

# **Draft Comprehensive Plan For The Town of Smithville, Chenango County, New York**

DRAFT

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## Table of Contents

<b>1 Introduction</b>	
1.1 What is a Comprehensive Plan	
1.2 Benefits of a Comprehensive Plan	
<b>2. Profile of the Town of Smithville</b>	
2.1 Location	
2.2 History	
2.3 Historic Sites	
2.4 Geology & Soil	
2.5 Topography	
2.6 Water Resources	
2.7 Land Use	
2.8 Population & Demographics	
2.9 Employment	
2.10 Housing	
2.11 Transportation	
2.12 Education	
2.13 Parks and Recreation	
2.14 Available Technology	
2.15 Fire and Emergency Services	
2.16 Results of Community Survey	
<b>3.0 Items for Consideration and Goals</b>	
3.1 Mission Statement of the Town of Smithville	

## 1 Introduction

### 1.1 What is a Comprehensive Plan?

A **comprehensive plan** is a document developed by a municipality to describe a shared vision for the community's future. It is the culmination of a process of gathering information, soliciting public opinion via surveys and public meetings, and distilling it all into a plan that sets out objectives, policies, and standards to guide future growth and development. Municipal boards and agencies use comprehensive plans to make decisions about land use and to prioritize public investment and the extension of public services.

A **comprehensive plan is not** a law. The Town Board must enact an ordinance adopting the comprehensive plan in order to make the guidelines and recommendations it contains official. Once that has been done, New York State statute [Town Law § 272-a] requires that “all municipal land use regulations must be in accordance with the comprehensive plan, and also that all plans for capital projects of another government agency on land included in the comprehensive plan shall take the plan into consideration.”

In order to bring about the future envisioned in the Comprehensive Plan, municipal leaders must be familiar with the Plan, use the implementation section, and enact the regulations needed to achieve the goals.

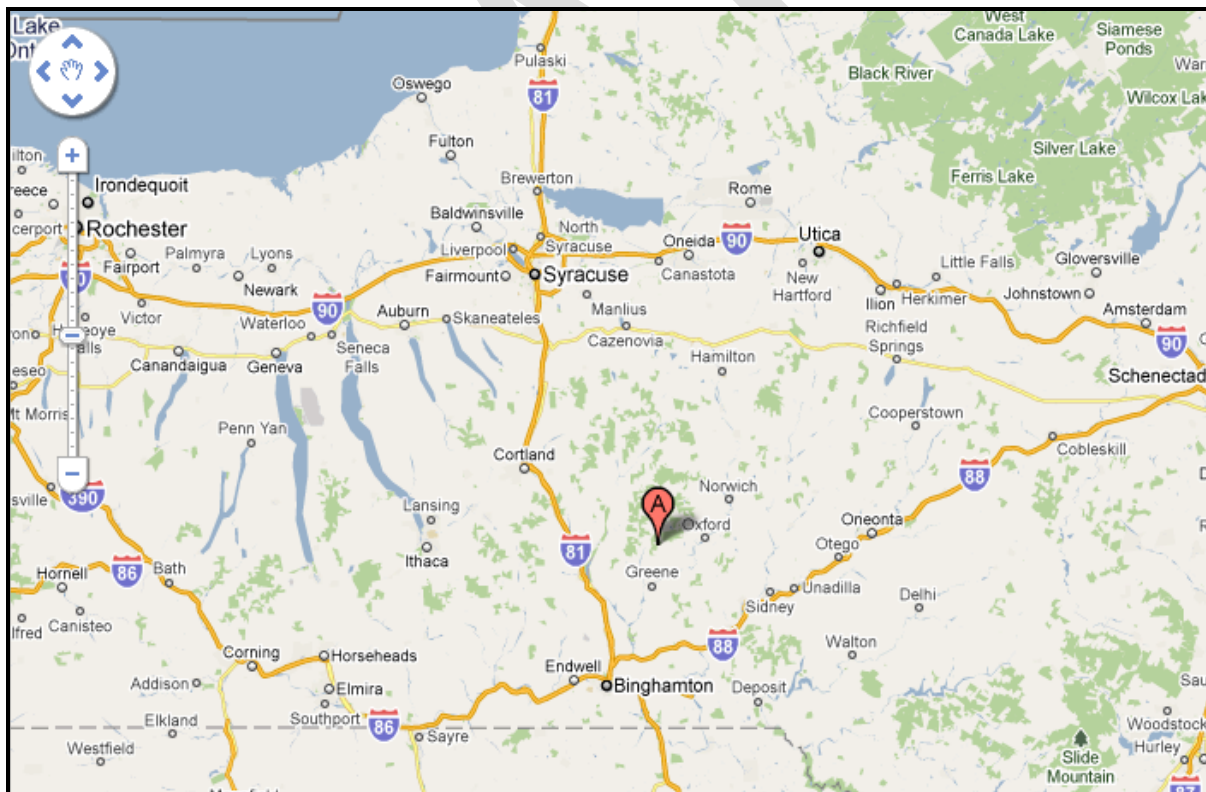
### 1.2 Benefits of a Comprehensive Plan

1. **Strengthens local control** – according to New York State law, other government agencies must defer to the community goals and standards for local development set forth in a legally adopted Comprehensive Plan. The Comprehensive Plan can help a community resist the imposition of unwanted uses of the town by outside authorities.
2. **Proactive** – a Comprehensive Plan provides a roadmap to a desirable future, and helps communities identify and resolve issues early, before they become intractable problems.
3. **Saves money** – a Comprehensive Plan promotes more efficient development and makes coordination between municipal departments and sharing of services between jurisdictions simpler.
4. **Promotes economic development** – a legally adopted Comprehensive Plan helps communities attract business, support and retain existing businesses, and makes the community eligible for many state and federal grants.
5. **Protects community character** – a Comprehensive Plan is a tool to help preserve the things residents value most about their community, while it promotes growth and development.

## 2. Profile of the Town of Smithville

### 2.1 Location

The Town of Smithville is comprised of 50.8 square miles (32,512 acres) in the southwestern part of Chenango County. The town is five miles from the Village of Greene, 25 miles north of Binghamton and 20 south of Norwich, the county seat of Chenango County. There are no villages within the town, but there are three hamlets wherein some of the population is concentrated. The largest is Smithville Flats in the western part of the town. The two smaller hamlets are Smithville Center in the central part, and Tyner in the eastern part of the town. Many residents of the town work, shop, and conduct other business in Greene, Norwich, and Binghamton. The western part of the town is only approximately 10 miles from a connection with Interstate 81, which is a North-South route between the southern United States and the Canadian border. On the eastern border, State Route 12 provides access to both Binghamton and Norwich, as well as on to Utica and the Adirondack Mountains. State Route 41 is a scenic route that passes through Smithville Flats and the Finger Lakes area and diagonally connects Route 17 and the NYS Thruway. (The following New York State map shows the location of the Town of Smithville, marked with the letter “A.”)



## 2.2 History

Chenango County and northern Broome County were once considered a buffer zone between the Oneida-Iroquois of New York and the Susquehanna-Iroquois of Pennsylvania. Game was plentiful in the buffer zone, but few — if any — permanent camps were established there.

The Oneida supported the British during the Revolutionary War. As penalty for siding with the British, the Oneidas were forced to cede this buffer zone to New York State by Governor George Clinton as part of the Treaty of September 22, 1778.

In 1798, Joseph Agard and Major Sheldon of Connecticut settled in a hunting cabin in Smithville with their families. This cabin had been built the previous year by Robert Lyttle on the banks of Genegantslet Creek, and upon a meadow plot that they called the “Big Flats.” The first winter on the Big Flats was a severe one, and the group of 15 struggled to survive. In the spring, they were able to plant crops and develop agriculture. Gradually, more pioneers joined them and the settlement began to increase in population. In around 1799, Edward Loomis moved from Massachusetts to the eastern part of the town and proceeded to build the first road there, which joined Oxford with Smithville Flats. The first school was established by Samuel Askeels in 1802.

As the population of the small settlement grew, the settlers began to discuss establishing a town. In March of 1808, the residents held meetings, the results of which were the appropriation of a portion of the Town of Greene, and the subsequent formation of a new town, which included the settlements at Big Flats and at Ludlow Creek. It was named Smithville after Elisha Smith, the first agent located on the Chenango Triangle, under the Hornby Estate.

According to the *1880 History of Chenango and Madison Counties* there were four churches in Smithville Flats at that time: Baptist, Universalist, Methodist Episcopal, and Presbyterian. There was also a Union Free School, two hotels, a flour mill, a grist, a combined saw and planing mill, a steam saw mill, two wagon shops, a cabinet shop, three blacksmith shops, a harness and shoe shop, two cooper shops, two shoe shops, three general merchandise shops, two druggist shops, a grocery store, and a cheese factory. There were two physicians in town at that time. The Genegantslet Volunteer Fire Company was organized in 1864, and continues to protect the property of the town. The first Post Office in Smithville Flats was established in the early 1800s.

East Smithville, where Edward Loomis settled around 1812, is near the junction of Ludlow and Bowman Creeks, which together furnish a moderate source of water-power. The first store in East Smithville opened around 1829. Later there was a church, a district school, a saw mill, grist and planing mill, a creamery, a blacksmith shop, a shoe shop, and a carding mill. A Post Office was established in 1881, but it was discontinued in 1900.

## 2.3 Historic Sites

The following is a partial list of existing historic resources significant to the history and development of the area. It should be noted that this list does not include all the buildings of attractive, time-honored character in the town, but is rather a list of those with documented historic significance. Many other homes, commercial buildings, farmhouses and outbuildings also contribute to the town's quaint appearance.



**2.3.1 Community Center** – built as a Universalist church in 1842. Post and beam construction enclosed one large, open room with a balcony. In 1916, the Smithville Valley Grange purchased the property, removed the balcony, and added a floor to make it a two-story building. The Grange held meetings, dances, and other community events there. In the 1990s, the Grange had only a few members left, and could no longer afford the upkeep of the building; they deeded it to the Town of Smithville under the stipulation that the group could continue to hold their meetings there. Community members, along with members of the Smithville Historical Society, raised the money to restore the old church building and convert it to a community center. An addition at the building's rear, also of post and beam construction, houses the town offices.





**2.3.2 Seeber's Tavern** – (formerly Smithville House) – built in the 1850s by Erastus Agard, son of one of the initial settlers. It has a long history of owners and proprietors and continues to operate as a tavern.



### **2.3.3 Whitehall** – located on Route 41 opposite post office – private residence

The original components of this mansion were erected in 1818. Whitehall is one of the genuine pieces of residential antiquity in this part of the countryside. The house is of Italianate style, with some Greek revival elements, and measures 47 feet wide, 70 feet deep, and 26 feet high to the eaves with an additional 14 feet for the roof and 9 feet for the cupola, for a total height of 51 feet. The 169 spindle Honduras mahogany stairwell begins on the first floor and ends at the fourth floor widow's walk. The basic building is of post and beam construction with mortise and tenon joints pinned together and cross braced. Some of the beams are approximately 8 inches by 8 inches by 45-plus feet long, all from a single piece of wood.

**2.3.4 Maplehurst** – moved in 1999 to its present location on the northern edge of Smithville Flats at the junction of Routes 41 and 220. It is a three-story Victorian house built in the 1870s. In the early 1900s, it became “Maplehurst Lodge” – a hunter's delight, specializing in the sport of hunting partridge, woodcock, squirrel, grouse, rabbit, and fox that was heavily advertised in New York City. Formerly located across the street from today's community center, the building has been vacant for many years.

**2.3.5 Former Grange Hall in Tyner** – The Grange in Tyner was organized in 1884 and the Grange Hall was built in 1894. The Grange discontinued in 1903. The building still stands and has been used for several purposes over the years, such as dance hall, community center, and so



on. After the Flood of 1935, which washed away the church, the Grange Hall was used as a church for a time.



**2.3.6 Methodist Church in Smithville Center** – built in 1840, it is still used for church services and fundraising projects, such as ice cream socials and bazaars. It has been renovated over the years to keep up with the times; the latest update provides accessibility for the handicapped.

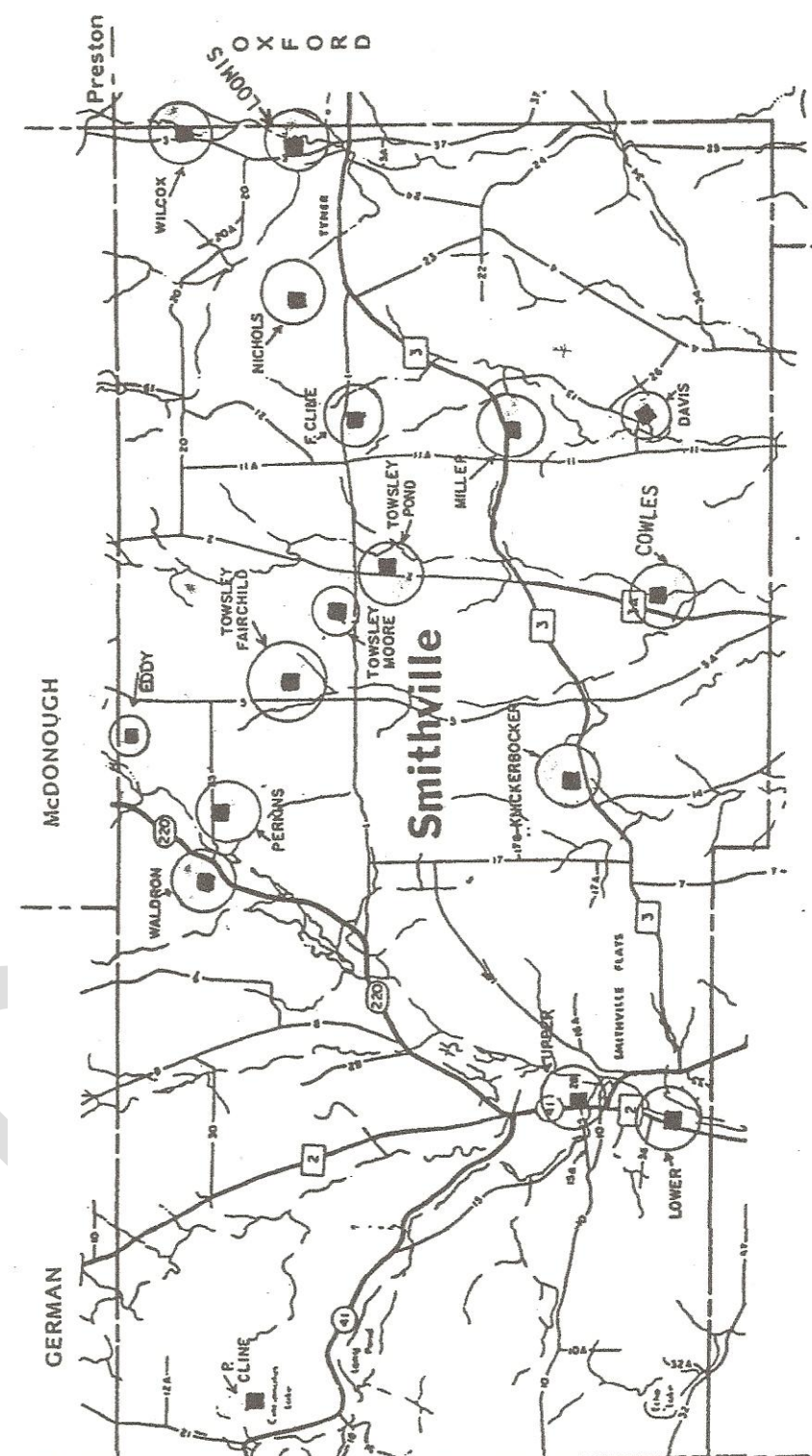


**2.3.7 The Grange Hall in Smithville Center** – built in 1892, it is still used for Grange meetings during warm-weather months. (During the winter, meetings are held at members homes as the building lacks central heating.) It has also been used as polling place for residents on that side of town.

**2.3.8 Schoolhouses** – In 1877, there were 13 school districts in the Town of Smithville, serving 476 school-age children. In 1878, districts 1 and 13 combined to form the Smithville Union School and Academy in the hamlet of Smithville Flats. From 1920 to 1925, three years of high school courses were offered. In 1941, the Smithville School District and the Greene School District centralized; the small district one-room schools in the area were closed. Smithville Flats students in first through sixth grade, continued to attend school at the building in Smithville Flats, which was originally constructed in 1906 and is now a private residence.

### **2.3.9 Cemeteries**

The cemeteries are listed on the Town Tax Rolls as exempt properties. The only cemeteries still active are the Upper Cemetery and the Maple Grove Cemeteries in Smithville Flats.





Cline, F. Cemetery <sup>2</sup>	422543N 0754215W	<a href="#">Map</a>		Frederick Cline – Stone Quarry Road, on a farm
Cline, P. Cemetery <sup>2</sup>	422610N 0755110W	<a href="#">Map</a>		Cincinnati Lake – Route 41
Clobridge				Tucker Road
Cowles Cemetery	422406N 0754345W	<a href="#">Map</a>		Co. Rd. 3A
Davis Cemetery <sup>2</sup>	422610N 0755110W	<a href="#">Map</a>		Off of Pollard Road, in the woods
Dingman Farm Plot	See Davis Cemetery			
Eddy Cemetery <sup>2</sup>	422714N 0754524W	<a href="#">Map</a>		Off of Waldon Road
Fairchild Cemetery <sup>2</sup>	See Towsley-Fairchild Cemetery			
Knickerbocker Cemetery <sup>2</sup>	422359N 0754531W	<a href="#">Map</a>	<a href="#">Info</a>	Co. Rd. 3
Loomis Cemetery	422606N 0753953W	<a href="#">Map</a>		North Tyner Road
Lower Smithville Flts Cemetery <sup>2</sup>	422320N 0754828W	<a href="#">Map</a>		
Maple Grove Cemetery	See Lower Smithville Flats Cemetery			Co. Rd. 2
Miller Cemetery	422439N 0754224W	<a href="#">Map</a>		Co. Rd. 3
Moore Cemetery <sup>2</sup>	See Towsley-Moore Cemetery			
Nichols Cemetery <sup>2</sup>	422612N 0754131W	<a href="#">Map</a>	<a href="#">Info</a>	Stone Quarry Road – Co. Rd. 3
Perkins Cemetery <sup>2</sup>	422626N 0754557W	<a href="#">Map</a>	<a href="#">Info</a>	Art Lake Road
Perkins Farm Cemetery	See Nichols Cemetery			
Pond Cemetery	See Towsley-Pond Cemetery			Ponds Corners – Hammerle Road
Skillman Cemetery	See Waldron Cemetery			
Smithville Flats Cemetery	See Upper Smithville Flats Cemetery			
Towsley-Fairchild Cemetery <sup>2</sup>	422600N 0754451W	<a href="#">Map</a>		Waldon Road
Towsley-Moore Cemetery <sup>2</sup>	422540N 0754357W	<a href="#">Map</a>		
Towsley-Pond Cemetery	422522N 0754343W	<a href="#">Map</a>		Stone Quarry Road
Upper Smithville Flts Cemetery <sup>2</sup>	422356N 0754827W	<a href="#">Map</a>		Smithville Flats, Upper Cemetery – Route 41
Upper Tyner Cemetery	See Willcox Cemetery			
Waldron Cemetery <sup>2</sup>	422525N 0754707W	<a href="#">Map</a>		Route 220
Willcox Cemetery	422639N 0753953W	<a href="#">Map</a>	<a href="#">Info</a>	North Tyner Road

## 2.4 Geology & Soil

The town is underlain by the rocks of the Chemung and Catskill groups. Two miles northeast of Smithville Flats is a quarry, reputed to have been the best of its kind in the State. The exposed stone appears to have separated from the mass of which the hillside is composed, in huge longitudinal dykes parallel with the hill. Transverse seams divide these dykes into cubes 12 to 20 feet in length. The stone quarried was uniform in thickness, and all that could be desired as to color and surface. Massive slabs were taken out, some of them measuring 10 to 20 feet and weighing nearly half a ton each. Stone was shipped in large quantities to various parts of the state by rail. The quarry at this site remains active, while two others have been closed.

Most of the soils in Smithville and in the broader area of Chenango County are (with the exception of glacial outwash deposits in the valleys of major streams) of poor quality as evidenced by the gradual diminution of farming activity over the last century. This is due in part to the nature of the materials deposited upon the bedrock by glaciers. Surface exposures of bedrock are not common in Smithville, but excavation and drilling projects have indicated that the near-surface rocks are of the Upper Devonian sequence of terrigenous clastics (sandstones, siltstones, and shales), deposited in marginal to non-marine environments. Thus, some units were quarried for building materials. Rocks in the sedimentary sequence below the Devonian may hold some potential for natural gas production.

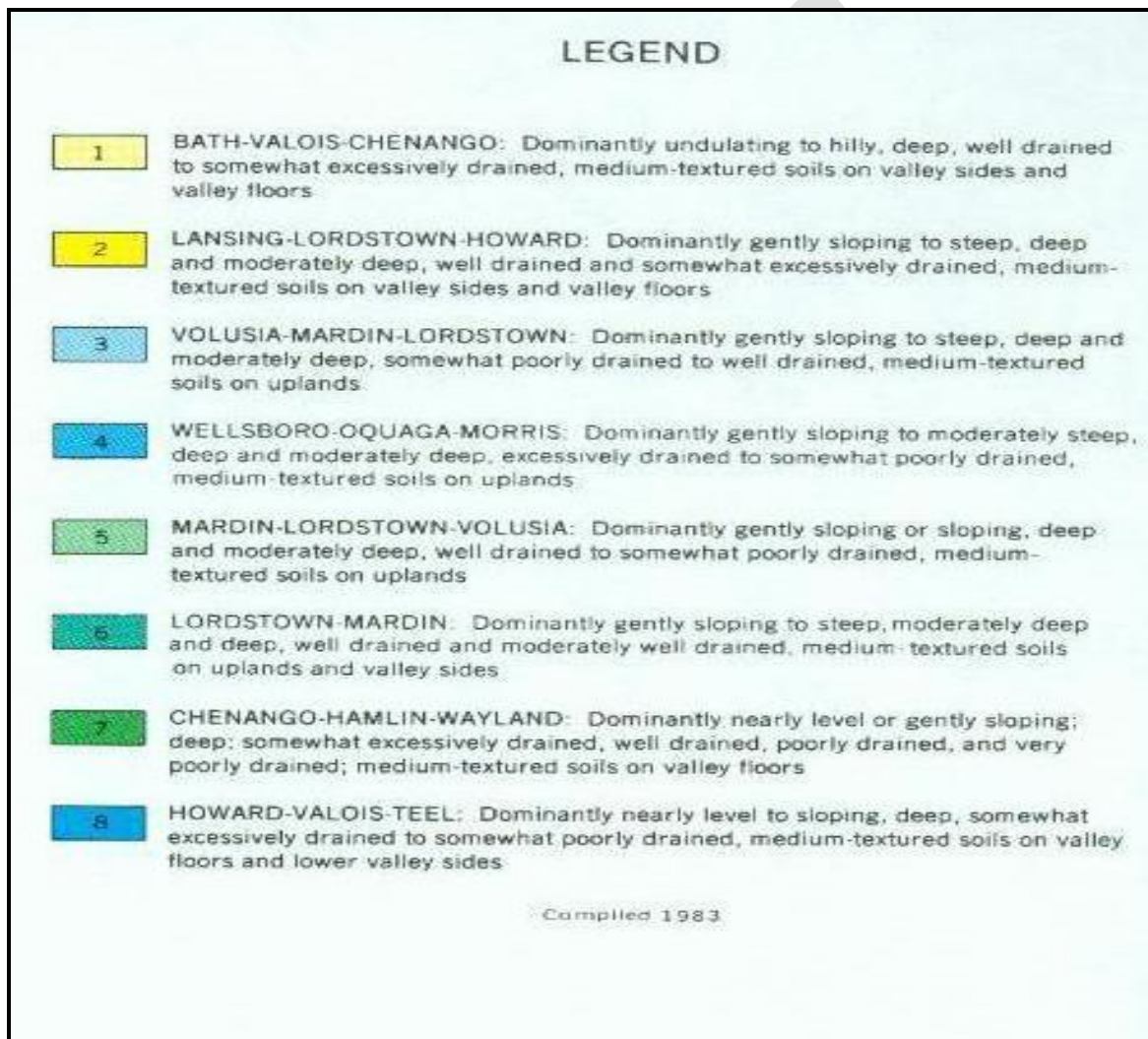
Over a period of 13 years, some drilling was done on the hills just east of Smithville Flats by a small mining company from Pennsylvania. In 1964, a few wells were found to produce natural gas. These wells have been producing natural gas for use by the property owners in that area since.

Glacial ice sheets advanced and retreated across Smithville many times during the Pleistocene and each modified the land surface and the drainage. The predominant features of the land and the glacial deposits upon it resulted from the last or Wisconsin period, which ended in the area about 12,000 years ago. At its maximum, the ice sheet seems to have been several thousand feet thick and where it did not erode them, greatly compressed unconsolidated materials over which it flowed. Glacial ice entrains a large amount of rock and rock debris; and when a glacier retreats (melts in place,) materials are deposited to form what is called ground moraine. Most of the local soils consist of slightly weathered ground moraine, a mixture of materials ranging in size from boulders to clays. The presence of boulders and cobbles is attested to by the many picturesque stone walls that border the rural roads and were built, stone by stone, of rocks hauled from plowed fields. An abundance of clay-sized particles contribute to the area's generally poor agricultural soils. Ground moraine represents one consequence of glacial deposition in the area; the second result is the presence of flowing water, which was generated by huge volumes of

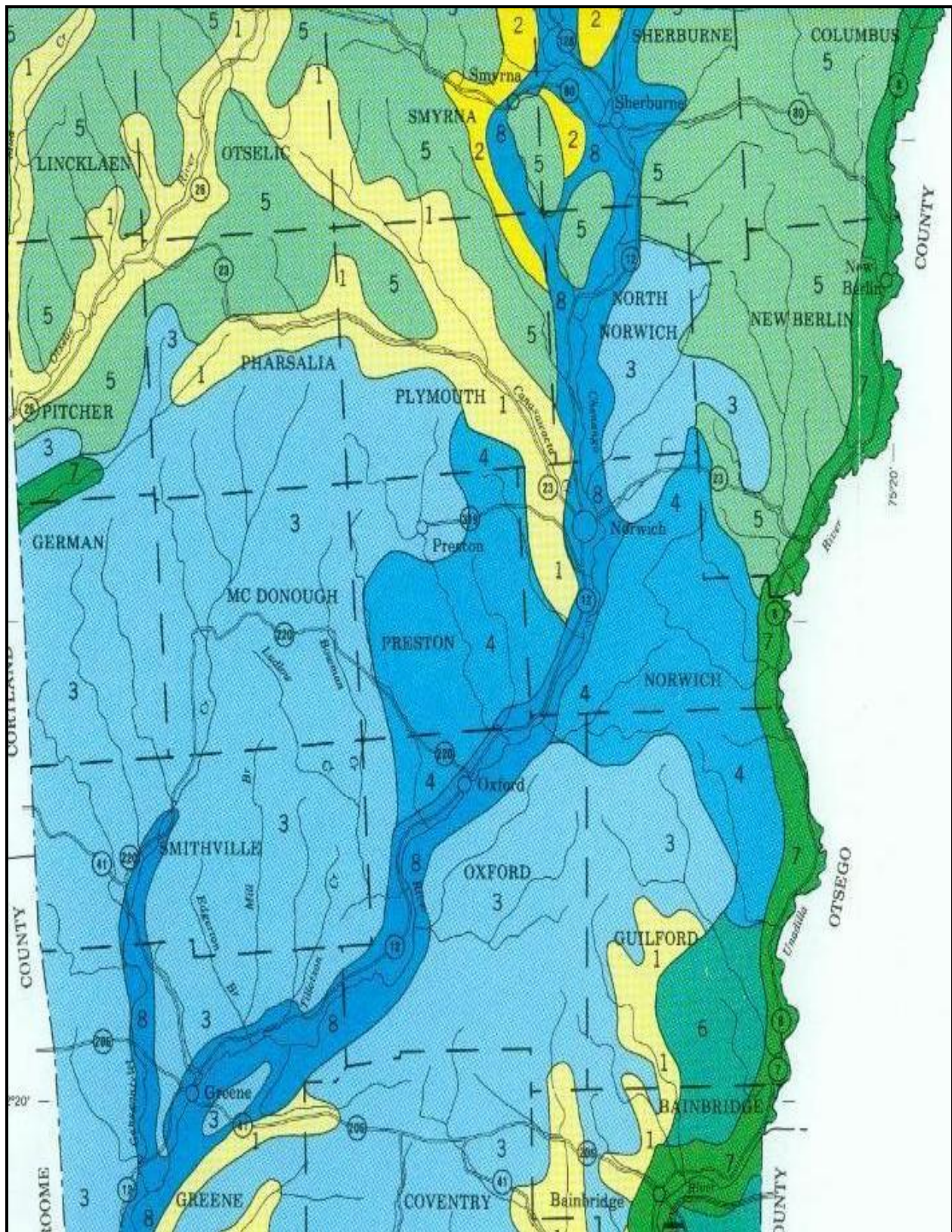


melting ice. As this water flows across ground moraine, it transports material once entrained in the ice, sorts particles in a size and density-wise manner and spreads them across large areas called outwash plains. Significant areas of outwash occur in Smithville along Genegantslet Creek, where the best agricultural soils in town are found.

## Geological Map of Surrounding Area







## 2.5 Topography

The surface is broken and hilly, and forms high ridges by the deep and generally narrow valleys of the numerous streams that cross the town, flowing toward the Chenango River in a North-South manner. Originally the town was thoroughly timbered with pine and hemlock in groves, interspersed all throughout the town with sugar maple, beech, elm, birch, basswood, poplar, iron wood, oak and hickory — which were scarce — and chestnut upon some of the ridges. In 1824, there were no fewer than 10 sawmills in the town.

Due in large part to glacial erosion and deposition, Smithville displays local relief of several hundred feet. The lowest point — at an elevation of approximately 1,028 feet — occurs where the Genegantslet Creek leaves the town. The highest — at an elevation of 1,659 feet — lies at the southeast corner of Spruce Swamp. Between these extremes, the land is mountainous, and forms several steep slopes. Drainage is generally dendritic, though streams flowing in a primarily North-South direction predominate, likely as a result of glacial erosion. Drainage is not yet fully integrated and a number of small wetlands remain in upland areas due to thick deposits of ground moraine.

## 2.6 Water Resources

### 2.6.1 Lakes and Ponds:

**2.6.1.1 Echo Lake**— located on Echo Lake Road, off of Genegantslet Road, south of Smithville Flats. In the early 1800s, it was called Bragg's Pond and considered a part of two different farms. The name was later changed to Echo Lake. The natural lake was formed by glaciation and is 60 to 66 acres in area, and approximately 30 feet at it's deepest. Lakefront properties are privately owned (there are now 45 lots), and are assessed individually.

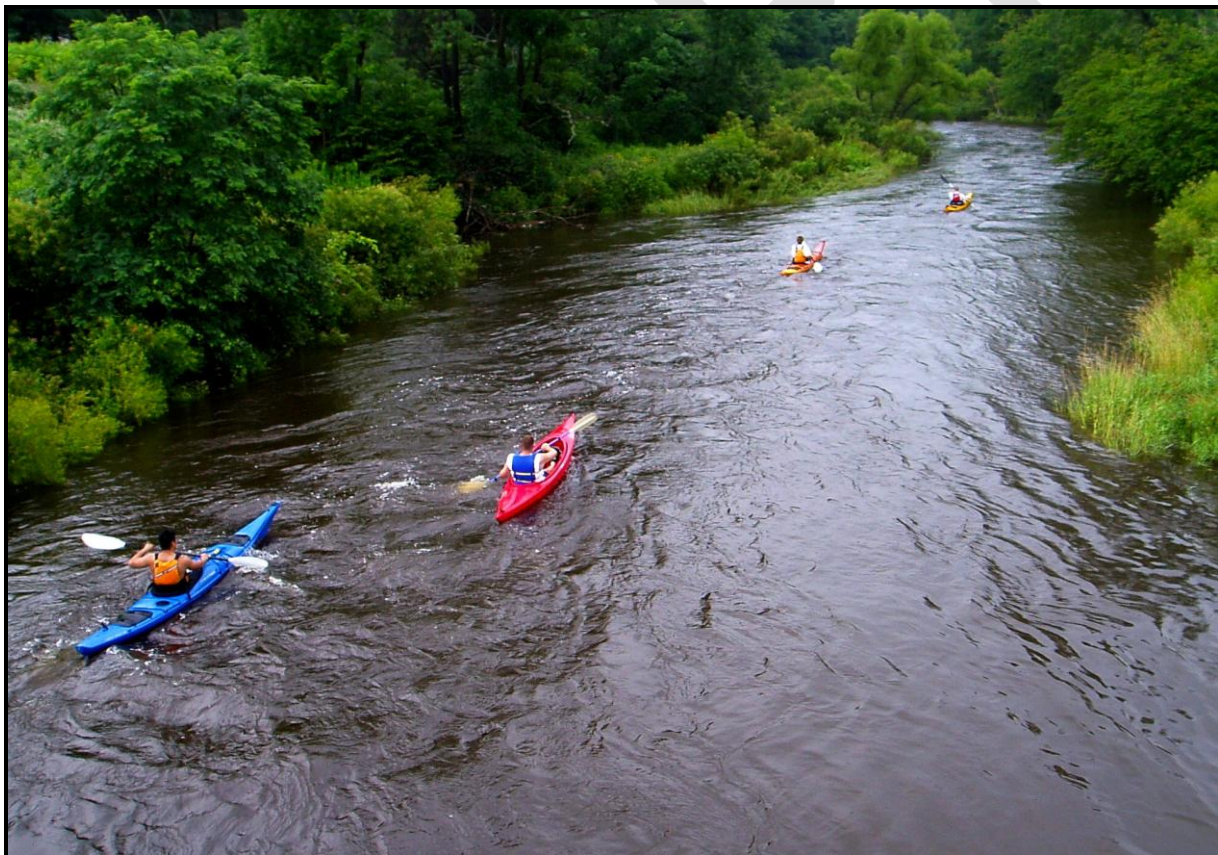
**2.6.1.2 Round Pond** – located approximately one mile south of Long Pond — is part of Long Pond State Forest — and created by a glacial ice deposit. A 28-acre natural body of water with no dykes or water-control devices.

**2.6.1.3 Long Pond** – located on Rte 41 east of Smithville Flats - a part of Long Pond State Forest - a day-use and camping facility. Was originally a small pond used for watering the cows of Tarbell Farms. In 1805, a saw mill was built on the edge of Long Pond. There was an earthenworks dam which held back the water for this purpose. When the dam collapsed on the evening of July 7, 1935, all the water from Cincinnatus Lake and the Tarbell farms pond converged sending a wall of water down Pond Creek into Smithville Flats, causing much damage. The dam which washed out on Cincinnatus Lake was not replaced until 1968. The dam at the southern end of Long Pond to control the water there, is in the Long Pond State Forest area and was replaced by the State. Long Pond contains approximately 117 acres of water. The concrete dam and spillway was reconstructed in 1989, with a walkway over the dam for



pedestrian use. A boat launching site is located on the west end. Year-round fishing is popular and the pond is periodically stocked with tiger musky and occasionally muskellunge.

**2.6.1.4 Cincinnatus Lake** – located on Route 41, west of Smithville Flats, and outside the NYS Forest area. Approximately 60 percent of the lake is in the Town of Smithville, and 40 percent is in the Town of Willet, in Cortland County. It is fed by streams and springs. The dam, which was constructed to raise the water level, washed out during the Flood of 1935 and was not replaced until 1968. Between 1935 and 1968, Cincinnatus Lake was smaller and the water level much lower, which left some of the previous lake area a swamp. Local residents were instrumental in replacing the dam, the cost of which was divided among the landowners and the Soil Conservation Service. The land on which the dam was built is a privately owned, tax-exempt property. The Town of Smithville is responsible for dam maintenance and the US Department of Agriculture is responsible for inspections there. When the dam was replaced, the “Cincinnatus Small Watershed Protection District” was organized with a five member Board of Directors appointed by the Town Board of Smithville.



## 2.6.2 Streams

The principal streams are the Genegantslet (pictured above) and Ludlow Creeks. The Genegantslet flows through the Town slightly west of center. Ludlow Creek flows along the

eastern border. Both empty into the Chenango River. Red Brook, Strong Brook, and Five Stream Creek are located north of Smithville Flats, and empty into the Genegantslet. Other streams in the Town of Smithville are Edgerton Brook, Kedron Brook, Tillotson Creek, Bowman Creek, and Spring Brook.

Streams are valuable to the town, not only as necessary waterways, but also as scenic and recreational resources.

### **2.6.3 Aquifers**

Aquifers in the area are of two kinds. Most productive — and therefore most important — are those that occur in areas of glacial outwash where there are accumulations of shallow or surficial and highly permeable deposits of glacial outwash. In Smithville, they are almost exclusively found in the Genegantslet Creek valley. These aquifers can produce water volumes suitable for industry, irrigated agriculture, and village, town, or even city water supplies. Because of position near the surface and high permeability, they are very susceptible to pollution from industrial or agricultural wastes and poorly designed solid waste disposal sites.

The second type of aquifer is located at depth, usually in bedrock. In most cases these aquifers produce small volumes of water from the more permeable rock layers at relatively shallow depths. Productivity is generally measured in gallons per minute. Four to five gallons per minute is generally sufficient to provide for an average household. Water produced from aquifers of this kind varies in quality depending on the composition of the producing rock formation. Common problems are “hard water” (high levels of calcium and magnesium); high levels of ferrous iron, which oxidizes upon exposure to air forming rust and discoloring the water; high levels of sulfates, which makes water smell bad; and high levels of radon gas (a radiation health hazard).

Aquifers are recharged by surface water percolating downward through the soil. Too much extraction of groundwater or too much improper development can reduce the amount of available water in the aquifers, while improper disposal of wastes could pollute them. Careful planning is necessary to preserve the resource value of these critical areas.

### **2.6.4 Rural Water Supply**

The depth to a sufficient flow of potable water puts a limit on the amount and density of development that may be possible outside of a municipal water service area. In general, the higher the elevation of the property, the lower the well yield, and the greater the depth of well required to reach water. New wells and even deep-road cuts have been known to cause nearby wells at higher elevations to go dry. Before any large-scale development is approved, a study may be required to determine how much development can take place without negatively impacting the water supply for existing homes and businesses.



### **2.6.5 Susquehanna River Basin Commission**

Because the Chenango River is a tributary to the Susquehanna River, its watershed is within the jurisdiction of the Susquehanna River Basin Commission (SRBC), a Harrisburg, Penn.-based agency created by the federal government to coordinate management of the interstate water resources of the Susquehanna River basin. Within the basin — and therefore, within the Town of Smithville — the SRBC has the power to:

- review and approve flood control projects
- establish flood warning systems
- inventory and manage water resources
- monitor water quality
- develop water supply storage and release programs
- regulate water consumptive uses
- regulate releases of water to protect fisheries and recreational uses, and to ensure future availability of flows to the Chesapeake Bay

## **2.7 Land Use**

### **2.7.1 State Land**

After the Revolutionary War, an increased demand for land encouraged westward expansion. Up to 91 percent of the town's woodlands had been cleared for cultivation or pasture. Early farming efforts were met with limited success. As the less fertile soils proved unproductive, farms were abandoned and settlement was attempted elsewhere. Poor soil conditions, as well as other factors limiting the profitability of agriculture, resulted in high rates of farm abandonment in Chenango County. Subsequently, the region became an early focus of state land acquisition efforts. In 1931, 5,109 acres of state reforestation had been acquired in Chenango County and an additional 10,749 acres were under contract for acquisition at a price of \$3.08 per acre. The State Reforestation Law of 1929 and the Hewitt Amendment of 1931 provided the legislation that authorized the Conservation Department to acquire land by gift or purchase for reforestation areas.

Forest Districts were established in 1930, and the task of land acquisition and reforestation began. In 1933, the Civilian Conservation Corps (CCC) was formed.

Thousands of young men were assigned to plant millions of trees on the newly acquired State Forest lands. In addition to planting trees, these men were engaged in road and trail-building, erosion control, watershed restoration, and forest protection, among other projects. Tucker Road, originally built by the CCC as a truck trail along the Ludlow Creek Bridge, was eventually deeded to the Town of Smithville, and continues to be maintained as a town road.

Of the Town of Smithville's 32,512 total acres, approximately 8,413 (or 25.88 percent) are designated for public use as state forests and recreation. At present, the state assesses those properties and pays taxes to the Town of Smithville at the current tax rate.

**2.7.1.1 Long Pond State Forest Management Plan** covers an area on the west side of the Town of Smithville as well as an area on the eastside of the Town of Triangle in Broome County. The total acreage is 3,915 acres (3,254 in the Town of Smithville and 661 acres in the Town of Triangle). The unit derives its name from Long Pond, a 117-acre pond located within the State Forest Unit. Round Pond, created by glacial ice deposit, is a 28-acre body of water that lies about one mile south of Long Pond, and is also part of the unit. (A full description is included in this Management Plan.)

**2.7.1.2 The McDonough Management Unit** consists of four State Forests and one State Park. (Bowman Creek State Forest and Bowman Lake State Park are not in the Town of Smithville.) Partially within the Town of Smithville and the Town of McDonough are Ludlow Creek State Forest and Genegantslet State Forest.

Both management plans have been developed within the constraints set forth by the Environmental Conservation Law, Rules and Regulations of the State of New York, and established policies and procedures for the administration of the lands involved. It is the policy of the DEC to manage State Forests for multiple uses to serve the people of New York State. The management plans are based upon a long-range vision for the management area. All aspects of the plans are subject to a review, revision, and updates every 10 years.

## **2.7.2 Floodplains**

All streams develop floodplains, but with small streams — such as most of those in Smithville — they are negligible; unless one insists on building upon the stream banks, they generally do not pose a significant hazard. On large streams large flood plains develop and they are hazardous to build upon, as they will eventually experience flooding. Attempts are made to quantify the risk of flooding by estimating intervals of time within which a particular area is likely to experience a flood. Thus there are 100-year areas, 500-year areas, and so on. It is important to remember that this does not mean that the area will not flood for 500 years — it could do so tomorrow. One might pose the question: would you build your house on a railroad track if you knew that at any time over the next 100 years a train could come down it?

Significant flood plains in Smithville exist only along the Genegantslet Creek. Indian village sites were found, almost invariably, on the so-called “second” flood plain. This means that they were not built on the active flood plain but on a higher, abandoned flood plain, which was formed when the stream flowed at a higher elevation. Most streams, as they erode valleys ever deeper, leave behind a series of terraces marking the edges of older flood plains. These remnants of former, inactive flood plains may be safe to build upon, though they're still undesirable for

development projects, as they're sensitive to groundwater pollution. It is wise to remember too that as a region is developed there is a constant increase in the area of impermeable surfaces (i.e., roads, roofs, driveways, etc.). These surfaces cause 100 percent runoff during rains, snowmelt, and so on, increasing the flow of water into streams, which can enhance both the severity and speed of flooding.

Floodplains and flood-prone areas serve as an escape valve to accommodate excess water the main water channel cannot handle during periods of high water runoff.

Development within the 100-year floodplain is restricted by state and federal laws because filling in or restricting the natural floodplain of a waterway increases the potential for extensive flooding elsewhere. The latest FEMA map depicts the flood-prone areas in the Town of Smithville. The latest flood maps available as of 2011 were issued on 11/26/2010 and can be viewed at <http://msc.fema.gov>.

On July 8, 1935, heavy rains caused a major flood in the area. The earthen dam on Cincinnatus Lake washed out, as did the dam on Long Pond. A wall of water flowed down through the hamlet of Smithville Flats, down to the Chenango River, and on to Binghamton and the Susquehanna River. Several homes and businesses were washed away. In 1954, the Federal Government and the US Corp of Engineers had plans to build several large dams in the Southern Tier as a flood control measure. One was designated to be built on the Genegantslet Creek near Petonia Lake. It would have flooded back upstream for 4.8 miles, to the hamlet of Smithville Flats, inundating much good farm land. Area residents from the Towns of German, McDonough, Pharsalia, and others formed the Genegantslet Watershed. The Watershed group members believed that a series of small dams in the smaller creeks would offer more flood protection, than one big dam and would cause less damage to the area, especially in the case of flash flooding. After much correspondence opposing the dam, representatives of the Watershed group went to Washington, D.C., and met with John Taber, chairman of the House Appropriations Committee, which originates legislation for the appropriation of federal funds. Mr. Taber was able to remove the appropriation from the 1955 federal budget and it was never again added. In 1976, the Corp of Engineers, again, wanted to build the dam, this time as a recreation area. The plan was eventually deauthorized.

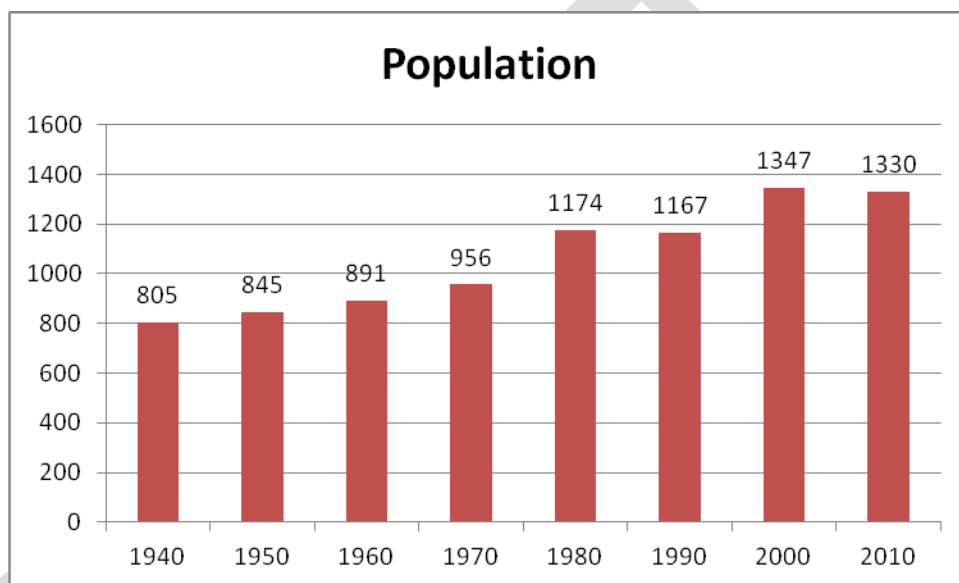
## 2.8 Population & Demographics

At the time of writing this comprehensive plan, the 2010 census data was only partially available. The following sections list both 2000 and 2010 data based on availability.

### 2.8.1 Population

In the year 2010, the US Census Bureau reported 1,330 residents in the Town of Smithville; nearly the same as in the 2000 census. (See Chart 1).

**Chart 1 Total Population**



As of the year 2010, Smithville has a population density of 26.33 persons per square mile. This is less than half the average of Chenango County (57.47 persons per square mile).

### 2.9 Employment

The residents of Smithville work in a number of diverse fields. As of the year 2000, 61 percent of the employed population worked for privately owned, for-profit organizations, and 22 percent worked for local, state, or federal agencies. A mere 10 individuals were listed self-employed, and worked in agriculture, fishing, hunting, or forestry.

One rather distressing fact is that nearly 40 percent of the Smithville workforce works outside of Chenango County. Year 2000 census data shows that the average travel time to work for a resident of Smithville is 32 minutes per day. In an area where there is little-to-no traffic, presumably the average worker is traveling anywhere from 20 to 40 miles to and from work each day.

As of the year 2000, the median household income was just about \$35,000. The New York State average is approximately \$44,000, though considering the relatively low cost-of-living Smithville residents are afforded, it's essentially comparable.

## **2.10 Housing**

Housing statistics show that Smithville has many seasonal homes and hunting camps in the town. In the year 2010, 217 housing units (29 percent of the total) were considered seasonal homes.

In 1990, the median housing value in Smithville was about \$53,000. By 2000, this number had grown to only \$58,000, despite the period of incredible economic gains in the US. These figures indicate that Smithville did not gain much property value during this time and/or higher value housing was not being built then.

Although there are not many, rental properties in Smithville average \$400 to \$500 a month. Most of the houses in Smithville are owner-occupied. In the year 2010, 85 percent of houses were occupied by the owner (a much larger proportion than the national average, which was 65 percent).

## **2.11 Transportation**

### **2.11.1 Airports**

The closest public airports are located in Norwich, Binghamton, and Syracuse. The Greater Binghamton Airport and the Warren Eaton Airport in Norwich are both located approximately 30 minutes away, while the Syracuse Hancock International Airport is 90 minutes to the north. The Greene Airport is a public use airport for general aviation and is located approximately 10 minutes from Smithville. The airstrip is privately owned, and has a 100 percent grass runway. The Greene Airport identifier, 4N7, is listed in the New York State Airport Directory and recognized by the NYS Department of Transportation. The facility offers full aircraft inspection and repairs for general aircrafts. A Certified Flight Instructor (CF11) offers lessons at the airport. The Greene Airport also reports to the National Weather Service and to [Weatherunderground.com](http://Weatherunderground.com).

### **2.11.2 Bus Service**

Bus Service in Greene connects passengers to public transit in Binghamton, Norwich, and Utica. Chenango County Public Transit operates bus service four times daily on fixed routes around the county, and also makes additional stops upon request. The first daily pick-up in Smithville is at 6:25 a.m. and arrives in Norwich at 7:30 a.m. The last bus of the day leaves Norwich at 3:15 p.m. and arrives in Smithville at 4:00 p.m. Stops are made in Norwich, McDonough, East McDonough, Oxford, Brisben, and Greene.



### **2.11.3 Roads**

Six functional classifications exist for roads in Chenango County: Interstate, Principal Arterial, Minor Arterial, Major Arterial, Major Collector, Minor Collector, and Local Roads.

The major road in the Town of Smithville is Route 41, which connects I-86 and I-90 (NYS Thruway). State Route 220 begins in Smithville at the north end of Smithville Flats heading north towards the Town of McDonough and ends in Oxford. The major County Roads are 2, 3, 3A. Interstate 81 is located 10 miles off the western boarder of the town, while Interstate 88 is 15 miles from the eastern boarder of the town. There are no roads rated as Interstate or Principal Arterial in the Town of Smithville proper. Some of the Town Roads have seasonal sections.

### **2.12 Education**

The Town of Smithville is primarily served by the Greene Central School District, though a small segment of the municipality is served by the Oxford Academy. Students from Smithville Flats are bussed to Greene from Kindergarten through senior year. The school district serves approximately 1,400 students, who are taught by approximately 100 faculty members.

Greene Central School's mission statement reads as follows: "Greene Central School, in partnership with the community, will inspire students to learn the skills and behaviors necessary to become productive citizens." In addition to the Greene Central School system, young adults can take advantage of an array of programs offered by the Delaware-Chenango-Madison-Otsego BOCES. DCMO BOCES offers more than 20 programs, characterized by their integration of academics with instruction in specific trade related skills in fields such as automotive technology, nursing, culinary arts, cosmetology, security, welding, and communication/graphic arts.

Within an hour's commute from Smithville Flats are several two-year colleges, public and private four-year colleges, and several public and private universities. Two-year colleges include Broome Community College and Tompkins-Cortland County Community College. Students can also earn two-year degrees at SUNY Morrisville's extension center in Norwich. Ithaca College is a nearby private Liberal Arts College, while both SUNY Cortland and SUNY Oneonta offer an array of four-year degrees and a selected number of Masters Programs. In addition, Cornell University and Binghamton University offer a wide array of four-year degrees and some of the best Ph.D. programs in the nation.

### **2.13 Parks and Recreation**

There are several public recreation resources in the Town of Smithville. Smithville Flats is home to a large open space that has been converted into a public park area called Eagle Scout Park, which offers basketball courts, softball fields, and a recreational pavilion. Genegantslet Creek offers many public fishing areas and is stocked with brown trout every spring by the NYSDEC.

Long Pond offers open access to boaters and fishermen and has a number of free campsites. 4 miles of NYS snowmobile corridor extend through Long Pond State Forest and additional parts of that corridor are connected and can be accessed at various points in the Town.

A 6 mile section of the Finger Lakes Trail (FLT) goes through the eastern part of Smithville. The trail crosses County Route 3 at Stone Quarry Road. A map of the FLT can be viewed at <http://www.fltconference.org/trails/hike-the-trail/map3/>. The 558 mile long FLT stretches across New York State from Western NY to the Catskills.

Once each year, a Town celebration called Smithville Day is held, usually the second Saturday in June. This celebration is intended to showcase the Town and provide a dedicated day for residents to gather and socialize, fostering a sense of community for a somewhat spread-out rural area. The format includes a 5K walk/run, vendor displays, live music, various food vendors, a parade, tractor pull, car show, etc. There is a committee called the Smithville Day Committee that organizes Smithville Day for the Smithville Town Board. The Town provides some of the money needed to put on the event and money collected from vendors and local businesses provides the remainder of needed funds.

#### **2.14 Available Technology**

At present, residents of the Town of Smithville have limited options when it comes to cable television and high-speed Internet. The main cable service provider is Haele TV, as Time Warner Cable does not currently service the town. Haele also provides Internet access, but only at a 56Kbps speed in Smithville. Town residents can also choose to use either Direct TV or Dish Network for both cable and Internet access. Direct TV and Dish Network offer high speed satellite Internet access at 1.5Mbps and access to hundreds of television channels throughout Smithville. Frontier Communications offers 3Mbps DSL Internet access in the Hamlet of Smithville Flats and its outskirts.

Town information is disseminated via two Web sites. One is for general information about the Town and uses the domain “SmithvilleNY.com.” The other uses the domain “SmithvilleDay.org” and is maintained by the Smithville Day Committee to disseminate information about Smithville Day.



## 2.15 Fire and Emergency Services

The Genegantslet Fire Company Inc. is located at 5333 State Highway 41 in Smithville Flats, and is staffed by 30 volunteer members. Among them, four members are certified Emergency Medical Technicians that can offer basic first aid, CPR, and also operate emergency defibrillator equipment as necessary. In cases when an ambulance is needed, The Greene Emergency Squad is the town's primary source of emergency ALS care and transportation. The eastern and southeast portion of the town is covered by the Village of Oxford Emergency Squad.

The fire company's fleet is made up of four vehicles; currently there is a front line fire engine, a pump tanker, a water tanker, and a mini pumper. The building pictured above is the new fire station dedicated June 2011.

The Town of Smithville has an agreement with three different fire companies to provide fire coverage. Under the current (2012) agreement, the Genegantslet Fire Company Inc. provides coverage for the entire western portion of the town, including Smithville Flats and the area of Smithville Center west of Pollard Road. The eastern portion of the town, known as Tyner, is covered by the Village of Oxford Fire Department. A small portion of southeast Smithville is protected by the Brisben Fire Department.

## **2.16 Results of Community Survey**

In December of 2004, Town of Smithville residents were asked to complete a survey designed to gauge interest in subjects that the Planning Board could address. There were 220 questionnaires filled out and returned by the first quarter of 2005.

When asked whether they were happy with their drinking water, 29 residents outside of the Hamlet said they were not, while 98 said they were. Respondents from within the Hamlet responded similarly; 17 indicated they were not happy, while 25 said that they were happy with their drinking water.

When asked whether the Hamlet should install a public drinking water system, 25 people who lived outside the Hamlet agreed, while 72 did not. Respondents within the Hamlet were split at 17 votes for and against the water system.

When asked whether the Hamlet should have a fire hydrant system, 50 respondents outside the Hamlet said yes, while 58 said no. Respondents from inside the Hamlet generally supported the idea with 21 votes for the system, though 17 voted against it.

When asked whether noise was a significant concern, 81 respondents from outside the Hamlet said yes and only 42 said it was not. Respondents from inside the Hamlet voted similarly; 24 voters said noise was a concern, while 18 said it was not.

When asked whether burning garbage was a concern, 54 respondents from outside the Hamlet said yes and 72 said no. Inside the Hamlet, 23 respondents said it was not a concern, while 19 said that it was.

When asked whether speed laws should be better enforced, 77 respondents from outside the Hamlet said yes and 44 said no. Inside the Hamlet, 29 respondents said that speed enforcement was an issue and only 11 said that it was not.

## **3.0 Items for Consideration and Goals**

### **3.1 Mission Statement of the Town of Smithville**

The Town of Smithville wishes to keep its rural atmosphere and preserve the lifestyle of its residents. This means protecting both the natural resources that are available and the historical locations and buildings within the town. It is also the desire of the town residents to bolster the local economy, establish more employment opportunities, and raise the average household income. This will encourage business development, agricultural land usage, and the construction of new houses within the town. To achieve this mission, this Plan has identified a list of goals the Town of Smithville seeks to reach as well as a number of issues that should be addressed.

### **3.2 Item for Consideration 1**

Smithville is not located near a large metropolitan area. There are limited tourist attractions to draw visitors to the area. Recent trends indicate that the local agriculture industry has been shrinking. According to the Census of Agriculture's Profile of Chenango County, the number and size of farms have diminished by two percent from 1997 to 2002. During the same time period, the total acreage of land in agriculture has gone down by four percent.

#### **3.2.1 Opportunities**

The Town of Smithville is located in a beautiful rural setting, and has a low crime rate and little congestion. It is only a 40 minute commute from SUNY Binghamton, which the state intends to be a catalyst for economic development and a support center for the development of technology companies. Broome County Community College is within a twenty minute drive. The town is not subject to great development pressure at this time; therefore, it's afforded the time to plan for its future in the direction most desired by residents.

### **3.3 Item for Consideration 2**

Many parts of the Town of Smithville retain a quaint historic appearance (which residents and visitors alike mention as part of its special character). The elements that create this character are historic buildings, sites, and structures, many of which are described in detail in this Plan. The town currently has no strategy in place for promoting the preservation, maintenance, and/or enhancement of these historic resources. Some of the possible threats to them include:

- Loss of historic structures, farmland, and open spaces to development
- Loss of historic structures to decay due to lack of proper maintenance
- Ill-considered new development which detracts from, rather than adds to, the historic character of the town
- Loss of significance due to lack of public knowledge of their place in the Town of Smithville's history

#### **3.3.1 Opportunities**

The town has the authority to adopt strategies to preserve the structures and locations that contribute to its historic character, and to guide and shape future development so as to harmonize with that character and further enhance it. To this end, the Town should consider the adoption of a site plan review local law. In addition, the Town of Smithville needs to support and work with local organizations that promote historic preservation and compatible development.



### **3.4 Item for Consideration 3**

Floodplain lands are best used as recreation areas, green space, and for agricultural activities (such as pasture and crops that require minimal investment of infrastructure which might be damaged or lost, and do not leave large areas bare and easily eroded during a flood). While imposing more strict regulations and restricting development of floodplains may seem to be a hardship to landowners, it actually prevents the community from having to suffer loss and hardships.

#### **3.4.1 Opportunities**

The town may wish to adopt land use laws that require all new construction be outside floodplains wherever possible and include storm water management plans.

### **3.5 Item for Consideration 4**

Upstate New York today is a divided landscape. The hillsides still bear the imprint of the glaciers in the impermeable clay hardpan that underlies their thin skin of topsoil. Glaciers left the valleys filled with fast-draining sand and gravel-rich sediments containing extensive aquifers. It is hardly a coincidence that early inhabitants, from Native Americans to the early European immigrants, settled along the river valleys, leaving the less productive, steep, rocky, and poorly drained hillsides to the latecomers. However, the promise of the valleys is also their curse, as they're subject to the most intensive -- and often conflicting -- development pressures.

For example:

- The valleys offer the best agricultural soils, accumulated topsoil carried down from the hillsides above, underlain with well-drained sand and gravel
- The valleys make up the only large expanses of level land in the town, making them the most efficient to farm and to build on
- The valleys are underlain by sand and gravel deposits, valuable resources that can be productively developed consistent with county and state environmental regulations.

#### **3.5.1 Opportunities**

The composition of the soil indicates that agriculture is not an industry that will thrive in this area. It should be noted that placing emphasis on other forms of development may be the key to rejuvenating the economy of this area.

### **3.6 Item for Consideration 5**

The Smithville Highway Garage is located approximately two miles north of Smithville Flats on NYS Route 220, yet nearly 70% of the total mileage of town roads maintained from that site are located in the Smithville Center/Tyner area.

#### **Opportunities 3.6.1**

The addition of a small satellite garage in the Smithville Center area would result in greatly reduced mileage costs and travel time to work sites. A thorough analysis is warranted as the savings may very well offset the initial costs and produce long term benefits.

Currently, the registered voters in Smithville District 1 (Smithville Center/Tyner areas) must travel to Smithville Flats to vote. The proposed satellite garage could be used as a Polling Place, thus eliminating this hardship for District 1 voters, as well.

### **3.7 Items for Consideration 6**

Many Americans are overweight, under exercised and at risk for associated health problems. Smithville is no exception. There is a need for convenient opportunities to obtain exercise through walking in the hamlet of Smithville Flats. Local roads do not have walkable shoulders and there is a higher volume of traffic in the hamlet. Residents need to either walk in the road or drive to Greene or another area to walk.

In the winter, Smithville's land could support cross country skiing and snowshoeing events. However, there is no infrastructure for it right now. There is no lodge or central meeting place nor are there defined trails for those activities near the hamlet of Smithville Flats.

The natural beauty of the Smithville land is a huge asset but is underutilized. This is a missed opportunity for the Town to attract tourism and new, prospective, taxpaying residents while improving the quality of life for the Town's existing residents.

There are no sledding hills in the Town of Smithville designed, designated and available for public sledding.

#### **3.6.1 Opportunities**

During the Genegantslet Horse Farms subdivision process in 2005 and 2006, the Planning Board started the process of creating a park-like walking area along picturesque Genegantslet Creek. A 51 acre conservation easement was created through the Chenango Land Trust by the subdivision applicants, NY Land and Lakes, Inc. The easement is located along the creek to preserve the beauty of the land by limiting development along its shoreline and to facilitate the creation of a pedestrian trail. In addition, per Smithville Subdivision Regulations, \$14K was collected from the developers in lieu of land for recreation. A committee should be formed to continue planning

and implementing this trail along the creek using the monies that were set aside for this type of use.

Since the area around the Community Center, ball field, paved parking lot, playground, etc. is becoming a well developed, attractive hub of activity, having most walking opportunities start and end there would be a logical goal. It would also leverage investments already made. The possibility of winning a grant for a bridge across the creek should be investigated. That would allow pedestrians to use the trail along the creek for walking or cross country skiing, snowshoeing, etc. and park at the community center. From there, a trail user could also take advantage of the trail connecting the state land proposed in the next paragraph.

The Tarbell Farms State Forest could be a great recreational resource for the Town of Smithville. There is potential to make a connecting trail between the Community Center and the state land. This should be studied and implemented if possible. This could be done through conservation or recreation easements and funded through a grant.

Investigate opportunities to restore a section of dilapidated sidewalk connecting the Rt 41 bridge over Long Pond Outlet and the Community Center. Part of that activity could be part of the bridge replacement capital project (PIN 910224) planned to begin in 2014. The Town could look for grant money for the remaining sections.

Investigate the possibility of creating a sledding hill behind Eagle Scout Park.

### **3.8 Item for Consideration 7**

With shrinking budgets, the possibility of consolidating all possible services should be investigated.

#### **3.8.1 Opportunities**

The consolidation of services at the town, county, and state level is one way that taxpayers could potentially save money and reduce waste. It should be a goal of the town to investigate the consolidation of services whenever possible.

### **3.9 Item for Consideration 8**

The town must ensure that adequate transportation is available for those who need it.

#### **3.9.1 Opportunities**

It is important that the town stays involved and assures that there is public transportation available. Whenever possible, the town should work with other communities to secure resources to increase public transportation.

### **3.10 Item for Consideration 9**

The town must ensure that the quality of the water supply in the surrounding area remains stable and useable for the population.

#### **3.10.1 Opportunities**

There are many state and federal agencies in place to help protect the water supply in the area. The town must stay up-to-date on programs offered by these organizations and use them to their maximum capacity in order to ensure water quality.

#### **3.10.2 Water Source Protection**

The town has extensive authority to protect its aquifers from pollution and to ensure that storm water management measures on new development are effective so that runoff will be clean and allowed to infiltrate into the ground to recharge the aquifer. The town can use the environmental review State Environmental Review Act process to impose mitigating conditions on any new development that will adversely affect an aquifer. It can adopt land use laws to prevent misuse of the aquifer, and can use overlay zoning to require special measures to protect water quality in especially sensitive watersheds.

Development of the land within a drainage basin has an effect on the streams and aquifers, as almost all development results in an increase in impermeable surface area. Parking lots, roofs, roads and driveways shed rainfall, rather than absorbing it increasing the quantity of water which will run off a given area when it rains, and reducing the amount of water which soaks in to recharge the aquifers. Gutters, ditches, storm sewers and drainage pipes speed up the travel time of the runoff so that it reaches streams more quickly, resulting in a higher peak runoff amounts and increasing the potential for flooding.

### **3.11 Item for Consideration 10**

The quality of water within the most heavily populated areas of the Town of Smithville needs to be reviewed. In 2000, a sample of 13 wells were tested for water quality. One well was found to be contaminated with coliform bacteria and the owner was informed by Buck Labs. Nine of the 13 wells tested exceeded the Maximum Contaminant Level (MCL) of Iron and Manganese for public water supplies, according to NYS Sanitary Code Subpart 5-1. Four wells showed sodium levels higher than recommended for consumption by persons on severely restricted sodium diets.

#### **3.11.1 Opportunities**

There have been discussions about the water quality within the more heavily populated portion of Smithville Flats. This issue should be revisited to test and determine the current quality of the water supply and to consider the costs/benefits of improving it (if necessary.)

### **3.12 Item for Consideration 11**

Currently, the Town of Smithville has agreements with three different fire companies. These agreements should be periodically reviewed in order to ensure that it's receiving the highest level of coverage at the lowest price possible.

#### **3.12.1 Opportunities**

Currently, Smithville has agreements with the Genegantslet Fire Department, the Brisben and Oxford Fire Departments. The agreements with these companies should be periodically reviewed to ensure that the best coverage is being provided at the best prices. The money saved could be used to fund additional projects such as a fire hydrant system in areas of heavy population.

### **3.13 Item for Consideration 12**

The results of the survey conducted in 2004 - 2005 show that individuals who live inside the Hamlet of Smithville and those that do not tended to agree on most of the issues raised in the survey. Most said that they wanted to see better enforcement of laws already in place and did not see the need for a public drinking water system. One thing that stood out was the nearly unanimous support for the installation of a fire hydrant system among residents both in and outside of the Hamlet.

#### **3.13.1**

Now that interest has been gauged, residents must be informed how these plans would be paid for. For instance, many people outside the Hamlet may have voted "no" on certain issues because they believed improvements would raise their taxes, when in fact they would not. Plans must be enacted and surveys about the issues can be collected once voters are provided full knowledge of what the direct costs would be.