively taking part in programs offered through the Delaware County Action Plan. The outcomes of these cost-effective programs improve water quality and public health and welfare while reducing Town expenditures at the same time.



Photo 11. Along Catskill Turnpike